



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

THE DIRECTOR

January 5, 2021

The Honorable Michael Rigas  
Acting Director  
U.S. Office of Personnel Management  
Washington DC 20415

Dear Director Rigas:

This is a supplemental letter to request OPM approval, under Executive Order (EO) 13957, to place the attached list of positions in Schedule F of excepted service. The Office of Management and Budget has determined these positions are of a confidential, policy-determining, policy-making, or policy-advocating character and not normally subject to change as a result of a Presidential transition. The following is provided in support of our request:

The Office of Management and Budget is requesting this inclusion in Schedule F under Section 5 (c) of EO 13957 for positions that involve substantive participation in the advocacy for, development of, or formulation of policy.

In the attached documents, we list the official position titles, occupational series, grade levels, geographic locations, and number of positions.

In the attached documents, we also have described the factors demonstrating that the identified positions have duties of a policy-determining, policy-making, policy-advocating, or confidential nature which include, but are not limited to:

- 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;
- the supervision of attorney positions; or
- 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 an agency or agency component executive secretariat (or equivalent); or
- conducting, on the agency's behalf, collective bargaining negotiations under chapter 71 of title 5, United States Code.

The attached documents contain this information.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Vought", with a long horizontal stroke extending to the right.

Russell T. Vought  
Director

**Title, Occupational Series, Pay Plan: Associate General Counsel, SL-905-00**

Agency position description No.: RF00409

Geographical location of the position: Washington, D.C.

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “The incumbent works as the lead or principal attorney on cases or legal issues characterized by one or more of the following: (1) extremely complex legal or factual issues requiring a high order of legal endeavor with the incumbent having to balance conflicting interests; (2) matters that can have the effect of substantially broadening or restricting the activities of an agency or have an important impact on policy; (3) matters involve the most sensitive agency policies; or (4) issues that are contested by extremely capable legal talent.
- “As the lead attorney on a particular case or legal issue characterized by one of the traits described above, the incumbent serves as a close personal assistant to the General Counsel and as such, must be a person in whom the General Counsel has complete trust and confidence. At this level, the incumbent typically deals with the senior leadership within OMB or at other Federal agencies.”
- “The incumbent has continual access to highly sensitive information in carrying out these duties, and must be responsive to the General Counsel’s guidance with respect to maintaining the confidentiality as well as the effectiveness of the work.”
- “Participates in major discussions and negotiations on the legality, substance, policy implications, and format of Executive Orders and Proclamations and other documents related to policy and law, organization, and management.”
- “The incumbent works closely with key policy making officials and staff of OMB, the White House, Congress, and other federal agencies.”

Because the associate general counsel “[p]articipates in major discussions and negotiations on the legality, substance, policy implications, and format of Executive Orders and Proclamations and other documents related to policy” and “works as the lead or principal attorney on cases or legal issues characterized by...matters that...have an important impact on policy,” his/her duties meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Sec. 5(c)(i) of the EO because participating in major discussions and negotiations on the legality, substance, policy implications, and format of Executive Orders and Proclamations and other documents related to policy and working as the lead or principal attorney on cases or legal issues that have an important impact on policy constitutes substantive (i.e., real or actual) participation in the development or formulation of policy. Moreover, because the associate general counsel’s duties involve, among other things, “serv[ing] as a close personal assistant to the General Counsel” and “work[ing] closely with key policy making officials and staff of OMB, the White House, Congress, and other federal agencies” on legal “matters

involv[ing] the most sensitive agency policies” such as Executive Orders and Proclamations, his/her duties meet the criteria of “viewing, circulating or otherwise working with...executive orders, or other non-public policy proposal or deliberations generally covered by deliberative process privilege” set forth in Sec. 5(c)(iv) of the EO because such materials viewed and worked on are generally covered by deliberative process privilege and the General Counsel of OMB, and other key policy making officials and staff of OMB, the White House, Congress, and other federal agencies, are individual appointed by either the President or an agency head who is paid at a rate not less than earned by employees at Grade 13 of the General Schedule.”

**Title, Occupational Series, Pay Plan: Supervisory IT Specialist, 2210, GS-15**

Agency position description No.: RF00681

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-determining

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- "Incumbent has full responsibility for planning, programming and directing the IT operations for OMB."
- "Serves as the senior consultant to top management officials on the analysis, design, development and administration of various mission critical IT systems that support core agency functions."
- "Develops input for agency-wide information technology policy directives, including developing short and long-range cyber security policies, objectives, and standards."

Because the supervisory IT specialist's duties involve, among other things, developing input for agency-wide information technology policy directives, his/her duties meet the criteria of "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" set forth in Sec. 4(c)(iv) of the EO because planning, programming, and directing the IT operations for the OMB and other EOP components is substantive policy-related work in an agency or agency component that primarily focuses on policy.

**Title, Occupational Series, Pay Plan: Budget Information Management Specialist, 501, GS-15**

Agency position description No.: RF00036

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- "The incumbent must exercise considerable resourcefulness, self-motivation and inventiveness, and must show discretion in working on sensitive assignments."
- "The incumbent performs a wide range of administrative and analytical duties connected with the formulation, justification, presentation, execution, and review of the President's Budget and alternative budget proposals."
- "Within OMB, contacts are with staff at all levels, including the Director, Deputy Director, Executive and Program Associate Directors, and Assistant Directors."
- "The purpose of contacts is to make recommendations of budgetary and management issues; to obtain factual information, to perform systematic examination of alternative courses of actions, and help clarify the relevant choices and their implications; and to provide decisions makers with sound, decision oriented analyses and the quantitative basis by which to make decisions."

The budget information management specialist's duties involve, among other things, administrative and analytical duties connected with the formulation, justification, presentation, execution, and review of the President's Budget and alternative budget proposals, as well as making recommendations of budgetary and management issues by performing systematic examination of alternative courses of actions and helping clarify the relevant choices and their implications. His/her duties meet the criteria of "substantive participation in the advocacy for or development or formulation of policy" set forth in Sec. 5(c)(i) of the EO because formulation, justification, presentation, execution, and review of the President's Budget and alternative budget proposals and making recommendations of budgetary and management issues involves substantive policy-related work, as set forth in Sec. 5(c)(i)(A)/(B) of the EO. Furthermore, the duties are performed on behalf of OMB, an agency that primarily focuses on policy, as set forth in Sec. 5(c)(i)(B) of the EO.

His/her duties also meet the criteria of "viewing, circulating, or otherwise working with . . . non-public policy proposals" set forth in Sec. 5(c)(iv) of the EO because the described duties necessarily involve viewing, circulating or otherwise working with non-public policy proposals. He/she also regularly works with the Director, Deputy Director, Executive and Program Associate Directors, and Assistant Directors, many of whom are individuals "appointed by either the President or an agency head who [are] paid at a rate not less than that earned by employees at Grade 13 of the General Schedule," as set forth in Sec. 5(c)(iv)(A) of the EO.

**Title, Occupational Series, Pay Plan: Procurement Analyst, 1102, GS-15**

Agency position description No.: RF00561

Geographical location of the position: Washington, DC

Number of positions: 2

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-determining
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Provides leadership and professional management direction to develop Government-wide procurement policy, procedures and forms, regulations, and legislative proposals.”
- “Oversees implementation of procurement policy and procedures.”
- “Determines the adequacy of existing policy and recommends additional policy and/or legislative changes needed to remedy problems, reviews legislation proposed by agencies for conformance with OFPP policy and makes recommendations.”

Because the procurement analyst’s duties involve, among other things, managing oversight of procurement policy for designated departments or agencies and coordinating Federal procurement law, policies and practices, his/her duties meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Sec. 4(c)(i) of the EO because managing oversight of Government-wide procurement policy is substantive policy-related work in an agency or agency component that primarily focuses on policy.

**Title, Occupational Series, Pay Plan: Supervisory IT Project Manager, 2210, GS-15**

Agency position description No.: RF00727

Geographical location of the position: Washington, DC

Number of positions: 3

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-determining
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Implements IT project plans to meet objectives, coordinates and integrates project activities, manages project resources, participates in phase, milestone, and final project reviews.”
- “Prepares databases and applications for various exercises, including but not limited to, the preparation of the President’s budget, emergency data collection drills, long-term recurring data collections for publication, and various other data collection and reporting exercises.”
- “Works closely with business units within the OMB and other EOP components, including cross-functional teams, to drive critical, highly-integrated projects on time and budget while delivering key business requirements.”

Because the supervisory IT project manager’s duties involve, among other things, preparing databases and applications for exercises including the preparation of the President’s budget, his/her duties meet the criteria of “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” set forth in Sec. 4(c)(iv) of the EO because working closely with business units within the OMB and other EOP components is substantive policy-related work in an agency or agency component that primarily focuses on policy.



**Title, Occupational Series, Pay Plan: Supervisory Policy Analyst, 0301, GS-15**

Agency position description No.: RF00188

Geographical location of the position: Washington, DC

Number of positions: 2

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- "Exercises supervision and control for the Division staff of multi-disciplined professional and technical personnel providing expert advice and assistance on a diverse array of major policy issues."
- "Resolves major policy issues, and renders advice and assistance in the administration of operating guidelines."
- "Develops and implements government-wide policy guidelines for performance improvement. Performs general policy and organizational analyses."

Because the supervisory policy analyst's duties involve, among other things, supervising Division staff who provide expert advice on major policy issues, his/her duties meet the criteria of "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" set forth in Sec. 4(c)(iv) of the EO because resolving major policy issues and rendering advice and assistance in the administration of operating guidelines is substantive policy-related work in an agency or agency component that primarily focuses on policy.

**IT Category Management Specialist, 0301, GS-15 (OFPP)**

Agency position description No.: RF00614

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-advocating
- Policy-determining

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties:

- “[R]eports to the Deputy Administrator for the Office of Federal Procurement Policy.”
- “Draft options for seeking adoption or developing new policies, to use best-in-class contract vehicles, analyze buying behavior data, apply effective management strategies, leverage supplier relationships, manage customer relationships, and share expertise across the government.”
- “Develop proposed outreach and awareness campaigns to increase adoption of category management approaches.”
- “Assist in sharing best practices and lessons learned with the federal community.”
- “Support IT CM collaboration with the Office of Federal Procurement Policy (OFPP), Office of E-Government, and U.S Digital Service (U DS) to execute sound CM strategies and policies under the general guidance of the Category Management Leadership Council (CMLC).”
- “Support interagency collaboration, engender broad-based stakeholder engagement and assist in the development of category teams.”
- “Coordinate with agency SPEs and CAOs on agency implementation progress, including the development of executive dashboards.”
- Supervisory controls: “The incumbent reports to the Deputy Administrator for the Office of Federal Procurement Policy (OFPP), who provides only the broadest of administrative and policy direction concerning overall project priorities and objectives. he incumbent is recognized as an authority in IT category management; as such, is typically delegated complete responsibility and authority to plan, schedule and carry out the work. Findings and recommendations are normally accepted without significant change.”
- Guidelines: “The incumbent uses judgment to determine the intent of applicable guidelines, supports development of policy and guidelines for specific areas of work, and formulate interpretations that may take the form of policy statements and guidelines proposed for adoption by OMB and/or EOP.”
- Complexity: “The work involves supporting efforts to address issues in areas where precedents do not exist, and facilitate the establishment of new concepts and approaches.”
- Scope and effect: “The work involves planning, developing, and carrying out broad and extensive assignments of significant interest to the public and the government. Projects typically cut across or strongly influence a number of agencies.”
- “The work often leads to recommendations for realigning IT responsibilities among agencies or to expansion or contraction of key governmental functions or other equally significant changes in the future direction of IT programs; and/or affects large numbers of people on a long-term or continuing basis.”

Because the position's duties involve, among others, drafting options to adopt or develop new policies in several cross-cutting areas of category management across the government, the position meets the element of "substantive participation in the advocacy for or development or formulation of policy" set forth in section 5(c)(i) of the E.O.

**Title, Occupational Series, Pay Plan: Economist, 110, GS-14**

Agency position description No.: RF00063

Geographical location of the position: Washington, DC

Number of positions: 2

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Analyzes program plans and operational policy questions with special attention to data and resource requirements and economic effects and implications and develops measures of the costs and effects of alternative program/policy choices. Develops and recommends options for actions in relevant areas.”
- “Develops or coordinates the development of complex budget, program and legislative proposals, often in areas involving multiple agencies and programs. Serves as the OMB expert on such assignments.”
- “Reviews and evaluates pending and proposed budget actions and policies, legislation and regulations on assigned topics and advises policy-level officials of recommended actions.”
- “[M]ust be able to address and complete sensitive assignments discreetly.”
- “The incumbent provides expert, comprehensive advice and assistance in assigned program areas to high-level officials and staff in OMB, in the EOP, in other Federal agencies and in Congressional offices. . . . The incumbent’s efforts focus primarily on issues or areas of high OMB and/or Presidential policy/program decisions.”

The economist’s duties involve, among other things, developing or coordinating the development of complex budget, program, and legislative proposals, often in areas involving multiple agencies and programs while serving as the OMB expert on such assignments; reviewing and evaluating pending and proposed budget actions and policies, legislation, and regulations and advising policy-level officials of recommended actions; and providing expert, comprehensive advice and assistance in assigned program areas to high-level officials and staff in OMB, in the EOP, in other Federal agencies, and in Congressional offices, focusing primarily on issues or areas of high-level OMB or Presidential policy decisions. His/her duties meet the criteria of “substantive policy-related work in an agency or agency component that primarily focuses on policy” set forth in Sec. 5(c)(i) of the EO because developing or coordinating the development of budget, program, and legislative proposals; advising policy-level officials of recommended actions on pending and proposed budget actions and policies, legislation, and regulations; and providing advice and assistance to high-level officials and staff in OMB, in the EOP, in other Federal agencies and in Congressional offices involves substantive policy-related work, as set forth in Sec. 5(c)(i)(A) of the EO. Furthermore, these duties are carried out on behalf of OMB and the EOP, agencies that primarily focus on policy, as set forth in Sec. 5(c)(i)(B) of the EO.

Additionally, his/her duties meet the criteria of “viewing, circulating, or otherwise working with . . . non-public policy proposals” set forth in Sec. 5(c)(iv) of the EO because review and evaluation of pending and

proposed budget actions and policies, legislation, and regulations necessarily involves viewing, circulating or otherwise working with non-public policy proposals, and he/she also regularly works with high-level officials in OMB, in the EOP, and in other Federal agencies, which would include individuals “appointed by either the President or an agency head who [are] paid at a rate not less than that earned by employees at Grade 13 of the General Schedule” as set forth in Sec. 5(c)(iv)(A) of the EO.

**Title, Occupational Series, Pay Plan: Associate Administrator for Workforce Programs, SL-301-00**

Agency position description No.: RF00543

Geographical location of the position: Washington, D.C.

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-determining
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- "This position is located in the Executive Office of the President (EOP), Office of Management and Budget (OMB), Office of Federal Procurement Policy (OFPP). The incumbent serves as the Associate Administrator for Acquisition Workforce Programs; as such [he/she] is responsible for exerting policy leadership and procurement management direction to the executive branch departments and agencies in regard to the acquisition workforce."
- "Takes the lead in developing policies and initiatives to strengthen the capability and capacity of the federal acquisition workforce...Government-wide."
- "Demonstrated skill in managing a policy staff unit in developing policy positions on issues relating to procurement."
- "Incumbent... keeps the [OMB] Director and Deputy Director informed" on matters relating to Federal procurement policy and "will routinely brief senior OMB officials and government wide senior agency officials"

Because the Associate Administrator for Workforce Programs (Associate Administrator) "is responsible for exerting policy leadership and procurement management direction to the executive branch departments and agencies in regard to the acquisition workforce," "[t]akes the lead in developing policies and initiatives to strengthen the capability and capacity of the federal acquisition workforce...Government-wide," and "manag[es] a policy staff unit in developing policy positions on issues relating to procurement," his/her duties meet the criteria of "substantive participation in the advocacy for or development or formulation of policy" set forth in Sec. 5(c)(i) of the EO because exerting policy leadership and procurement management direction to the executive branch departments and agencies in regard to the acquisition workforce, taking the lead in developing policies and initiatives to strengthen the capability and capacity of the federal acquisition workforce across the Federal government, and managing a policy staff unit in developing policy positions on issues relating to procurement constitute substantive (i.e., real or actual) participation in the development or formulation of policy concerning digital services across the Federal Government. Moreover, because the Associate Administrator is "[t]akes the lead in developing policies and initiatives to strengthen the capability and capacity of the federal acquisition workforce...Government-wide" and "keeps the [OMB] Director and Deputy Director informed" on matters relating to Federal procurement policy and "will routinely brief senior OMB officials and government wide senior agency officials," his/her duties meet the criteria of "viewing, circulating, or

otherwise working with... non-public policy proposal or deliberations generally covered by deliberative process privilege " set forth in Sec. 5(c)(iv) of the EO because developing Federal procurement policies and working on and discussing these types of sensitive and privileged matters of Federal procurement policy with senior Executive Branch officials constitute the sort of non-public policy proposals and deliberations generally covered by the deliberative process privilege. The Associate Administrator routinely works with the OMB Director and Deputy Director and other senior agency officials, and thus "regularly work[s] with [at least one] individual appointed by either the President or an agency head who is paid at a rate not less than earned by employees at Grade 13 of the General Schedule."

**Digital Services Expert (Talent Mgmt & Recr.), 301, GS-15 (USDS)**

Agency position description No.: RF00611

Geographical location of the position: Washington, DC

Number of positions: 5

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating
- Policy-making

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties:

- “[U]ses their expertise to champion the use of modern technology development and management approaches, drawing heavily upon best practices from the consumer technology industry.”
- “[U]ses their demonstrated experience recruiting technical talent, building and scaling organizations, fostering diverse teams, and developing strategic partnerships to evolve and grow the unit over time to fulfill its mission.”
- “[L]eads a talent strategy designed to bring leadership and staff with the skills to deliver world-class digital services into government, particularly in agencies, and identify and assess candidates. Iteratively develops and refines the talent and recruiting strategy, based on interaction with agencies, leadership, key stakeholders, and expertise.”
- “Maintains a steady pipeline of top technical talent into the Federal government in order to improve key services that government delivers to citizens.”
- “[O]versees the work of talent team operations and recruiting.”
- “Plans and executes strategic events and programming. Serves as a trusted spokesperson on the mission, projects, and culture of the U.S. Digital Service as well as a diverse range of issues related to technology, digital service delivery, and/or technology policy.”
- “[W]orks with other recognized technical experts within the agency and throughout the federal government, as well as individuals throughout private industry to develop a coordinated approach to unique problems or areas in which Federal agencies or the private sector has previously not been involved or concerned.”
- “[M]anages complex stakeholder environments, working with senior level officials across agencies and in the EOP. Maintains a deep understanding of USDS priorities in order to effectively hire staff who can execute against these priorities. Builds support and consensus for the talent strategy and goals.”
- “[P]lans and executes an iterative strategy for scaling an organization from startup phase to maturity.”
- “[C]onfers with key government and private officials and top experts in his/her field, representing the government at technical symposia and conferences. Using technical leadership, outstanding creativity, and exceptional judgment, he/she develops, defines and communicates citizen and business facing digital service delivery efforts in order to recruit top talent into the U.S. Digital Service to solve problems of major importance to citizens. Builds credible, trusted relationships with senior agency leaders.”



- “Identifies, leads and participates in regional, national and/or international special projects or studies, work groups, task forces and panels, frequently focusing on unprecedented problems, policy making, and shaping the future direction of government programs. Conceives, initiates, and monitors policies, programs, and projects dealing with the most challenging problems in the specialty area.”

Because the position’s duties involve, among others, building consensus around USDS strategies and goals, developing strategic partnerships, working with senior officials, acting as an agency spokesman and serving as a member of policy-making projects and groups, the position meets the element of “substantive participation in the advocacy for or development or formulation of policy” set forth in section 5(c)(i) of the E.O.

**Title, Occupational Series, Pay Plan: Policy Analyst, 0301, GS-11**

Agency position description No.: RF00484

Geographical location of the position: Washington, D.C.

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating
- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- "The incumbent... assist[s] in the analysis of a diverse array of major policy issues. The issues or areas are of a special interest to OMB or the President and the work of this position provides the analytic basis for major OMB and/or Presidential policy decisions."
- "Reviews important research, evaluation and statistical activities of Federal and nongovernmental sectors to identify and initiate actions to improve data bases available to shape informed policy decisions."
- "Participates in the development of multifaceted budget, program and legislative proposals."
- "Reviews pending and proposed budget actions, legislation, regulations and forms clearances requests on assigned topics and advises senior staff and the Division Director on recommended actions."
- "Contacts are at all levels of staff within OMB and high-ranking officials such as other agency heads, top congressional staff officials, and senior political staff."

Because the policy analyst's duties involve, among other things, "provid[ing] the analytic basis for major OMB and/or Presidential policy decisions" and "[p]articipat[ing] in the development of multifaceted budget, program and legislative proposals," his/her duties meet the criteria of "substantive participation in the advocacy for or development or formulation of policy" set forth in Sec. 5(c)(i) of the EO because providing the analytic basis for major OMB and/or Presidential policy decisions and participating in the development of multifaceted budget, program and legislative proposals constitute substantive (i.e., real or actual) participation in the development or formulation of policy. Moreover, because the policy analyst's duties involve, among other things, reviewing pending and proposed budget actions, legislation, regulations and forms clearances requests on assigned topics and advises senior staff and the Division Director on recommended actions, his/her duties meet the criteria of "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" set forth in Sec. 5(c)(iv) of the EO because reviewing non-public, pending and proposed budget actions, legislation, regulations and forms clearances requests involves "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." The policy analyst provides critical feedback and recommendations to OIRA and OMB leadership and maintains contacts with other high-level agency management officials,

and thus “regularly work[s] with [at least one] individual appointed by either the President or an agency head who is paid at a rate not less than earned by employees at Grade 13 of the General Schedule.”

**Title, Occupational Series, Pay Plan: Budget Preparation Specialist, 501, GS-15**

Agency position description No.: RF00710

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- Is “responsible for initiating, and assisting in the development of, guidelines to be used by the OMB staff and the agencies in meeting the requirements of budget preparation.”
- “[C]ontributes to the formulation and administration of the President’s budget.”
- Requires “preparing technically accurate and conceptually sound budgetary materials, including the annual budget and the public updates.”

The budget preparation specialist’s duties involve, among other things, initiating, and assisting in the development of, guidelines to be used by the OMB staff and the agencies in meeting the requirements of budget preparation, as well as contributing to the formulation and administration of the President’s budget through the preparation of technically accurate and conceptually sound budgetary materials. His/her duties meet the criteria of “substantive participation in the development or drafting of . . . guidance” or “substantive policy-related work in an agency or agency component that primarily focuses on policy” set forth in Sec. 5(c)(i) of the EO because initiating, and assisting in the development of, guidelines to be used by the OMB staff and the agencies involves substantive participation in the development of guidance, as set forth in Sec. 5(c)(i)(A) of the EO. Furthermore, contributing to the formulation and administration of the budget may involve substantive policy-related work in OMB’s Budget Review Division, an agency component that primarily focuses on policy, as set forth in Sec. 5(c)(i)(B) of the EO.

**Title, Occupational Series, Pay Plan: Supervisory Policy Analyst, 301, GS-15**

Agency position description No.: RF00695

Geographical location of the position: Washington, DC

Number of positions: 2

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Works with other OFCIO supervisory policy analysts, supervisory information technology specialists and the Chief of Staff to coordinate and oversee all resources and initiatives with the office, including . . . policy development and enforcement.”
- “Coordinates development and/or evaluation of complex budget, program, and legislative proposals. Serves as the OMB expert for assigned policy areas.”
- “Reviews pending and proposed budget actions, legislation and regulations on assigned topics and advises upper management of recommended actions.”
- “Directs a segment of a professional work group that involves the development of major aspects of key OMB initiatives and policy development.”
- “Contacts are with staff at all levels, including the Director, Deputy Director, Executive and Program Associate Directors, and Assistant Director. Other contacts are with Cabinet and high-level officials and staffs of the EOP and federal agencies and departments . . . .”
- “[I]nvolves major decisions and actions which have a direct and substantial effect on the organizations projects, initiatives, concepts and strategies involving technology, policy, processes, resourcing, acquisition and multidisciplinary integration.”

The supervisory policy analyst’s duties involve, among other things, working with others to coordinate and oversee all resources and initiatives, including policy development and enforcement; coordinating development or evaluation of budget, program, and legislative proposals, while serving as the OMB expert for assigned policy areas; reviewing pending and proposed budget actions, legislation, and regulations on assigned topics and advising upper management of recommended actions; directing a segment of a professional work group that develops major aspects of key OMB initiatives and policy development; and handling major decisions and actions which have a direct and substantial effect on projects, initiatives, concepts, and strategies involving technology, policy, processes, resourcing, acquisition, and multidisciplinary integration. His/her duties meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Sec. 5(c)(i) of the EO because coordinating and overseeing policy development and enforcement; coordinating development or evaluation of budget, program, and legislative proposals; reviewing pending and proposed budget actions, legislation, and regulations and advising upper management of recommended actions; directing a work group that develops major aspects of key OMB initiatives and policy development; and handling major decisions and actions which have a direct and substantial effect on projects, initiatives, concepts, and strategies involving policy necessarily involves substantive policy-related work, as set forth in Sec.

5(c)(i)(B) of the EO. Furthermore, the described duties involve substantive policy-related work in OFICIO, an agency component that primarily focuses on policy, as set forth in Sec. 5(c)(i)(B) of the EO.

Additionally, his/her duties meet the criteria of “viewing, circulating, or otherwise working with . . . non-public policy proposals” set forth in Sec. 5(c)(iv) of the EO because coordinating and overseeing policy development; coordinating development or evaluation of budget, program, and legislative proposals; reviewing pending and proposed budget actions, legislation, and regulations; directing a work group that develops major aspects of key OMB initiatives and policy development; and handling major decisions and actions which have a direct and substantial effect on projects, initiatives, concepts, and strategies involving policy necessarily involve viewing, circulating or otherwise working with non-public policy proposals. He/she also regularly works with the Director, Deputy Director, Executive and Program Associate Directors, and Assistant Director, as well as Cabinet and high-level officials and staffs of the EOP and federal agencies, which includes individuals “appointed by either the President or an agency head who [are] paid at a rate not less than that earned by employees at Grade 13 of the General Schedule” as set forth in Sec. 5(c)(iv)(A) of the EO.

**Title, Occupational Series, Pay Plan: Statistician, 1530, GS-13**

Agency position description No.: RF00623

Geographical location of the position: Washington, DC

Number of positions: 2

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Develop[s] and maintain[s] statistical and information quality policy by issuing standards and guidance.”
- “[C]onducts analyses and provides expert and comprehensive advice on topics of government-wide or national interests. Efforts focus primarily on issues of top OMB and/or Presidential interest. Provides the analytic basis for major OMB and Presidential policy decisions.”
- “[P]rovide[s] leadership in the development and execution of statistical policy, brief[s] senior officials on the justification of existing and proposed policies involving significant technical issues, and negotiate[s] solutions to statistical policy questions.”

The statistician’s duties involve, among other things, developing and maintaining statistical and information quality policy by issuing standards and guidance; providing the analytic basis for major OMB and Presidential policy decisions; providing leadership in the development and execution of statistical policy; briefing senior officials on the justification of existing and proposed policies involving significant technical issues; and negotiating solutions to statistical policy questions. His/her duties meet the criteria of “substantive participation in the development or drafting of . . . guidance” or “substantive policy-related work in an agency or agency component that primarily focuses on policy” set forth in Sec. 5(c)(i) of the EO because developing and maintaining statistical and information quality policy by issuing standards and guidance involves substantive participation in the development of guidance, as set forth in Sec. 5(c)(i)(A) of the EO. Furthermore, providing leadership in the development and execution of statistical policy; briefing senior officials on the justification of existing and proposed policies involving significant technical issues; and negotiating solutions to statistical policy questions involve substantive policy-related work in the Statistical and Science Policy Branch of OIRA, an agency component that primarily focuses on policy, as set forth in Sec. 5(c)(i)(B) of the EO.

**Title, Occupational Series, Pay Plan: IT Cybersecurity Specialist (INFOSEC), 2210, GS-13**

Agency position description No.: RF00771

Geographical location of the position: Washington, DC

Number of positions: 0 (2)

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “[S]upports Federal-wide efforts to assess cybersecurity workforce challenges and work proactively to address challenges through policy creation and implementation.”
- “[R]eview[s] both agency specific and Federal-wide cybersecurity workforce policies, procedures, and programs through detailed qualitative and quantitative analyses and work[s] with relevant leadership to close gaps.”
- “[S]upports Policy and Communications team’s external engagements regarding agency cybersecurity, such as . . . [p]roviding comments on proposed cybersecurity legislation.”

The IT cybersecurity specialist’s duties involve, among other things, supporting Federal-wide efforts to assess cybersecurity workforce challenges and working to address challenges through policy creation and implementation; reviewing cybersecurity workforce policies, procedures, and programs through detailed qualitative and quantitative analyses and working with relevant leadership to close gaps; and supporting Policy and Communications team’s external engagements regarding cybersecurity, including providing comments on proposed cybersecurity legislation. His/her duties meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Sec. 5(c)(i) of the EO because supporting Federal-wide efforts to assess cybersecurity workforce challenges and address those challenges through policy creation and implementation; reviewing and working to close gaps in cybersecurity workforce policies, procedures, and programs; and supporting the Policy and Communications team, including providing comments on proposed cybersecurity legislation involves substantive policy-related work, as set forth in Sec. 5(c)(i)(A) of the EO. Furthermore, these duties are carried out on behalf of OMB’s OFCIO, an agency component that primarily focuses on policy, as set forth in Sec. 5(c)(i)(B) of the EO.



**Budget Information Support Manager, 0301, GS-15 (BRD)**

Agency position description No.: RF00507

Geographical location of the position: Washington, DC

Number of positions: 0

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties and factors:

- “[P]erforms a broad range of functions and processes that are essential to the production of the President’s Budget and related activities in support of OMB’s Budget Formulation, Budget Execution and Apportionment processes.”
- “Serves as a member of the MAX Procurement Team, which oversees all contracting and procurement-related activities for MAX. Participates in development of contracting plans and statements of work, and in proposal evaluation as well as Contracting Officer’s Representative (COR), overseeing day-to-day activities for one or more MAX contracts.”
- “The work involves coordination with multiple OMB, White House and contractor staff involved in administration of the MAX system. Analytical and technical skills are applied in responding to emerging requirements, and the incumbent anticipates and resolves potential problems within the assignment area, working directly with the Branch and Division leadership, OMB and EOP staff and managers. The responsibilities of the position involve functions that cross organizational lines within and outside OMB.”
- “Professional contacts are with other BRD staff and managers; OMB and other White House staff and managers, including high-level senior policy officials; MAX users in budget and other offices across the Federal Government; procurement, finance and security officials within the EOP; and private sector contractor staff and managers.”

Because the position’s duties involve communicating routinely about sensitive and deliberative budget information with high-level senior policy officials, representatives of other agencies, and staff across the White House and EOP, the position meets the element of “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 ... (A) directly reporting to or regularly working with an individual appointed by either the President or an agency head...” as described in section 5(c)(iv) of the E.O.

**Title, Occupational Series, Pay Plan: Budget Preparation Specialist, 501, GS-12**

Agency position description No.: RF00054

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- Is “responsible for initiating, and assisting in the development of, guidelines to be used by the OMB staff and the agencies in meeting the requirements of budget preparation.”
- “[C]ontributes to the formulation and administration of the President’s budget.”
- Requires “preparing technically accurate and conceptually sound budgetary materials, including the annual budget and the public updates.”

The budget preparation specialist’s duties involve, among other things, initiating, and assisting in the development of, guidelines to be used by the OMB staff and the agencies in meeting the requirements of budget preparation, as well as contributing to the formulation and administration of the President’s budget through the preparation of technically accurate and conceptually sound budgetary materials. His/her duties meet the criteria of “substantive participation in the development or drafting of . . . guidance” or “substantive policy-related work in an agency or agency component that primarily focuses on policy” set forth in Sec. 5(c)(i) of the EO because initiating, and assisting in the development of, guidelines to be used by the OMB staff and the agencies involves substantive participation in the development of guidance, as set forth in Sec. 5(c)(i)(A) of the EO. Furthermore, contributing to the formulation and administration of the President’s budget may involve substantive policy-related work in OMB’s Budget Review Division, an agency component that primarily focuses on policy, as set forth in Sec. 5(c)(i)(B) of the EO.

**Digital Services Expert (Digital Talent Specialist), 301, GS-13 (USDS)**

Agency position description No.: RF00605

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating
- Policy-making

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties:

- “[U]ses their expertise to champion the use of modern technology development and management approaches, drawing heavily upon best practices from the consumer technology industry.”
- “[U]nder appropriate supervision, uses their demonstrated experience working closely with technical candidates and recruiting technical talent, building and scaling organizations, fostering diverse teams, and developing strategic partnerships to evolve and grow the unit over time to fulfill its mission.”
- “[E]xecutes a sub-section of an overall a talent strategy designed to bring leadership and staff with the skills to deliver world-class digital services into government. Iteratively develops and refines the talent and recruiting strategy, based on interaction with candidates, agencies, leadership, key stakeholders, and expertise.”
- “Maintains a steady pipeline of top technical talent into the Federal government in order to improve key services that government delivers to citizens.”
- “Serves as a trusted spokesperson on the mission, projects, and culture of the U.S. Digital Service as well as a diverse range of issues related to technology, digital service delivery, and/or technology policy.”
- “[W]orks with other recognized technical experts within the agency and throughout the federal government, as well as individuals throughout private industry to develop a coordinated approach to unique problems or areas in which Federal agencies or the private sector has previously not been involved or concerned.”
- “[M]anages complex stakeholder environments, working with senior level officials in the EOP and in other federal agencies and maintains a deep understanding of USDS priorities in order to effectively hire staff who can execute against these priorities. Builds support and consensus for the talent strategy and goals.”
- “[P]lans and executes an iterative strategy for scaling an organization from startup phase to maturity.”
- “[C]onfers with key government and private officials and top experts in his/her field, representing the government at technical symposia and conferences. Using technical leadership, outstanding creativity, and exceptional judgment, he/she develops, defines and communicates citizen and business facing digital service delivery efforts in order to recruit top talent into the U.S. Digital Service to solve problems of major importance to citizens. Builds credible, trusted relationships with USDS’ senior leadership and USDS’ agency leaders.”

Because the position's duties involve, among others, building consensus around USDS strategies and goals, developing strategic partnerships, working with senior officials, planning and executing strategies, and acting as an agency spokesman, the position meets the element of "substantive participation in the advocacy for or development or formulation of policy" set forth in section 5(c)(i) of the E.O.

**Budget Preparation Specialist, 0501, GS-14 (BRD)**

Agency position description No.: RF00056

Geographical location of the position: Washington, DC

Number of positions: 2

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties and factors:

- "...[C]oordinates scheduling and support for the OMB and Presidential budget reviews."
- "At each stage of congressional activity, assesses the effect of the Congress' actions on the President's budget and provides the Director and other policy level officials with information...."
- "...[C]onducts liaison activities with the House and Senate Appropriations Committee on Administration budget requests."
- "Provides information to the Director and other policy level officials concerning the status of the Administration's official estimates in light of spending to date."
- "Ability to take the lead in negotiating solutions to complex or controversial problems."
- "Outside OMB, the employee may have personal contacts with the Congressional Budget Office [CBO], the Treasury Department, the General Accounting Office [GAO], and the House and Senate Appropriations Committees."

Because the position's duties involve communicating routinely about sensitive and deliberative budget information with the Director and other policy-level officials, the position meets the element of "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 ... (A) directly reporting to or regularly working with an individual appointed by either the President or an agency head..." as described in section 5(c)(iv) of the E.O.

Because the position's duties also involve, among others, contacts with representatives of the Treasury, CBO, GAO, and the Appropriations Committees and the ability to take the lead in negotiating solutions to complex or controversial problems, the position meets the element of "substantive participation in the advocacy for or development or formulation of policy" set forth in section 5(c)(i) of the E.O.

**Title, Occupational Series, Pay Plan: Policy Analyst, 0301, GS-14**

Agency position description No.: RF00547

Geographical location of the position: Washington, D.C.

Number of positions: 2

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-determining
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “The incumbent will serve as a senior policy analyst, providing expert advice and assistance on a diverse array of major policy issues, building a supporting rationale and providing the analytic basis for major OMB and/or Presidential policy decisions.”
- “Coordinates interagency policy development processes and builds multi-stakeholder consensus to achieve broadly accepted recommendations; oversees project plans for government-wide implementation of new policy.”
- “The incumbent provides expert, comprehensive advice and assistance in the above areas to high-level officials and staff, and to other EOP, Federal agency, and/or Congressional officials and staff concerned with policy development and implementation.”
- “Incumbent may work with or lead other staff in initiatives and for various assignments may serve as the Office expert, thus directly affecting the policymaking process.”

Because the policy analyst’s duties involve, among other things, “provid[ing] the analytic basis for major OMB and/or Presidential policy decisions” and “directly affecting the policymaking process” through leading policymaking initiatives, his/her duties meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Sec. 5(c)(i) of the EO because directly affecting the policymaking process and leading policymaking initiatives constitute substantive (i.e., real or actual) participation in the development or formulation of policy

**Program Examiner, 0301, GS-11**

Agency position description No.: RF00498

Geographical location of the position: Washington, DC

Number of positions: 3

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating
- Policy-making
- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Develops and analyzes major policy issues, highlighting alternative approaches that might be taken to resolve problems, and makes and defends recommendations.”
- “Develops, reviews, and advises on the preparation of formal documents (e.g., Executive Orders, budget submissions, program/policy guidance, reports).”
- “Reviews, comments on, and leads negotiations on policy issues.”

In addition, “Guidelines are not always applicable to specific work assignments; however, precedents [related] to similar situations are available for reference. Sound judgment is required in interpreting and adapting existing guidelines and in developing new or enhanced approaches to difficult issues,” as described in the Factors for the GS-11 position.

Because the GS-11 program examiner’s duties involve, among others, developing and analyzing major policy issues, making and defending recommendations, and commenting on and participating in negotiations on policy issues, and because the position requires applying precedents and sound judgment in new or difficult situations, the position meets the element of “substantive participation in the advocacy for or development or formulation of policy” set forth in section 5(c)(i) of the E.O. Additionally, duties involve working with confidential information including Executive Orders, budget submissions, program/policy guidance, and reports, as well as other agency material “generally covered by deliberative process privilege” as described in the EO Section 5(c)(iv).

**Title, Occupational Series, Pay Plan: Policy Analyst, 0301, GS-14**

Agency position description No.: RF00367

Geographical location of the position: Washington, D.C.

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-determining
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- "Serves as a policy analyst, assisting in the analysis of a diverse array of major policy issues," which "provides the analytic basis for major OMB and/or Presidential policy decisions."
- "The issues or areas are of special interest to OMB or the President and the work of this position provides the analytic base for major OMB and/or Presidential policy decisions."
- "Participates in the development of multifaceted budget, program and legislative proposals."
- "Reviews pending and proposed budget actions, legislation [and] regulations... and advises senior staff and the Division Director on recommended actions."
- "Contacts are with all levels of staff within OMB and high-ranking officials such as other agency heads, top congressional staff officials, and senior political staff."

Because the policy analyst "assist[s] in the analysis of a diverse array of major policy issues," "[p]articipates in the development of multifaceted budget, program and legislative proposals," and undertakes work that "provides the analytic base for major OMB and/or Presidential policy decisions," his/her duties meet the criteria of "substantive participation in the advocacy for or development or formulation of policy" set forth in Sec. 5(c)(i) of the EO because assisting in the analysis of policy issues, participating in the development of multifaceted budget, program and legislative proposals, and providing the analytic base for major OMB and/or Presidential policy decisions constitute substantive (i.e., real or actual) participation in the development or formulation of policy. Moreover, because the policy analyst's duties involve, among other things, reviewing pending and proposed budget actions, legislation and regulations, his/her duties meet the criteria of "viewing, circulating, or otherwise working with proposed regulations...or other non-public policy proposals or deliberations" set forth in Sec. 5(c)(iv) of the EO. The policy analyst "advises senior staff and the Division Director on recommended actions" concerning pending and proposed budget actions, legislation and regulations and must maintain contacts with "with high-ranking officials such as other agency heads, top congressional staff officials, and senior political staff," and thus "regularly work[s] with [at least one] individual appointed by either the President or an agency head who is paid at a rate not less than earned by employees at Grade 13 of the General Schedule."



**Senior Advisor to the Deputy Administrator and Chief of Staff, 0301, GS-15 (OIRA)**

Agency position description No.: RF00726

Geographical location of the position: Washington, DC

Number of positions: 0

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties:

- “At times, serves as the independent technical authority for the organization. Represents the organization on working groups; steering groups; or other meetings, conferences, seminars, etc. May chair such groups or meetings when the meeting is in the incumbent’s area of assignment.”
- “Briefs and advocates for recommendations to higher levels of management as necessary.”

In addition, “[t]he incumbent provides expert, comprehensive advice and assistance to high-level OMB officials and staff, and to other EOP officials, federal agencies, and other staff concerned with policy development and implementation,” as described in the Factors for the position. The incumbent also engages with “key and high ranking officials of the [EOP] and White House complex [and] key Congressional staff members.... Contacts ... may include justifying, negotiating or explaining sensitive, complicated and controversial issues.”

Because the senior advisor’s duties involve, among others, serving as the independent technical authority for the organization at times and briefing and advocating for recommendations to higher levels of management, and because the position provides advice and assistance to, and may involve negotiating with, high-level OMB and EOP officials, the position meets the element of “substantive participation in the advocacy for or development or formulation of policy” set forth in section 5(c)(i) of the E.O.

**Digital Services Expert, 0301, GS-14 (E-Government Office)**

Agency position description No.: RF00252

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties:

- "Leads technology initiatives or technology policy initiatives across the government, promoting user centric-design, standards-based approaches to development, and modern project management and development processes."
- "Plans and conducts pioneering work in his/her area of technology and/or technology policy to deliver digital services,..."

Because the position's duties involve, among others, leading, planning, and conducting technology policy initiatives across the government, the position meets the element of "substantive participation in the advocacy for or development or formulation of policy" set forth in section 5(c)(i) of the E.O.

**Legal Support Specialist (FOIA Officer), 0301, GS-12 (OGC)**

Agency position description No.: RF00478

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties and factors:

- “The incumbent analyzes records maintained by OMB offices and works with staff in the Office of General Counsel (OGC) to determine which records are appropriate for disclosure under the FOIA/PA [Privacy Act].”
- “Consult with the General Counsel and/or OGC attorney staff, ensuring that the General Counsel is provided with the material essential to perform responsibilities with respect to the FOIA and PA.”
- “Working with OGC staff, make final determinations on what materials need to be redacted, noting the statutory exemption under which material is being withheld. Prepares materials in final form for release to requesters under the FOIA or PA.”
- “Prepares revisions to OMB’s FOIA and PA regulations and PA systems of records as requires to keep these materials up to date.”
- “Design and maintain a database of all FOIA and PA requests and maintains updated summaries of the status of such requests. Record date received, pertinent deadlines, distribution, current activity, responses sent, and whether fees have been received. Frequently review the file and contact staff regarding the status of specific projects.”
- “Provide administrative support to the Deputy General Counsel and Associate General Counsel. Undertake special projects, as requested by the General Counsel or that person’s designees.”

Because the position’s duties include handling, circulating, and providing a variety of deliberative communications and materials to and from the General Counsel and other OMB offices, including closely reviewing sensitive predecisional and other privileged materials, the position meets the element of “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 ... (A) directly reporting to or regularly working with an individual appointed by either the President or an agency head...” as described in section 5(c)(iv) of the E.O.

**Supervisory Digital Services Expert, 0301, GS-15 (USDS)**

Agency position description No.: RF00342

Geographical location of the position: Washington, DC

Number of positions: 6

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties:

- “With the Administrator and Deputy Administrator, helps set strategic direction for the office and regarding the use of digital services within and between Federal Government agencies and related services.”
- “Ensures proper staffing of USDS projects. Advises the Administrator, Deputy Administrator, and USDS agency leads on starting new agency projects. Recommends success criteria and advises on timelines when USDS has completed a project.”

Because the position’s duties involve, among others, providing deliberative communications and strategic advice to the USDS Administrator, the position meets the element of “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 ... (A) directly reporting to or regularly working with an individual appointed by either the President or an agency head...” as described in section 5(c)(iv) of the E.O.

**Policy Analyst: GS-0301-15 (position description #RF176)**

Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character.

The procurement policy analyst position GS-301-15 meets the standard for classification under Schedule F.

As stated in the GS-301-15 position description, the policy analyst “[e]xercises oversight of regulatory, paperwork, and information policy for designated departments or agencies.” He/she “[m]anages on a day-to-day basis, all agency submissions of regulations for OMB review under E.O. 12291.” Additionally, he/she “[s]upervises and/or conducts analysis and data collection in support of cumulative effects of regulations or paperwork.”

Because the duties of the policy analyst are confidential, policy-determining, policy-making, and/or policy-advocating, this position meet the standard for classification under Schedule F. In particular, because the procurement policy analyst’s duties involve, among other things, managing oversight of regulatory policy for designated departments or agencies and managing agency submissions of regulations for OMB review, his/her duties meet the criteria of “viewing, circulating, or otherwise working with proposed regulations” set forth in Sec. 4(c)(iv) of the EO because managing oversight of regulatory policy for departments and agencies and managing agency submissions of regulations to OMB necessarily involve viewing, circulating or otherwise working with such proposed regulations.

**Title, Occupational Series, Pay Plan: IT Cybersecurity Specialist (INFOSEC), 2210, GS-12**

Agency position description No.: RF00772

Geographical location of the position: Washington, DC

Number of positions: 0

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “[S]upports Federal-wide efforts to assess cybersecurity workforce challenges and work proactively to address challenges through policy creation and implementation.”
- “[R]eview[s] both agency specific and Federal-wide cybersecurity workforce policies, procedures, and programs through detailed qualitative and quantitative analyses and work[s] with relevant leadership to close gaps.”
- “[S]upports Policy and Communications team’s external engagements regarding agency cybersecurity, such as . . . [p]roviding comments on proposed cybersecurity legislation.”

The IT cybersecurity specialist’s duties involve, among other things, supporting Federal-wide efforts to assess cybersecurity workforce challenges and working to address challenges through policy creation and implementation; reviewing cybersecurity workforce policies, procedures, and programs through detailed qualitative and quantitative analyses and working with relevant leadership to close gaps; and supporting Policy and Communications team’s external engagements regarding cybersecurity, including providing comments on proposed cybersecurity legislation. His/her duties meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Sec. 5(c)(i) of the EO because supporting Federal-wide efforts to assess cybersecurity workforce challenges and address those challenges through policy creation and implementation; reviewing and working to close gaps in cybersecurity workforce policies, procedures, and programs; and supporting the Policy and Communications team, including providing comments on proposed cybersecurity legislation involves substantive policy-related work, as set forth in Sec. 5(c)(i)(A) of the EO. Furthermore, these duties are carried out on behalf of OMB’s OFCIO, an agency component that primarily focuses on policy, as set forth in Sec. 5(c)(i)(B) of the EO.

**Title, Occupational Series, Pay Plan: Supervisory IT Specialist, 2210, GS-15**

Agency position description No.: RF00288

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “[S]upervises a staff responsible for strengthening federal cybersecurity through oversight and policy development consistent with the Administration’s cybersecurity priorities.”
- “Author[s] Federal cybersecurity policies through collaboration with other OMB offices, National Security Council, Department of Homeland Security, and agency personnel.”
- “Ensure[s] proposed cybersecurity legislation is consistent with Administration’s cybersecurity priorities.”
- “[P]rovide[s] expert technical advice, guidance and policy recommendations to management and other technical specialists on critical IT security issues . . . .”
- “[C]ontacts are with all levels of staff of the EOP, including senior level officials. Incumbent also comes into regular contact with other federal officials . . . .”

The supervisory IT specialist’s duties involve, among other things, supervising a staff responsible for strengthening federal cybersecurity through policy development consistent with the Administration’s cybersecurity priorities; authoring Federal cybersecurity policies through collaboration with other OMB offices, National Security Council, Department of Homeland Security, and agency personnel; ensuring proposed cybersecurity legislation is consistent with the Administration’s cybersecurity priorities; and providing expert technical advice, guidance, and policy recommendations to management and other technical specialists. His/her duties meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Sec. 5(c)(i) of the EO because supervising a staff responsible for strengthening federal cybersecurity through policy development; participation in authoring Federal cybersecurity policies; ensuring proposed legislation is consistent with Administration priorities; and providing expert technical advice, guidance, and policy recommendations to management and other technical specialists necessarily involves substantive policy-related work, as set forth in Sec. 5(c)(i)(B) of the EO. Furthermore, the described duties involve substantive policy-related work in OFICIO, an agency component that primarily focuses on policy, as set forth in Sec. 5(c)(i)(B) of the EO.

Additionally, his/her duties meet the criteria of “viewing, circulating, or otherwise working with . . . non-public policy proposals” set forth in Sec. 5(c)(iv) of the EO because the duties described necessarily involve viewing, circulating or otherwise working with non-public policy proposals. He/she also regularly works with all levels of EOP staff, including senior level officials, as well as other federal officials, which almost certainly includes individuals “appointed by either the President or an agency head

who [are] paid at a rate not less than that earned by employees at Grade 13 of the General Schedule” as set forth in Sec. 5(c)(iv)(A) of the EO.



**Program Examiner, 0301, GS-13**

Agency position description No.: RF00500

Geographical location of the position: Washington, DC

Number of positions: 24

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating
- Policy-making
- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Develops and analyzes major policy issues, highlighting alternative approaches that might be taken to resolve problems, and makes and defends recommendations.”
- “Develops, reviews, and advises on the preparation of formal documents (e.g., Executive Orders, budget submissions, program/policy guidance, reports).”
- “Reviews, comments on, and leads negotiations on policy issues.”

In addition, “the incumbent must function independently with minimal guidelines and with issues for which precedents may be few or lacking. Considerable expertise and judgment are required in interpreting and adapting existing guidelines and in developing new or enhanced approaches to difficult issues,” as described in the Factors for the GS-13 position.

Because the GS-13 program examiner’s duties involve, among others, developing and analyzing major policy issues, making and defending recommendations, and commenting on and participating in negotiations on policy issues, and because the position requires significant independence and judgment, the position meets the element of “substantive participation in the advocacy for or development or formulation of policy” set forth in section 5(c)(i) of the E.O. Additionally, duties involve working with confidential information including Executive Orders, budget submissions, program/policy guidance, and reports, as well as other agency material “generally covered by deliberative process privilege” as described in the EO Section 5(c)(iv).

**Digital Services Expert (Product Comms and Strategic Engagement), 0301, GS-12 (USDS)**

Agency position description No.: RF00619

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties:

- "The incumbent uses their expertise to champion the use of modern technology development and management approaches, drawing heavily upon best practices from the consumer internet industry."
- "Incumbent serves as a specialist on a diverse range on issues related to technology, digital service delivery and/or technology policy, as well as the U.D. Digital Service's mission, values, and projects."
- "Produces product messaging documents and presentations. Creates product engagement programs to launch user-centered digital service upgrades to drive adoption and awareness through press, content, and influencer programs."
- "Acts as a spokesperson for USDS and maintains an ongoing conversation with the tech sector."
- "Identifies and participates in regional, national and/or international special projects or studies, work groups, task forces and panels, frequently focusing on unprecedented problems, policy making and shaping the future direction of government programs."

Because the position's duties involve, among others, acting as an agency spokesman and serving as a member of policy-making projects and groups, the position meets the element of "substantive participation in the advocacy for or development or formulation of policy" set forth in section 5(c)(i) of the E.O.

**Human Capital Director, 0301, GS-15 (MOD)**

Agency position description No.: RF00274

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties and factors:

- “Under the direction of the Assistant Director for Management and Operations, the incumbent provides OMB leadership with expert management advice, consultation and assistance in OMB personnel matters.”
- “Conducts negotiations/discussions with OMB leadership and staff to identify and resolve complex employee management problems. Makes special effort to minimize potential adverse impact.”
- “Serves as an advisor to agency-wide public officials, career executives, employees, boards, committees, and special OMB task forces (i.e., Executive Resources Board, Performance Review Board, Personnel Advisory Board, Employee Resource Groups).”
- “[P]rovides expert, comprehensive advice and assistance in human resources matters to high-level OMB officials and staff, and has an immediate and direct impact on the implementation of human resources management goals, objectives, plans, and programs in OMB.”
- “Serves as trouble-shooter and expeditor of urgent and involved projects. Designs and recommends management strategies based on organizational objectives and emerging problems.”
- “Preparation may require extensive preparation of briefing materials or up-to-date technical familiarity with complex subject matter.”

Because the position’s duties include preparing, handling, circulating, and providing a variety of deliberative communications and materials to or from OMB leadership and the Assistant Director for MOD, the position meets the element of “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 ... (A) directly reporting to or regularly working with an individual appointed by either the President or an agency head...” as described in section 5(c)(iv) of the E.O.

**Title, Occupational Series, Pay Plan: Policy Analyst, 0301, GS-13**

Agency position description No.: RF00285

Geographical location of the position: Washington, DC

Number of positions: 0

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Uses relevant analytic methods and plans to conduct and complete (independently and/or with other staff members), special analyses and studies required to support budget, legislative, and regulatory policymaking for information technology (IT), digital services, and information security programs and issues.”
- “Reviews current policy performance, and security activities, challenges, and opportunities of federal and nongovernment sectors to identify important material relevant to pending public policy, performance, and security issues and suggests improvements in agency activities and policies. Renders advice and assistance in the administration of the division's efforts with other internal activities and in communicating policies and priorities.”
- “Coordinates development and/or evaluation of complex budget, program, and legislative proposals. Serves as the OMB expert for assigned policy areas.”
- “Reviews pending and proposed budget actions, legislation and regulations on assigned topics and advises upper management of recommended actions. Responds to a wide variety of inquiries regarding potential impact of proposed policies.”
- “Works with budget examining divisions on selected assignments to enhance budget formulation and execution.”
- Knowledge required: “Highly responsible experience in policy analysis, including expert knowledge and understanding of research methods and techniques.”
- “Skill in gathering, analyzing and presenting data for policymaking, particularly in the assessment of the impact of policy and program changes upon existing federal programs.”
- Supervisory controls: “[W]orks in a highly independent manner, with only general program guidance provided by the supervisor.”
- “[M]ay initiate or recommend projects with Division approval. Selected projects may be assigned by the OMB Director, Deputy Director, or Executive or Program Associate Directors, and Unit/Branch Chiefs.”
- Scope and effect: “Provides expert, comprehensive advice and assistance in the assigned areas to high-level OMB officials and staff as well as to other EOP components, federal

agencies, and Congressional officials. Efforts focus primarily on issues or areas of high OMB and/or Presidential priority selected for detailed assessments, which provide the basis for major policy decisions.”

This position in the Office of the Federal Chief Information Officer (OFCIO) meets the standard for classification under Schedule F under Executive Order 13957. Because the duties of the policy analyst are confidential, policy-determining, policy-making, and policy-advocating, these positions meet the standard for classification under Schedule F. The duties described above meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Section 5(c)(i) of the EO because directly affecting the policymaking process and leading policymaking initiatives constitute substantive (i.e., real or actual) participation in the development or formulation of policy. Additionally, the role involves “policy proposals or deliberations generally covered by deliberative process privilege” as described in 5(c)(iv), and working with officials including the OMB Director, Deputy Director, or Executive or Program Associate Directors.

**Accountant, 0510, GS-15 (OFPP)**

Agency position description No.: RF00783

Geographical location of the position: Washington, DC

Number of positions: 0

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties:

- "Provides policy leadership and professional management direction to develop government-wide procurement, regulations, policies and procedures."
- "Makes changes in policy to address implementation problems, and prepares 'best practices' for publication and dissemination to departments and agencies."

In addition, "[t]he incumbent determines the adequacy of existing legislation and recommends additional legislation needed to remedy problems and reviews legislation proposed by others for conformance with OFPP policy and makes recommendations," as described in the Factors for the position.

Because the accountant's duties involve, among others, providing policy leadership to develop government-wide regulations and policies and making changes in policy in response to implementation problems, and because the position provides recommendations on legislation, the position meets the element of "substantive participation in the advocacy for or development or formulation of policy" set forth in section 5(c)(i) of the E.O.

**Title, Occupational Series, Pay Plan: Performance Manager, 301, GS-14**

Agency position description No.: RF00626

Geographical location of the position: Washington, DC

Number of positions: 2

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “[A]ctively contribut[es] to the formulation and ongoing assessment of performance improvements and management strategies.”
- “[A]ddress[es] and complete[s] very sensitive assignments using discretion.”
- “[P]resents very complex analyses [and] issues in coherent products specifically designed to assist high-level decision-making.”
- “[P]rovides expert, comprehensive advice and assistance . . . to high-level OMB officials and staff members of the EOP and of other Federal agencies.”
- “[C]ontacts are with staff at all levels, including the Director, Deputy Director, Executive and Program Associate Directors, and Assistant Directors.”
- “Contacts are made to coordinate agency activities, secure or provide expert factual and analytical information on diverse program performance, budget, and policy topics or emerging issues and may include justifying, negotiating, or explaining sensitive, complicated and controversial issues. The format of contacts includes formal and informal meetings, briefings, hearings and discussions where the incumbent must be prepared for active participation, including assuming the lead role, and must be thoroughly informed, able to persuade and to listen, and able to integrate diverse participant positions to yield a constructive product or result.”

The performance manager’s duties involve, among other things, contributing to the formulation and ongoing assessment of performance improvements and management strategies; addressing and completing very sensitive assignments; presenting complex analyses and issues in coherent products specifically designed to assist high-level decision-making; providing advice and assistance to high-level OMB officials; and actively participating in and leading meetings, briefings, hearings and discussions to persuade and integrate diverse participant positions to yield a constructive product or result. His/her duties meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Sec. 5(c)(i) of the EO because contributing to the formulation of performance improvements and management strategies; presenting analyses and issues to assist high level decision making; and actively participating in and leading meetings, briefings, hearings and discussions to persuade and integrate diverse participant positions involve substantive policy-related work in the in the Office of Performance and Personnel Management, an OMB component that primarily focuses on policy, as set forth in Sec. 5(c)(i)(B) of the EO.

Furthermore his/her duties meet the criteria of “viewing, circulating, or otherwise working with . . . non-public policy proposals” set forth in Sec. 5(c)(iv) of the EO because addressing and completing very sensitive assignments using discretion necessarily involves viewing, circulating or otherwise working with non-public policy proposals. He/she also regularly works with high-level OMB officials, including the Director, Deputy Director, Executive and Program Associate Directors, and Assistant Directors, who are individuals “appointed by either the President or an agency head who [are] paid at a rate not less than that earned by employees at Grade 13 of the General Schedule” as set forth in Sec. 5(c)(iv)(A) of the EO.



**Title, Occupational Series, Pay Plan: Policy Analyst, 0301, GS-13**

Agency position description No.: RF00577

Geographical location of the position: Washington, D.C.

Number of positions: 5

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “The incumbent will ...provid[e] expert advice and assistance on a diverse array of policy issues, building a supporting rationale and providing the analytic basis for major OMB and/or Presidential policy decisions.”
- “Assists with OIRA efforts regarding the development and oversight of policies which govern the conduct of Federal regulatory programs”
- “Provides assistance and advisory services to the Administrator, OIRA, and manages OIRA efforts in the areas of regulatory action, regulatory impact analysis”
- “Coordinates interagency policy development processes [and] builds multi-stakeholder consensus to achieve broadly accepted recommendations; oversees project plans for government-wide implementation of new policy.”
- “Contacts are with all levels of staff within OMB and high-ranking officials such as other agency heads, top congressional staff officials, and senior political staff.”

Because the policy analyst coordinates interagency policy development processes and assists with OIRA efforts regarding the development and oversight of policies governing the conduct of Federal regulatory programs and providing the analytic basis for major OMB and/or Presidential policy decisions through expert advice and assistance, his/her duties meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Sec. 5(c)(i) of the EO because coordinating interagency policy development processes and assisting OIRA efforts regarding the development of policies governing Federal regulatory programs and providing the analytic basis for major OMB and/or Presidential policy decisions through expert advice and assistance constitute substantive (i.e., real or actual) participation in the development or formulation of policy. Moreover, because the policy analyst’s duties involve, among other things, managing OIRA efforts in the areas of regulatory policy and regulatory impact analysis, his/her duties meet the criteria of “viewing, circulating, or otherwise working with proposed regulations” set forth in Sec. 5(c)(iv) of the EO because managing OIRA efforts in the areas of regulatory policy and regulatory impact analysis necessarily involve viewing, circulating or otherwise working with proposed regulations. The policy analyst “provides assistance to the OIRA Administrator and maintains contacts with OMB staff at all levels, including the Director and Deputy Director, and with other high-level officials such as other agency heads, top congressional staff officials, and senior political staff, and thus “regularly work[s] with [at least one] individual appointed by either the President or an agency head who is paid at a rate not less than earned by employees at Grade 13 of the General Schedule.”



**Digital Services Expert (Product Comms and Strategic Engagement), 0301, GS-15 (USDS)**

Agency position description No.: RF00302

Geographical location of the position: Washington, DC

Number of positions: 11

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties:

- "The incumbent uses their expertise to champion the use of modern technology development and management approaches, drawing heavily upon best practices from the consumer internet industry."
- "Incumbent serves as a nationally recognized and respected authority and Agency spokesperson on a diverse range of issues related to technology, digital service delivery, and/or technology policy, as well as the US. Digital Service's mission, values, and projects."
- "Produces product messaging documents and presentations. Creates product engagement programs to launch user-centered digital service upgrades to drive adoption and awareness through press, content, and influencer programs."
- "Acts as a spokesperson for USDS and maintains an ongoing conversation with the tech sector."
- "Identifies, leads and participates in regional, national and/or international special projects or studies, work groups, task forces and panels, frequently focusing on unprecedented problems, policy making and shaping the future direction of government programs."

Because the position's duties involve, among others, acting as an agency spokesman and serving as a member of policy-making projects and groups, the position meets the element of "substantive participation in the advocacy for or development or formulation of policy" set forth in section 5(c)(i) of the E.O.

**Title, Occupational Series, Pay Plan: Policy Analyst, 0301, GS-15**

Agency position description No.: RF00283

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Uses relevant analytic methods and plans to conduct and complete (independently and/or with other staff members), special analyses and studies required to support budget, legislative, and regulatory policymaking for information technology (IT), digital services, and information security programs and issues.”
- “Reviews current policy performance, and security activities, challenges, and opportunities of federal and nongovernment sectors to identify important material relevant to pending public policy, performance, and security issues and suggests improvements in agency activities and policies. Renders advice and assistance in the administration of the division's efforts with other internal activities and in communicating policies and priorities.”
- “Coordinates development and/or evaluation of complex budget, program, and legislative proposals. Serves as the OMB expert for assigned policy areas.”
- “Reviews pending and proposed budget actions, legislation and regulations on assigned topics and advises upper management of recommended actions. Responds to a wide variety of inquiries regarding potential impact of proposed policies.”
- “Works with budget examining divisions on selected assignments to enhance budget formulation and execution.”
- Knowledge required: “Highly responsible experience in policy analysis, including expert knowledge and understanding of research methods and techniques.”
- “Skill in gathering, analyzing and presenting data for policymaking, particularly in the assessment of the impact of policy and program changes upon existing federal programs.”
- Supervisory controls: “[W]orks in a highly independent manner, with only general program guidance provided by the supervisor.”
- “[M]ay initiate or recommend projects with Division approval. Selected projects may be assigned by the OMB Director, Deputy Director, or Executive or Program Associate Directors, and Unit/Branch Chiefs.”
- Scope and effect: “Provides expert, comprehensive advice and assistance in the assigned areas to high-level OMB officials and staff as well as to other EOP components, federal

agencies, and Congressional officials. Efforts focus primarily on issues or areas of high OMB and/or Presidential priority selected for detailed assessments, which provide the basis for major policy decisions.”

This position in the Office of the Federal Chief Information Officer (OFCIO) meets the standard for classification under Schedule F under Executive Order 13957. Because the duties of the policy analyst are confidential, policy-determining, policy-making, and policy-advocating, this position meets the standard for classification under Schedule F. The duties described above meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Section 5(c)(i) of the EO because directly affecting the policymaking process and leading policymaking initiatives constitute substantive (i.e., real or actual) participation in the development or formulation of policy. Additionally, the role involves “policy proposals or deliberations generally covered by deliberative process privilege” as described in 5(c)(iv), and working with officials including the OMB Director, Deputy Director, or Executive or Program Associate Directors.

**Title, Occupational Series, Pay Plan: Policy Analyst, 0301, GS-11**

Agency position description No.: RF00744

Geographical location of the position: Washington, DC

Number of positions: 0

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Uses relevant analytic methods and plans to conduct and complete (independently and/or with other staff members), special analyses and studies required to support budget, legislative, and regulatory policymaking for information technology (IT), digital services, and information security programs and issues.”
- “Reviews current policy performance, and security activities, challenges, and opportunities of federal and nongovernment sectors to identify important material relevant to pending public policy, performance, and security issues and suggests improvements in agency activities and policies. Renders advice and assistance in the administration of the division's efforts with other internal activities and in communicating policies and priorities.”
- “Coordinates development and/or evaluation of complex budget, program, and legislative proposals.”
- “Reviews pending and proposed budget actions, legislation and regulations on assigned topics and advises upper management of recommended actions. Responds to a wide variety of inquiries regarding potential impact of proposed policies.”
- “Works with budget examining divisions on selected assignments to enhance budget formulation and execution.”
- Knowledge required: “Experience in policy analysis, including expert knowledge and understanding of research methods and techniques.”
- “Skill in gathering, analyzing and presenting data for policymaking, particularly in the assessment of the impact of policy and program changes upon existing federal programs.”
- Supervisory controls: “[W]orks in an independent manner, with general program guidance provided by the supervisor.”
- “[M]ay initiate or recommend projects with Division approval. Selected projects may be assigned by the OMB Director, Deputy Director, or Executive or Program Associate Directors, and Unit/Branch Chiefs.”
- Scope and effect: “Provides advice and assistance in the assigned areas to high-level OMB officials and staff as well as to other EOP components, federal agencies, and

Congressional officials. Efforts are in a developmental capacity and focus primarily on issues or areas of high OMB and/or Presidential priority selected for detailed assessments, which provide the basis for major policy decisions.”

This position in the Office of the Federal Chief Information Officer (OFCIO) meets the standard for classification under Schedule F under Executive Order 13957. Because the duties of the policy analyst are confidential, policy-determining, policy-making, and policy-advocating, these positions meet the standard for classification under Schedule F. The duties described above meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Section 5(c)(i) of the EO because directly affecting the policymaking process and leading policymaking initiatives constitute substantive (i.e., real or actual) participation in the development or formulation of policy. Additionally, the role involves “policy proposals or deliberations generally covered by deliberative process privilege” as described in 5(c)(iv), and working with officials including the OMB Director, Deputy Director, or Executive or Program Associate Directors.

**Consultant, 301, EF-00 (USDS)**

Agency position description No.: RF00693

Geographical location of the position: Washington, DC

Number of positions: 2

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-advocating
- Policy-making

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties:

- "Provides expert guidance and consultation for diverse groups of stakeholders across the federal government to improve the digital services government delivers to citizens and businesses."
- "Applies expert knowledge of quantitative and qualitative evaluative methods and techniques to identify the most effective levers for improving government digital services across government based upon sound technical assessments of user needs."
- "Iteratively develops and refines the program strategy, based on interaction with agencies, key stakeholders, and expertise."
- Knowledge, skills, abilities: "Expert knowledge of and ability to provide technical guidance regarding the use of technologies to deliver services to consumers and businesses."
- "Mastery level ability to communicate orally and in writing to present sensitive recommendations to higher authority, obtain compliance with standards/policies, and articulate the value of a positive user experience for the government's digital services and the unit's mission."

Because the position's duties include, among others, providing guidance on improving digital services and use of technologies to deliver services, qualitative evaluation of how best to improve digital services across government, developing program strategy, and making sensitive recommendation, the position meets the element of "substantive participation in the advocacy for or development or formulation of policy" set forth in section 5(c)(i) of the E.O.



**Title, Occupational Series, Pay Plan: Budget Methods Specialist, 560, GS-15**

Agency position description No.: RF00686

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Develops proposals and recommendations concerning the form and content of the President’s Budget.”
- “Oversees the form and content of agency budget submissions, apportionment requests, and reports relating to budget status.”
- “During the annual budget season, . . . participates in preparing the President’s Budget, either reviewing and approving certain materials prior to printing (such as budget schedules and narrative) or serving as expert troubleshooter on problems that others identify . . . .”
- “Works under the administrative direction and broad guidance of the Chief, Budget Concepts Branch who makes assignments by defining objectives, priorities, and deadlines.”

The budget methods specialist’s duties involve, among other things, developing proposals and recommendations concerning the form and content of the President’s Budget; overseeing the form and content of agency budget submissions, apportionment requests, and reports relating to budget status; and preparing the President’s Budget, including reviewing and approving certain materials prior to printing. His/her duties meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Sec. 5(c)(i) of the EO because developing proposals and recommendations concerning the content of the budget; overseeing the content of agency budget submissions, apportionment requests, and reports relating to budget status; and preparing the budget, including reviewing and approving certain materials prior to printing involves substantive policy-related work, as set forth in Sec. 5(c)(i)(A)/(B) of the EO. Furthermore, these duties are fulfilled on behalf of OMB’s Budget Concepts Branch, an agency component that primarily focuses on policy, as set forth in Sec. 5(c)(i)(B) of the EO.

**Title, Occupational Series, Pay Plan: Administrative Support Assistant, 0303, GS-11**

Agency position description No.: RFASA11

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Applies knowledge of the types of information maintained and the procedures for accessing databases throughout the Division to locate and import information to be included in work products.”
- “Coordinates among the Division’s component work units response to a wide variety of budget review, legislative review, management, regulatory, policy, and other regularly occurring exercises. Ensures dissemination among appropriate parties of technical information. Evaluates work unit submissions for adequacy, consistency, and adherence to prescribed administrative requirements and consolidates responses.”
- “Assists in the review and analysis of OMB’s submissions, studies, research materials, and other information related to assigned areas. Reviews apportionments and draft executive orders before going to the Deputy Associate Director for approval.”
- “Performs the full range of administrative support duties including receiving telephone calls and visitors, maintaining supervisor’s calendar, arranging meetings, making travel arrangements, and producing work products through the use of office automation equipment.”
- Scope and effect: “The work frequently requires coordinating information gathered from the component work units of the Division in order to develop a consolidated Division response or end product. Division end products are developed for the use of the Director, Program Associate Director, other OMB policy officials, Congressional and Presidential Staffs. The employee plays a significant role by advising office staff on the preparation of information concerning relevant administrative requirements, including proper formats, use of computer systems applications, and timing requirements.”
- “Frequently the employee’s work involves preparing materials that are time-sensitive and that receive high visibility in Congressional, White House, and senior level OMB arenas, due to the policy content of the end product. The employee’s application of the full range of administrative support skills facilitates the policy formulation process as well as the exchange of information among officials and staff of OMB, other Federal departments and agencies, the White House, and the Congress.”

This position entails accessing, disseminating, coordinating, reviewing, and preparing confidential materials including draft executive orders, budgetary apportionments, and “other non-public policy proposals or deliberations generally covered by deliberative process privilege” including policy and other materials prepared for OMB policy officials, Presidential Staff, and Congress, bringing it within the parameters of the roles prioritized for review in EO Section 5(c)(iv). Preparing and coordinating materials “for the use of the Director, Program Associate Director, other OMB policy officials, Congressional and

Presidential Staffs” may constitute “working with an individual appointed by either the President or an agency head,” as described for prioritization in Section 5(c)(iv). Even if it did not, the nature of the position entails regularly working with predecisional and deliberative materials of the agency and the Executive Office of the President, including such highly sensitive materials as draft Executive Orders, and therefore the position is confidential in nature.

**Title, Occupational Series, Pay Plan: Legislative Analyst, 0301, GS-15**

Agency position description No.: RF00253

Geographical location of the position: Washington, D.C.

Number of positions: 3

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- "The incumbent's responsibilities include (a) coordinating the analysis, review, and clearance of legislative proposals, bill reports, and testimony for Congressional legislative hearings, (b) assisting in the development of Executive branch proposed legislation... (d) analyzing and formulating recommendations for Presidential action on enrolled bills. In fulfilling these responsibilities, the incumbent is required to determine the relationship of legislation and related items to the policies and legislative program of the President."
- "Guides and coordinates OMB and agency work in developing agency and Presidential legislative programs."
- "Participates in and frequently hosts interagency discussions to resolve legislative issues."
- "Analyzes enrolled bills, obtains and coordinates the views and recommendations of OMB staff specialists and of affected agencies, and prepares memoranda for the President summarizing the major features of such bills, setting forth any issues presented by them, summarizing agency views thereon, and stating the recommendations of OMB and the affected agencies as to Presidential approval or disapproval of the measure. Also, when necessary, prepares drafts of veto messages or signing statements."
- "Evaluates proposed modifications of specific Administration-sponsored legislative proposals, once placed before Congress, and determines their utility and acceptability from a Presidential point of view."
- "Identifies policy and other issues, and writes analytical materials for use by senior policy officials. Examples include memoranda to the President explaining the content of legislation awaiting his approval or disapproval, memoranda to OMB policy officials for decision of legislative policy issues, early warning memoranda on legislation recommending action to address problems, memoranda summarizing action and issues involved in coordinating and clearing draft legislation, testimony, bill reports, and Presidential directives and messages."
- "Contact is with career staff, senior policy officials, and high level Presidential appointees."

Because the legislative analyst's duties involve, among other things, "[g]uid[ing] and coordinat[ing] OMB and agency work in developing agency and Presidential legislative programs" and "identif[y]ing policy and other issues, and writ[ing] analytical materials for use by senior policy officials" on such policy issues, including "memoranda to OMB policy officials for decision of legislative policy issues," his/her duties meet the criteria of "substantive participation in the advocacy for or development or formulation of policy" set forth in Sec. 5(c)(i) of the EO because guiding and coordinating OMB and

agency work in developing agency and Presidential legislative programs and identifying policy and other issues and writing analytical materials on such policy issues for use by senior policy officials, including memoranda to OMB policy officials for decision of legislative policy issues, constitute substantive (i.e., real or actual) participation in the development or formulation of policy. Moreover, because the legislative analyst's duties involve, among other things, reviewing and "clearing draft legislation, testimony, bill reports, and Presidential directives and messages" and reviewing and "assisting in the development of Executive branch proposed legislation," his/her duties meet the criteria of "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" set forth in Sec. 5(c)(iv) of the EO because reviewing non-public draft legislation, testimony, bill reports, and Presidential directives and messages involves "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." The legislative analyst maintains contacts senior policy officials and high level Presidential appointees, and thus "regularly work[s] with [at least one] individual appointed by either the President or an agency head who is paid at a rate not less than earned by employees at Grade 13 of the General Schedule."

**Title, Occupational Series, Pay Plan: General Attorney, 905, GS-15**

Agency position description No.: RF00555 (GS-15 level positions)

Geographical location of the position: Washington, DC

Number of positions: 6

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-determining
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- "Serves as the Associate General Counsel for the Office of Management and Budget (OMB) on legal and policy matters affecting the agency. Duties require an extensive knowledge of the General Counsel's policies, views, and special interests."
- "[S]erves as a close personal assistant to the General Counsel and as such, must be a person in whom the General Counsel has complete trust and confidence."
- "[H]as continual access to highly sensitive information in carrying out these duties, and must be responsive to the General Counsel's guidance with respect to maintaining the confidentiality as well as the effectiveness of the work."
- "Participates in major discussions and negotiations on the legality, substance, policy implications, and format of Executive Orders and Proclamations and other documents related to policy and law, organization and management. Determines and asserts the Director's position, and approves changes and content of Executive Orders and proclamations and other documents related to policy and law."
- Knowledge required: "Ability to act as adviser and counsel to high level officials of OMB, the White House, and officials of the executive departments and agencies, often under extreme time pressures."
- Supervisor controls: "[W]orks independently in assigned areas. Overall assignments are made in terms of broadly defined function of the organization. The incumbent may often initiate projects or projects frequently originate out of the liaison activities of the incumbent, who independently negotiates the scope and objectives of projects with the General Counsel and staff."
- Purpose of contacts: "Contacts are made to secure or provide information on diverse and emerging legal issues and may include justifying, defending, negotiating or explaining sensitive, complex and controversial issues."

Because the general attorney's duties involve, among other things, working not only on legal but also policy matters affecting the agency, and participating in discussions and negotiations on law and policy matters including approving the content of EOs, Presidential proclamations, and other documents related to policy and law, the position includes "substantive participation in the advocacy for or development or formulation of policy" and "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" as described in the EO Section 5(c)(i), (iv). Moreover, the position

involves working closely with the General Counsel, a senior political appointee within OMB and the EOP. And, it involves working with sensitive information including “executive orders, or other non-public policy proposals or deliberations generally covered by deliberative process privilege” as in Section 5(c)(iv).

**Title, Occupational Series, Pay Plan: Policy Analyst, 0301, GS-15**

Agency position description No.: RF131

Geographical location of the position: Washington, D.C.

Number of positions: 2

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Exercises oversight of regulatory, paperwork, and information policy for designated departments or agencies.”
- “Reviews, analyzes, and makes recommendations regarding regulatory, paperwork, and information issues and clearances.”
- “Manages on a day-to-day basis all agency submissions of regulations for OMB review under E.O. 12291.”
- “Supervises and/or conducts analysis and data collection in support of cumulative effects of regulations or paperwork.”
- “[W]orks in close collaboration with senior White House staff, senior agency management officials...in the evaluation and oversight of the agency’s performance in the regulatory and information collection areas.”

Because the policy analyst’s duties involve, among other things, managing oversight of regulatory policy for designated departments or agencies, his/her duties meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Sec. 5(c)(i) of the EO because managing oversight of regulatory policy for departments and agencies constitutes substantive (i.e., real or actual) participation in the development or formulation of policy. Moreover, the policy analyst’s duties meet the criteria of “viewing, circulating, or otherwise working with proposed regulations” set forth in Sec. 5c)(iv) of the EO because managing oversight of regulatory policy for departments and agencies and managing agency submissions of regulations to OMB necessarily involve viewing, circulating or otherwise working with such proposed regulations. The policy analyst “works in close collaboration with senior White House staff, senior agency management officials...in the evaluation and oversight of the agency’s performance in the regulatory and information collection areas,” and thus “regularly work[s] with [at least one] individual appointed by either the President or an agency head who is paid at a rate not less than earned by employees at Grade 13 of the General Schedule.”



**Executive Assistant, 0301, GS-11 (USDS)**

Agency position description No.: RF00651

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties and factors:

- “The incumbent serves as a principal aid and executive assistant to the Administrator and/or Deputy Administrator of the USDS...and as such, must be a person in whom the Administrator and/or Deputy Administrator has complete trust and confidence. The incumbent has continual access to highly sensitive information in carrying out duties, and must be responsive to the Administrator and/or Deputy Administrator’s guidance with respect to maintaining the confidentiality as well as the effectiveness of the work.”
- “Receives and examines all incoming requests, reports, and correspondence, including those from the Director’s Office, the Cabinet Councils, the White House staff, and the Congress.”
- “Sees that the Administrator and/or Deputy Administrator is fully briefed on matters to be considered before all meetings; provides background materials, data, reports, and prior work relevant to preparation; arranges for staff to provide materials and oral briefings.”
- “Attends meetings with the Administrator and/or Deputy Administrator taking minutes or tracking key action items for follow-up.”

Because the position’s duties include handling and providing a variety of deliberative communications and materials to and from the Administrator and Deputy Administrator, the position meets the element of “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 ... (A) directly reporting to or regularly working with an individual appointed by either the President or an agency head...” as described in section 5(c)(iv) of the E.O.

**Title, Occupational Series, Pay Plan: Government Information Specialist, 0306, GS-11**

Agency position description No.: RF00573

Geographical location of the position: Washington, D.C.

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “The work involves interpretation, advice, and implementation of OMB’s commitment to public disclosure while protecting the confidentiality inherent in certain systems of records. The incumbent’s actions have a significant long term, continuing affect and shape OMB’s image in the view of the media, members of Congress, foreign governments and the general public.”
- “Incumbent serves as a focal point on assigned programs/projects that formulate and implement vital public access policies. Recommendations in these highly complex programs and policy areas are used in establishing OMB’s position regarding the release or protection of data, including sensitive personal data, creating precedents, and guiding agency components on [Freedom of Information Act] and [Privacy Act] matters.”
- “Incumbent serves...under the general oversight and direction of the Deputy General Counsel...”
- “The incumbent is responsible for processing Freedom of Information Act (FOIA) and Privacy Act (PA) requests made to OMB. The incumbent exercises discretion and independent judgment in the application of laws, executive orders, regulations, precedents, and agency practices to the FOIA and PA.”
- “The incumbent must be able to obtain and maintain a Top Secret security clearance.”

Because the government information specialist’s duties involve, among other things, reviewing and “processing Freedom of Information Act (FOIA) and Privacy Act (PA) requests made to OMB,” and therefore reviewing and processing highly sensitive and privileged information of the Executive Branch, his/her duties meet the criteria of “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” set forth in Sec. 5(c)(iv) of the EO because reviewing non-public, highly sensitive and privileged records of the Executive branch involves “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.” Moreover, in light of the confidential nature of this role in processing highly sensitive and privileged Executive Branch information, the government information specialist is required to maintain a Top Secret security clearance.

**Program Specialist, 0301, GS-09 (Health Division)**

Agency position description No.: RF00596

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties and factors:

- “Develops and analyzes policy issues and makes and defends recommendations.”
- “Develops, reviews, and advises on the preparation of formal documents (e.g., Executive Orders, proclamations, budget submissions, program/policy guidance, reports, and apportionments).”
- “The incumbent is responsible for assisting with the implementation of OMB’s policies and for portions of the budget formulation and administration, management and procurement reviews, program evaluations, legislation and regulation reviews and clearances.”

Because the program specialist’s duties involve, among others, developing and analyzing policy issues, making and defending recommendations, and reviewing and advising on the preparation of formal documents, the position meets the element of “substantive participation in the advocacy for or development or formulation of policy” set forth in section 5(c)(i) of the E.O.

**Title, Occupational Series, Pay Plan: Policy Analyst, 0301, GS-13**

Agency position description No.: RF00366

Geographical location of the position: Washington, D.C.

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-determining
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- "Serves as a policy analyst, assisting in the analysis of a diverse array of major policy issues," which "provides the analytic basis for major OMB and/or Presidential policy decisions."
- "The issues or areas are of special interest to OMB or the President and the work of this position provides the analytic base for major OMB and/or Presidential policy decisions."
- "Participates in the development of multifaceted budget, program and legislative proposals."
- "Reviews pending and proposed budget actions, legislation [and] regulations... and advises senior staff and the Division Director on recommended actions."
- "Contacts are with all levels of staff within OMB and high-ranking officials such as other agency heads, top congressional staff officials, and senior political staff."

Because the policy analyst "assist[s] in the analysis of a diverse array of major policy issues," "[p]articipates in the development of multifaceted budget, program and legislative proposals," and undertakes work that "provides the analytic base for major OMB and/or Presidential policy decisions," his/her duties meet the criteria of "substantive participation in the advocacy for or development or formulation of policy" set forth in Sec. 5(c)(i) of the EO because assisting in the analysis of policy issues, participating in the development of multifaceted budget, program and legislative proposals, and providing the analytic base for major OMB and/or Presidential policy decisions constitute substantive (i.e., real or actual) participation in the development or formulation of policy. Moreover, because the policy analyst's duties involve, among other things, reviewing pending and proposed budget actions, legislation and regulations, his/her duties meet the criteria of "viewing, circulating, or otherwise working with proposed regulations...or other non-public policy proposals or deliberations" set forth in Sec. 5(c)(iv) of the EO. The policy analyst "advises senior staff and the Division Director on recommended actions" concerning pending and proposed budget actions, legislation and regulations and must maintain contacts with "with high-ranking officials such as other agency heads, top congressional staff officials, and senior political staff," and thus "regularly work[s] with [at least one] individual appointed by either the President or an agency head who is paid at a rate not less than earned by employees at Grade 13 of the General Schedule."

**Title, Occupational Series, Pay Plan: Policy Analyst, 1102, GS-15**

Agency position description No.: 93094

Geographical location of the position: Washington, D.C.

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-determining
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- "Provides policy leadership and professional management direction to develop Government-wide procurement policy."
- "Ensures that the most current policy is published in the appropriate regulations or other policy documents."
- "Oversees implementation of procurement policy and procedures by the departments and agencies."
- "Identifies 'best practices' and problems in implementation of such policy and procedures."
- "In all policy formulation and coordinating activities," the procurement policy analyst "shares with the Associate Administrator the very broad and basic responsibility for maintaining sustained leadership in dealing with the entire executive branch organization in identifying, defining, and resolving major policy problems."

Because the procurement policy analyst's duties involve, among other things, "[p]rovid[ing] policy leadership and professional management direction to develop Government-wide procurement policy" and "maintaining sustained leadership in dealing with the entire executive branch organization in identifying, defining, and resolving major procurement policy problems" in the course of carrying out "policy formulation and coordinating activities," his/her duties meet the criteria of "substantive participation in the advocacy for or development or formulation of policy" set forth in Sec. 4(c)(i) of the EO because providing policy leadership and professional management direction to develop Government-wide procurement policy constitutes substantive (i.e., real or actual) participation in the development or formulation of policy.

**Administrative Support Specialist (Legal), 0301, GS-12 (OGC)**

Agency position description No.: RF00615

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties and factors:

- “Incumbent serves under the general oversight and direction of the Deputy General Counsel for OMB.
- “Review and analyze incoming correspondence, and other communication, addressed to OGC, including the General Counsel and Deputy General Counsel.
- “Serves as a point of contact for questions from the public regarding the status of actions directed to OGC. This includes assisting the agency’s Freedom of Information Act (FOIA) Officer in responding to such status inquiries regarding correspondence directed to the Deputy General Counsel in the role of OMB’s Chief FOIA Officer and Public Liaison.”
- “Undertake special projects, as requested by the General Counsel or that person’s designees.”

Because the position’s duties include handling, circulating, and providing a variety of deliberative communications and materials to and from the General Counsel and Deputy General Counsel, the position meets the element of “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 ... (A) directly reporting to or regularly working with an individual appointed by either the President or an agency head...,” as described in section 5(c)(iv) of the E.O.

**Digital Services Expert (Digital Services Expert (Acquisition Strategist)), 0301, GS-14 (USDS)**

Agency position description No.: RF00522

Geographical location of the position: Washington, DC

Number of positions: 0

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties:

- "This is a position substantially the same as job number RF00310, Digital Services Expert (Acquisition Strategist), GS-0301-15, except that it has been classified at less than the full performance level for recruitment, selection and training purposes. The duties are the same as those at the full performance level, with the exception of the below listed factor, which has been adjusted to reflect the developmental nature of this position."
- Supervisory review: "The incumbent works in assigned areas under the direction and guidance of the supervisor or, on occasion, under other senior division of office staff members. Projects generally are assigned by the supervisor. At this level, the supervisor outlines more detailed assignment objectives and policies and delegates to the incumbent some limited latitude for individual initiative, innovation and exercise of independence in planning, designing and approaching solutions to problems. The incumbent prepares draft analyses for review and approval of supervisor, with intended ultimate use by other staff and policy-level officials in the office. Incumbent is expected to produce technically and substantively accurate work that complies with relevant policies and identifies potential implications inherent in methodology used. The supervisor and/or senior division staff will regularly review work plans and progress. Completed work is reviewed overall for care and thoroughness of evaluations, quality of analysis, feasibility of recommendations and compatibility with other work in OMB, and effectiveness in meeting requirements of expected results. Under the administrative direction of the supervisor (normally a senior executive) and with wide latitude for the exercise of independent judgment, performs work of a level commensurate with an analyst within the Executive Office of the President and across agency partners to improve the digital services delivered by the government of the United States. The remaining factors and point values remain the same as in the full performance level position (PD RF00310).

As incorporated by reference from the position description for RF00310, Digital Services Expert (Acquisition Strategist), GS-0301-15, the position involves the following duties:

- "[U]ses their expertise to serve in an advisory capacity to both USDS and external agencies regarding digital service acquisition from both implementation and strategy perspectives."
- "[R]esponsible for managing complex stakeholder environments, working with various offices and individuals both inter and intra agency to effectively develop strategy, guidance and buy in for the goals of the USDS and digital service acquisition."
- "Creates events and programming to convene and involve the tech industry in USDS mission in order to increase the number of qualified industry companies in the digital service government

market and a technical understanding of the mission and products of USDS. Acts as a spokesperson for USDS and maintains an ongoing conversation with the tech sector."

- "Incumbent provides briefing and training in assigned subjects to departments and agencies, other government activities, and private organizations, as appropriate. Also serves on panels at related seminars and conferences.
- Incumbent ensures that policy directives, best practices, and other written materials are written in clear, concise, "plain English" to gain maximum understanding within the workforce."
- "Identifies, leads and participates in regional, national and/or international special projects or studies, work groups, task forces and panels, frequently focusing on unprecedented problems, policy making and shaping the future direction of government programs."

Because the position's duties involve, among others, acting as an agency spokesman and serving as a member of policy-making projects and groups, the position meets the element of "substantive participation in the advocacy for or development or formulation of policy" set forth in section 5(c)(i) of the E.O.



**Policy Analyst: GS-0301-15 (position description #RFPA15)**

Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character.

The policy analyst position GS-0301-15 meets the standard for classification under Schedule F.

As stated in the GS-0301-15 position description, "the incumbent as a senior policy analyst, provides expert advice and assistance on a diverse array of major policy issues, and builds a supporting rationale and provides the analytic basis for major OMB and/or Presidential policy decisions." His/her "efforts focus primarily on issues of areas of high OMB and/or Presidential priority selected for detailed assessments, which provide the analytic basis for major [OMB] and/or Presidential decisions."

Additionally, he/she "may work with or lead other staff in initiatives and for various assignments may serve as the Office expert, thus directly affecting the policymaking process."

Because the duties of the policy analyst are confidential, policy-determining, policy-making, and policy-advocating, these positions meet the standard for classification under Schedule F. In particular, because the policy analyst's duties involve, among other things, "provid[ing] the analytic basis for major OMB and/or Presidential policy decisions" and "directly affecting the policymaking process" through leading policymaking initiatives, his/her duties meet the criteria of "substantive participation in the advocacy for or development or formulation of policy" set forth in Sec. 4(c)(i) of the EO because providing the analytic basis for policy decisions and directly affecting the policymaking process through leading policymaking initiatives constitute substantive (i.e., real or actual) participation in the development or formulation of policy.

**Management Analyst (Acquisition Innovation), 0343, GS-15 (OFPP)**

Agency position description No.: RF00276

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties:

- “Develops policies, regulations, and legislative proposals that provide authorities and flexibilities agencies need to use innovative practices and successfully acquire innovative solutions, including new technologies, processes, or methods.”
- “Coordinates development of policies, procedures, and tools [work product] with stakeholders internal and external to OMB.... Advises and assists the Office of Procurement Policy in the development of Government-wide procurement policy, procedures, and best practices for the procurement of IT and Digital Services.”
- “Advises on changes in policy to address implementation problems.”

In addition, “the incumbent exercises vast initiative, resourcefulness and experience in determining and applying guidelines as well as implementing solutions to problems with no precedent,” as described in the Factors for the position.

Because the management analyst’s duties involve, among others, developing policies, regulations, and legislative proposals and advising on changes in policy in response to implementation problems, and because the position exercises significant initiative, the position meets the element of “substantive participation in the advocacy for or development or formulation of policy” set forth in section 5(c)(i) of the E.O.

**Title, Occupational Series, Pay Plan: Policy Analyst, 0301, GS-15**

Agency position description No.: RF176

Geographical location of the position: Washington, D.C.

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- "Exercises oversight of regulatory, paperwork, and information policy for designated departments or agencies."
- "Manages on a day-to-day basis, all agency submissions of regulations for OMB review under E.O. 12291."
- "Supervises and/or conducts analysis and data collection in support of cumulative effects of regulations or paperwork."

Because the procurement policy analyst's duties involve, among other things, managing oversight of regulatory policy for designated departments or agencies and managing agency submissions of regulations for OMB review, his/her duties meet the criteria of "viewing, circulating, or otherwise working with proposed regulations" set forth in Sec. 5(c)(iv) of the EO because managing oversight of regulatory policy for departments and agencies and managing agency submissions of regulations to OMB necessarily involve viewing, circulating or otherwise working with such proposed regulations. The policy analyst also "works in close collaboration with senior White House staff, senior agency management officials... in the evaluation and oversight of the agency's performance in the regulatory and information collection areas." The policy analyst "works closely with other Federal agencies as well as with OMB staff" and "must establish and/or maintain senior level agency and intergovernmental contacts and relationships, and work with staff at all levels within OMB," including the OIRA Administrator, and thus "regularly work[s] with [at least one] individual appointed by either the President or an agency head who is paid at a rate not less than earned by employees at Grade 13 of the General Schedule."

**Correspondence and Records Management Specialist, 0301, GS-11 (MOD)**

Agency position description No.: RF00074

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties and factors:

- "Independently coordinates the dissemination of controlled correspondence addressed to the OMB Director and/or Deputy Director. This includes sorting, examining and distributing all mail addressed to the Director of OMB through the automated correspondence tracking system."
- "Coordinates with the Director's staff, the development and updating of assigned portions of the online OMB Correspondence Manual which describes correspondence procedures and responsibilities, internal routing slip processes, contents and backup materials, and correspondence formats."
- "Principal work contacts are with the Associate Director for Administration [now AD for MOD], the Director, Deputy Director, and Associate Directors, and Division Directors and officials of the Office of Administration."

Because the position's duties include handling, circulating, and providing a variety of deliberative communications and materials to and from OMB leadership in coordination with the Director's Office staff, Associate Directors, and Division Directors, the position meets the element of "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 ... (A) directly reporting to or regularly working with an individual appointed by either the President or an agency head..." as described in section 5(c)(iv) of the E.O.

**Title, Occupational Series, Pay Plan: Government Information Specialist, 0306, GS-13**

Agency position description No.: RF00515

Geographical location of the position: Washington, D.C.

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “The incumbent is responsible for processing Freedom of Information Act (FOIA) and Privacy Act (PA) requests made to OMB. The incumbent exercises discretion and independent judgement in the application of laws, executive orders, regulations, precedents, and agency practices to the FOIA and PA.”
- “Through consultations with OGC staff, and OMB divisions and branches, make recommendations regarding which records are appropriate for disclosure under FOIA/PA and evaluate responses for applicability to legal requirements”
- “Provides updates to OGC leadership regarding the status of pending FOIA/PA matters”
- “Undertakes special projects, as requested by the General Counsel or that person’s designee.”
- “The incumbent must be able to obtain and maintain a Top Secret security clearance.”

Because the government information specialist’s duties involve, among other things, reviewing and “processing Freedom of Information Act (FOIA) and Privacy Act (PA) requests made to OMB,” and therefore reviewing and processing highly sensitive and privileged information of the Executive Branch, his/her duties meet the criteria of “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” set forth in Sec. 5(c)(iv) of the EO because reviewing non-public, highly sensitive and privileged records of the Executive branch involves “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.” The government information specialist “[u]ndertakes special projects, as requested by the General Counsel” and “[p]rovides updates to OGC leadership regarding the status of pending FOIA/PA matters,” and thus “regularly work[s] with [at least one] individual appointed by either the President or an agency head who is paid at a rate not less than earned by employees at Grade 13 of the General Schedule.” Moreover, in light of the confidential nature of this role in processing highly sensitive and privileged Executive Branch information, the government information specialist is required to maintain a Top Secret security clearance.

**Title, Occupational Series, Pay Plan: Policy Analyst, 0301, GS-9**

Agency position description No.: RF00745

Geographical location of the position: Washington, DC

Number of positions: 2

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Uses relevant analytic methods and plans to conduct and complete (independently and/or with other staff members), special analyses and studies required to support budget, legislative, and regulatory policymaking for information technology (IT), digital services, and information security programs and issues.”
- “Reviews current policy performance, and security activities, challenges, and opportunities of federal and nongovernment sectors to identify important material relevant to pending public policy, performance, and security issues and suggests improvements in agency activities and policies. Renders advice and assistance in the administration of the division's efforts with other internal activities and in communicating policies and priorities.”
- “Reviews pending and proposed budget actions, legislation and regulations on assigned topics and advises upper management of recommended actions. Responds to a wide variety of inquiries regarding potential impact of proposed policies.”
- “Works with budget examining divisions on selected assignments to enhance budget formulation and execution.”
- Knowledge required: “Experience in policy analysis, including expert knowledge and understanding of research methods and techniques.”
- “Skill in gathering, analyzing and presenting data for policymaking, particularly in the assessment of the impact of policy and program changes upon existing federal programs.”
- Supervisory controls: “[M]ay initiate or recommend projects with Division approval. Selected projects may be assigned by the OMB Director, Deputy Director, or Executive or Program Associate Directors, and Unit/Branch Chiefs.”
- Scope and effect: “Provides advice and assistance in the assigned areas to high-level OMB officials and staff as well as to other EOP components, federal agencies, and Congressional officials. Efforts are in a developmental capacity and focus primarily on issues or areas of OMB priority selected for detailed assessments, which provide the basis for major policy decisions.”

This position in the Office of the Federal Chief Information Officer (OFCIO) meets the standard for classification under Schedule F under Executive Order 13957. Because the duties of the policy analyst are confidential, policy-determining, policy-making, and policy-advocating, these positions meet the standard for classification under Schedule F. The duties described above meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Section 5(c)(i) of the EO because directly affecting the policymaking process and leading policymaking initiatives constitute substantive (i.e., real or actual) participation in the development or formulation of policy. Additionally, the role involves “policy proposals or deliberations generally covered by deliberative process privilege” as described in 5(c)(iv), and working with officials including the OMB Director, Deputy Director, or Executive or Program Associate Directors.

**Digital Services Expert (Digital Talent Specialist), 301, GS-12 (USDS)**

Agency position description No.: RF00604

Geographical location of the position: Washington, DC

Number of positions: 2

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating
- Policy-making

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties:

- “[U]ses their expertise to champion the use of modern technology development and management approaches, drawing heavily upon best practices from the consumer technology industry.”
- “[U]nder appropriate supervision, uses their demonstrated experience working closely with technical candidates and recruiting technical talent, building and scaling organizations, fostering diverse teams, and developing strategic partnerships to evolve and grow the unit over time to fulfill its mission.”
- “[E]xecutes a sub-section of an overall a talent strategy designed to bring leadership and staff with the skills to deliver world-class digital services into government. Iteratively develops and refines the talent and recruiting strategy, based on interaction with candidates, agencies, leadership, key stakeholders, and expertise.”
- “Maintains a steady pipeline of top technical talent into the Federal government in order to improve key services that government delivers to citizens.”
- “Serves as a trusted spokesperson on the mission, projects, and culture of the U.S. Digital Service as well as a diverse range of issues related to technology, digital service delivery, and/or technology policy.”
- “[W]orks with other recognized technical experts within the agency and throughout the federal government, as well as individuals throughout private industry to develop a coordinated approach to unique problems or areas in which Federal agencies or the private sector has previously not been involved or concerned.”
- “[M]anages complex stakeholder environments, working with senior level officials in the EOP and in other federal agencies and maintains a deep understanding of USDS priorities in order to effectively hire staff who can execute against these priorities. Builds support and consensus for the talent strategy and goals.”
- “[P]lans and executes an iterative strategy for scaling an organization from startup phase to maturity.”
- “[C]onfers with key government and private officials and top experts in his/her field, representing the government at technical symposia and conferences. Using technical leadership, outstanding creativity, and exceptional judgment, he/she develops, defines and communicates citizen and business facing digital service delivery efforts in order to recruit top talent into the U.S. Digital Service to solve problems of major importance to citizens. Builds credible, trusted relationships with USDS’ senior leadership and USDS’ agency leaders.”



Because the position's duties involve, among others, building consensus around USDS strategies and goals, developing strategic partnerships, working with senior officials, planning and executing strategies, and acting as an agency spokesman, the position meets the element of "substantive participation in the advocacy for or development or formulation of policy" set forth in section 5(c)(i) of the E.O.

**Program Examiner, 0301, GS-09**

Agency position description No.: RF00497

Geographical location of the position: Washington, DC

Number of positions: 0

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating
- Policy-making
- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Develops and analyzes major policy issues, highlighting alternative approaches that might be taken to resolve problems, and makes and defends recommendations.”
- “Develops, reviews, and advises on the preparation of formal documents (e.g., Executive Orders, budget submissions, program/policy guidance, reports).”
- “Reviews, comments on, and leads negotiations on policy issues.”

In addition, the position description for the GS-09 states that, “The overall duties and assignments of this position are similar to those covered in the target PD# RF00502, Program Examiner, GS-301-15,” a position that involves functioning independently and applying significant judgment.

Because the GS-09 program examiner’s duties involve, among others, developing and analyzing major policy issues, making and defending recommendations, and commenting on and participating in negotiations on policy issues, and because the position requires significant independence and judgment, the position meets the element of “substantive participation in the advocacy for or development or formulation of policy” set forth in section 5(c)(i) of the E.O. Additionally, duties involve working with confidential information including Executive Orders, budget submissions, program/policy guidance, and reports, as well as other agency material “generally covered by deliberative process privilege” as described in the EO Section 5(c)(iv).

**Toxicologist or Epidemiologist, 0415, GS-15 (OIRA)**

Agency position description No.: RF00230

Geographical location of the position: Washington, DC

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position involves the following duties:

- “Represents OMB on interagency committees, develops, reviews, and advises on the preparation of formal documents (e.g., regulations, Executive Orders, budget submissions, program/policy guidance, reports).”

In addition, the position engages with “[OMB] staff at all levels, including the Director, Deputy Directors, and Associate Directors. Other contacts are with Cabinet and high-level officials and staffs of the [EOP] and Federal agencies and departments...” as described in the Factors for the position. Further, “Contacts ... may include justifying, negotiating or explaining sensitive, complicated and controversial issues.”

Because the position’s duties involve, among others, developing and advising on the preparation of regulations, Executive Orders, budget submissions, and policy guidance, and because the position interacts with, and may involve negotiating with, OMB policy leaders and high-level EOP officials, the position meets the element of “substantive participation in the advocacy for or development or formulation of policy” set forth in section 5(c)(i) of the E.O.

**Title, Occupational Series, Pay Plan: Policy Analyst, 0301, GS-13**

Agency position description No.: RF00548

Geographical location of the position: Washington, D.C.

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “The incumbent will ... provid[e] expert advice and assistance on a diverse array of policy issues, building a supporting rationale and providing the analytic basis for major OMB and/or Presidential policy decisions.”
- “Coordinates interagency policy development processes [and] builds multi-stakeholder consensus to achieve broadly accepted recommendations; oversees project plans for government-wide implementation of new policy.”
- “Contacts are with all levels of staff within OMB and high-ranking officials such as other agency heads, top congressional staff officials, and senior political staff.”

Because the policy analyst’s duties involve, among other things, “provid[ing] the analytic basis for major OMB and/or Presidential policy decisions” and “overseeing project plans for government-wide implementation of new policy”, his/her duties meet the criteria of “substantive participation in the advocacy for or development or formulation of policy” set forth in Sec. 5(c)(i) of the EO because providing the analytic bases for major OMB and/or Presidential policy decisions and overseeing project plans for government-wide participation in the implementation of new policy constitute substantive (i.e., real or actual) participation in the development or formulation of policy. Moreover, because the policy analyst’s duties involve, among other things, coordinating interagency policy development processes and building multi-stakeholder consensus to achieve broadly accepted recommendations and overseeing project plans for government-wide implementation of new policy, his/her duties meet the criteria of “viewing, circulating, or otherwise working with proposed regulations” set forth in Sec. 5(c)(iv) of the EO because managing OIRA efforts in the areas of regulatory policy and regulatory impact analysis necessarily involve “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.” The policy analyst maintains contacts with OMB staff at all levels, including the Director and Deputy Director, and with other high-level officials such as other agency heads, top congressional staff officials, and senior political staff, and thus “regularly work[s] with [at least one] individual appointed by either the President or an agency head who is paid at a rate not less than earned by employees at Grade 13 of the General Schedule.”

**Title, Occupational Series, Pay Plan: Policy Analyst, 0301, GS-12**

Agency position description No.: RF00630

Geographical location of the position: Washington, D.C.

Number of positions: 2

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- "Conducts analyses of regulations and/or regulatory policy to identify significant economic, scientific, and legal issues, with emphasis on regulatory costs and benefits, and alternative regulatory approaches."
- "Initiates and performs objective qualitative and quantitative analysis of portions of complex regulatory policy and/or economic issues to inform decision making."
- "Reviews and interprets pertinent subject-related directives, proposed legislation, and policy documents."
- "Collaborates with senior staff in the preparation of comprehensive position papers, briefing materials, etc. Develops presentations, briefings, speeches and articles for presentation to and by senior staff."
- "Provides critical feedback and recommendations to OIRA and OMB leadership regarding policy positions on national level regulatory and information collection strategic directives and policy statements."
- "...interfaces with other agency management officials..."

Because the policy analyst's duties involve, among other things, "initiat[ing] and perform[ing] objective qualitative and quantitative analysis of portions of complex regulatory policy and/or economic issues to inform [OMB] decision making" and "[p]rovid[ing] critical feedback and recommendations to OIRA and OMB leadership regarding policy positions on national level regulatory and information collection strategic directives and policy statements," his/her duties meet the criteria of "substantive participation in the advocacy for or development or formulation of policy" set forth in Sec. 5(c)(i) of the EO because initiating and performing objective qualitative and quantitative analysis of portions of complex regulatory policy and/or economic issues to inform OMB decision making and providing critical feedback and recommendations to OIRA and OMB leadership regarding policy positions on national level regulatory and information collection strategic directives and policy statements constitute substantive (i.e., real or actual) participation in the development or formulation of policy. Moreover, because the policy analyst's duties involve, among other things, reviewing and interpreting pertinent subject-related directives, proposed legislation, and policy documents, his/her duties meet the criteria of "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" set forth in Sec. 5(c)(iv) of the EO because reviewing non-public regulations and guidance documents involves "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.” The policy analyst provides critical feedback and recommendations to OIRA and OMB leadership and maintains contacts with other high-level agency management officials, and thus “regularly work[s] with [at least one] individual appointed by either the President or an agency head who is paid at a rate not less than earned by employees at Grade 13 of the General Schedule.”

**Title, Occupational Series, Pay Plan: Information Technology Specialist (INFOSEC), 2210, GS-12**

Agency position description No.: RF00228

Geographical location of the position: Washington, DC

Number of positions: 0

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential
- Policy-making
- Policy-advocating

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “The responsibilities include tracking the performance of agencies’ classified and unclassified information security programs, as well as undertaking action needed to ensure the success of programs.”
- “[P]rovides advice and consultation to policy officials regarding the information security programs and initiatives under his/her responsibility, and conduct special analyses of issues affecting the programs and initiatives, as appropriate. The results of these analyses and consultations will improve executive-level decision-making and reduce risks in agencies information security policies and programs.”
- “[W]orks with senior associate staff to support Federal-wide efforts to assess cybersecurity workforce challenges and work proactively to address challenges through policy creation and implementation. Responsible for reviewing both agency specific and Federal-wide cybersecurity workforce policies, procedures, and programs through detailed qualitative and quantitative analyses and work with relevant leadership to close gaps.”
- “[P]erforms initial review of agency performance regarding FISMA metrics, CAP goal performance, annual audits, Information Security Continuous Mitigation (ISCM) strategies, and coordinate with E-Gov staff to provide input into addressing agency risks and issues.”
- “[A]ssists senior specialists in overseeing performance of agencies that have a specific mission to provide cybersecurity for Federal networks, such as DOD, OHS, GSA, NIST, and ODNI. Contributes to the development of priorities, management requirements, and annual FISMA metrics via interagency committees (Information Security Identify Management Committee (ISIMC), Committee on National Security Systems (CNSS)).”
- “[S]upports Policy and Communications team’s external engagements regarding agency cybersecurity, such as:
  - Develop responses to GAO reports on cybersecurity.
  - Provide comments on proposed cybersecurity legislation.
  - Respond to media requests regarding Federal cybersecurity issues.
  - Brief Congress on the state of Federal cybersecurity.”
- “[C]oordinates with relevant Resource Management Offices (RMOs) to explore necessary budgetary actions to remediate agencies’ information security programs. Closely coordinate oversight efforts with DHS’s Office of US-CERT, Office of Federal Network Resilience (FNR), and the National Institute of Standards and Technology (NIST).”

- “Judgment is required in developing recommendations to OMB and agency management regarding major problems or issues.”

The IT Specialist’s duties involve “substantive participation in the in the advocacy for or development or formulation of policy” in the information policy and information security policy area, including creating and implementing government-wide cybersecurity policies, as described in the EO Section 5(c)(i). It also involves oversight over classified and other sensitive information security programs across the government, and otherwise “working with proposed ... guidance ... to other non-public policy proposals or deliberations generally covered by the deliberative process privilege,” as described in 5(iv) while working with policy officials. Among the duties are providing comments on proposed legislation and briefing Congress, and responding to GAO, as well as conducting and coordinating OMB’s own intra-Executive-branch oversight.



**Program Examiner, 0301, GS-12**

Agency position description No.: RF00499

Geographical location of the position: Washington, DC

Number of positions: 14

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Policy-determining
- Policy-advocating
- Policy-making
- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- “Develops and analyzes major policy issues, highlighting alternative approaches that might be taken to resolve problems, and makes and defends recommendations.”
- “Develops, reviews, and advises on the preparation of formal documents (e.g., Executive Orders, budget submissions, program/policy guidance, reports).”
- “Reviews, comments on, and leads negotiations on policy issues.”

In addition, “the incumbent must function independently with minimal guidelines and with issues for which precedents may be few or lacking. Considerable expertise and judgment are required in interpreting and adapting existing guidelines and in developing new or enhanced approaches to difficult issues,” as described in the Factors for the GS-12 position.

Because the GS-12 program examiner’s duties involve, among others, developing and analyzing major policy issues, making and defending recommendations, and commenting on and participating in negotiations on policy issues, and because the position requires significant independence and judgment, the position meets the element of “substantive participation in the advocacy for or development or formulation of policy” set forth in section 5(c)(i) of the E.O. Additionally, duties involve working with confidential information including Executive Orders, budget submissions, program/policy guidance, and reports, as well as other agency material “generally covered by deliberative process privilege” as described in the EO Section 5(c)(iv).

**Title, Occupational Series, Pay Plan: Budget Officer, 560, GS-15**

Agency position description No.: 95089

Geographical location of the position: Washington, D.C.

Number of positions: 1

Schedule F Criteria: Schedule F positions are those of a confidential, policy-determining, policy-making, or policy-advocating character. This position is:

- Confidential

Description of factors demonstrating the position fits the Schedule F criteria: As stated in the relevant position description, the position:

- "...the Budget Officer prepares and administers the Office's budget; assists in integrating unit work program proposals into a total office program; and renders staff assistance to top level OMB management on a variety of specific organization problems. Serves as liaison with officials of the Office of Administration on all matters pertaining to the OMB's budget and accounting matters."
- "Administers the OMB budget. Exercises control over the distribution of funds, expenditures, and the recording of expenditures. Evaluates requirements and forecasts needs. Negotiates with operating officials to secure agreement on funds reduction. Recommends action on funds requests. Reviews, analyzes, and approves reprogramming and fund adjustment recommendations."
- "Principal work contacts are with the Associate Director for Administration, the Director, the Deputy Director, and Associate Directors..."

Because the incumbent's duties involve, among other things, "[a]dminister[ing] the OMB budget," "[n]egotiat[ing] with operating officials to secure agreement on funds reduction," "[r]ecommend[ing] action on funds requests," "[r]eview[ing], analyz[ing], and approv[ing] reprogramming and fund adjustment recommendations" for OMB's budget, his/her duties meet the criteria of "... otherwise working with...non-public policy proposals or deliberations generally covered by deliberative process privilege" set forth in Sec. 5(c)(iv) of the EO because negotiating with operating officials to secure agreement on funds reduction, recommending action on funds requests, reviewing, analyzing, and approving reprogramming and fund adjustment recommendations for OMB's budget, and similar sorts of non-public deliberations concerning OMB's budget, constitute "working with...non-public policy proposals or deliberations generally covered by deliberative process privilege." The incumbent's "[p]rincipal work contacts" are with political appointees such as "the [OMB] Director, Deputy Director, and Associate Directors," and thus the incumbent "regularly work[s] with [at least one] individual appointed by either the President or an agency head who is paid at a rate not less than earned by employees at Grade 13 of the General Schedule."