

**DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000**

IN REPLY REFER TO

Canc: Nov 2002

BUPERSNOTE 12300
PERS-08
10 Dec 01

BUPERS NOTICE 12300

From: Chief of Naval Personnel

Subj: PERSONNEL ISSUES RELATED TO ATTACKS ON THE WORLD TRADE CENTER AND THE PENTAGON - APPOINTMENT AUTHORITY AND POLICY WAIVERS

Ref: (a) Office of ASN (M&RA) Memo of 19 Sep 2001 (NOTAL)

1. Purpose. To publish guidance concerning the filling of vacancies in support of directly related functions associated with the attacks on the World Trade Center and the Pentagon.

2. Background. Per reference (a), the Office of Personnel Management (OPM) and Department of Defense (DOD) has provided temporary excepted appointment authority for up to 1 year to reemploy former Federal employees or to hire new employees in support of rescue, recovery, investigation, military support and directly related functions, associated with the attacks on the World Trade Center and the Pentagon. The authority may be used to fill positions temporarily, including those at senior levels. Appointments are exceptions to Reemployment Priority List and Interagency Career Transition Assistance mandatory placement requirements. These actions are also excepted from the mandatory placement provisions of the Defense Priority Placement Program. This authority will be used exclusively for temporary appointments of up to 1 year, regardless of the anticipated term of temporary employment.

a. This means that former Federal employees hired under this temporary appointing authority will, under most circumstances, not have to repay any voluntary separation incentive pay (VSIP) payment they received. Federal retirees hired under this authority will, if a waiver is granted, be able to receive their full annuity and appropriate pay for their positions.

b. The waiver for dual compensation limits for temporary reemployment of former Federal employees who have retired allows them to receive their annuity and all appropriate pay in support of the specific functions.

3. Action. Conditions and reporting requirements for use of these authorities are addressed below. These delegations and waivers expire on 30 September 2002.

a. Temporary excepted service (Schedule A) appointments not to exceed 1 year may be used for filling vacancies in support of security, rescue, investigation and directly related functions associated with the attacks on the World Trade Center and the Pentagon.

b. Waiver of VSIP repayment:

(1) Certain non-Defense agency buyout laws did not provide for a waiver of the VSIP repayment. If the individual considered for employment received VSIP under one of the non-Defense authorities check for eligibility for waiver. Individuals who received VSIP from a DOD activity are eligible for the waiver.

(2) The following documentation is required when hiring an individual who received VSIP from a DOD activity:

(a) Approval in writing prior to reporting date.

(b) Name, grade, title and classification series of each employee.

(c) The reason(s) the employee was essential to the effort.

(d) The agency name and location of activity which paid the VSIP.

(e) The statute under which the VSIP was paid.

(f) Other information may be required by chain of command.

c. Waiver of Dual Compensation Reduction:

(1) Annuitant must have declined an offer to take the temporary position without a waiver.

(2) The following documentation is required when hiring an individual who is a reemployed annuitant:

(a) Approval in writing prior to reporting date.

(b) Annuitant's name and civil service retirement number.

(c) Annuitant's statement declining employment without the waiver.

(d) Position title, series, pay plan, grade and duty station.

(e) Brief statement of how the position's duties directly and solely support the response to the attacks.

(f) Other information may be required by chain of command.

4. All requests for waivers for use with these appointing authorities must have the appropriate documentation attached and be forwarded to the Civilian Personnel Policy and Programs Office, (PERS-08), for approval.

G. L. HOEWING
Rear Admiral, U.S. Navy
Deputy Chief of Naval Personnel

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