

MEMORANDUM

To: Noah Peters, Senior Advisor to the OPM Director

From: Lizbet Boroughs, Associate Vice President, Government Relations and Public Policy,
Association of American Universities (AAU)

Date: June 5, 2024

Re: AAU Comments on Proposed Rule “Improving Performance, Accountability, and Responsiveness in the Civil Service” a proposed Rule by the Office of Personnel Management, [RIN 3206-A080](#), Docket ID: OPM-2025-0004

Submitted [electronically](#)

Thank you for the opportunity to comment on 'Improving Performance, Accountability, and Responsiveness in the Civil Service.' The Association of American Universities (AAU) represents 69 leading U.S. research universities that transform lives through education, research, and innovation. Our member universities receive the majority of competitively awarded federal funding for research that enhances public health, addresses national challenges, and significantly contributes to our economic strength, while educating and training tomorrow's visionary leaders and innovators.

In addition to AAU's comments below, we also closely align ourselves with and endorse the comments of COGR and the American Association of Medical Colleges (AAMC), both organizations with whom we work closely.

The Proposed Rule alters the existing federal regulations for agency staff by adding a new “*Section 213.3501, Career positions of a confidential, policy-determining, policy-making, or policy-advocating character.*” This provision permits the President to authorize agencies to fill such positions with persons excepted from competitive service under the Civil Service Rules.

AAU shares the concerns of COGR and AAMC that the reclassification of nonpartisan career civil service positions into a new “Schedule Policy/Career” designation may compromise the impartiality, institutional integrity, and operational stability of the federal workforce. For decades, federally funded science and health research has relied on nonpartisan public servants with extensive subject matter knowledge and regulatory expertise.

The creation of a new Schedule that would allow political appointees to serve in competitive grantmaking and grant-administering roles could delay and even compromise vital research, as key personnel may be replaced each time a new administration is

elected. This would result in a loss of expertise and delays in efficient regulatory compliance.

[AAU agrees with COGR](#) that federal personnel who develop, evaluate, and award research funding opportunities should have considerable scientific and technological expertise and operate in a rigorous, objective, and unbiased fashion. scientifically defensible manner.

AAU urges OPM to specifically exclude personnel performing federal research grant development, evaluation, and award functions from the proposed new Schedule Policy/Career. AAU agrees with AAMC that, should OPM wish to continue with including grant making and grant oversight staff in the new Schedule, OPM should consider a public, comprehensive assessment to determine the exact numbers and titles of the personnel who would be reclassified and an analysis of the impact of the change on federal agencies' ability to fulfill their missions.

Please do not hesitate to contact [Lizbet Boroughs](#), AAU's Associate Vice President of Government Relations and Public Policy, if you have questions about AAU's comments.

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