

**AAI Comments on the Proposed Rule:
“Improving Performance, Accountability and Responsiveness in the Civil Service”
Submitted to the Office of Personnel Management
Docket ID: OPM-2025-0004
May 22, 2025**

The American Association of Immunologists (AAI) welcomes the opportunity to comment on the Office of Personnel Management’s (OPM) proposed rule that would enable the Trump Administration, and future Administrations, to reclassify federal employees in “policy-influencing positions” into a new Excepted Service category called “Schedule Policy/Career” (previously referred to as “Schedule F”). AAI strongly opposes this proposed rule because it would remove important civil service protections from an estimated 50,000 federal employees, including those working at federal scientific agencies, and could threaten the scientific integrity of the largest and most well-respected federal funder of biomedical research in the world. Though the proposed rule states that these individuals would continue to serve as nonpartisan career employees, those working in Schedule Policy/Career positions would be considered at-will employees and could thus be terminated without just cause. This change would represent a dramatic shift from past practice, endangering a system intentionally designed to provide protection for non-political civil servants regardless of which party controls the Executive Branch.

AAI appreciates that OPM issued guidance on January 27, 2025, to provide additional clarity on which positions would fall into the Schedule Policy/Career category. AAI is concerned, however, that the guidance is too broad and could be interpreted very differently by each federal agency. For example, the phrase “positions otherwise described in the applicable position description as entailing policy-making, policy-determining, or policy-advocating duties” opens the door to broad interpretation of which roles fall into these poorly defined categories.

AAI also believes that this proposed rule could be used to justify revolving, politically motivated removal of senior leaders, such as Institute and Center (IC) directors at the National Institutes of Health (NIH). Continuity in leadership at NIH is vital for long-term planning of research that solves some of health’s most intractable problems. Frequent turnover at the highest levels of the agency would undoubtedly be disruptive to both the NIH intramural staff and the extramural researchers who rely on NIH funding to support their laboratories all across the country. The 21st Century Cures Act, which was enacted in December of 2016, already ensures that IC Directors are regularly reviewed for performance by establishing five-year, renewable terms.

AAI is especially concerned with language that pertains to employees involved in agency grantmaking:



“Substantive participation and discretionary authority in agency grantmaking, such as the substantive exercise of discretion in the drafting of funding opportunity announcements, evaluation of grant applications, or recommending or selecting grant recipients. Grantmaking is an important form of policymaking, so employees with a substantive discretionary role in how federal funding gets allocated may occupy policymaking positions.”

Federal employees directly involved in NIH grantmaking should operate in an independent, nonpartisan fashion, working to advance the mission of their agency. It’s crucial that these employees have the scientific expertise required to develop funding opportunity announcements that reflect agency priorities, and to provide fair, thorough, and unbiased reviews of grant applications. Scientific Review Officers (SROs) at NIH, for example, oversee NIH study sections, recruit grant reviewers with relevant expertise, manage review meetings, and ultimately produce summary statements used in grantmaking decisions. NIH Program Officers (POs) also play a pivotal role in the grantmaking process, serving a broad range of functions, including developing requests for applications, regularly working with the biomedical research community to assess scientific needs and opportunities, and working directly with extramural grant applicants and recipients to help them navigate what can be a long, complex, and arduous path to receiving federal funding. These roles require scientific expertise, institutional knowledge, and the independence to identify the very best scientific opportunities and proposals to advance the mission of NIH as a whole, and the strategic priorities set by individual NIH ICs. To maintain America’s lead in science and innovation, it is imperative that NIH SROs, POs, and other managers of federal scientific grants be protected civil servants who advance the highest quality scientific research, not political appointees who might be more inclined, or feel more pressure, to advance the political agenda of whatever party happens to be in power at a given time.

AAI appreciates the opportunity to comment on this proposed rule, which we believe is a significant threat to NIH and the broader scientific enterprise. If you have any questions about AAI’s response, please contact AAI Director of Government Affairs Jake Schumacher (jschumacher@aai.org).

