DEPARTMENT OF THE ARMY
OFFICE OF THE DEPUTY CHIEF OF STAFF, G-1
300 ARMY PENTAGON
WASHINGTON, DC 20310-0300

REPLY TO
ATTENTION OF

2 6 MAR 2014

DAPE-CPZ

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Employment of Retired Members of the Armed Forces

1. References:

a. Memorandum, Deputy Assistant Secretary (Civilian Personnel Policy), dated September 27, 2001, subject: Appointment of Retired Members of the Armed Forces to Positions in the Department of the Army (hereby superseded)

b. Memorandum, DAPE-CP, dated April 07, 2005, subject: Employment of Retired Members of the Armed Forces (hereby superseded)

c. Section 3326(b)(3) of title 5, United States Code

d. Department of Defense Instruction (DoDI) 1402.01, dated September 9, 2007, subject: Employment of Retired Members of the Armed Forces

e. Memorandum, Acting Deputy Assistant Secretary of Defense (Civilian Personnel Policy), dated September 24, 2001, subject: Appointment of Retired Members of the Armed Forces to Positions in the Department of Defense

f. Notice of September 10, 2013, Continuation of the National Emergency With Respect to Certain Terrorist Attacks, 78 Federal Register 56581 (September 12, 2013)

2. Reference 1c allows the appointment of retired members of the armed forces to a position in the civil service in or under the Department of Defense (including a nonappropriated fund instrumentality under the jurisdiction of the armed forces) within the 180 days immediately after retirement only if a waiver is approved as authorized by the statute, or if the minimum rate of basic pay for the position has been increased under the special pay authority of 5 U.S. Code §5305, or if a state of national emergency exists. Pursuant to reference 1e as long as the state of national emergency declared by the President continues in effect, an

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appointment may be made within 180 days of military retirement without a waiver under 5 U.S. Code §3326(b)(1) or the corresponding waiver documentation requirements of 5 U.S. Code §3326(c). Should the state of national emergency cease, the waiver requirements and procedures outlined in reference 1d or any subsequent applicable DoD guidance must be complied with.

3. Though a 180-day waiver is not required during the state of national emergency, the laws and regulations pertaining to merit system principles and prohibited personnel practices remain in effect.

4. Point of contact is Ms. Debra Glenn, telephone 703-806-3851, DSN 656-3851 or email debra.g.glenn.civ@mail.mil.

JAY D. ARONOWITZ
Assistant G-1 for Civilian Personnel

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