



PERSONNEL AND
READINESS

OFFICE OF THE UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

MAR - 4 2025

MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP
COMMANDERS OF THE COMBATANT COMMANDS
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Clarification on Return to In-Person Work Exemption for Military Spouses

References: (a) Acting Director, Office of Personnel Management Memorandum, "Guidance on Exempting Military Spouses and Foreign Service Spouses from Agency Return to Office Plans," February 12, 2025 (copy attached)
(b) Secretary of Defense Memorandum, "Initial Department of Defense Implementation Guidance, Return to In-Person Work," January 31, 2025 (copy attached)

Pursuant to references (a) and (b), implementing the Presidential Memorandum, "Return to In-Person Work," this memorandum provides clarification regarding the exemption for military spouses working remotely.

The Office of Personnel Management, in reference (a), categorically exempted Federally employed military spouses authorized to work remotely from the return-to-office directive. DoD Components will continue to allow military spouses to perform remote work, that is, a work arrangement that allows employees to report to an officially established alternate Agency location on a regular and recurring basis, and may continue to appoint spouses to remote positions. This exemption applies to military spouses appointed under the Military Spouse Employment Act authorities as well as those appointed under other hiring authorities.

For the purposes of this exemption, a "military spouse" is an employee whose current marital status is one of the following:

- Married to a Service member who is on active duty, including members of the Reserve Components serving on active duty, or performing full time National Guard duty. For members of the Reserve Components, "active duty" does not include performing training duties or attendance at a service school.
- Married to a veteran who separated or retired from the military and had a 100 percent disability rating under the Veterans Affairs Schedule for Rating Disabilities at the time of discharge from the military.
- A widow/widower who was married to a Service member on the date on which the member died while on active duty, and who has not remarried.
- Married to a member of the U.S. Foreign Service on overseas assignments.

All DoD Components must ensure compliance with this exemption.

Darin S. Selnick
Performing the Duties of the Under Secretary of
Defense for Personnel and Readiness

Attachments:
As stated

Reference A



The Director

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

MEMORANDUM

TO: Heads and Acting Heads of Departments and Agencies

FROM: Charles Ezell, Acting Director, U.S. Office of Personnel Management

DATE: February 12, 2025

RE: Guidance on Exempting Military Spouses and Foreign Service Spouses from Agency Return to Office Plans

I. Purpose

The U.S. Office of Personnel Management (OPM) is issuing this memorandum to provide further guidance on implementation of the President's return-to-office directive. This guidance clarifies that the spouses of active-duty members of the U.S. Armed Forces on remote work are categorically exempt. Agencies shall allow military spouses to continue in existing remote work arrangements—regardless of whether they were appointed under the Military Spouse Employment Act authorities—and may continue to appoint military spouses to remote work positions. This guidance also applies to spouses of members of the U.S. Foreign Service who are on overseas assignments.

II. Background

On January 20, 2025, President Trump signed the Presidential Memorandum (PM) *Return to In-Person Work*. That PM directed agencies to take all necessary steps to terminate remote work arrangements and require employees to return to work in-person at their respective duty stations on a full-time basis, provided that the department and agency heads could make exemptions they deemed necessary.

On January 27, 2025, OPM and the U.S. Office of Management and Budget ("OMB") issued implementation guidance.¹ That guidance directed agencies to prepare implementation plans to return all eligible employees to in-person work instead of remote or telework arrangements. The guidance explained that eligible employees did not include those excused due to a compelling reason certified by the agency head and the employee's supervisor.

The guidance instructed agencies that military spouses working remotely had a compelling reason not to return to in-person work.² Title 5 of the United States Code provides for military

¹ OMB and OPM Guidance, [Agency Return to Office Implementation Plans](#), (January 2025).

² *Id.*, at 1.

spouses to be noncompetitively appointed to positions in which they will engage in remote work.³ Military spouses are consequently not eligible employees covered by return-to-office plans. OMB and OPM’s guidance instructed agencies to create appropriate discrete categories of exemptions from return-to-office plans, including for military spouses.⁴

III. Implementation

Agencies should accordingly ensure that their return-to-office plans categorically exempt all military spouses authorized to engage in remote work. This includes both military spouses appointed under the Military Spouse Employment Act authorities and those appointed under other hiring authorities. Agencies may also continue to appoint military spouses to remote work positions pursuant to the Military Spouse Employment Act or other appropriate hiring authorities.

This directive covers any spouses of members of the Armed Forces on active duty, as well as spouses of disabled or deceased members of the Armed Forces.⁵ The term “active duty” includes any members of the Armed Forces covered by 10 U.S.C. § 101(d)(1), as well as any members performing full time National Guard duty as defined in 10 U.S.C. § 101(d)(5). For members of reserve components, as described in 10 U.S.C. § 10101, “active duty” does not include individuals performing training duties or in attendance at a service school.⁶

A spouse of a disabled member of the Armed Forces is an individual who married a member of the Armed Forces who, on the date that member retired, was released, or discharged from the Armed Forces, had a disability rating of 100 percent under the standard schedule of rating disabilities in use by the U.S. Department of Veterans Affairs.⁷

A spouse of a deceased member of the Armed Forces is an individual who was married to a member of the Armed Forces on the date on which the member died while on active duty, and who has not remarried.⁸

This guidance also covers spouses of U.S. Foreign Service members who are on overseas assignments.⁹ Agencies should ensure that the spouses of U.S. Foreign Service members on overseas assignments are exempted from any return-to-office requirements. In addition, spouses of U.S. Foreign Service members on overseas assignments may continue to be hired to remote-work positions consistent with 22 U.S.C. § 4026(b).

Agencies should ensure that all such military and foreign service spouses are permitted to continue with any applicable remote work arrangements.

³ See the Military Spouse Employment Act, Pub. L. 118–31, div. A, title XI, § 1112, codified at 5 USC § 3330d.

⁴ [Agency Return to Office Implementation Plans](#), at 2.

⁵ 5 U.S.C. § 3330d(b)(3).

⁶ 5 U.S.C. § 3330d(a)(1).

⁷ 5 U.S.C. § 3330d(a)(4)(A).

⁸ 5 U.S.C. § 3330d(a)(4)(B).

⁹ Cf. Pub. L. 117–81, Section 6202, titled the “Foreign Service Families Act of 2021”.

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

Reference B



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

JAN 31 2025

MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP
COMMANDERS OF THE COMBATANT COMMANDS
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Initial Department of Defense Implementation Guidance, Return to In-Person Work

- References:
- (a) Presidential Memorandum, "Return to In-Person Work," January 20, 2025
 - (b) Acting Director, Office of Personnel Management Memorandum, "Guidance on Presidential Memorandum *Return to In-Person Work*," January 22, 2025
 - (c) Department of Defense Instruction 1035.01, "Telework and Remote Work," January 8, 2024
 - (d) Acting Secretary of Defense Memorandum, "Implementation of Presidential Memorandum, 'Return to In-Person Work,'" January 24, 2025
 - (e) Acting Director, Office of Management and Budget and Acting Director, Office of Personnel Management Memorandum, "Agency Return to Office Implementation Plans," January 27, 2025

In-person collaboration is key to building camaraderie and mission execution. Every team works best when it can communicate and work together in real time. To carry out the President's agenda and restore lethality and readiness to our Force, the Department of Defense (DoD) must come back to the office and rebuild our team.

It is time to accelerate that effort. This memorandum revokes the authority to approve and certify exemptions found in reference (d). Exemptions permitting recurring telework or remote work, other than those specified in this memorandum, must be approved by me.

The following exemptions are in effect: employees with an approved deferred resignation request, employees for whom telework or remote work is an approved reasonable accommodation pursuant to applicable law, employees who are approved for remote work for purposes of enabling them to accompany a Service member spouse to an assignment that is not in the vicinity of the Agency worksite, employees for whom the DoD Component head has determined there is no suitable office space at the Agency worksite, and employees for whom applicable law or collective bargaining obligations require an exemption.

DoD Components may submit additional exemption requests to the Office of the Under Secretary of Defense for Personnel and Readiness at osd.pentagon.ousd-p-r.mbx.cpp-saco@mail.mil. DoD Components may submit exemption requests for categories of employees and for specific individuals. Requests must include information concerning mission impact if the exemption is not granted.



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The President has been clear — a culture of accountability is necessary to ensure Federal Agencies, including the Department, carry out their missions with excellence. A return to the office will drive us toward that goal.

Initial guidance for immediate action may be found below, with additional guidance to follow.

References (a) and (b) provide the foundation for this memorandum, which further clarifies changes being made to the Department's telework and remote work policy (reference (c)). All employees, unless exempted, will be required to report for in-person work at their Agency worksite¹ during their regular tour of duty.

A timeline for implementation and compliance with reference (a) is below.

DoD Implementation Guidance

Employees with Alternative Worksites² within 50-Miles of their Agency Worksite

DoD Components will terminate telework and remote work agreements for all DoD employees who work remotely or via telework within 50 miles of their Agency worksite. Employees must report full-time in person to their Agency worksite no later than 7 days from the date of this memorandum.

In-person work, at an employee's duty station during their official tour of duty, is a critical operational imperative.

Employees with Alternative Worksites more than 50-Miles from their Agency Worksite

DoD Components will terminate telework and remote work agreements for all DoD employees with alternative worksites more than 50 miles from their Agency worksite. DoD Components will take steps to relocate the employee's duty station to the most appropriate Agency worksite based on the employee's duties, job function, and space availability on the following schedule.

- **Within 7 days**, all political appointees, members of the Senior Executive Service (and equivalent), and Highly Qualified Experts will report in person to their Agency worksite. Additionally, within 7 days, DoD Component heads must submit plans for relocating all Senior Professionals (and equivalent) and all General Schedule (GS)-15 (or equivalent) employees.
- **Within 21 days**, all Senior Professionals (and equivalent) and all GS-15 (or equivalent) employees will report full-time in person to their Agency worksite.

¹ Agency worksite means the location where an employee would normally work absent a telework or remote work agreement. For purposes of this memorandum, an "Agency worksite" must be under the jurisdiction or control of a DoD Component, such as the Pentagon Reservation, military installations, and DoD-leased facilities.

² Alternative worksite means a management-approved telework or remote worksite.

- **As soon as possible, but no later than 4 months from the date of this memorandum**, all other employees will report full-time in person to their Agency worksite.

Labor Relations Obligations

Prior to implementation of this guidance for bargaining unit employees, DoD Components are required to satisfy labor relations obligations. To comply with reference (d), DoD Components must describe the steps they will take to bring any Collective Bargaining Agreements (CBAs) into compliance with reference (a). DoD Component heads must ensure these steps follow applicable laws and must also explain how organizations have put new CBAs into place in the last 4 years.

DoD Implementation Plan

DoD will provide an implementation plan describing its approach to the Office of Management and Budget and the Office of Personnel Management for review and approval by February 7, 2025. The implementation plan will address key considerations related to permanent changes of station (employee moves) and guidance on procedures for employees who decline to relocate.

DoD Components will provide the following information to the Office of the Deputy Assistant Secretary of Defense for Civilian Personnel Policy at osd.pentagon.ousd-p-r.mbx.cpp-saco@mail.mil no later than February 5, 2025:

- The number of employees on remote agreements, their remote duty locations, and the most appropriate Agency worksite to assign the employees based on the employees' duties and job functions;
- An estimate of the costs and resource implications when a new duty station is more than 50 miles from the current worksite;
- An assessment of any risks, barriers, or resource constraints that would prevent the return of all employees to in-person work, e.g., availability of suitable office space, budgetary impacts, etc., and the Component's plan for overcoming those barriers;
- A description of the Component's process that will be used to determine exceptions based on disability, qualifying medical condition, or other compelling need; and
- Information regarding applicable CBAs and necessary steps to bring these CBAs into compliance with the Presidential Memorandum.

