

Budget Officer, 0560, GS-15 (MOD)

Agency position description No.: RF95089

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 general direction of the Associate Director for Administration [now Assistant Director for Management and Operations], 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.”
- “Develops procedures, methods, and instructions for the preparation of unit budgets and work programs, transmits and interprets to the divisions the Director’s policies governing the preparations of the Office’s financial and work programs. Reviews proposed unit budgets and work programs. Compiles and makes recommendations on total Office work program and budget; arranges and participates in budget hearings.”
- “Principal work contacts are with the Associate Director for Administration, the Director, Deputy Director, and Associate Directors, and Division Directors and officials of the Office of Administration.”

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 and OMB division managers, 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.

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

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

- “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.”

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.

Program Examiner, 0301, GS-14

Agency position description No.: RF00501

Geographical location of the position: Washington, DC

Number of positions: 39

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-14 position.

Because the GS-14 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: Policy Analyst, 0301, GS-14

Agency position description No.: RF00578

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

Number of positions: 7

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 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."
- "[P]erforms high level policy analysis work on a myriad of projects concerning the management of Federal information resources, reduction of the paperwork burden, and regulatory relief efforts."
- "Assists with OIRA efforts regarding the development and oversight of policies which govern the conduct of Federal regulatory programs...interagency sharing of information, and the acquisition and use of automated systems, telecommunications, and other technology for managing information resources."
- "Provides expert 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."
- "Within the Office, 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 staff of the Executive Office of the President and Federal agencies and departments..."

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, 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 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 expert assistance to the OIRA Administrator and maintains contacts with OMB staff at all levels, including the Director and Deputy Director, and with other Cabinet officials and high-level officials and staff of the Executive Office of the President and Federal agencies and departments, 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-14

Agency position description No.: RF00174

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
- Policy-making
- Policy-advocating

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

- “[P]rovides expert 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.”
- “[R]esponsibilities include tracking the performance of agencies’ classified and unclassified information security programs, as well as undertaking action needed to ensure the success of programs.”
- “[S]upports 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.”
- “[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 take 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).”
- “Considerable 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.

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 trouble-shooter and expediter 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: Learning and Development Specialist, 1701, GS-13

Agency position description No.: RF00749

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 leads and oversees the development of agency-wide strategies, policies, plans, programs and initiatives for the development of the capable workforce.”
- “Formulates the OMB central training budget and division level budgets in conjunction with the OMB MOD Budget officer. Manages and executes OMB’s central and division training budgets and is responsible for the review and approval of all official OMB training.
- “The incumbent must able to obtain and maintain a Top Secret security clearance.”

Because the Learning and Development Specialist “leads and oversees the development of agency-wide strategies, policies, plans, programs and initiatives for the development of the capable workforce,” 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 leading and overseeing the development of agency-wide strategies, policies, plans, programs and initiatives for the development of the capable workforce constitutes substantive (i.e., real or actual) participation in the development or formulation of policy.

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

Agency position description No.: RF00592

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:

- “Provides leadership and professional management direction to develop Government-wide policy, procedures and forms, regulations, and legislative proposals.”
- “Oversees implementation of policy and procedures.”
- “Reviews agency acquisitions policies [and] regulations.”
- “Provides direction with clear supporting analysis to senior OFPP and OMB officials, and other department procurement executives.”
- “Contacts are with senior officials throughout the executive branch, and staffs of Congress and the GAO, as well as senior industry representatives and the general public concerned with acquisition implementation.”

Because the policy analyst “[p]rovides leadership and professional management direction to develop Government-wide policy” and “[o]verses implementation of policy and procedures,” 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 leadership to develop Government-wide policy and overseeing implementation of government policies constitute substantive (i.e., real or actual) participation in the development or formulation of policy. Moreover, because the procurement policy analyst’s duties involve, among other things, reviewing agency acquisition policies 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 “[p]rovides direction with clear supporting analysis to senior OFPP and OMB officials, and other department procurement executives” and must establish or maintain contacts with “senior officials throughout the executive branch,” 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.”

Program Examiner, PMF, 301, GS-11

Agency position description No.: RF00488 (PMF/Schedule D)

Geographical location of the position: Washington, DC

Number of positions: 9

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 involves the following duties:

- “Develops and analyzes major policy issues, highlighting alternative approaches that might be taken to resolve problems, and makes and defends recommendations.”
- Factors: “the incumbent participates in providing comprehensive advice and assistance to high-level OMB officials and staff, and to other EOP officials, federal agencies, Congressional and other staff concerned with policy development and implementation.”

Because the program examiner’s duties involve, among others, developing and analyzing major policy issues, making and defending recommendations, and because the position participates in providing advice to OMB and EOP policy officials concerned with policy development and implementation, 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).

Budget Preparation Specialist, 0501, GS-13 (BRD)

Agency position description No.: RF00055

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 involves the following duties and factors:

- "...[C]oordinates scheduling and support for the OMB and Presidential budget reviews."
- "...Assists with liaison functions with the House and Senate Appropriations Committees on Administration budget requests."
- "...[P]roviding staff support in furnishing information and/or recommendations to the President, the Director, and others on a wide variety of budgetary concerns."
- "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 about sensitive and deliberative budget information and schedules with the Director's Office and the President's staff, 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 providing support for information or recommendations to the Director, the President, and others, 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: Information Technology Specialist (INFOSEC), 2210, GS-13

Agency position description No.: RF00227 (GS-13)

Geographical location of the position: Washington, DC

Number of positions: 4

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.

Legislative Analyst, PMF, 301, GS-11

Agency position description No.: RF00785 (PMF/Schedule D)

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
- 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:

- “Coordinates all OMB actions concerning congressional actions. Reviews pending position statements, i.e., Statements of Administration Policy (SAPs), reports/letters, and testimony.”
- “Assists to develop consensus within the EOP on the Administration’s position on the sensitive pending non-appropriations legislation. Consults with the staff of the Office of Legislative Affairs, the Program Associate Director, the Deputy Director and the Director. Works with the White House Chief of Staff’s office and the appropriate policy office.”
- “Reviews, comments on, and assists with negotiations on policy issues.”

In addition, as described in the Factors for the position, the legislative analyst “[u]ses discretion and tact when handling sensitive issues [and d]emonstrates personal integrity and loyalty due to the confidential relationship that exists between the incumbent and the Director” and “has frequent contact with high level officials both within OMB and from other Federal agencies.”

Because the legislative analyst’s duties involve, among others, developing consensus on the Administration’s position on pending legislation, consulting with OMB leadership and the White House Chief of Staff’s Office, and assisting with negotiations on policy issues, and because the position requires discretion and tact and frequent contact with high level officials, including the OMB Director, the position meets the elements of “substantive participation in the advocacy for or development or formulation of policy” set forth in section 5(c)(i) of the E.O. 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 and ... (A) directly reporting to or regularly working with an individual appointed by either the President or an agency head...” in section 5(c)(iv).

Title, Occupational Series, Pay Plan: IT Cybersecurity Specialist (INFOSEC), 2210, GS-15

Agency position description No.: RF00769

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.

Program Examiner, 0301, GS-15

Agency position description No.: 94097

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 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 position.

Because the 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.

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 CA Os 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: General Attorney, 905, GS-15

Agency position description No.: RF90034

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
- 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: Performance Manager, 0301, GS-15

Agency position description No.: RF00069

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 the Deputy Director for 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-15

Agency position description No.: RF00633

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

Number of positions: 4

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 high level objective qualitative and quantitative analysis of portions of complex regulatory policy and/or economic issues to inform decision making."
- "Leads development and implementation of strategies to improve the effectiveness of government regulatory policies."
- "Reviews and interprets pertinent subject-related directives, proposed legislation, and policy documents."
- "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."
- "Incumbent also interfaces with other agency management officials..."

Because the policy analyst's duties involve, among other things, "lead[ing] development and implementation of strategies to improve the effectiveness of government regulatory policies" 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 leading development and implementation of strategies to improve the effectiveness of government regulatory policies 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: IT Cybersecurity Specialist (INFOSEC), 2210, GS-14

Agency position description No.: RF00770

Geographical location of the position: Washington, DC

Number of positions: 1 (*I*)

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 OFICO, 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: Policy Analyst, 0301, GS-15

Agency position description No.: RF00546

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

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:

- “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

Budget Officer, 0560, GS-15 (MOD)

Agency position description No.: RF95089

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 general direction of the Associate Director for Administration [now Assistant Director for Management and Operations], 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.”
- “Develops procedures, methods, and instructions for the preparation of unit budgets and work programs, transmits and interprets to the divisions the Director’s policies governing the preparations of the Office’s financial and work programs. Reviews proposed unit budgets and work programs. Compiles and makes recommendations on total Office work program and budget; arranges and participates in budget hearings.”
- “Principal work contacts are with the Associate Director for Administration, the Director, Deputy Director, and Associate Directors, and Division Directors and officials of the Office of Administration.”

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 and OMB division managers, 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

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: Statistician, 1530, GS-14

Agency position description No.: RF00506

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:

- “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.

Digital Services Expert, 0301, GS-15 (E-Government Office)

Agency position description No.: RF00172

Geographical location of the position: Washington, DC

Number of positions: 42 + 18 vacancies

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.

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

Agency position description No.: RF00057

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:

- 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.

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

Agency position description No.: RFPA15

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

Number of positions: 9

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 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.”
- “The incumbent’s 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.”
- “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-15

Agency position description No.: RFPE15

Geographical location of the position: Washington, DC

Number of positions: 33

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 involves the following duties:

- “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 reviews issues, plans, develops and conducts studies and projects, and provides recommendations to OMB policy officials,” and “has mastered the skills required to function and perform the work independently,” as described in the Factors for the position.

Because the GS-15 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 provides recommendations to OMB policy 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. 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 (Talent Mgmt & Recr.), 301, GS-14 (USDS)

Agency position description No.: RF00612

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]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.”
- “[E]xecutes 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: General Attorney, 905, GS-12

Agency position description No.: RF00552

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-advocating

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

- “Furnishes legal advice to OMB and White House staff concerning laws, regulations, policies and procedures.”
- “Examines legal documents, contracts, agreements, and related instruments for property, legality, completeness and intent of purpose, and where found insufficient, prepares or recommends modifications and additions to protect the interests of the Government and/or to express the intent of all parties.
- Knowledge required: “Knowledge of the controlling statutes, regulations, and case law pertaining to the subject matter of the particular issue sufficient to develop legal opinions whether through the litigation process or administratively, which may alter the state of the law in the particular area or expand the charter of the agency.”
- Supervisory controls: “Independently plans and organizes work, investigates the facts, searches legal precedents, drafts the necessary legal documents, and develops conclusions and recommendations.”
- Scope and effect: “Legal matters dealt with at this level can have the effect of substantially broadening or restricting the activities of the agency...”
- Personal contacts: “Contacts are with high level personnel within the agency as well as high level personnel in other agencies.... Contacts are in a relatively unstructured setting with incumbent required to exercise a great deal of discretion.”

The general attorney’s duties involve working with confidential information including legal work-product, regulations, policies, and procedures, as well as other agency material “generally covered by deliberative process privilege” as described in the EO Section 5(c)(iv). Moreover, the position involves working with the General Counsel, a senior political appointee within OMB and the EOP.

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

Agency position description No.: RF00579

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 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.”
- “Assists with OIRA efforts regarding the development and oversight of policies which govern the conduct of Federal regulatory programs”
- “Provides expert 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.”
- “Within the Office, 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 staff of the Executive Office of the President and Federal agencies and departments...”

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, 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 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 expert assistance to the OIRA Administrator and maintains contacts with OMB staff at all levels, including the Director and Deputy Director, and with other Cabinet officials and high-level officials and staff of the Executive Office of the President and Federal agencies and departments, 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.”

Program Specialist, 0301, GS-09

Agency position description No.: RF00030

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.

Digital Services Expert (Digital Services Expert (Acquisition Strategist)), 0301, GS-15 (USDS)

Agency position description No.: RF00310

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

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 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.

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

Agency position description No.: RF00631

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 high level objective qualitative and quantitative analysis of portions of complex regulatory policy and/or economic issues to inform decision making.”
- “Independently develops and implements strategies to improve the effectiveness of government regulatory policies.”
- “Reviews and interprets pertinent subject-related directives, proposed legislation, and policy documents.”
- “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, “independently develop[ing] and implement[ing] strategies to improve the effectiveness of government regulatory policies” 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 independently developing and implementing strategies to improve the effectiveness of government regulatory policies 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.”

Digital Services Expert (COVID 19), 301, GS-15 (USDS)

Agency position description No.: RF00762

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:

- “[W]ill focus on user-centered design and research (based on research on best practices/desired information from users who access these websites related to COVID-19).”
- “[U]ses their expertise to champion the use of modern technology development and management approaches, drawing heavily upon best practices from the consumer internet industry such as open source and agile development processes.”
- “[U]ses their deep understanding of the characteristics of successful digital services and how they are built both inside and outside government; including user-centered design and development practices and modern consumer internet technologies to lead major initiatives, provide consultation on systems or policy proposals, and/or provide technical, policy, and programmatic guidance to government leaders at the most senior levels.”
- “[U]ses their demonstrated experience building and scaling organizations to evolve and grow the unit over time to fulfill its mission.
- “[C]ollaboratively develops and tests the success of government-wide standards for digital services, leading to their adoption across citizen and business facing government services. Identify, develop, and build support and tools (technical and policy) for implementing a common user experience and brand across government digital services. Lead the development of a single user experience for citizen and business facing digital services. Assesses the state of current projects in agencies and plans and/or leads interventions when correction actions are required.”
- “[C]ontributes to a talent strategy designed to provide 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 program strategy, based on interaction with agencies, key stakeholders, and expertise.”
- “[S]erves 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 more widespread issues affecting the office’s substantive mission in which his/her expertise is often sought due to extensive knowledge and experience in one or more areas. 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. Leads the adoption and creation of government-wide standards for developing digital services, based upon best practices from the private sector such as agile development methodologies and open source practices.”
- “[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. Plans and conducts pioneering work in his/her area of technology and/or technology policy to deliver digital services to American citizens and businesses using knowledge of latest consumer internet technologies and technology management approaches.”

- “[M]anages complex stakeholder environments, working with senior level officials across agencies and in the EOP to build support and consensus for unit strategy and goals, which may be in conflict with agency plans.”
- “[P]lans and executes an iterative strategy for scaling an organization from startup phase to mature. Provides trusted, expertise guidance on technology programs to senior EOP and agency officials on policies and programs of national significance.”
- “Presents findings and leads programmatic and technical decision-making based on this analysis with senior level officials in EOP and agency leadership. Leads redesign of complex business processes focusing on user needs and leads development of services based on redesign. Establishes and leads government-wide adoption of user experience and effectiveness measures for government digital services.”
- “[C]onfers with key government and private officials and top experts in his/her field, representing the government at technical symposia and conferences. Serves on agency, interagency and technical society committees of national importance as a recognized authority in the areas of technology and technology policy. Using technical leadership, outstanding creativity and exceptional judgment, incumbent develops, defines and leads citizen and business facing digital service delivery efforts, devising innovative ways to solve problems of major importance to citizens. Reviews agency technology initiatives for technical and programmatic feasibility and adherence with the organizations and federal standards for citizen facing technology. Builds credible, trusted relationships with senior agency leaders and provides detailed and consultative guidance when corrective action is required.”
- “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, leading programmatic decision making with senior level officials in the EOP and agency, building policy across government digital services, building consensus around USDS strategies and goals, developing strategic partnerships, working with senior officials, acting as an agency spokesman on technology policy, 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: Office Manager, 301, GS-15

Agency position description No.: RF00705

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:

- “[H]as continual access to important and highly sensitive information and must maintain confidentiality as well as integrity of subject matter.”
- “[R]eports directly to the Administrator and coordinates office activities and communications with the Deputy CIO and the CISO.”
- “Prepares materials for the Administrator and CIO, DCIO, and CISO’s review when there are high-level policy implications, operational conflicts or other sensitive issues.”
- “Resolves policy issues, and renders authoritative advice and guidance in administering operating guidelines, coordinating OFCIO efforts with other internal activities, and communicating policies and priorities.”
- “[M]anag[es] and direct[s] highly complex and sensitive e-gov and OMB nationwide programs that fundamentally affect key OFCIO and OMB strategic policy and organizational goals and objectives.”
- “Most contacts are with high-level representatives of Federal departments and agencies, other EOP personnel, senior-level representatives from state and local governments, civic groups, vendor organizations, various advisory committees and councils and representatives of foreign governments and other organizations.”

The chief of staff’s duties involve, among other things, accessing important and highly sensitive information, while maintaining confidentiality and integrity of subject matter; prepares materials with high-level policy implications, operational conflicts, or other sensitive issues for review by top OFCIO officials; resolving policy issues and rendering authoritative advice and guidance in administering operating guidelines, coordinating OFCIO efforts with other internal activities, and communicating policies and priorities; and managing and directing highly complex and sensitive e-gov and OMB nationwide programs that fundamentally affect key OFCIO and OMB strategic policy and organizational goals and objectives. 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 resolving policy issues and rendering authoritative advice and guidance, coordinating OFCIO efforts with other internal activities, and communicating policies and priorities, as well as managing and directing highly complex and sensitive e-gov and OMB nationwide programs that fundamentally affect key OFCIO and OMB strategic policy and organizational goals and objectives involves substantive policy-related work, as set forth in Sec. 5(c)(i)(B) of the EO. Furthermore, these involve substantive policy-related work in OFCIO, an agency component that primarily focuses on policy, as set forth in Sec. 5(c)(i)(B) of the EO.

Additionally, the chief of staff's duties involve, among other things, accessing important and highly sensitive information, while maintaining confidentiality and integrity of subject matter, and preparing materials with high-level policy implications, operational conflicts, or other sensitive issues for review by top OFICIO officials. 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 these duties necessarily involve viewing, circulating or otherwise working with non-public policy proposals. He/she also reports directly to the OFCIO Administrator and regularly works with high-level officials within OFICIO and the Federal government 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.

Executive Assistant, 0301, GS-11 (MOD)

Agency position description No.: RF00601

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:

- “Receives and examines all incoming requests, reports, and correspondence, including from the Director’s Office, the Cabinet Councils, the White House staff, and the Congress. Assigns work to appropriate staff members based on their substantive areas of expertise and program responsibility. For externally initiated work and for assignments made by the Director, informs staff of priorities, due dates, and review procedures.”
- “Sees that the Director 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.”

Because the executive assistant’s duties involve handling, circulating, and providing a variety of deliberative communications and materials to or from the Director or his immediate staff, 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: Information Technology Specialist (INFOSEC), 2210, GS-15

Agency position description No.: RF00173

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:

- “[P]rovides expert 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.”
- “[R]esponsibilities include tracking the performance of agencies’ classified and unclassified information security programs, as well as undertaking action needed to ensure the success of programs.”
- “[S]upports 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.”
- “[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 take 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).”
- “Considerable 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.

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

Agency position description No.: RF00575

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.”
- “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.”

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.

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: Budget Methods Specialist, 501, GS-12

Agency position description No.: RF00067C

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.”
- “Develops recommendations for agency budget submissions, apportionment requests, and reports relating to the budget’s status.”
- “Works on guidance covering the procedures for apportionments and preparation of instructions to agencies and office staff on preparation and execution of the budget.”
- “Recommends legislation for OMB to sponsor and evaluates legislation sponsored by other[] agencies.”
- “During the annual budget season, . . . participates in preparing the President’s Budget.”
- “Assignments and the objectives to be achieved are provided by the supervisor.”
- Immediate Supervisor is the Assistant Director for Management & Budget.

The budget methods specialist’s duties involve, among other things, developing proposals and recommendations concerning the form and content of the President’s Budget; working on guidance covering the procedures for apportionments and preparation of instructions to agencies and office staff on preparation and execution of the budget; recommending legislation where OMB is the sponsor and evaluating legislation sponsored by other agencies; and preparing the President’s Budget. His/her duties meet the criteria of “substantive participation in the development or drafting of . . . guidance” or “substantive policy-related work” set forth in Sec. 5(c)(i) of the EO because working on guidance covering the procedures for apportionments and preparation of instructions to agencies and office staff on preparation and execution of the budget involves substantive participation in the development of guidance, as set forth in Sec. 5(c)(i)(A) of the EO. Furthermore, developing proposals and recommendations concerning the budget and developing recommendations for agency budget submissions, apportionment requests, and reports relating to the budget’s status involve substantive policy-related work in 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: 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: Performance Manager, 0301, GS-13

Agency position description No.: RF00076

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:

- “[A]ctively contribut[es] to the formulation and ongoing assessment of performance improvements and management strategies.”
- “Leads cross-cutting teams of government experts to resolve long-standing management problems.”
- “[A]ddress[es] and complete[s] very sensitive assignments using discretion.”
- “[P]resents 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.”

The performance manager’s duties involve, among other things, contributing to the formulation and ongoing assessment of performance improvements and management strategies; leading teams of government experts to resolve long-standing management problems; addressing and completing very sensitive assignments; presenting analyses and issues in coherent products specifically designed to assist high level decision making; and providing advice and assistance to high-level OMB officials. 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 contributing to the formulation of performance improvements and management strategies; leading teams of government experts to resolve long-standing management problems; and presenting analyses and issues in coherent products specifically designed to assist high level decision making involve substantive policy-related work in the in the Office of the Deputy Director for 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, most of whom are likely individuals “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” as set forth in Sec. 5(c)(iv)(A) of the EO.

Policy Analyst, PMF, 301, GS-11

Agency position description No.: RF00484 (PMF/Schedule D)

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:

- "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."

In addition, as described in the Factors for the position, "the analyst often must function independently with guidelines which are only broadly stated and with issues for which precedents may be few or lacking. Thus, initiative and judgment are required in searching out, interpreting, and adapting existing guidelines."

Because the policy analyst's duties involve, among others, participating in the development of policy proposals and advising senior Division staff and the Division Director on recommended actions, and because the position requires independence and good 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.

Program Examiner, 0301, GS-14

Agency position description No.: RFPE14

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
- 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:

- “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 reviews issues, plans, develops and conducts studies and projects, and provides recommendations to OMB policy officials,” and “has mastered the skills required to function and perform the work independently,” as described in the Factors for the position.

Because the 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 provides recommendations to OMB policy 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. 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: Records and Information Management Officer, 308, GS-15

Agency position description No.: RF00635

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]...is responsible for developing and coordinating the approval, dissemination, and implementation of all records management policies and procedures ...
- “Advises senior leaders...and the OMB Office of General Counsel on adequacy of documentation and creation and management of agency records, keeping senior management informed on current projected operational requirements, issues, legislative and regulatory matters.”
- “Serves as the Senior Records Manager (RM) responsible for leading, planning, managing, and implementing OMB’s records management program for both core mission and administrative records, regardless of medium or format.”
- Position requires “[e]xtensive knowledge of archival, records, and information management principles, concepts, practices, and methods sufficient to: understand, evaluate, and propose OMB policies and procedures that result in significant improvements in OMB record management”
- “Contacts also include OMB officials, EOP staff, officials of other Federal agencies...”
- “Incumbent must be able to obtain and maintain a Top Secret security clearance.”

Because the Records and Information Management officer “is responsible for developing and coordinating the approval, dissemination, and implementation of all records management policies and procedures” and “propose[s] OMB policies and procedures that result in significant improvements in OMB record management,” 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 and coordinating the approval, dissemination, and implementation of all records management policies and procedures and proposing OMB policies and procedures that result in significant improvements in OMB record management constitutes substantive (i.e., real or actual) participation in the development or formulation of records management policy. Moreover, because the incumbent’s duties involve, among other things, working on non-public policies and records management procedures within the Executive Office of the President, 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 working on developing and proposing sensitive, non-public records management policies within the Executive Office of the President constitute “working with...non-public policy proposals or deliberations generally covered by deliberative process privilege.” Due to the confidential nature of the work, the incumbent “must be able to obtain and maintain a Top Secret security clearance.” The incumbent advises senior OMB leaders and the Office of General Counsel and maintains contacts with OMB officials, EOP staff, and officials of other Federal agencies, 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: IT Specialist, 2210, GS-15

Agency position description No.: RF00510

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:

- “Responsible for managing OMB’s information technology (IT) program. Leads a team of management information analysts and systems engineers to plan, develop, and maintain OMB’s IT systems.”
- “Examines management and technical processes within OMB and recommends changes in methods, procedures, guidelines or standards to achieve efficiencies in operations and development of critical administrative initiatives.”
- “Designs and implements IT systems with supporting database software and networks. The systems host all of the data and tools necessary to support the development and execution of the President’s budget.”
- Position requires “[d]emonstrated professional expertise and extensive knowledge of IT to assist the Associate Director in developing projects and policy proposals.”
- “Within the OMB, contacts are with staffs at all levels, including Executive and Program Associate Directors, division/office chiefs, supervisors, and other staff. Contacts include high-level officials and staffs of the EOP and frequent business and private sector contacts.”
- “The purpose of the contacts is to plan, coordinate and complete IT special analysis, secure or provide information on diverse and emerging issues and to justify, defend, negotiate and/or explaining sensitive, complicated and controversial issues.”

Because the IT specialist “assist[s] the Associate Director in developing projects and policy 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 assisting in the development of policy proposals constitutes substantive (i.e., real or actual) participation in the development or formulation of policy. Moreover, because the IT specialist’s duties involve, among other things, working on matters of a “sensitive, complicated and controversial,” nature within the Executive Office of the President, including “[d]esign[ing] and implement[ing] IT systems...[that] host all of the data and tools necessary to support the development and execution of the President’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 designing and implementing the IT systems that host sensitive, non-public, and deliberative information such as the President’s Budget involves “working with...non-public policy proposals or deliberations generally covered by deliberative process privilege.” The IT specialist maintains contacts with OMB staff “at all levels,” including non-career SES political appointees such as “Executive and Program Associate Directors,” 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.: RF00782

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: General Attorney, 0905, GS-15

Agency position description No.: RF612

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
- 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]erves, as directed by the Associate Administrator, as a legal representative and advisor in the analysis of legal and policy issues and in the initiation and development of new legislation involving statutory procurement authorities and contract administration.”
- “[W]orking closely with the Associate Administrator and top level agency and legislative officials and the private sector, provides leadership in developing necessary legal documents and draft legislation to effect needed changes in procurement law and policy.”
- “Participates in major discussions and negotiations on the legality, substance, policy implications, and format of said documentation. Determines and asserts the Office of Management and Budget’s position and approves, changes and the final content of outgoing documents and briefs.”
- “Develops improvements to the laws and directives that govern the procurement and contract administration process and the procurement personnel who carry out this responsibility. Provides legal and organizational guidance to OMB staff and officials in the development, revision, and approval of major legislation originating in the Office or submitted by other executive branch agencies relating to laws and directives that govern procurement and contract administration.”
- “Assists in monitoring proposed legislation and other Congressional activities and in furnishing appropriate advice and guidance as to legal policy and legal aspects of responses to Congressional correspondence and testimony.”
- “Reviews proposals in such areas for legality, soundness, advisability, consistency with past developments and projected plans: possible legal, legislative, fiscal and programmatic implications: overall effect on the operations of the executive branch: format and wording: and the means of implementing the proposal.”
- “Works closely with top OFPP officials having the primary responsibility in establishing, revising, and coordinating policies and practices relating to procurement law and contract administration for all executive branch departments and agencies. Handles specific inquiries and requests from Congressional committees, Members, and staff and from the public on procurement and contract law issues.”
- Knowledge and skills required: “Ability to act as advisor and counsel to high level officials of OFPP, OMB, the White House, and officials of the executive departments and agencies on procurement and contract law issues. Ability to represent OFPP and the Office of Management and Budget effectively in contacts with the White House, and with the highest-level officials

throughout the Government, and to represent the executive branch in dealings with the Congress and the private sector.”

- “Knowledge of OFPP, OMB, and White House interest in and concern with proposed and pending contract and procurement proposals.”
- Supervisory controls: “[A]cts as a legal analyst and advisor, who has wide latitude in all matters concerning contract law and policy, the statutory bases for procurement regulation, general contract law and policy, the statutory bases for procurement regulation, general contract administration, and legislative matters. The incumbent shares responsibility with the Associate Administrator for all OFPP functions in this area of assignment and receives only very general guidance.”
- Guidelines: “The incumbent shares with the Associate Administrator the responsibility for initiating and developing guidelines and for the administration of existing guidelines.”
- Complexity: “[A]ssists the Associate Administrator with the responsibility for initiation of new legislation and for exerting policy leadership and providing procurement management direction to the executive branch departments and agencies in order to promote economy, efficiency, and effectiveness in the procurement of property and services by and for the Executive Branch of the Government.”
- “[H]as responsibility for establishing and coordinating policies and procedures concerning all aspects of Federal contract law and may be called upon to lead small project study groups assembled from several agencies to provide support for OFPP policy review and other special undertakings.”
- Scope and Effect: “The incumbent shares, with the Associate Administrator for Procurement Law and Legislation very broad responsibility for maintaining sustained leadership in the formulation and coordination of procurement policy activities dealing with the executive branch, the legislative branch and GAO, and the private sector in identifying, defining and resolving major legal problems. Under the general direction of the Administrator, and the Associate Administrator the incumbent shares responsibility for two of the major functional areas within the OFPP: provides legal advice and guidance to the Administrator in carrying out the objectives and programs of the Office of Federal Procurement Policy, and in the initiation of legislation; and also assists the Associate Administrator with policy review and legal analysis”

Because the general attorney’s duties involve, among other things, working not only on legal but also policy matters affecting the agency, participating in discussions and negotiations on law and policy matters, determining and asserting the Office of Management and Budget’s positions related to policy and law, the position includes “substantive participation in the advocacy for or development or formulation of policy” as described in the EO Section 5(c)(i). Moreover, the position involves working closely with the Associate Administrator and top level agency and legislative officials. And, it involves working with “non-public policy proposals or deliberations generally covered by deliberative process privilege” as described in the EO Section 5(c)(iv).

Digital Services Expert (Technical Operations), 301, GS-13 (USDS)

Agency position description No.: RF00670

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

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

- “Champions the use of modern technology development and management approaches, drawing heavily upon best practices from the consumer technology industry.”
- “Applies expertise regarding the characteristics of successful digital services and their components and structures both inside and outside government.”
- “Serves as a technical expert with advanced digital services experience to recruit top-level technical talent, build and scale organizations, foster diverse teams, and develop strategic partnerships to evolve and grow the organization to meet key strategic goals and objectives.”
- “Builds support and consensus for project selection, staffing placement, and internal operations processes. Plans and executes an iterative strategy for scaling the organization from startup phase to maturity.”
- “Manages internal operations product positioning, key messages, and rollout strategies for USDS products and user-centered services.”
- “Produces product messaging documents and presentations. Creates product engagement programs to launch user-centered digital services upgrades to drive adoption and awareness through press, content, and influencer programs.”
- “Iteratively develops and refines the agency team placement strategy, based on interaction with leadership, key stakeholders, and technical digital expertise, using data to justify decision-making and maintaining a deep commitment to candidate experience.”
- “Scopes, plans, and executes special projects that assist the team and USDS leadership. Collaborates with appropriate members of the design or engineering team and stakeholders to ensure products will adhere to overall USDS goals.”
- “[M]anages complex stakeholder environments and works with senior level officials across agencies and within USDS to build support and consensus for USDS strategic goals and objectives that may conflict with existing priorities.”
- “[P]lans and executes an iterative strategy for scaling an organization from startup phase to maturity.”
- “Provides trusted expertise and authoritative guidance on technology programs to senior OMB and agency officials on policies and programs of national significance.”

Because the position’s duties involve, among others, championing certain development and management approaches, developing and building consensus around USDS strategies and goals, developing strategic partnerships, driving adoption of USDS products, working with senior 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: Budget Methods Specialist, 501, GS-15

Agency position description No.: RF00067

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.”
- “[D]evelops legislation where OMB is the sponsor, evaluates and helps to improve legislation sponsored by others, and serves as a resource person bringing together information on the subject matter from his/her knowledge and experience.”
- “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 a troubleshooter on problems that others identify”

The budget methods specialist’s duties involve, among other things, developing proposals and recommendations concerning the form and content of the President’s Budget; developing legislation where OMB is the sponsor, evaluating and helping to improve legislation sponsored by others, and serving as a resource person bringing together information on the subject; 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 and developing, evaluating, and helping to improve legislation involves substantive policy-related work, as set forth in Sec. 5(c)(i)(A)/(B) of the EO. Furthermore, these duties involve substantive policy-related work in 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.

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

Agency position description No.: RF00762

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.

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

Agency position description No.: RF00368

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

Number of positions: 4

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 senior action officer in the analysis of a diverse array of major policy issues," which "provides the analytic basis 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 high-ranking officials such as other agency heads, top congressional staff officials, state executive or legislative leaders, or executives of comparable private sector organizations."

Because the policy analyst "[s]erves as a senior action officer in the analysis of a diverse array of major policy issues," and "[p]articipates 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 serving as a senior action officer in the analysis of policy issues and participating in the development of multifaceted budget, program and legislative proposals constitutes 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, state executive or legislative leaders, or executives of comparable private sector organizations," 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: Supervisory IT Cybersecurity Specialist (INFOSEC), 2210, GS-15

Agency position description No.: RF00707

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:

- “[S]upervises a staff responsible for strengthening federal cybersecurity through oversight and policy development consistent with the Administration’s cybersecurity priorities.”
- “Coordinates development and/or evaluation of complex budget, program, and legislative proposals. Serves as the OMB expert for assigned policy areas.”
- “Assists team staff authoring Federal cybersecurity policies through collaboration with other OMB offices, National Security Council, Department of Homeland Security, and agency personnel.”
- “[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 and officials of private industry and the academic community.”

The supervisory IT cybersecurity specialist’s duties involve, among other things, supervising a staff responsible for strengthening federal cybersecurity through oversight and policy development consistent with the Administration’s cybersecurity priorities; coordinating development or evaluation of complex budget, program, and legislative proposals, while serving as the OMB expert for assigned policy areas; assisting a team staff authoring Federal cybersecurity policies through collaboration with other OMB offices, National Security Council, Department of Homeland Security, and agency personnel; and providing expert technical advice, guidance, and policy recommendations to management and other technical specialists on critical IT security 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 supervising a staff responsible policy development consistent with the Administration’s cybersecurity priorities; coordinating development or evaluation of budget, program, and legislative proposals, while serving as the OMB expert for assigned policy areas; assisting a team staff authoring Federal cybersecurity policies; and providing expert technical advice, guidance, and policy recommendations to management and other technical specialists 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 supervising a staff responsible policy development consistent with the Administration’s cybersecurity priorities; coordinating development or evaluation of budget, program, and legislative proposals; assisting a team staff authoring Federal cybersecurity policies; and providing expert technical advice, guidance, and policy recommendations to management and other technical specialists necessarily involve viewing, circulating or otherwise working with non-public policy proposals. He/she also regularly works with senior level officials within the EOP and 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.

Title, Occupational Series, Pay Plan: General Attorney, 905, GS-13

Agency position description No.: RF00553

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-advocating

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

- "Furnishes legal advice to OMB and White House staff concerning laws, regulations, policies and procedures."
- "Examines legal documents, contracts, agreements, and related instruments for property, legality, completeness and intent of purpose, and where found insufficient, prepares or recommends modifications and additions to protect the interests of the Government and/or to express the intent of all parties."
- Knowledge required: "Knowledge of the controlling statutes, regulations, and case law pertaining to the subject matter of the particular issue sufficient to develop legal opinions whether through the litigation process or administratively, which may alter the state of the law in the particular area or expand the charter of the agency."
- Supervisory controls: "Independently plans and organizes work, investigates the facts, searches legal precedents, drafts the necessary legal documents, and develops conclusions and recommendations."
- Scope and effect: "Legal matters dealt with at this level can have the effect of substantially broadening or restricting the activities of the agency..."
- Personal contacts: "Contacts are with high level personnel within the agency as well as high level personnel in other agencies.... Contacts are in a relatively unstructured setting with incumbent required to exercise a great deal of discretion."

The general attorney's duties involve working with confidential information including legal work-product, regulations, policies, and procedures, as well as other agency material "generally covered by deliberative process privilege" as described in the EO Section 5(c)(iv). Moreover, the position involves working with the General Counsel, a senior political appointee within OMB and the EOP.

Title, Occupational Series, Pay Plan: Statistician, 1530, GS-15

Agency position description No.: RF00505

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:

- “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.

Program Examiner, 0301, GS-15

Agency position description No.: RF00502

Geographical location of the position: Washington, DC

Number of positions: 29

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 involves the following duties:

- “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-15 position.

Because the GS-15 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: IT Specialist, 2210, GS-15

Agency position description No.: RF00510

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:

- "...serves under the administrative and policy direction of the IT Direct/CIO and has overall responsibility to plan, coordinate, and control Information System Security and Privacy plans, programs, and initiatives for OMB."
- "Provides strategic oversight and program management direction for all OMB cyber and information security programs and operations to ensure confidentiality, integrity, and availability of systems, networks, and data. Oversees and directs information security programs and develops and implements new system security policies, procedures, and tools within and across the OMB enterprise."
- "Develops the overall annual IT Security Program including oversight and security of OMB's IT resources."
- "As a recognized expert in the field of Information Security, provides authoritative guidance to senior OMB and EOP officials and staff regarding complex information security systems and programs."
- "Represents and speaks for the OMB IT Director/CIO in dealing with key OMB officials on matters involving plans, programs, and policies and objectives of the IT Director/CIO and OMB."
- Position requires the "[a]bility to develop new and/or revised information security policies...to ensure information systems are reliable and functional for authorized users and secured against unauthorized access to systems, networks, and data."
- "...incumbent provides authoritative technical guidance to senior level OMB and EOP officials as well as representatives from federal agencies and private sector organizations regarding complex information and security policies, plans, and operations affecting OMB IT systems."

Because the IT specialist "provides authoritative technical guidance to senior level OMB and EOP officials as well as representatives from federal agencies ... regarding complex information and security policies, plans, and operations affecting OMB IT systems" and "develops and implements new system security policies, procedures, and tools within and across the OMB enterprise," 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 authoritative guidance to senior level OMB and EOP officials regarding complex information and securities policies and developing and implementing new system securities policies within and across the OMB enterprise constitutes substantive (i.e., real or actual) participation in the development or formulation of policy. Moreover, because the IT specialist's duties involve, among other things, working on confidential matters of information security within the

Executive Office of the President, including “[p]rovid[ing] strategic oversight and program management direction for all OMB cyber and information security programs and operations,” 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 working on the sensitive, non-public cyber and information security programs within the Executive Office of the President constitute “working with...non-public policy proposals or deliberations generally covered by deliberative process privilege.” The IT specialist “provides authoritative guidance to senior OMB and EOP officials and staff regarding complex information security systems and programs,” 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.: RF00743

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.”
- “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.

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

Agency position description No.: RF00284

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.”
- “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.

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

Agency position description No.: RF00591

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:

- “Provides leadership and professional management direction to develop Government-wide policy, procedures and forms, regulations, and legislative proposals.”
- “Oversees implementation of policy and procedures.”
- “Reviews agency acquisitions policies [and] regulations.”
- “Provides direction with clear supporting analysis to senior OFPP and OMB officials, and other department procurement executives.”
- “Contacts are with senior officials throughout the executive branch, and staffs of Congress and the GAO, as well as senior industry representatives and the general public concerned with acquisition implementation.”

Because the policy analyst “[p]rovides leadership and professional management direction to develop Government-wide policy” and “[o]verses implementation of policy and procedures,” 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 leadership to develop Government-wide policy and overseeing implementation of government policies constitute substantive (i.e., real or actual) participation in the development or formulation of policy. Moreover, because the procurement policy analyst’s duties involve, among other things, reviewing agency acquisition policies 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 “[p]rovides direction with clear supporting analysis to senior OFPP and OMB officials, and other department procurement executives” and must establish or maintain contacts with “senior officials throughout the executive branch,” 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: Performance Manager, 301, GS-15

Agency position description No.: RF00625

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: Economist, 110, GS-13

Agency position description No.: RF00062

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:

- “Develops more complex assumptions for budget documents and analyzes financial and credit markets and conducts special analysis and studies of fiscal data requested by the President, members of the Congress, officials of OMB and the public.”
- “Consults and advises staff members of the Treasury, Federal Reserve, Congressional Committees and Congressional Budget Office on the changes in major budget estimates that accompany given changes in the composition and total of national income or product.”
- “[P]repares projections and analysis of the State and local sectors and the effects of Federal policies on these sectors.”
- “Analyzes financial markets and Federal credit policies and prepares economic assumptions for budget estimates and prepares special analyses and studies of fiscal data requested by the Congress, OMB officials and the public.”

The economist’s duties involve, among other things, developing assumptions for budget documents, analyzing financial and credit markets, and conducting special analysis and studies of fiscal data requested by the President and officials of OMB; consulting and advising staff at Treasury and the Federal Reserve, as well as Congressional Committees and CBO, on the changes in major budget estimates that accompany changes in national income or product; and preparing projections and analysis of the effects of Federal policies on the State and local sectors. 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 budget assumptions and conducting special analysis and studies of fiscal data requested by the President and officials of OMB; consulting and advising staff at Treasury and the Federal Reserve on changes in major budget estimates that accompany changes in national income or product; and preparing projections and analysis of the effects of Federal policies on the State and local sectors involve substantive policy-related work, as set forth in Sec. 5(c)(i)(A)/(B) of the EO. Furthermore, these 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.

Title, Occupational Series, Pay Plan: Records and Information Management Officer, 342, GS-14

Agency position description No.: RF00761

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 serves as the Support Services Director and has full management responsibility for planning, developing, implementing, coordinating, and administering a full range of enterprise-wide, essential support services and activities...[that] are essential to the efficient operation of the agency, its mission, and in direct support of OMB staff across the White House Complex (WHC).”
- “Ensures policies, plans, and operations associated with the OSS are defined and implemented.”
- “Responsible for overall programming and efficient and modern utilization of all OMB occupied spaces. This includes developing and coordinating budgeting requirements in addition to acquisition and procurement functions through appropriate OMB officials and external parties. Develops and presents alternatives for all future development modernization, renovation, construction, and space utilization for OMB occupied spaces.”
- “Serves as the lead Project Manager for all large-scale, highly complex, multi-million dollar renovation efforts, while working in concert with OMB leadership, White House Management, senior General Services Administration officials, Office of Administration facilities and physical security officials.”
- The incumbent is responsible for “developing internal OMB policies concerning the allocation of parking and carpooling permits, oversight, eligibility criteria, and approval of the distribution of individual permits to OMB staff, while working with OMB leadership and senior White House Management officials.”
- “Serves as the Emergency Communications official during an evacuation or emergency situation in OMB occupied spaces and facilities. Gathers, synthesizes, and disseminates intelligence data from United States Secret Service, fellow law enforcement partners, in addition to emergency management and response officials from the Office of Administration to provide senior OMB leadership, managers, and staff with situational awareness and applicable life-safety measures.”
- “Contacts may also be to establish interagency support agreements, defend or negotiate resources, present information on technical designs and work progress, and establish new policies and procedures. Incumbent is responsible for advocating the direction of services, programs, activities, processes and procedures and must achieve a common understanding and consensus among OMB senior managers and organizational elements.”
- “The incumbent must able to obtain and maintain a Top Secret security clearance.”

Because the Records and Information Management officer “has full management responsibility for planning, developing, implementing, coordinating, and administering a full range of enterprise-wide, essential support services and activities...[that] are essential to the efficient operation of the agency, its mission, and in direct support of OMB staff across the White House Complex (WHC)” and is responsible for “developing internal OMB policies concerning” such activities, 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 planning, developing, implementing, coordinating, and administering a full range of enterprise-wide, essential support services and activities of OMB, and developing internal OMB policies concerning such activities, constitutes substantive (i.e., real or actual) participation in the development or formulation of policy. Moreover, because the incumbent’s duties involve, among other things, working on non-public policies, services, activities, and process of OMB, including “[d]evelop[ing] and present[ing] alternatives for all future development modernization, renovation, construction, and space utilization for OMB occupied spaces” and “[g]ather[ing], synthesiz[ing], and disseminat[ing] intelligence data from United States Secret Service, fellow law enforcement partners, in addition to emergency management and response officials from the Office of Administration to provide senior OMB leadership, managers, and staff with situational awareness and applicable life-safety measures,” 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 working on developing and presenting alternatives for all future development modernization, renovation, construction, and space utilization for OMB occupied spaces and working with intelligence data to provide senior OMB leadership with situational awareness and life-safety measures constitute “working with...non-public policy proposals or deliberations generally covered by deliberative process privilege.” Due to the confidential nature of the work, the incumbent “must be able to obtain and maintain a Top Secret security clearance.” The incumbent advises OMB leadership, White House Management, senior General Services Administration 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: Economist, 110, GS-12

Agency position description No.: RF00061

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:

- “Develops progressively more complex assumptions for budget documents and analyzes financial and credit markets and conducts special analysis and studies of fiscal data requested by the President, members of the Congress, officials of OMB and the public.”
- “Consults and advises staff members of the Treasury, Federal Reserve, Congressional Committees and Congressional Budget Office on the changes in major budget estimates that accompany given changes in the composition and total of national income or product.”
- “[P]repares projections and analysis of the State and local sectors and the effects of Federal policies on these sectors.”
- “Analyzes financial markets and Federal credit policies and prepares economic assumptions for budget estimates and prepares special analyses and studies of fiscal data requested by the Congress, OMB officials and the public.”

The economist’s duties involve, among other things, developing assumptions for budget documents, analyzing financial and credit markets, and conducting special analysis and studies of fiscal data requested by the President and officials of OMB; consulting and advising staff at Treasury and the Federal Reserve, as well as Congressional Committees and CBO, on the changes in major budget estimates that accompany changes in national income or product; and preparing projections and analysis of the effects of Federal policies on the State and local sectors. 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 budget assumptions and conducting special analysis and studies of fiscal data requested by the President and officials of OMB; consulting and advising staff at Treasury and the Federal Reserve on changes in major budget estimates that accompany changes in national income or product; and preparing projections and analysis of the effects of Federal policies on the State and local sectors involve substantive policy-related work, as set forth in Sec. 5(c)(i)(A)/(B) of the EO. Furthermore, these 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.

Program Examiner, 0301, GS-13

Agency position description No.: RF00715 (Schedule A)

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
- 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 reviews issues, plans, develops and conducts studies and projects, and provides recommendations to OMB policy officials,” and “has not only mastered the basic skills required to be self-sufficient, but has acquired the advanced skills necessary to initiate actions to resolve more complex, less well-defined problems within his/her program assignment responsibilities,” as described in the Factors for the position.

Because the 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 independence and provides recommendations to OMB policy 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. 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).