

Suitability Executive Agent Programs

Suitability Appeal Agency Response File

Suitability Action Appeals | 5 CFR Part 731, Subpart E |

CASE INFORMATION
Appellant's Full Name
OPM Appeal Case Number
Agency Name
Submission Date

AGENCY REPRESENTATIVE INFORMATION
Agency Representative Name
Agency Representative Contact Information

Suitability Executive Agent Programs

AGENCY RESPONSE TEMPLATE INSTRUCTIONS

Suitability Action Appeals | 5 CFR Part 731, Subpart E | Effective September 2, 2026

ORGANIZATION

These template instructions are being provided to assist you in the use of this template in preparing your Agency Response File (ARF)

- All tabs must remain in place even if your agency has no content to provide for a particular tab. **DO NOT DELETE TABS.**
- For ease of use, your agency should place PDF files behind the corresponding tabs. Please be sure to follow the guidance provided in OPM's Agency Response File Instructions located on [OPM's Suitability website](#).
- We have provided a sample of a Table of Contents for your reference. Your Table of Contents should be formatted in a similar style but should match your unique ARF submission.
- You may add a sub-tab under any of the primary tabs, if necessary. For example, if under Tab 3 – Evidence, your agency would like to split out additional evidence for clarity, you may create Tabs 3c, 3d, etc. Be sure to add bookmarks corresponding to the added tabs.

OPTIONAL CHARGE-BY-CHARGE ANALYSIS

Agencies are not required to submit the Charge-by-Charge analysis at the time of the submission of the ARF. Since the Charge-By-Charge Analysis (Tab 4) is an optional submission, it may be left blank at the time of your submission. However, if warranted by the circumstances of any appeal, OPM may request this document after reviewing the totality of your submission. If OPM requests a Charge-By-Charge Analysis, your agency will be provided with a specific timeframe for when the Charge-By-Charge Analysis is due.

TAB CONTENTS

- Tab 1 – Jurisdiction Documents. Materials establishing that the position was in the competitive service, an excepted service position that noncompetitively converts to the competitive service, or a career Senior Executive Service position, together with the Agency Representative Designation.
- Tab 2 – Suitability Action Procedures. Notices, letters, and delivery records, arranged in chronological order (e.g., proposed action letter, the appellant's answer to the proposed action letter, then the final decision letter).
- Tab 3 – Evidence. All materials considered, relied upon, generated, issued, or served in connection with the suitability action, arranged in chronological order with the oldest document first.
- Tab 4 – Charge-by-Charge Analysis. Optional. If you are not submitting a separate analysis, include this tab as a placeholder with no content. Do not delete the tab.
- Tab 5 – Supplemental Information. If you are not submitting supplemental information, include this tab as a placeholder with no content.
- Tab 6 – Privilege Log Information. Complete the privilege log even if nothing was withheld or redacted, confirming that no documents were withheld.

*****Delete this page once your file has been prepared*****

PDF FORMAT, BOOKMARKS, AND PAGE NUMBERS

- Submit the completed file as a single PDF. Do not password-protect or encrypt the file — OPM's reviewers and the appellant must be able to open it.
- Number every page sequentially in the lower right corner, beginning with page 1 on the cover page and continuing straight through to the end. Do not restart numbering at each tab.
- Give every document its own bookmark, using the format Tab [#][letter] – [MM/DD/YYYY] – [Document Title] (e.g., Tab 2a – 10/26/2025 – Proposed Action Letter). Keep bookmarks in a single flat list in tab order; do not nest bookmarks under other bookmarks.
- Apply redactions with a tool that permanently removes the underlying text. A black box drawn over text does not remove it, and the content can be recovered.
- Ensure the PDF is text-searchable — apply OCR to scanned documents — to support accessibility under Section 508.
- Name the file “Agency Response File – [Appellant Last Name] – [OPM Case No.]”. The eFile system limits submissions to 50 MB; if your file exceeds that limit, split it into labeled parts (“Part A of B,” “Part B of B”) and note at the start of each part how many parts there are and what each contains.

DEADLINE, SERVICE, AND CERTIFICATION

- Under 5 CFR § 731.503(b)(1), your ARF is due within 30 calendar days of the date of OPM's acknowledgment letter to your agency, unless the OPM adjudicator establishes a different deadline. Check the acknowledgment letter for the exact due date.
- Every document in the ARF is released to the appellant and the appellant's representative. Include only materials your agency is authorized to disclose under the Privacy Act and remove all PII that does not pertain to the appellant.
- List any withheld, redacted, or protectively handled document in the Privilege Log at Tab 6, unless identifying the document itself is prohibited by law. Your agency may not rely on a document that was not disclosed to the appellant unless the appellant received notice of its substance and a meaningful opportunity to respond.
- Include the signed Certification of Completeness and Service, required by 5 CFR § 731.503(c)(6), as the last part of the file. An authorized agency representative must sign it before submission. The Certificate of Service required by 5 CFR § 731.503(f) is incorporated into that template, so completing it satisfies both requirements.
- File through OPM's eFile system at <https://opmefile.opm.gov/>. Filing through eFile constitutes simultaneous service on the appellant and the appellant's representative and satisfies the delivery requirement. Your agency representative must have an active OPM eFile account.
- Failure to comply with OPM's directives — including failure to timely serve the appellant — may result in sanctions under 5 CFR § 731.506, including adverse inferences or exclusion of evidence.
- Questions about assembling or submitting the ARF may be directed to SuitEA Appeals at SuitEAAppeals@opm.gov.

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Table of Contents

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Documents Pertaining to the Appeal
to the United States Office of Personnel Management
In the Matter of [Insert Appellant's Full Name]
v.
[Insert Agency Name]

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2	Suitability Action Procedures	
2a	Proposed Action letter	
2b	Appellant's Answer to Proposed Action Letter	
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3	Evidence	
3a	Background Investigation	
3b	Additional Information obtained by the Agency	
4	Charge-by-Charge Analysis	
5	Supplemental Information	
6	Privilege Log Information	

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