INACTIVE - ALL ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: N1-GRS-87-010

All items in this schedule are inactive. Items are either obsolete or have been superseded by newer NARA approved records schedules.

Description:

In Fiscal Year 2013, the GRS Team began a five year project to update and revise the General Records Schedules (GRS) under OMB/NARA M 12 18, Managing Government Records Directive. The old GRS was completely superseded.

See https://www.archives.gov/records mgmt/grs for the revised GRS, crosswalks, faqs, tools, and other resources.

Date Reported: 4/2/2019

REQUEST FOR RECORDS DISPOSITION AUTHORITY (See Instructions on reverse)			лов ио.	LEA	VE BLANK	
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I hereby cert that the reco agency or w Accounting (attached,	tify that I am authorized to act for this agenords proposed for disposal in this Request of till not be needed after the retention perion office, if required under the provisions of Technology is attached; or the provisions of C. signature.	f1 page(s ds specified; and itle 8 of the GAO	s) are not now that written of Manual for Go	neede concui uidan	ed for the burrence from ce of Federa	siness of this the General I Agencies, is
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	These records should be consider General Records Schedule. National Defense Executive Reservational Defense Executive Reservation in the NDER is a program for recruit enced business executives and other serve in key government position emergency. Reservists augment to ments and agencies when organizate to respond to national security. Reservists come from all civiliate business and industry, education ment, transportation, and others. Federal departments and agencies responsibilities are authorized. Federal Emergency Management Agencies responsibilities are authorized. Federal Emergency Management Agencies revaluating the program. It coort thirteen sponsoring departments units, sets recruitment and train Reservist applications. A term gram is for a period of three yealimit on the number of persons a in the NDER, but FEMA sets ceiling the program is for a period of three yealimit on the number of persons a fin the NDER, but FEMA sets ceiling the program is for a period of three yealimit on the number of persons a fin the NDER, but FEMA sets ceiling the number of persons and the NDER, but FEMA sets ceiling the number of persons and the NDER, but FEMA sets ceiling the number of persons and the NDER, but FEMA sets ceiling the number of persons and the NDER, but FEMA sets ceiling the number of persons and the NDER, but FEMA sets ceiling the number of persons and the NDER, but FEMA sets ceiling the number of persons and the NDER is the number of persons and the n	iting and traing ther civilian parts during period the staffs of fations must rape emergencies. In professions: In professions: In energy, labors: In energy, labors: In the Director of the parts of membership ears. There is authorized to provide the provided to provided the provided	aing experi- personnel to desof nation dederal depa didly mobili agricultu or, manage- obilization or of the establish estering and etivities of with Reserve in the pro- in the pro- in ostatuto participate	nal rt- ze re,		Ditems

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REQUEST	FOR RECORDS DISPOSITION AUTHORITY — CONTINUATION JOB NO.	RS-87-18	
7. ITEM NO.	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. GRS OR SUPERSEDED JOB CITATION	10. ACTIO TAKEN (NARS US ONLY)
	sponsoring agency requests. The extent of the program depends on the emergency needs and responsibilities of the participating agencies. The NDER currently has about 2,300 designated members.		
	Authority for the NDER program is contained in the following:		
	a. The Defense Production Act of 1950, as amended (section $710(e)$ and		
	b. Executive Order 11179 of September 22, 1964 as amended by Executive Order 12148 of July 20, 1979.		-
	The thirteen departments and agencies of the Federal Government designated in Executive Order 11490 are responsible for applying the provisions of Federal Preparedness Circular #24 in the administration of the NDER program.		-
	The files contain FEMA form 85-3 National Defense Executive Reserve Qualifications Statement, which includes such items as name, state of birth, social security number, and other personnel and administrative records, skills inventory, training data, and other related records necessary to coordinate and administer the NDER program.		
	The files are arranged alphabetically by reservists last name.		
	Authorized Disposition		
,	Destroy 5 years after reservists terminates from the NDER program		
	Applications of those indivuduals who apply for assignment and which are rejected are kept for 5 years and then destroyed.	-	
	See attached		

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THE NATIONAL DEFENSE EXECUTIVE RESERVE (NDER) Policies and Procedures

1. Introduction.

- a. The Defense Production Act of 1950, as amended, section 710(e)r, authorizes the President to establish and train a nucleus Executive Reserve. This section is reproduced in Appendix A.
- b. Executive Order 11179, dated September 22, 1964, as amended, provides for the establishment and administration of the National Defense Executive Reserve (NDER)r. It is reproduced in Appendix B.
- c. National Security Decision Directive Number 47, dated July 22, 1982, sets forth emergency mobilization preparedness policy that will ensure that government at all levels, in partnership with the private sector and the American people, can respond decisively and effectively to any major national emergency with defense of the United States as the first priority. The Directive sets forth general principles which apply to all emergency programs, while the division between national security and domestic emergency principles emphasizes that the respective and appropriate response for each category may differ. Taken together, these principles define a common ground upon which mobilization programs can be developed and used at the discretion of the President to prevent avoidable emergencies, to combat and reduce the effects of those that are unavoidable, and to mitigate the effects of those that do occur.

National Security Decision Directive Number 47 details principles on which emergency mobilization preparedness programs for national security emergencies are based. As a program for national security emergencies, the National Defense Executive Reserve program provides for a standby system for attracting executives to critical mobilization tasks, if necessary. The program facilitates the channeling of skilled workers toward the most critical mobilization needs. It provides for maximum reliance on voluntary mechanisms to allocate human resources to critical emergency mobilization tasks.

- d. The NDER is a Federal Government program that provides a reserve of highly qualified individuals from industry, organized labor, professional groups, and the academic community to serve in executive positions in the Federal Government in time of national security emergency.
- e. The NDER exemplifies the cooperation between the public and private sectors of our society. Reservists give part of their time on a voluntary basis preparing to serve the Nation in time of crisis. Their employers agree to the standby appointments and to their participation in the program.
- f. This manual explains basic policies for the NDER and prescribes standards and procedures for administration of the program.

2. General Policy.

a. The Director of the Federal Emergency Management Agency (FEMA), hereinafter called the Director, is charged with developing policies and planning guidance for the NDER and overall coordination of the NDER program. Management of the NDER shall be based on centralized policy development by the Federal Emergency Management Agency and decentralized execution of NDER program plans by agencies sponsoring NDER units. FEMA's responsibilities include the provision of appropriate standards for staffing and training and monitoring of the activities of NDER units.

b. As authorized by Section 3 of Executive Order 11179, the Director may use the services of other departments or agencies to maintain membership rosters and develop training programs and materials.

c. An Interagency NDER Committee, composed of representatives of the heads of departments and agencies that sponsor NDER units and chaired by FEMA, will advise the Director on matters concerning the NDER program.

3. <u>General Membership Conditions</u>. Members of the NDER accept the following conditions:

- a. They will maintain active participation with the Federal agency to which they are assigned and attend scheduled training meetings and exercises.
- b. They will report without delay for full-time government employment within the assigned agency upon being activated in the event of a national emergency.
- c. They will serve as a member of the Reserve without compensation, except for reimbursement for expenses incurred while training.
- d. They agree to serve for a period of 3 years, with a possible extension for additional 3-year terms.
- e. They will inform the agency to which they are assigned if they become unavailable for full-time government employment.
- f. They will secure concurrence from their employers for their commitment to the National Defense Executive Reserve.

4. Administration of the NDER Program.

a. The head of any Federal agency with emergency preparedness responsibilities under Executive Order 11490, as amended (by Executive Orders 11921 of 1976 and 12148 of 1979), hereinafter "agency," may establish a unit of the Executive Reserve after receiving concurrence from the Director.

b. The following criteria shall apply in the establishment and maintenance of NDER units:

- (1) An NDER unit shall be established for the purpose of augmenting the agency with trained personnel in a time of national emergency. Augmentation requirements shall be defined by the agency head.
- (2) National Defense Executive Reservists may be used in an emergency to augment executive functions as required by the emergency. The intent of the National Defense Executive Reserve program is to establish and train a nucleus Executive Reserve to serve in executive positions in the Federal Government in times of national emergency.
- (3) The augmentation functions of members of an NDER unit shall be described by an emergency organizational chart, position descriptions, and staffing tables related to agency organization and augmentation plans. These documents must be approved by the head of the agency. In preparing them, agencies should follow the principle that Reservists will not be assigned to positions filled by regular employees.
- (4) Each NDER unit shall be directed by an agency official designated to be responsible for it by the head of the agency. The name of the designated official shall be furnished to FEMA.
- c. Administration of NDER units is the responsibility of the agency sponsoring the unit. Recruitment, security clearance, training, travel, pay, personnel records, and other administrative matters shall be accomplished by the agency in accordance with the provisions of this circular and Federal standard operating procedures.
- d. Funds for the training, travel, and administrative support of NDER personnel shall be the funding responsibility of the sponsoring agencies.
- e. NDER units may be disestablished by an agency head concerned. This action shall be reported to the Director.
- f. Information, data, reports, and copies of documents required to be sent to FEMA shall be addressed to the Director, FEMA, Attn: NDER/Program.
- 5. Membership Requirements. The following standards apply to selection and designation of Reservists:
 - a. Candidates shall be U.S. citizens.
- b. There shall be no discrimination in selecting members because of race, color, religion, sex, age, national origin, or against qualified handicapped individuals. Positive steps shall be taken to ensure the realization of this policy as an extension of the government's equal employment opportunity program.
- c. Members of the Ready Reserve (including the National Guard)r, retired military personnel with mobilization orders, active Federal employees, and State and local government employees with emergency assignments are not eligible for NDER membership. People campaigning

for or elected to public office are not to be considered or appointed in the NDER because of the obligation they have (or would have if elected) to their constituencies.

- d. Prospective members must possess the qualifications required to perform their planned emergency assignments. Qualifications for Federal positions are described in the Office of Personnel Management (OPM) Manual X-118.
- 6. <u>Procedures for Designating Members</u>. The following steps shall be taken in designating members of the NDER:
- a. The sponsoring department or agency shall ask the candidate to complete the application for the National Defense Executive Reserve program. The sponsoring agency shall review the data to assure that the applicant meets all basic membership qualifications.
- b. The sponsoring agency shall review the data and/or supporting materials to assure that both the candidate and the candidate's employer are in agreement that the candidate may participate in the National Defense Executive Reserve program.
- c. The sponsoring department or agency shall then complete a security name check on each candidate. When the candidate returns the completed forms, the sponsoring agency shall conduct a security investigation of the candidate in accordance with its current security regulations. All members of the NDER shall be cleared for access to at least SECRET information.
- d. Upon completing the security name check, the sponsoring agency shall send a copy of the completed application for the National Defense Executive Reserve program to the Director. Copies of the completed application for membership in the National Defense Executive Reserve shall be available for the agency sponsoring the NDER unit to which an applicant is being assigned; the requesting official; the Director, FEMA; and the NDER applicant. FEMA will enter the data from the form into the NDER Central Register. In accordance with Section 5 (2) of Executive Order 11179, the Secretary of a department or head of an agency shall submit the name of the prospective designee to the Director, FEMA, for approval. Upon approval of the prospective designee by the Director, FEMA, the Secretary concerned may designate the individual as a member of the Executive Reserve unit of his/her department or agency.
- e. When the sponsoring agency has fully approved the candidate, the head of that agency shall issue a Certificate of Membership in that agency's Executive Reserve unit and a letter to the candidate informing him or her of the designation. The head of that agency shall notify FEMA's Director for updating of the NDER Central Register by sending a copy of the letter of designation and a copy of the designee's (Reservist's) application for the National Defense Executive Reserve program to FEMA.

- f. Appointments of members shall not exceed 3 years. Procedures for redesignating members for additional terms of service are given in paragraph 11 of this manual.
- g. Reservists shall be assigned to specific emergency positions included in staffing tables and position descriptions that are approved by the head of the sponsoring agency or his/her designees.

7. Conflict of Interest Provisions.

- a. Provided they do not act or advise on any matter pending before any Federal department or agency, Reservists are not subject to any conflict of interest provisions of law during training periods. They are not considered officers or employees of the Federal Government during those times in which they merely receive training for mobilization assignments under the Reserve program. If, on the other hand, an agency is retaining or using Reservists as "special government employees" in nonemergency periods, these individuals would be subject to the prohibitions referred to below.
- b. It is anticipated that under most of the many possible emergency situations, Reservists could be appointed or employed as a "special government employee" within the meaning of that term as defined in Section 1(a) of Public Law 97-849, as amended (18 U.S.C. 202(a)). As so defined, the term includes, among others, officers and employees of the departments and agencies who are appointed or employed to serve, with or without compensation, for not more than 130 days during any period of 365 consecutive days on a full-time or intermittent basis.
- c. When Reservists are called to Federal employment, sponsoring departments and agencies shall inform their Reservists of the provisions of the following: Bribery, Graft, and Conflict of Interest Statutes (18 U.S.C. Chapter 11)r, the Ethics in Government Act of 1978, Executive Order 11222, the Office of Personnel Management Post Employment Conflict of Interest regulations, and the sponsoring department or agency Conflict of Interest regulations. A copy of the Office of Personnel Management Regulation is at Appendix D. If sponsoring departments or agencies know of specific legislation concerning the financial interest of their employees, they should also inform their Reservists of these provisions.
- d. As special government employees, activated Reservists will not be restricted to as great an extent as regular employees. For special employees there is no bar against continuing to receive compensation from his or her private employer during the period when he or she is performing services for the government. Also, the restrictions in 18 U.S.C. 203 and 205 against representing anyone else (with or without pay) except in the discharge of his or her official duties, before a court or government agen yrin a matter in which the United States is a party or has an interest, apply only to those matters in which the special employee has at anytime participated personally and substantially for the government, or which is pending in the department or agency in which he or she is serving.

e. Inquiries about conflict of interest and the Ethics in Government Act should initially be referred to the sponsoring department or agency's Ethics Counselor. The Counselor may wish to contact the Office of Government Ethics, Office of Personnel Management, Room 4366H, 1900 E Street, N.W.r., Washington, D.C. 20415, for consultation with regard to the application of Federal restrictions in specific cases.

8. Orientation and Training.

- a. Sponsoring agency NDER program officials shall give each newly designated Reservist a thorough orientation covering the overall NDER program, the emergency operations of the sponsoring agency, and his or her specific assignment. However, it is recognized that actual mobilization conditions may require modification or shifting of Reservists' assignments.
- b. Reservists shall be kept abreast of their expected duties and of new developments in the agency preparedness programs by attendance at formal training programs at least annually.
- c. NDER program officials shall design orientation and training for Reservists so as to foster mutual understanding and support of emergency mobilization preparedness activities and to maintain relations with appropriate nongovernmental sectors. NDER training policies and program guidance will be published separately.

9. Activating Reservists.

- a. In the event of a situation which would make it advantageous to have the services of NDER personnel, the Director, FEMA, will recommend to the President that he declare a national emergency for the purpose of providing general authority to activate the NDER. Agencies hosting NDER units may request the Director, FEMA, to take such action. When the President declares a national emergency, pursuant to the authority vested in him by the Constitution and the laws of the United States including the National Emergencies Act, 50 U.S.C. 1601 et seq., he may include reference to the authority vested in him as President by the Defense Production Act 50 U.S.C. App. 2160(e) and may delegate general authority to agency heads to activate members of the National Defense Executive Reserve either by unit, as individuals, or both.
- b. Once general authority to activate NDER personnel has been established, sponsoring agencies may activate their own NDER personnel as they deem appropriate.

Authority for appointing Reservists to positions after they have been activated by the President in a national emergency may be found in Federal Personnel Manual, Part 910-9. Appointments in the event of an attack on the United States are addressed in the Federal Personnel Manual Supplement 990-3, Part M-33, located at Appendix E.3.

10. Nonemergency Employment of Reservists. Departments and agencies wishing to appoint individual Reservists as Federal employees or consultants at any time other than a national emergency must follow established Office of Personnel Management procedures applying to all prospective Federal employees.

11. Redesignation, Transfer, and Termination.

- a. Only Reservists who have attended at least one training session annually during a 3-year term that is ending or have otherwise participated in approved training may be redesignated for an additional term. However, sponsoring agency officials who are responsible for the respective NDER units, in the exercise of their best judgment, may authorize Reservist redesignation based on consideration of special circumstances and conditions on a case-by-case basis.
- b. Sponsoring agencies wishing to redesignate a Reservist shall furnish the Director the date of redesignation and any address changes, home or business.
- c. If the Reservist has changed employers since the previous designation, the sponsoring agency must obtain a current application for the National Defense Executive Reserve program completed by the Reservist and the new employer.
- d. Agencies wishing to transfer a Reservist from one unit to another must obtain advance concurrence from the releasing agency, the Reservist, and the Reservist's employer. The receiving agency shall notify the Director in writing of this transfer.
- e. Reservists may resign at any time. Agencies may terminate an individual's membership when it is determined that the Reservist's services are no longer required. Membership terminates automatically when a term expires without redesignation or when the Reservist fails to meet any of the basic membership requirements. A copy of any letter of resignation or termination shall be sent to the Director. FEMA will be notified of all terminations and appointments.
- f. A Reservist who has served with distinction and who is not redesignated for any reason may be placed in Reservist Emeritus Status. These Reservists may participate in training programs or other activities by which units benefit from their knowledge and experience. However, Emeritus Reservists will not be given emergency assignments and will not be called to duty in a national emergency without their consent. Agencies shall inform the Director when Reservists are placed in this category.
- 12. <u>Reports.</u> Departments and agencies sponsoring units shall submit the following reports to the Director, who is required to report annually to the President on the NDER program:
- a. Quarterly Reports. Within 10 workdays after the close of each quarter, agencies shall inform the NDER program in the National Preparedness Programs Directorate, FEMA, in writing of:

- (1) The number of active and emeritus members in each unit at the end of that quarter; and
- (2) Training activity in the last quarter and training plans for the coming quarter, including a description of the program; its location; the number of Reserve, Federal, State, local, and guest participants; and the dates. FEMA will give all participating agencies quarterly summaries of these reports.
- b. Annual Report. By the last workday of October, sponsoring departments and agencies shall give FEMA a written evaluation of their NDER activities during the past fiscal year. FEMA will issue instructions on preparing this report by September 15 of the year to be covered in the report.

13. Records.

- a. The Director shall maintain a central register of all NDER members and candidates. The register will be used to compile periodic and special reports and prevent duplication in NDER recruiting. If a candidate is removed from consideration, the Director will be notified promptly.
- b. Agencies sponsoring NDER units shall keep records that will enable them to report quarterly the following types of information:
- (1) Agency professional and clerical staff years and costs directly and indirectly chargeable to NDER activities;
- (2) Other agency costs directly chargeable to NDER activities, including specific costs for staff travel, member travel, printing, and security investigations;
- (3) Nonappropriated funds collected and disbursed by Reservists in support of their training sessions;
- (4) Numbers of active members, female active members, minority active members, emeritus members, new members added in the past year, members terminated in the past year, candidates under consideration, members redesignated in the past year, and redesignations pending;
- (5) Numbers of active members falling into the following categories: businesses with more than 500 employees, businesses with fewer than 500 employees, Federal Government, State and local government, organized labor, academic community, self-employed, retired, and other;
 - (6) Specific emergency assignments of members;
 - (7) Number of NDER participants in training programs;
 - (8) The purpose, highlights, and accomplishments of training programs;
 - (9) The qualifications of individual members.

APPENDIX A

THE DEFENSE PRODUCTION ACT OF 1960, AS AMENDED

Section 710(e)

The President is further authorized to provide for the establishment and training of a nucleus executive reserve for employment in executive positions in Government during periods of emergency. Members of this executive reserve who are not full-time Government employees may be allowed transportation and per diem in lieu of subsistence, in accordance with title 5 of the United States Code (with respect to individuals serving without pay, while away from their

homes or regular places of business), for the purpose of participating in the executive reserve training program. The President is authorized to provide by regulation for the exemption of such persons who are not full-time Government employees from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U.S.C. 99).

APPENDIX B

Executive Order 11179

Providing for the National Defense Executive Reserve

By virtue of the authority vested in me by the Constitution and statutes of the United States, including Sections 703(a) and 710(e) of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2153(a); 2160(e)), and as President of the United States, it is hereby ordered as follows:

Section 1. There shall be in the Executive Branch of the Government a National Defense Executive Reserve composed of persons selected from various segments of the civilian economy and from government for training for employment in executive positions in the Federal Government in the event of the occurrence of an emergency that requires such employment.

Sec. 2. The Director of the Office of Emergency Planning (hereinafter referred to as the Director) shall administer the Executive Reserve program; coordinate the activities of other agencies in establishing units of the Reserve; provide for appropriate standards of recruitment and training; approve prospective members of the Executive Reserve; and issue necessary rules and regulations in connection with the program.

Sec. 3. The Director, in carrying out his responsibilities under this order, may utilize the services of other departments and agencies in the maintenance of agency and centralized rosters and in the development of training programs and materials.

Sec. 4. (a) The head of any department or agency of the Government (hereinafter referred to as a Secretary), designated by the Director after appropriate consultation, may establish a unit of the Executive Reserve (hereinafter referred to as Executive Reserve Units) in his respective department or agency.

(b) Executive Reserve Units existing under Executive Order No. 10660 of February 15, 1956, as amended, on the date of this order shall

henceforth be deemed to be Executive Reserve Units under this order.

Sec. 5. Membership in Executive Reserve Units shall be subject to the following:

- (1) Subject to the provisions of this order, particularly paragraph (4) of this section, an individual who on the date of this order was a member of an Executive Reserve Unit under Executive Order No. 10660 may continue to serve therein without further designation.
- (2) A Secretary desiring to designate an individual to serve as a member of an Executive Reserve Unit of his department or agency shall submit the name of the prospective designee to the Director for approval. Upon approval of the prospective designee by the Director, the Secretary concerned may designate the individual as a member of the Executive Reserve Unit of his department or agency.
- (3) An individual whose membership in an Executive Reserve Unit has at any time expired, or is at any time about to expire, under the terms of this order may be redesignated as a member under the procedure set forth in paragraph (2) of this section.
- (4) Without limiting the authority of the respective Secretaries to terminate the membership of any individual in an Executive Reserve Unit at any time, it is directed that continued service of a member under paragraph (1) of this section, and the designation or redesignation of a member under paragraph (2) or (3) of this section, respectively (including any designation of an individual occurring at the expiration of his continued service under paragraph (1)), shall be for a period not to exceed three years.

Sec. 6. Activities of any person by reason of his continuance, designation, or redesignation as an Executive Reservist under this order shall not include acting or advising on any matter pending

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before any department or agency but shall be limited to receiving training for mobilization assignments under the Reserve program.

Sec. 7. The Director shall report to the President annually, and at such other times as may be appropriate, on the status and operation of the Executive Reserve program.

Sec. 8. Executive Order No. 10660 of February 15, 1956, entitled "Providing for the Establishment of a National Defense Executive Reserve," as amended, is hereby superseded.

Lyndon B. Johnson

The White House, September 22, 1964.

APPENDIX C

NDER UNITS

Department of the Army
Military Traffic Management Command

Department of Commerce
Office of Industrial Resource Administration
Office of Export Administration

Department of Energy
Emergency Electric Power Administration
Emergency Petroleum and Gas Administration
Emergency Solid Fuels Administration

Department of Housing and Urban Development

Department of the Interior Emergency Minerals Administration Emergency Water Administration

Department of Labor
Employment Standards Administration

Department of the Navy
Military Sealift Command

Department of Transportation
Office of Emergency Transportation
Maritime Administration

Interstate Commerce Commission National Headquarters Railroads Motor Carriers Inland Water Carriers

Federal Emergency Management Agency

Headquarters Region I Region II Region III

Region IV Region V Region VI

Region VII

Region VIII
Region IX

Region X