



OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
INTELLIGENCE COMMUNITY POLICY MEMORANDUM
NUMBER 2006-600-1

SUBJECT: National Intelligence Reserve Corps

A. AUTHORITY: The National Security Act of 1947; Section 1053 of the Intelligence Reform and Terrorism Prevention Act (IRTPA) of 2004 (50 USC §403-1c)

B. PURPOSE: Section 1053 of the IRTPA of 2004 (50 USC §403-1c) authorizes the Director of National Intelligence (DNI) to establish a National Intelligence Reserve Corps (NIRC) "...for the temporary reemployment on a voluntary basis of former employees of elements of the intelligence community during periods of emergency, as determined by the Director." The statute further states that only those individuals who "served as a full-time employee of an element of the intelligence community," as defined by the National Security Act of 1947, are eligible to serve in the NIRC. It also provides that the salary of an individual appointed to the NIRC, who is receiving an annuity from the Civil Service Retirement and Disability Fund (which covers the Federal Employees Retirement System (FERS), the FERS Special retirement system, and the Central Intelligence Agency Retirement and Disability System), will not be affected by such appointment if made under this authority.

C. APPLICABILITY: This policy memorandum applies to the Intelligence Community (IC), as defined in the National Security Act of 1947, as amended, and other departments or agencies that may be designated by the President, or designated jointly by the DNI and the head of the department or agency concerned, as an element of the IC.

D. POLICY: This IC policy memorandum (ICPM) (hereafter referred to as the "memorandum") officially establishes the NIRC. In addition, and in accordance with the IRTPA, this memorandum defines and serves as official notification of the DNI's determination that a "period of emergency" exists for the IC, such that the referenced authority may be exercised. This determination will be reviewed every five years. It also delegates authority to make such appointments to the NIRC to the heads of IC elements, subject to the criteria set forth as follows. In addition, the memorandum requires IC elements to request background and contact information from employees separating from the IC who are willing to participate in the NIRC, and it further establishes other terms and conditions for appointments to the NIRC, including certain reporting and administrative requirements.

E. RESPONSIBILITIES

1. The head of an IC element is hereby delegated authority to determine that the reemployment of a particular individual or category of employees is critical to the mission of that IC element during the period of emergency established by the memorandum, and upon making such determination, to temporarily appoint an individual or individuals to the NIRC, in accordance with the following:

a. The head of an IC element must exercise this authority in writing, making a specific determination that the NIRC appointee meets a requirement critical to the element's mission during the period of emergency. This determination memorandum must indicate the duration of the temporary appointment, as well as the annual compensation of the appointee. A copy of the determination memorandum must be provided to the IC Chief Human Capital Officer (CHCO) prior to the effective date of the appointment. Any modification to the original appointment, including an extension, must also be in writing, with a copy provided to the IC CHCO.

b. Except as noted, any individual previously employed by a current IC element on a full-time basis is eligible for appointment to a position in the NIRC and may consent to be placed on the NIRC roster (see paragraph E.2) at the time of their retirement or other voluntary separation from an IC element. The head of an IC element may temporarily appoint otherwise eligible individuals to the NIRC from any appropriate source, including but not limited to employees who voluntarily place their name on the NIRC roster. In addition, this authority may be exercised with respect to any former employee of any current IC element, even if that element had not been designated as a member of the IC at the time of the employee's separation from employment.

c. This authority does not waive or modify applicable laws and regulations regarding the reemployment of an individual who had previously accepted a Voluntary Separation Incentive Payment. Employees who are or were separated for cause, who resign upon notice of proposed separation for cause, or who are terminated upon revocation of their security clearance are not eligible to participate in the NIRC.

d. Individuals may be employed using any appointing authority available to the appointing IC element, for periods of up to five years or until such time as the DNI's period of emergency is terminated, whichever occurs first. Where the DNI period of emergency is extended beyond the initial period, such appointments may be extended for a period not to exceed an additional five years or until such time as the period of emergency terminates, whichever occurs first, upon the specific written approval of the head of an IC element and a copy provided to the IC CHCO. Individuals may be provided orientation and refresher training, program updates, etc., for brief periods of time (for example, up to four weeks) in anticipation of a NIRC appointment at a later date; in such cases, the IC element may temporarily appoint the individual using this authority, or alternatively, place the individual on invitational travel orders for the duration of the orientation or training period. All funding associated with an appointment to the NIRC, including any applicable training, travel, and per idem, is the responsibility of the employing element.

e. No break in service is required for the appointment of an annuitant to a position in the NIRC. Normally, an individual appointed to the NIRC may not perform the duties of the full-time position he or she previously encumbered, unless the head of the IC element determines that a special exigency exists; such determinations will be coordinated with the IC CHCO and documented in the element head's determination memorandum. Participants in the NIRC are subject to all medical, security, and other administrative requirements applicable to employees of the appointing element. The individual's pay and benefits will be in accordance with the laws, regulations, and IC directives applicable to the employing IC element and shall be set by the head of the IC element based on the work to be performed; however, such pay and benefits shall not exceed the applicable rate of pay (for example, General Schedule grade and step) of the appointee at the time of separation.

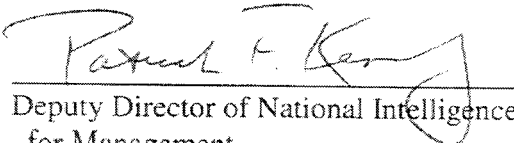
f. An individual's temporary appointment to a position in the NIRC may be terminated at any time and for any reason by the head of the employing IC element and/or the DNI. The individual involved will be notified in writing, with a copy provided to the IC CHCO. The decision to terminate a temporary appointment to a position from the NIRC is final and not subject to any further appeal or review.

2. Effective 30 days from the date of this memorandum, each IC element will provide all eligible professional, technical, managerial, and executive employees who separate from its employment rolls with an opportunity to place their name on a roster of NIRC volunteers. Membership is strictly voluntary and incurs no obligation or promise of reemployment on the part of the individual, any IC element, or the IC generally. Employees who volunteer for the NIRC will be asked by their employing IC element to complete a standard form (to be issued by the IC CHCO under separate cover) providing professional, personal, and contact information. Completed forms will be collected by the IC CHCO and maintained in a secure database accessible to designated IC officials, subject to appropriate Privacy Act requirements. The Director of the National Clandestine Service (NCS) will be responsible for collecting and separately maintaining information on former employees who served in the Central Intelligence Agency (CIA) in a cover status, as well as on other IC agency employees for whom the CIA established cover. In addition, the NCS will provide advice and assistance to other IC elements that wish to collect and separately maintain secure information on former employees who served the IC in some other cover status.

F. EFFECTIVE DATE

1. The delegation of authority provided by this memorandum may be revoked at any time upon a determination by the DNI that a particular IC element is not in compliance with its terms and conditions or other applicable IC directives or policy guidance.

2. This ICPM becomes effective on the date of signature. The relevant contents of this policy will be incorporated into an IC directive.


 Deputy Director of National Intelligence
 for Management

24 Jul 2006
 Date