

Department of Defense INSTRUCTION

NUMBER 5210.87

November 30, 1998

(ES, OSD)

SUBJECT: Selection of DoD Military and Civilian Personnel and Contractor Employees for Assignment to Presidential Support Activities (PSAs)

References: (a) <u>DoD Directive 5210.55</u>, "Department of Defense Presidential Support Program", December 15, 1998

- (b) DoD 5220.22-R, "Industrial Security Regulation," December 1985, authorized by DoD Directive 5220.22, December 8, 1980
- (c) DoD 5200.2-R, "DoD Personnel Security Program," January 1987, authorized by DoD Directive 5200.2, May 6, 1992
- (d) through (f) see enclosure 1

1. PURPOSE

This Instruction implements policy, assigns responsibilities, and prescribes procedures under reference (a) for the screening, nomination, selection, approval and continued evaluation of DoD military and civilian personnel and contractor employees assigned to, or utilized in, PSAs.

2. APPLICABILITY AND SCOPE

This Instruction:

- 2.1. Applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Inspector General of the Department of Defense, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components") with a Presidential Support Mission.
 - 2.2. Encompasses all DoD organizations and, through incorporation of its terms

into contracts and contractors that assign personnel to Presidential support duties covered by reference (a). Those assignments are divided into three categories. (See enclosure 2.)

3. POLICY

It is DoD policy under DoD Directive 5210.55 (reference (a)) that only the most suitable and qualified individuals shall be selected for and retained in Presidential support duties to ensure optimum Presidential security and support.

4. RESPONSIBILITIES

- 4.1. The <u>Executive Secretary of the Department of Defense</u> (hereafter referred to as "The Executive Secretary") shall:
- 4.1.1. Be the final authority to approve or disapprove recommended individuals for Presidential support duties.
- 4.1.2. Return the file to the Head of the DoD Component or designated single office with the assignment decision.
- 4.1.3. Notify the DoD civilian or contractor employee if the nomination for Presidential support duties is disapproved and the procedures for appealing the decision in accordance with enclosure 5.

4.2. The <u>Heads of the DoD Components</u> shall:

- 4.2.1. Designate a single office to represent the DoD Component on all matters covered by this Instruction at the Service secretariat and comparable Defense Agency level. Responsibilities of DoD Components under this Instruction may not be delegated below this level.
- 4.2.2. Develop procedures to ensure compliance with the requirements of this Instruction, in accordance with enclosure 3.
 - 4.2.3. Provide support and resources as required.
- 4.2.4. Evaluate nominees for Presidential support duties using the standards in (reference (c)) and enclosure 4.

- 4.2.5. Provide DoD civilian and contractor employees not approved for, or removed from, Presidential support duties the opportunity to appeal in accordance with enclosure 5.
- 4.2.6. Not afford the opportunity to appeal to military personnel, unless the assignment policies of the military Department concerned allow for appeals in assignment actions.
- 4.2.7. Submit the report required at enclosure 6 by the 15th day of the month following the end of each quarter.
- 4.2.8. Establish supervisory indoctrination programs to ensure that supervisory personnel recognize and discharge their special responsibility on the suitability of their subordinates for continued service in Presidential support duties.
- 4.2.9. Establish procedures for the continuous evaluation of the suitability of personnel serving in Presidential support duties.
- 4.2.10. Ensure the requirements of this Instruction are incorporated into the contract of each contractor involved in Presidential support duties.
- 4.3. The <u>Assistant Secretary of Defense for Command, Control, Communications and Intelligence</u> shall ensure that the Director of the Defense Security Service shall: Ensure all investigations are conducted in accordance with DoD 5200.2-R (reference (c)). Initial Category One, Two, and Three investigations are to be completed within 65 days.
- 4.3.1. Ensure that all Presidential support investigations include a check of the files of the U.S. Secret Service.
- 4.3.2. Conduct periodic reinvestigations at 5-year intervals in accordance with current DoD scope requirements, from the date of the most recent prior investigation, on all categories of personnel assigned to Presidential support duties. These investigations are to be completed within 120 days.
- 4.3.3. Forward the results of the completed investigation to the appropriate DoD central adjudication facility for collateral clearance and/or Sensitive Compartmented Information (SCI) eligibility determination. For contractor employees whose duties do not require access to classified information, the completed

investigation shall be forwarded to the DoD Component administering the contract involved.

5. PROCEDURES

The DoD Components shall follow the procedures in enclosure 3 for the nomination and retention of individuals in Presidential support duties.

6. INFORMATION REQUIREMENTS

The reporting requirement established in enclosure 7 has been assigned Report Control Symbol DD-SD(Q)934, in accordance with DoD 8910.1-M (reference (f)).

7. EFFECTIVE DATE

This Instruction is effective immediately.

Joseph Reynes Jr. Colonel, USAF Executive Secretary

Enclosures - 7

- 1. References, continued
- 2. Presidential Support Program Categories
- 3. Procedural Guidance
- 4. Presidential Support Program Standards
- 5. Appeal Procedures
- 6. Sample Transmittal Memorandum
- 7. Information Requirements

E1. ENCLOSURE 1

REFERENCES, continued

- (d) <u>DoD Directive 5220.6</u>, "Defense Industrial Personnel Security Clearance Review Program," January 2, 1992
- (e) Chapter 47 of title 10, United States Code, "Uniform Code of Military Justice (UCMJ)," Article 15
- (f) <u>DoD 8910.1-M</u>, "DoD Procedures for Management of Information Requirements," June 1988, authorized by <u>DoD Directive 8910.1</u>, June 11, 1993

E2. ENCLOSURE 2

PRESIDENTIAL SUPPORT PROGRAM CATEGORIES

E2.1. <u>CATEGORY ONE</u>

Selected personnel serving in extremely sensitive positions in direct support of the President or Vice President are as follows:

- E2.1.1. Chief of Staff, White House Military Office (WHMO).
- E2.1.2. Assistant Chief of Staff, WHMO.
- E2.1.3. Military Aides to the President and Vice President.
- E2.1.4. Director, White House Medical Unit.
- E2.1.5. Chief, U.S. Army Transportation Agency, White House.
- E2.1.6. Director, Special Programs Office, WHMO.
- E2.1.7. Security Advisor, WHMO.
- E2.1.8. Food Service Coordinator of the White House Staff Mess.
- E2.1.9. Commander and Deputy Commander, White House Communications Agency.
- E2.1.10. Presidential Pilot and Deputy Presidential Pilot, 89th Airlift Wing, Andrews AFB.
- E2.1.11. Commanding Officer and Executive Officer, Marine Helicopter Squadron One (HMX-1).
- E2.1.12. Commanding Officer and Executive Officer, Naval Support Facility, Thurmont, MD (Camp David).
 - E2.1.13. Director, Presidential Contingency Programs Office, WHMO.
 - E2.1.14. Director, Airlift Operations Office, WHMO.

E2.1.15. Other personnel as determined by the Director, WHMO and the Deputy Assistant to the Vice President for National Security Affairs.

E2.2. CATEGORY TWO

Personnel assigned on a permanent or full-time basis to duties in direct support of the President or Vice President (including the office staff of the Director, WHMO, and all individuals under his or her control). Category Two includes but is not limited to:

- E2.2.1. Presidential aircrew and associated maintenance and security personnel.
- E2.2.2. White House Communications Agency personnel.
- E2.2.3. White House Transportation Agency personnel.
- E2.2.4. White House Staff Mess personnel.
- E2.2.5. White House Medical Unit personnel.
- E2.2.6. DoD personnel assigned to the Office of the Vice President.
- E2.2.7. Personnel assigned to the Naval Support Facility, Thurmont, MD.
- E2.2.8. Contractor Personnel.
- E2.2.8.1. Employees of contractor firms who provide recurring services or who require unescorted access to Presidential support areas, activities, or equipment--including the maintenance of the Presidential retreat or Vice President's residence, communications, aircraft, or facilities.
- E2.2.8.2. Principals of those firms used for PSAs who have direct involvement in the contract. The "principal" is a person who, under DoD 5220.22-R (reference (b)) Section II, paragraph 2-113, would require a clearance for the firm to receive a DoD facility security clearance.

E2.3. CATEGORY THREE

E2.3.1. Personnel assigned to honor guard units, ceremonial units, and military bands who perform at Presidential or Vice Presidential functions and facilities.

E2.3.2. Designated units or individuals requiring a lesser degree of access to the President or PSAs. Designation of such units or individuals requires approval by the Executive Secretary.

E3. ENCLOSURE 3

PROCEDURAL GUIDANCE

E3.1. NOMINATION PROCEDURES

The DoD Components nominating an individual for Presidential support duties shall review and evaluate all locally available records, including those listed in this enclosure, using the criteria in enclosure 4.

- E3.1.1. Active Duty Military Personnel. Military personnel records; medical records to include certification by competent medical authority that no physical or mental disorder is noted in the record that could adversely affect the individual's reliability or judgment; efficiency and/or fitness report file to determine if the individual has demonstrated consistently high standards of performance; local security files; and the Standard Form 86, "Questionnaire for National Security Positions" submitted by the nominee.
- E3.1.2. <u>DoD Civilian Employees.</u> Official personnel folder; medical records, if available, to include certification by competent medical authority that no physical or mental disorder is noted in the record that might adversely affect the individual's reliability or judgment; base and/or military police and local security files; and the Standard Form 86, "Questionnaire for National Security Positions" submitted by the nominee.
- E3.1.3. <u>Contractors.</u> Contractor personnel records; medical records, if maintained by the contractor for evidence of any physical or mental disorder that might adversely affect the individual's reliability or judgment; this review of medical records shall be accomplished by competent medical authority under reviewing arrangements made by the contracting officer of the DoD Component concerned; contractor security files; and the Standard Form 86 submitted by the nominee. Based upon the review, the DoD Component shall determine the acceptability of an individual for nomination and further processing for Presidential support duties.

E3.2. SELECTION

Following suitability and security interviews, and selection determination by the requesting PSA, a complete nomination file, including certification that all requirements of this Instruction (less investigative) have been met, shall be forwarded

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expeditiously, using the format in enclosure 6 to the single office designated to act on behalf of the respective DoD Component for Presidential support (Component Office).

E3.3. <u>SUBMISSION OF INVESTIGATIVE REQUEST AFTER NOMINATION AT</u> UNIT LEVEL

The investigative request shall be processed as follows:

E3.3.1. The administrative nickname "YANKEE WHITE" must be stamped or printed in the Remarks section of the DD Form 1879, "Request for Personnel Security Investigation," for all Presidential support requests that are manually submitted. For those electronic submissions of the DD Form 1879, "YANKEE WHITE" will be typed in item 1 and the form will then be stamped by the Defense Security Service (DSS) upon completion of the investigation. All requests for investigation must indicate whether or not the individual is being processed for a security clearance by any other Department or Agency of the Federal Government.

E3.3.2. Scope of investigation required:

- E3.3.2.1. Personnel assigned to Category One or Category Two (enclosure 2) duties must have a favorably completed single scope background investigation (SSBI) within 36 months preceding selection for Presidential support duties. If an individual marries subsequent to the completion of the SSBI, a National Agency Check (NAC) on the spouse must be conducted. Category One nominees shall be required to sign a tax information waiver form. The Executive Secretary shall process the tax form through the Internal Revenue Service (IRS).
- E3.3.2.2. Personnel assigned to Category Three (enclosure 2) duties must have a favorable NAC, local agency check, and credit check (NACLC) within the last 36 months preceding selection for Presidential support duties.
- E3.3.2.3. Confidential Financial Disclosure Reports (OGE Form 450) or comparable reports will be used when conducting background investigations.
- E3.3.3. <u>Military or DoD Civilian Employees</u>. The DoD Components shall submit requests for investigation directly to the DSS. Normally, the losing organization shall be notified of selection and shall submit the request directly to the DSS. However, circumstances may exist where the gaining PSA may request the investigation under this Instruction. To avoid confusion or duplication, the gaining organization requesting the investigation should notify the Single Component office

and the losing organization that an investigation has been requested for coordination purposes.

E3.3.4. Contractor Employees

- E3.3.4.1. Requests for investigation of contractors who require access to classified information shall be submitted to the Defense Security Operations Center Columbus (DSS OCC).
- E3.3.4.2. Requests for investigation of contractors who simply require Presidential Support access in the performance of their duties shall be submitted directly to the DSS.
- E3.3.4.3. The provisions of paragraph E3.3.2.1., above, apply to contractor personnel as well.

E3.4. REVIEW OF THE INVESTIGATION AND DETERMINATION FOR PRESIDENTIAL SUPPORT DUTIES

E3.4.1. Central Adjudication Facility

- E3.4.1.1. The results of the completed investigation are to be forwarded to the appropriate central adjudication facility for a collateral clearance and (SCI) eligibility determination, if needed. For contractor employees whose duties do not require access to classified information, the completed investigation is to be forwarded to the DoD Component administering the contract involved. For contractors whose duties require access to classified information, the investigation will be processed through the (DSS OCC) prior to reaching the Component.
- E3.4.1.2. The denial or revocation of a security clearance for access to classified information shall automatically result in the disqualification for Presidential support duties.
- E3.4.2.3. Upon issuance of a favorable clearance determination, the complete file shall be forwarded to the Component office.

E3.4.2. Component Office

E3.4.2.1. When the Component Office, using the criteria in enclosure 4, determines that disqualifying information exists, the nomination for Presidential

support duties shall be terminated. The individual shall be notified of the nonselection and, in the case of DoD civilian and contractor employees, notified of the procedures to appeal the decision.

- E3.4.2.2. When the Component Office using the criteria in enclosure 4 determines that all requirements have been met, the nomination shall be forwarded with the entire file to the Executive Secretary, using the format in enclosure 6. Processing of the package at all levels should be accomplished within five working days.
- E3.4.3. <u>Executive Secretary</u>. The Executive Secretary is the final approval and denial authority for individuals nominated and selected for Presidential support duties, except those individuals requiring a White House pass or access to the White House complex.
- E3.4.3.1. If the nomination is approved for personnel not requiring a White House pass, the Executive Secretary shall return the file to the Component Office for disposition. For those personnel requiring a White House pass or access to the White House complex, see paragraph E3.4.3.3., below.
- E3.4.3.2. If the nomination is rejected, the Executive Secretary shall notify the individual of his or her denial and, in the case of DoD civilian and contractor employees, the procedures for appealing the decision.
- E3.4.3.3. If the nomination is approved, the Executive Secretary shall forward for final determination to the Director, WHMO or the Assistant to the Vice President for National Security Affairs all nomination packages on those individuals requiring a White House pass or access to the White House complex.

E3.5. CONTINUING EVALUATION

- E3.5.1. Periodic Reinvestigations will be conducted at 5-year intervals in accordance with current DoD scope requirements, from the date of the most recent prior investigation, on all categories of personnel assigned to Presidential support duties. These investigations are to be completed within 120 days.
- E3.5.2. Selected personnel serving in Category One positions, and individuals serving in positions of extreme sensitivity as designated by the Director, WHMO shall be subject to a periodic counterintelligence-scope polygraph examinations. The

Director, WHMO shall provide a list of the designated positions to the Executive Secretary.

- E3.5.3. In accordance with DoD Directive 5210.55 (reference (a)), the DoD Components shall establish procedures to evaluate the continued suitability of personnel serving in Presidential support duties and management personnel exercising supervision over contractor employees performing Presidential support duties. These procedures must require supervisory personnel to observe and report to appropriate security personnel any changes in characteristics or behavior that might be relevant to an individual's continued suitability for Presidential support duties.
- E3.5.4. Each individual selected for Presidential support duties shall be instructed by the DoD Component that the ultimate responsibility for remaining suitable for continued assignment to, detail to, or employment in such duties rests with the individual. Therefore, each individual is encouraged to seek appropriate guidance and assistance on any personal problem or situation that may have a possible bearing on his or her suitability for continued utilization in Presidential support duties. Appropriate counseling should be made available by the organization in which such duties are performed.

E3.6. SUSPENSION OR REMOVAL FROM PRESIDENTIAL SUPPORT DUTIES

- E3.6.1. When information becomes available that an individual is not, or may no longer be, suitable for Presidential support duties, the individual shall be suspended temporarily or removed permanently from Presidential support duties by the head of the organization in which the individual is performing such duties, or by higher authority. If the action or event causing the suspension meets the criteria of DoD 5200.2-R (reference (c)), details shall be reported to the appropriate adjudication authority. The DSS shall be required to provide a copy of the individual's report of investigation to the Security Advisor, WHMO and the U.S. Secret Service for review within six working hours, if requested.
- E3.6.2. Contractor employees, who do not have a security clearance, may be suspended only by the contracting officer, pending a final decision by the Executive Secretary. If the contractor employee is cleared for access to classified information, the contracting officer shall provide the DSS with a summary of the derogatory information and request suspension of the clearance. Suspension of contractor clearances are only authorized in accordance with DoD Directive 5220.6 (reference (d)).

- E3.6.3. Conversely, when the security clearance of a contractor employee who is assigned to Presidential duties is temporarily suspended, pending final determination under reference (d), the DSS OCC shall notify the contracting officer of the DoD Component administering the contract.
- E3.6.4. Suspension or removal notification for personnel under the operational control of the WHMO will be made through the Security Advisor, WHMO or in the case of the Vice President's office through their security officer.

E3.6.5. <u>Temporary Suspension Guidelines</u>

- E3.6.5.1. Telephonic notification of temporary suspension to the Executive Secretary is required no later than the beginning of the following duty day. Written follow-up, to include a summary of all available information, shall be forwarded within 3 working days. If applicable, a full report of investigation shall be forwarded to the Executive Secretary within 60 days.
- E3.6.5.2. In temporary suspension cases when it is evident that the derogatory information requires further clarification, the Component Office shall request an expanded investigation to develop all information on the issue.
- E3.6.5.3. A temporary suspension in which the issues are unresolved by the applicant within 90 days shall automatically become a permanent removal, and the Executive Secretary shall be so notified.

E3.6.6. Permanent Removal Procedures

- E3.6.6.1. Telephonic notification to the Executive Secretary is required no later than the beginning of the following duty day for each permanent removal and shall include an assessment as to whether or not unfavorable publicity may result.
- E3.6.6.2. Written follow-up, including a full report of all available information, shall be forwarded to the Executive Secretary within 3 working days.
- E3.6.6.3. Written follow-up reports shall be forwarded through the normal nomination process channels for review and evaluation at each level to ensure that the suspension or removal is warranted.
- E3.6.6.4. In all suspension or removal actions, when possible embarrassment to the President is indicated, the Heads of the DoD Components shall notify the

Executive Secretary during normal duty hours at (703) 697-3347. The Executive Secretary's representative is located in room 3E854, The Pentagon. After duty hours, notify the duty officer located in the Cables Division, Correspondence and Directives Directorate, phone (703) 697-8151, Room 3E929, Pentagon, Washington, DC.

E3.7. <u>ADMINISTRATIVE REASSIGNMENTS AND REQUESTS FOR</u> REINSTATEMENT OR WAIVER

Individuals previously selected for Presidential support duties must be reinvestigated and reselected for subsequent assignment to Presidential support duties, except as follows:

- E3.7.1. A request for waiver of the reinvestigation requirement may be considered by the Executive Secretary, on a case-by-case basis, for an individual transferring directly from one PSA to another, of the same or less sensitive category, with no intervening duty station assignment. Those persons who will require a White House pass must be reinvestigated if the current investigation is more than 3 years old.
- E3.7.2. A request for waiver for the reinvestigation requirement may be considered by the Executive Secretary, on a case-by-case basis, for a contractor employee administratively terminated from Presidential support duties for a period not to exceed 24 months. Such a case shall be considered only if the contractor employee has remained with the company for which he or she was last granted access. Requests for reinstatement shall include an updated SF86 and a recommendation by the company facility security officer.
- E3.7.3. A waiver of other specific requirements in this Instruction may be granted only by the Executive Secretary.

E3.8. <u>SELECTION - WHITE HOUSE COMMUNICATIONS AGENCY (WHCA)</u> <u>PERSONNEL</u>

E3.8.1. WHCA is responsible for component functions including recruiting, nomination, security and suitability interviews, and selecting personnel for assignment to their agency.

E3.8.2. WHCA will follow the procedures outlined in sections E3.1. through E3.7., above, of this enclosure.

E4. ENCLOSURE 4

PRESIDENTIAL SUPPORT PROGRAM STANDARDS

- E4.1.1. In addition to the adjudication standards contained in DoD 5200.2-R (reference (c)), individuals under consideration for Presidential support duties are also subject to the standards listed below to ensure that the assignment or retention is clearly consistent with optimum Presidential security and support. The determination must be a common sense judgment based on all available information.
- E4.1.2. Individuals not selected shall be removed from further consideration for such duties. The removal shall be without prejudice, unless there exists derogatory information that is grounds for adverse action beyond the scope of the Presidential Support Program.
- E4.1.3. Nonselection due to program selectivity, is not stigmatizing and does not affect options to use the individuals on other contracts or assignments to include classified contracts or assignment where access to classified information is required.
- E4.1.4. Under this Instruction, the processing of contractor employees to determine their suitability for employment in positions involving Presidential support duties is outside the auspices of DoD 5220.6 (reference (d)) for appeal purposes.

E4.1.5. <u>Minimum Requirements for Nomination</u>

- E4.1.5.1. U.S. citizenship.
- E4.1.5.2. High degree of maturity, discretion, and trustworthiness.
- E4.1.5.3. Unquestionable loyalty to the United States.
- E4.1.5.4. Satisfactory past and present duty performance.

E4.1.6. Disqualifying Criteria

- E4.1.6.1. Conviction by court-martial or imposition of punishment for a serious offense under Article 15, UCMJ, reference (e).
 - E4.1.6.2. Administrative separation instead of court-martial.

- E4.1.6.3. Frequent arrests by law enforcement agencies, including driving while intoxicated, which indicate irresponsibility or disrespect for the law.
 - E4.1.6.4. Conviction of a serious offense under State or Federal law.
- E4.1.6.5. Use of any non-prescription narcotic, psychoactive substance (other than marijuana), or dangerous drug to include illegal or improper use, possession, transfer, sale, or addiction to any narcotic, psychoactive substance, or other dangerous drugs (including abuse of prescription drugs) within 10 years of assignment to Presidential support duties.

E4.1.7. Discretionary Criteria

- E4.1.7.1. Acts that may tend to indicate poor judgment, unreliability, or untrustworthiness, or lack of suitability for Presidential support duties.
- E4.1.7.2. Imposition of punishment under Article 15, UCMJ (reference (e)) for a minor offense.
- E4.1.7.3. Immediate family are citizens of another country. Immediate family under this Instruction includes spouse, offspring, living parents, brothers, sisters, or other relatives or persons to whom the individual is closely linked by affection or obligation. It must be determined that family members are not subject to physical, mental, or other forms of duress by a foreign power and who do not advocate or practice acts of force or violence to prevent others from exercising their rights under the constitution or laws of the United States or any State or subdivision thereof.
- E4.1.7.4. Any use of marijuana by active duty military personnel, or current use by civilian personnel or contractor employee, or under the auspices of the "delayed enlistment program." An individual who has experimented with marijuana may be nominated for Presidential support duties provided the individual has indicated the intent not to use marijuana or any other narcotic, dangerous drugs, or psychoactive substances in the future.

E5. ENCLOSURE 5

PRESIDENTIAL SUPPORT PROGRAM STANDARDS

- E5.1.1. The appeal procedures for DoD civilian and contractor employees not approved for or removed from Presidential support duties shall be implemented by the office making that decision. Denial for or removal from Presidential support duties is not a decision affecting access to classified information, unless the individual's security clearance is also denied, revoked or suspended. Individuals whose clearances are denied or revoked by Central Adjudication Facilities shall be provided the appeal procedures contained in DoD 5200.2-R (reference (c)) or DoD 5220.6 (reference (d)) instead of these procedures in this enclosure. Individuals shall be provided appeal procedures in this enclosure instead of reference (c) or reference (d) unless the individual's clearance is denied, revoked or suspended.
- E5.1.2. Whenever it has been determined that a DoD civilian or contractor employee does not meet the standard for assignment to or retention in Presidential support duties, the individual shall be:
 - E5.1.2.1. Provided a written explanation for the action being taken;
 - E5.1.2.2. Given an opportunity to reply in writing;
 - E5.1.2.3. Provided a written final decision; and
 - E5.1.2.4. Afforded an opportunity to appeal.
- E5.1.3. Any person who is given notification and afforded an opportunity to appeal may, within 60 calendar days of the date on which the individual is notified of his or her denial or removal from Presidential support duties, submit a written appeal to the authority specified in the notification. The written material submitted for consideration may include any information that the person believes will assist the specified authority in reviewing the case.
- E5.1.4. After further review of the case considering the written appeal, the person shall be notified in writing, by the authority specified in the notice of appeal, of the decision in the case.
- E5.1.5. If the authority specified in the notice of appeal reaffirms, in writing, the original decision, the individual may, within 30 calendar days of the date on which the

individual is notified, request a final review of the case. The final review shall only be available in cases in which new evidence is presented or the applicant can show gross abuse of discretion. Then, the Executive Secretary of the Department of Defense shall review the case pursuant to DoD Directive 5210.55 (reference (a)), and shall inform the person of the decision, which shall be final.

E6. <u>ENCLOSURE 6</u> SAMPLE TRANSMITTAL MEMORANDUM

MEMORANDUM FOR THE EXECUTIVE SECRETARY OF THE DEPARTMENT OF DEFENSE

SUBJECT: Personnel Investigative File

- 1. (Enter name) has been nominated and is selected for (state initial or continued assignment) to (identify the specific Presidential support activity) as a (identify the individual's specific duty assignment; i.e., aviation maintenance technician, security policeman, steward, rotor blade examiner, OR switchboard operator, etc.).
- 2. The attached investigative file on (enter name, rank or civilian grade, SSN, Military Department, or DoD employing Agency or contractor facility) has been completed, in accordance with DoD Directive 5210.55, and is forwarded for review.
- 3. Those duties are addressed in (specify category) and require completion of a favorable SSBI or NACLC.
- 4. State that the attached file contains no derogatory information, or that the attached file contains derogatory information summarized below. (Summarize derogatory information as subparagraphs here).
- 5. (Enter name) (is) recommended for assignment to the activity and duties for which selected. (Justify the recommendation and non-recommendation if derogatory information is in the file. Specifically identify all reasons for a recommendation or non-recommendation that a contractor employee shall not be selected for the particular position in question.)
- 6. If applicable, state that the individual's effectiveness or performance reports have been reviewed and found acceptable.

7. Investigative file indicates that the SSBI (was completed on (specific date) and the NACLC was completed on (specify date)).

E7. ENCLOSURE 7

INFORMATION REQUIREMENTS

- E7.1.1. Each Head of a DoD Component responsible for assignment of military or civilian personnel, or contractor employees, to Presidential support duties shall submit to the Executive Secretary a two-part quarterly report, as follows:
- E7.1.1.1. Part One shall list all personnel serving in Presidential support duties as of the end of the quarter. The report shall include the individual's name, grade or rank, SSN, and the PSA assignment or employing Agency.
- E7.1.1.2. Part Two shall list all personnel transferred to, or deleted from, the list of assigned or employed personnel since the last quarter. The report shall include the individual's name, grade or rank, SSN, and PSAs where individual was previously assigned or employed.
- E7.1.2. Two copies of the report shall be submitted for the first full quarter that ends subsequent to the effective date of this Instruction, and each quarter, thereafter. Reports shall reach the Executive Secretary within 15 working days after the end of the quarter.
- E7.1.3. The report shall be marked "FOR OFFICIAL USE ONLY," unless the originators determine that a higher security classification is required and warranted under other DoD security Directives. This report has been assigned Report Control Symbol DD-SD (Q)934.