

APPENDIX B

CENTRAL CLEARANCE PERSONNEL MATTERS REQUIRING ADMINISTRATIVE APPROVAL WITHIN THE OFFICE OF THE SECRETARY

.01 The Chief Financial Officer and Assistant Secretary for Administration approves actions affecting positions in the Senior Executive Service (SES) and Senior Professionals (except for positions within the United States Patent and Trademark Office (USPTO)), NOAA Corps, Senior Foreign Service or equivalent. (Refer to the Executive Personnel and Policy Manual for specific requirements.)

.02 The Director for Human Resources Management and Chief Human Capital Officer, in coordination with the Office of White House Liaison, where appropriate, approves:

- a. Actions affecting any position of a confidential or policy-determining nature excepted from the competitive civil service by statute or by the Office of Personnel Management under Schedule C of the excepted service (5 CFR Part 213).
- b. Details of employees from any component of the Department to Congress, the White House, the Office of Management and Budget and related Offices, and to all agencies and organizations outside the Department of Commerce.
- c. Conversion into the competitive service, or reappointment, of any individual who (a) within the previous twelve months has served in the legislative or judicial branches, or as a Presidential appointee, a member of the White House staff, in the Office of the President or Vice President, in the Office of Management and Budget, or in related offices; or (b) within the past five years has served on a noncareer SES appointment or on a Schedule C appointment.
- d. Negotiated agreements between any component of the Department and a labor organization as exclusive representative.
- e. Proposed or revised pay plans and wage schedules for positions not subject to chapter 51 of title 5, U.S. Code. (Exception: NOAA is delegated authority for Wage Marine (WM) pay policy and WM pay setting. Implementation of new WM schedules must be coordinated with the Department's Office of Human Resources Management and appropriate organizations providing automated personnel and payroll support.)
- f. Proposed performance appraisal systems that differ from an OPM-approved Departmental system, with the exception of the Commerce Alternative Personnel System (CAPS), and the NIST Alternative Personnel Management System (APMS).

.03 The General Counsel approves actions affecting attorney positions and other positions that require professional legal training. (Exceptions: (1) There is no clearance requirement for Attorneys in the Office of Counsel to the Inspector General; and (2) there is no clearance requirement for positions outside the Office of Solicitor in the Patent and Trademark Office which require varying degrees of legal training.)

GENERAL NOTE.

Appendix B is not intended to be all inclusive. Other Department Administrative Orders or documents may establish additional clearance requirements.