



Department of Defense **INSTRUCTION**

NUMBER 1400.36

June 2, 2008

USD(I)

SUBJECT: DoD Implementation of the Joint Intelligence Community Duty Assignment (JDA) Program

- References:
- (a) DoD Directive 1400.36, "Intelligence Community Officer (ICO) Programs," March 5, 2002 (hereby canceled)
 - (b) DoD Directive 5143.01, "Under Secretary of Defense for Intelligence (USD(I))," November 23, 2005
 - (c) DoD Instruction 5025.01, "DoD Directives Program," October 28, 2007
 - (d) Intelligence Community Directive Number 601, "Human Capital Joint Intelligence Community Duty Assignments," May 16, 2006¹
 - (e) through (g), see Enclosure 1

1. PURPOSE

This Instruction:

1.1. Reissues Reference (a) as a DoD Instruction under the authority in Reference (b) and the guidance in Reference (c) and renames it "DoD Implementation of the Joint Intelligence Community Duty Assignment (JDA) Program."

1.2. Establishes DoD policy for the implementation of the Director of National Intelligence (DNI) Joint Intelligence Community (IC) Duty Assignment Program (Reference (d)) within the Department of Defense.

2. APPLICABILITY AND SCOPE

2.1. This Instruction applies to the Office of the Secretary of Defense, the Military Departments (including the Coast Guard at all times, including when it is a service in the Department of Homeland Security by agreement with that Department), the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field

¹ http://www.dni.gov/electronic_reading_room/electronic_reading_room.htm.

Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the “DoD Components”).

2.2. The JDA Program is a DNI leadership development program consisting of two components. First, the temporary detail or permanent appointment of employees to JDA positions that provide substantive professional, technical, or leadership experience in more than one IC element, department, or organization. Second, the Joint Leadership Development Program (JLDP), a training program designed to develop the workforce who will lead with a community perspective and strategic outlook. Completion of both components of the JDA Program will result in JDA Program certification. However, completion of the JLDP is waived until such time as the JLDP is established and implemented.

2.3. The JDA program is implemented within DoD by this Instruction. The USD(I) will work cooperatively with the Director of National Intelligence to facilitate synchronization and integration of the JDA program with personnel programs within the Defense Intelligence Components. The JDA program includes all personnel covered in the Defense Civilian Intelligence Personnel System (DCIPS) unless excluded as provided for in this Instruction. All requests for detailees external to the Department to perform duties in the fields of intelligence, counterintelligence, or security not covered by this Instruction shall be processed in accordance with procedures outlined in DoD Directive 1000.17 (Reference (e)).

2.4. JDA positions shall be limited to those classified at General Grade (GG) 13 and above (or equivalent).

2.5. This Instruction does not apply to the Active and Reserve members of the Military Departments.

3. DEFINITIONS

Terms used in this Instruction are defined at Enclosure 2.

4. POLICY

It is DoD policy that:

4.1. The DoD implementation of the JDA Program shall provide DCIPS employees with increased experience and understanding of IC missions and functions.

4.2. JDA Program certification shall be a requirement for all DCIPS positions classified above GG-15, or equivalent.

5. RESPONSIBILITIES

5.1. The Under Secretary of Defense for Intelligence (USD(I)), in accordance with Reference (d) and the Memorandum of Agreement between the Secretary of Defense and DNI (Reference (f)), shall:

5.1.1. Oversee the implementation, management, and execution of JDA Program for the Defense Intelligence Components.

5.1.2. Approve the designation of internal positions that provide JDA experience.

5.1.3. Approve requests for JDA Program certification exemptions.

5.1.4. Approve requests for JDA Program certification waivers.

5.1.5. Task, review, and analyze metrics from DoD implementation of the JDA Program, as needed.

5.1.6. Respond to DNI JDA Program reporting requirements on behalf of the Department of Defense.

5.1.7. Maintain copies of the JDA Memorandum of Agreement (MOA) for DoD personnel going on a JDA rotational assignment. Copies are available at: https://usdi.dtic.mil/usdi_docs/keyref/dcs/reldocs/2008/JD_MOA_26-Sept-07_03202008.pdf.

5.2. The Heads of the Defense Intelligence Components shall:

5.2.1. Meet appropriate JDA Program timelines as set by the USD(I).

5.2.2. Issue internal operating policy, as necessary.

5.2.3. Incorporate JDA Program requirements into component civilian personnel regulations, training and development programs, and Military Intelligence Program or National Intelligence Program submissions covering DCIPS personnel and positions, consistent with this Instruction.

5.2.4. Promote and encourage participation of eligible personnel in the JDA Program.

5.2.5. Provide to USD(I) a list of permanent and rotational internal positions by title, organization, and duty location that are recommended as designated JDA positions. Certain positions below the senior level may also be recommended.

5.2.6. Notify the USD(I), in writing, when a JDA-designated position is canceled or substantially modified so that the inventory of positions can be updated.

5.2.7. Provide, in writing, requests for waiver or exemption of JDA requirements to the USD(I) for review and adjudication.

5.2.8. Respond to USD(I) JDA Program data calls. Reports requested by the Office of the Director of National Intelligence (ODNI) shall be sent through the Office of the USD(I) (OUSD(I)).

5.2.9. Maintain and update Component-specific data in the ODNI JDA Program Database.

5.2.10. Provide a copy of the employee-signed JDA MOA to USD(I) within 30 days of the release of the employee to a JDA.

5.2.11. Designate a representative to coordinate JDA actions and participate on USD(I) and DNI sponsored committees or working groups.

5.2.12. Adjudicate employee claims for JDA credit.

5.2.13. Certify employees upon completion of JDA and JLDP.

5.2.14. Post all available Component JDA opportunities on the ODNI Joint IC Duty Web site.

6. PROCEDURES

6.1. Criteria for JDA Credit

6.1.1. A full-time employee may receive credit for JDA in one of the following ways:

6.1.1.1. Completing a temporary, rotational JDA of between 12 and 36 months in a position at or above the GG-13 level or equivalent in another IC element, or an organization outside the IC with a “successful” rating or higher.

6.1.1.1.1. Be approved by the employee’s first-level supervisor and second-level manager.

6.1.1.1.2. Have duties and responsibilities requiring that employee to acquire and apply substantial practical knowledge and understanding of the organization to which assigned, including its mission, structure, key personnel, and culture.

6.1.1.1.3 Be part of, and consistent with, that employee’s individual career development plan(s), as discussed with and approved by the employee’s first-level supervisor.

6.1.1.1.4. Meet competency requirements and career path(s) recommended by the individual’s professional community.

6.1.1.2. Serving at least 12 months in a position that has been specifically designated as providing JDA credit within the employee's own element.

6.1.1.3. Serving at least 12 months in another IC agency or element in a permanent position classified at a pay grade or rank of at least GG-13 or its equivalent.

6.1.2. Part-time employees may receive JDA credit if assigned to a designated JDA position and complete the equivalent of at least 12 months of full-time work.

6.1.3. In addition to departmental assignments, employees may receive JDA credit for comparable permanent or temporary assignments to organizations that include other inter-governmental, private sector, non-governmental, academic or educational, foreign national, or international organizations (e.g., the North Atlantic Treaty Organization) if the assignment meets the requirements of this Instruction.

6.1.4. The Head of a Defense Intelligence Component may request that USD(I) designate an internal position or assignment as providing joint experience. This may include certain liaison and equivalent positions (to include full-time, extended service on a multi-agency or joint task force or project team) that may provide employees with sufficient interagency experience to qualify as the equivalent of a JDA outside of that agency or element.

6.1.4.1. To qualify as a JDA equivalent, an internal assignment must involve significant policy, program, managerial, operational, liaison, tasking, or coordinating responsibility for resources, programs, policies, or operations that are carried out by the employee's agency or element, in conjunction with one or more other IC elements or organizations external to the IC. The assigned employee is required to acquire and apply extensive, first-hand knowledge and understanding of one or more other IC agencies, IC elements, or organizations external to the IC, to include:

6.1.4.1.1. Combatant Commands and Defense Agencies and DoD Field Activities

6.1.4.1.2. Other Federal agencies

6.1.4.1.3. State, local, or tribal governments

6.1.4.1.4. Joint terrorism task forces

6.1.4.1.5. Foreign partners

6.1.4.1.6. International organizations

6.1.4.2. To qualify for JDA credit, an internal assignment shall meet the JDA criteria outlined in 6.1.

6.1.5. Deployment to a designated combat zone for 179 days or more on permanent change of station, temporary change of station, or temporary duty orders is deemed to satisfy the 12-month minimum requirement for JDA credit.

6.1.6. Multiple assignments of 90 consecutive days or more shall be cumulatively applied to satisfy the 12-month minimum requirement for JDA credit, so long as that minimum requirement is met within a 24-month period. Multiple assignments of 90 consecutive days or more in a designated combat zone shall also be cumulatively applied to meet the 179-day minimum requirement for JDA credit, provided that minimum requirement is met within a 24-month period.

6.2. Claims for JDA Credit. The Defense Intelligence Components shall determine whether an employee's relevant military, professional, technical, managerial, and/or leadership experience outside the IC qualifies as the equivalent of a JDA. An employee may file a JDA credit claim for a permanent or temporary rotational assignment after completing 12 months in a JDA or within 60 days of completion of the JDA. JDA credit shall be recorded in the employee's official personnel records using a standard set of data elements, standards, and/or definitions to be issued by the ODNI.

6.2.1. An employee may receive JDA credit for a completed IC Assignments Program (ICAP) rotational assignment as long as it meets the JDA criteria and was completed on or after January 1, 1997, when the ICAP was established. Claims for an ICAP assignment shall be submitted in accordance with that agency's or element's internal policies and procedures.

6.2.2. Employees may claim that one or more previous permanent or temporary assignments within the IC, or to an organization external to the IC, should be credited as providing qualifying JDA experience. To qualify for JDA credit, the assignment shall have been completed after September 11, 2001; meet the JDA criteria; and be officially documented by a notice of personnel action, formal MOA, or other official documentation.

6.2.3. As a rare exception to the time limitations cited in subparagraphs 6.2.1. and 6.2.2., an employee may request that a temporary or permanent assignment to another IC agency or element completed on or before September 11, 2001, but begun on or after January 1, 1997, qualifies as providing JDA credit. To be credited, the Head of a Defense Intelligence Component or senior designee must determine that the assignment clearly and directly contributed to a joint (that is, inter- or multi-agency) function, activity, or operation critical to the overall IC and its national security mission, meets the JDA criteria established in this Instruction, and is officially recorded by a notice of personnel action, formal MOA, or other official documentation. Copies of claims approved under this exception shall be provided to USD(I).

6.2.4. Each claim shall be submitted on a standard form issued by the ODNI and available on the ODNI Joint IC Duty Web site. Copies are available to authorized users via the Joint Worldwide Intelligence Communications System at <http://icjointduty.ic.gov>. A DoD Component may establish an alternative or supplementary process for identifying and determining whether an employee's previous permanent or rotational assignment(s) may qualify for JDA credit (for example, by searching assignment records in its human resource management information system).

6.2.5 Filing timelines shall be published under separate cover. Employees shall submit completed claim forms in accordance with the internal policies and procedures of their employing element. Each DoD Component shall review and adjudicate each claim, in accordance with general guidelines issued by the ODNI, and issue a written decision to the employee.

6.3. Intelligence Community Officer Program (ICOP) Transition. The ICOP, consisting of the ICAP, the Organization Career Development Program (OCDP), and IC Officer Training (ICOT), is replaced with the JDA Program. Those employees who earned IC Officer certification through the ICOP shall be awarded JDA Program certification.

6.3.1. Employees who have completed or are on an ICAP detail shall have the assignment reviewed to determine if the assignment meets the criteria for JDA. If an employee is currently on an ICAP assignment that meets the JDA criteria and completion of the assignment is the last requirement for IC Officer (ICO) certification, the employee shall be awarded both ICO and JDA Program certifications.

6.3.2. Defense Intelligence Components shall continue to sponsor employee career development training, even after the OCDP is phased out.

6.3.3. Employees who are enrolled in the ICOT program may complete its required course of study. Those employees who do not complete ICO requirements shall have ICOT credit toward completion of the IC Joint Leadership Development Program.

6.4. Exemptions. For a senior position to be exempted from the JDA Program certification requirement, the Defense Intelligence Components must document that the senior position is unique, requires rare or exceptional technical skills or expertise not found elsewhere in the IC, or is part of a narrowly focused, highly specialized scientific, technical, or professional community that exists only within a particular IC agency or element. Requests for exemption must be signed by the Head of the Defense Intelligence Component and submitted to the USD(I). The request must include:

6.4.1. A description of the position in question.

6.4.2. An organizational chart showing the relationship of that position to other senior positions in the agency or element that are not exempted from the JDA Program requirement.

6.4.3. Documentation regarding the position's rare or exceptional technical or professional qualification requirements.

6.4.4. Where applicable, the qualifications and backgrounds of the position's current and previous incumbents.

6.5. Waivers. In requesting a waiver from the JDA Program certification requirement for promotion or permanent reassignment to a particular senior position, the Defense Intelligence Component shall document that there are no highly qualified alternative candidates with JDA

Program certification and that the mission of the Defense Intelligence Component would be adversely impacted if that particular individual is not appointed, promoted, or placed into the senior position in question. Requests for waiver shall be signed by the Head of the Defense Intelligence Component and submitted to the USD(I). The request must include:

6.5.1. A description of the senior position in question.

6.5.2. A description of the process used to identify highly qualified candidates for the position and the results of that process.

6.5.3. A detailed description of the experience and qualifications of the individual for whom the waiver is being requested, in comparison to those other highly qualified candidates for the position who have earned JDA Program certification, including:

6.5.3.1. Justification as to why the individual in question has been unable to satisfy the JDA Program requirement.

6.5.3.2. A detailed description of the adverse mission impact that would result if a waiver is not granted in the particular case.

6.5.3.3. Any other supporting rationale.

6.6. Promotions

6.6.1. Each Defense Intelligence Component shall remain responsible for the permanent promotion of its employees who are on a JDA. Such promotions shall be in consultation in the gaining element's designated JDA senior point of contact prior to selection.

6.6.2. Employees who have earned the JDA Program certification are not guaranteed a promotion; however, employees who are on or who have completed a JDA shall be promoted at an overall rate comparable to the aggregate population of their peers in the employing element.

6.6.3. Appropriate JDA Program certification shall be considered a quality ranking factor in the merit promotion process and accorded additional weight in the consideration of candidates for promotion to a rank or a position of GG-14 or above (or equivalent).

6.6.4. In those cases where a highly qualified candidate with JDA Program certification is not selected for a particular permanent promotion, the Defense Intelligence Component shall document the reasons for such non-selection in writing and retain such documentation in its official files.

6.6.5. The USD(I) shall review and compare overall promotion and employee base pay increases to ensure that statutory requirements are being met, and may require a Defense Intelligence Component take appropriate corrective action if it determines that employees with JDA Program certification have been improperly disadvantaged in the promotion or senior employee pay adjustment process.

6.7. External Candidates. In evaluating external candidates for appointment or promotion to a senior position requiring JDA Program certification, the Head of a Defense Intelligence Component may determine that a particular candidate's relevant military, professional, technical, managerial, and/or leadership experience outside the IC (for example, in another Federal agency, the private sector, or an academic institution) is equivalent to, and thus satisfies the requirement for, a JDA. To qualify as the equivalent of JDA, such assignment shall also be creditable toward the general, technical, professional, managerial, or executive qualification requirements for the position in question. Determinations in this regard shall be documented in writing and retained by the agency or element.

6.8. Reporting Requirements. Defense Intelligence Components shall provide reports to the USD(I) to show how the JDA Program certification is being implemented. Specific reporting format(s) shall be provided by OUSD(I) as needed to manage the JDA Program and to respond to ODNI requests. Reports types include, but are not limited to:

6.8.1. Promotion or permanent base pay increase data for GG-13s and above (or equivalent).

6.8.2. An inventory of senior positions.

6.8.3. Listing of JDA-designated positions (all grades/levels).

6.8.4. JDA-exempted positions.

6.7.5. Individuals who received a JDA waiver.

6.9. JDA MOA. The JDA MOA shall be used by all Defense Intelligence Components. The MOA details the specific responsibilities of the employee, the employing element, and gaining element, in relation to a specific and individual JDA.

6.10. Reimbursement. Reimbursement for JDAs shall comply with all applicable laws.

6.11. Reciprocity of Security Clearance and Access Determinations

6.11.1. In accordance with Reference (e), to ensure the mobility and facilitate the rotation of personnel performing JDAs, all security clearance background investigations and access determinations completed by one IC element shall be accepted by all IC elements. Further, all such security clearance investigations initiated by one element shall be transferable to any element. No element may conduct an investigation to determine whether to grant a security clearance to an individual in cases where a current investigation or clearance of equal level already exists or has been granted by another element.

6.11.2. If the gaining element requires the successful completion of a counterintelligence polygraph for a JDA position, the employing element shall make the JDA selectee available on duty time to take the polygraph at the gaining element's expense or at its facility.

6.12. Phased Implementation. The requirements of this Instruction shall be implemented in phases. The requirement for JDA Program certification shall begin with the most senior leadership positions and incrementally expand to cover all senior positions. The schedule, with specific dates and senior levels for implementation, shall be provided under separate correspondence by the USD(I).

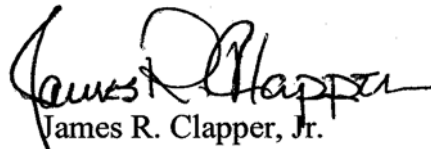
7. INFORMATION REQUIREMENTS

The reporting requirements in this Instruction have been assigned Report Control Symbol (RCS) DD-INTEL(AR)2264 in accordance with DoD 8910.1-M (Reference (g)).

8. RELEASIBILITY. UNLIMITED. This Instruction is approved for public release. Copies may be obtained through the Internet from the DoD Issuances Web Site at <http://www.dtic.mil/whs/directives>.

9. EFFECTIVE DATE

This Instruction is effective immediately.



James R. Clapper, Jr.
Under Secretary of Defense for Intelligence

Enclosures - 2

- E1. References
- E2. Definitions

ENCLOSURE 1

REFERENCES, Continued

- (e) DoD Instruction 1000.17, "Detail of DoD Personnel to Duty Outside the Department of Defense," April 16, 2008
- (f) Memorandum of Agreement Between the Secretary of Defense and the Director of National Intelligence, May 21, 2007²
- (g) DoD 8910.1-M, "Department of Defense Procedures for Management of Information Requirements," June 30, 1998

² Authorized users can view the MOA at https://usdi.dtic.mil/usdi_docs/keyref/usdi_keyref.cfm

ENCLOSURE 2

DEFINITIONS

Unless otherwise noted, the following terms and their definitions are for the purposes of this Instruction only.

E2.1. Defense Intelligence Components. See Reference (b).

E2.2. Employing Element. The Intelligence Community (IC) element from which an employee on a JDA is detailed (Reference (e)).

E2.3. Gaining Element. The IC element to which an employee is detailed while on a JDA (Reference (e)).

E2.4. IC. For the purposes of this Instruction, IC elements include: the Office of the Director of National Intelligence; the Central Intelligence Agency; the National Security Agency; the Defense Intelligence Agency; the National Geospatial-Intelligence Agency; the National Reconnaissance Office; other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs; the intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, the Federal Bureau of Investigation, the Drug Enforcement Agency, and the Department of Energy; the Bureau of Intelligence and Research of the Department of State; the Office of Intelligence and Analysis of the Department of the Treasury; the elements of the Department of Homeland Security concerned with the analysis of intelligence information, including the Office of Intelligence of the Coast Guard; and such other elements of any other department or agency as may be designated by the President, or designated jointly by the Director of National Intelligence and the head of the department or agency concerned, as an element of the IC.

E2.5. JDA Program Certification. The designation given to an employee who has completed both components of the Joint IC Duty Assignment Program: a JDA and the JLDP.

E2.6. JDA

E2.6.1. A component of the JDA Program defined as the temporary detail of an employee from a position in one IC element to a rotational assignment in another IC element that requires or provides appropriate joint IC duty experience for a period of at least 12 months but not more than 36 months.

E2.6.2. The permanent assignment of an employee from one IC element to a position in another IC element, or a position within the employee's own agency or element that has been specifically designated as providing JDA credit.

E2.7. JLDP. A component of JDA Program defined as a training program designed to develop the workforce who will lead with a community perspective and strategic outlook.