



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

December 15, 2022

## Memorandum

To: Bureau Human Capital Officers: National Park Service, U.S. Fish & Wildlife Service, Bureau of Indian Education, and Bureau of Land Management

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

Subject: Regulatory Exception – Initial Term Appointments in Support of Great American Outdoors Act (GAOA) Beyond General Time Limits.

The U.S. Office of Personnel Management (OPM) has approved the Department of the Interior's request for an exception to make initial term appointments longer than four years in duration. This approval allows the U.S. Department of the Interior (DOI, Department) to make initial term appointments up to 9 years for the positions listed in the enclosure in support of the implementation of the Great American Outdoors Act (GAOA), National Parks and Public Lands Legacy Restoration Fund (LRF). OPM has approved this request in accordance with 5 CFR 316.301(b).

### **Background**

The GAOA LRF requires DOI to execute priority deferred maintenance projects in the U.S. National Park Service (NPS), the U.S. Fish and Wildlife Service (FWS), U.S. Bureau of Indian Education (BIE), and the U.S. Bureau of Land Management (BLM). DOI is currently executing 222 GAOA LRF projects for its Recreational, Transportation, Housing, and non-Transportation Infrastructure assets. Many of these projects have a lifecycle expectancy beyond 4 years. Due to the similarity of the work to be performed on many of the projects pursuant to the GAOA and LRF funding structure, DOI expects to utilize these term employees on several projects for durations of employment lasting from between six and nine years. Based on this, the 9-year exception only applies to OPM-approved positions filled through September 2031.

### **Exception Authority**

Per OPM, excepted positions filled through this approval must be filled in the same manner and procedures as traditional (four year) term appointments, as outlined in 5 CFR 316.301(a):

- a) by issuing public notice in accordance with 5 CFR part 330;

- b) using competitive hiring procedures (which include the application of veterans' preference) or filling positions noncompetitively in accordance with 5 CFR 316.302(b); and
- c) applying Agency Career Transition Assistance Plans and Interagency Career Transition Assistance Plans, as applicable.

This exception does not provide extension(s) of existing term appointment time limits. OPM's exception is explicit to new term appointments.

In cases where non-competitive reappointment is warranted (having left a term appointment, prior to serving the maximum amount of time allowed under the appointment), combined service under the original term appointment (according to public notification) and reappointment must not exceed the original limit.

Term appointments do not confer competitive status and may not be converted to permanent appointments unless made through appropriate competitive procedures.

The GAOA Program Office provided a listing of occupations and grades associated with this exception, which OPM has approved for use. The final listing of these positions is attached to this memo, for reference.

If you have any questions regarding this exception to general time-limitations, please contact John Castaneda, Senior HR Policy Specialist, [john\\_castaneda@ios.doi.gov](mailto:john_castaneda@ios.doi.gov).

Attachment