



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

February 3, 2022

## Memorandum

To: Heads of Bureaus and Offices

From: Jennifer A. Ackerman  
Director, Office of Human Capital  
Deputy Chief Human Capital Officer

Subject: Infrastructure Investment and Jobs Act Schedule A Hiring Authority

The U.S. Office of Personnel Management (OPM) has authorized the use of excepted service appointments under 5 CFR 213.3102(i)(3) to address the need for hiring staff in support of the Infrastructure Investment and Jobs Act (IIJA), otherwise known as the Bipartisan Infrastructure Law (BIL).

Agencies may use this authority to fill positions on a temporary basis for up to one year as needed to carry out provisions of the BIL. DOI's Bureaus/Offices may appoint individuals nationwide, at any grade level. These appointments may be extended up to one additional year, with a total appointment length not to exceed two years.

When using this authority, Bureaus/Program Offices must apply the provisions of 5 CFR part 302-Employment in the Excepted Service. Agencies must apply veterans' preference when filling positions under this authority and must have procedures in place for accepting applications. If seeking to select a non-preference eligible over a preference eligible, agencies must follow the pass-over procedures in 5 U.S.C. §3318(c) and 3319(c)(7) as described in the [Delegated Examining Operations Handbook](#). Although public notice is not required, OPM strongly encourages agencies to conduct appropriate recruiting and notice to meet agencies' technical needs.

No appointments may be made under this authority after September 30, 2027. Appointments are limited to individuals who will be performing work directly associated with IIJA efforts. Agencies cannot use this authority to fill any position for which OPM has granted direct hire authority in support of the IIJA, any agency-specific direct hire authority, or governmentwide direct hire authority. OPM will monitor use of this authority as well as the continued need for it, and may modify or terminate this authority, or use thereof, as appropriate. Bureaus/Offices will track their use of this authority for accountability and reporting purposes.

Bureau/Office headquarters-level human resources offices may contact John C. Castaneda at [john.castaneda@ios.doi.gov](mailto:john.castaneda@ios.doi.gov) with additional questions or clarifications. Field offices should contact their appropriate headquarters-level human resources office.

Attachment: February 1, 2022 CHCO memorandum