



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

MEMORANDUM

TO: Heads and Acting Heads of Departments and Agencies
FROM: Charles Ezell, Acting Director, U.S. Office of Personnel Management
DATE: February 4, 2025
RE: Guidance Regarding Redesignating SES CIO Positions

I. Overview

Pursuant to its authority under 5 U.S.C. §§ 1103(a)(1), (5), and (7); 3132(b)(1) and 5 C.F.R. § 214.403, the U.S. Office of Personnel Management (“*OPM*”) is providing guidance to agencies regarding agency Senior Executive Service (“*SES*”) Chief Information Officer (“*CIO*”) positions currently designated as career reserved.

The role of agency CIOs has changed dramatically in recent years. No longer the station of impartial and apolitical technocrats, the modern agency CIO role demands policy-making and policy-determining capabilities across a range of controversial political topics. *See* 5 C.F.R. § 214.402(c)(1).

In light of this new reality, OPM recommends that each agency with a CIO role classified as SES and designated as career reserved, send a request that OPM redesignate the position to “general” **no later than Friday, February 14, 2025.**

II. Analysis

Digital points of contact between Americans and their government are as numerous and varied as the functions of government itself. When citizens seek benefits, request information, pay their taxes, or petition the courts, their first step is often to visit a government website. When our enemies seek to harm our country or damage its infrastructure, their methods are often digital. Information technology impacts virtually everything the government does, and an agency CIO therefore plays a critical role in developing policies (particularly in the digital realm) that have pervasive and significant effects on the American public.

It is a focus of President Trump’s administration to improve the government’s digital policy to make government more responsive, transparent, efficient, and accessible to the public, and to make using and understanding government programs easier. Such issues are among “the major controversial policies of the Administration or agency.” *See* 5 C.F.R. § 214.402(c)(1). The

Administration rightly expects that agency CIOs will be on the front lines of articulating and implementing such policies, both within government and before the general public.

Under the last Administration, agency CIOs often had “responsibility for or substantial involvement in the determination or public advocacy of the major controversial policies of the Administration or agency.” 5 C.F.R. § 214.402(c)(1). These policies involved such issues as cybersecurity; artificial intelligence and machine learning; digital infrastructure, including Internet, cloud, and privacy policy; government accountability and efficiency; digital access and communications; diversity, equity, inclusion, and accessibility (“DEIA”); and sustainability and innovation.

Each of these items standing alone and all of them taken together amount to significant political issues over which CIOs exercise authority. When an agency CIO makes policy choices about which of these topics to prioritize and fund — and which should be deemphasized or defunded — the CIO determines government policy in important ways. *See* 5 U.S.C. § 3132(b)(1); 5 C.F.R. § 214.402(c). Poor technology-procurement policies can endanger property and privacy rights. Inadequate security policies can lead to vulnerabilities and hacks. Emphasis on policies like DEIA siphons labor and resources from other core government objectives. The public rightly expects government officials who make such choices to be democratically accountable.

To be sure, like many policy-determining and policy-advocating jobs throughout the government, agency CIO roles require a baseline of technical knowledge necessary to understand broader issues and make decisions for the agency. *See* 40 U.S.C. § 11315(b). But a modern agency CIO is not a mere engineer, scientist or technocrat. He does not spend his days writing complex lines of code, setting up secure networks, or performing other “highly technical” tasks. Instead, he crafts and effectuates policy, and sets and deploys his budget, based on his Administration’s priorities.

Congress was clear that “a position shall be designated as a career reserved position *only if* the filling of the position by a career appointee is necessary to ensure impartiality, or the public’s confidence in the impartiality, of the Government.” 5 U.S.C. § 3132(b)(1) (emphasis added). The modern CIO role is not the sort of “impartial[]” or “technical” position that is fit for career reserved SES positions. *See* 5 C.F.R. § 214.402(c)(2)(i)-(ii); 5 U.S.C. § 3132(b)(1).

One final point underscores the importance of converting CIO roles to SES general positions: CIO talent is hard to find. Some career SES personnel possess all of the qualifications necessary to serve as agency CIOs, but the pool of career SES candidates is miniscule compared to the deep supply of talent outside career SES ranks. This has been a problem in government for far too long. That is why, in 2018, OPM announced direct hire appointing authorities for a variety of STEM, cybersecurity, “and related positions where we have identified severe shortages of candidates and/or critical hiring needs.”¹ OPM reiterated this finding and extended the relevant

¹ *See* Letter of Oct. 11, 2018 from OPM Acting Director to Agency Heads, [Announcing Government-wide Direct Hire Appointing Authorities](#).

authorities in 2023, and again in 2024.² The shortage of talent persists to this day, and converting certain CIO SES positions to general will help to alleviate it by dramatically increasing the number of candidates available to fill these important roles.

Agency requests should be sent to allocation-management@opm.gov.

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, Human Resources Directors, and Chiefs of Staff.

² See Letter of Sept. 23, 2024 from OPM Acting Director to Heads of Executive Departments and Agencies, [*Extension and Amendment of Government-wide Direct Hire Appointing Authority for Scientific, Technical, Engineering and Mathematics \(STEM\) Positions, Acquisitions, and Cybersecurity and Related Positions*](#) (noting “severe shortages of candidates and/or critical hiring needs” for STEM, cybersecurity, “and related positions”).