



AD-A270 331



December 5, 1980  
NUMBER 1400.10

FMT 9  
695-0176  
②

**Department of Defense Instruction**

ASD(MPA&L)

Subject: Employment of Foreign Nationals in Foreign Areas

- References:
- (a) DoD Instruction 1400.10, "Utilization by United States Forces of Local Nationals in Foreign Areas," June 8, 1956 (hereby canceled)
  - (b) DoD Directive 1400.6, "DoD Civilian Employees in Overseas Areas," February 15, 1980
  - (c) DoD Instruction 2050.1, "Delegated Approval Authority to Negotiate and Conclude International Agreements," July 6, 1977
  - (d) through (j), see enclosure 1

DTIC  
ELECTE  
OCT 05 1993  
D  
E

**A. REISSUANCE AND PURPOSE**

This Instruction reissues reference (a) and supplements reference (b) to set forth the principles to follow when the U.S. Forces in foreign areas are negotiating for the employment of foreign nationals. This Instruction also is a basis for the administrative determination of policies, programs, and practices in foreign national personnel employment.

**B. APPLICABILITY**

The provisions of this Instruction apply to the Office of the Secretary of Defense, the Military Departments, the Unified and Specified Commands, and the Defense Agencies. The term "Service" refers to the Army, Navy, Air Force, and the Marine Corps.

**C. POLICY**

1. The establishment or use of military bases and facilities by the U.S. Forces in the territory of another nation is normally governed by the provisions of a treaty or other formal agreement. Such a treaty or agreement shall usually include coverage of the subject of employment of foreign nationals.

2. The negotiation of basic arrangements with the host government of a foreign country is the responsibility of the Department of State, based upon guidance and technical advice provided by the Department of Defense. This guidance shall ensure that the employment system adopted gives the local military command a work force that is as stable, efficient, and economical as local conditions permit.

3. Treaties or agreements of this kind, negotiated at diplomatic level, are usually couched in broad terms. In the field of foreign national hire, inclusion in the treaty or agreement of only the most basic terms of reference

93-22675



12,045

is sufficient. Examples of basic terms of reference for the employment of foreign nationals are contained in subsection D.1.

4. In conjunction with the formal agreement or treaty and its implementing arrangements, the Department of Defense requires that a specific official or agency of the host government be designated as an official contact with the U.S. Forces on all labor matters.

#### D. PROCEDURES

1. Basic Principles. Although the individual details of foreign national employment systems may vary, the system for any foreign country shall satisfy the following basic principles:

a. Prevailing practices, local laws, and customs shall be followed in the employment and administration of foreign nationals when the practices, laws, and customs are not in conflict with U.S. law and are compatible with the basic management needs of the U.S. Forces.

b. Foreign nationals shall be employed as extensively as practicable by the U.S. Forces, consistent with any agreement with the host country and the DoD dependent hire policies, to reduce the need to import workers into the host country. This policy reduces the possibilities of friction between the host country and the U.S. Government.

c. The provisions of the foreign national employment system in a foreign country shall apply uniformly to all elements of the U.S. Forces.

2. Employment System. Foreign national employment systems in foreign countries fall into two general categories: those where the employees are hired directly by the U.S. Forces as employees of the U.S. Government; and those where the personnel are employees of the host government and are assigned to work with the U.S. Forces on a reimbursable cost or other financial basis. Since background and foreign policy considerations for the use of foreign nationals vary from area to area, it is unnecessary and, at times, undesirable to attempt a strict uniformity of detail in the systems used in the different foreign areas.

a. Direct Hire. Under the direct hire system, the U.S. Forces are the official employer of their foreign nationals. As such, they assume responsibility for all administrative and management functions in connection with foreign national employment. This hiring method usually offers flexibility in terms of employee selection, placement, and control, and reduces, to a great extent, the necessity for constant contact and coordination with the host government. Although specific criteria cannot be prescribed for the direct hire system, the presence of one or more of the following conditions may influence a decision to use direct hire:

(1) The host government has no objection to a direct hire system.

(2) The numbers of persons to be employed will have little or no effect on the local economy and does not warrant long and costly negotiation and preparation for an indirect hire arrangement.

(3) The provisions of a treaty or host country agreement provide the U.S. Forces with the legal authority to employ foreign nationals and to follow local law and customs when possible.

(4) The host government does not desire or is unable to discharge the responsibilities inherent in an indirect hire system.

b. Indirect Hire. The indirect hire system makes the host government responsible for ensuring that the needs of the U.S. Forces for foreign nationals are met. Although the host government is the official employer of the foreign national personnel, it grants operational control to the U.S. Forces, under a program mutually agreed upon by the host government and the U.S. Forces, for the day-to-day management of such personnel. Although specific criteria for the indirect hire system cannot be prescribed, conditions that may influence a decision to use this system are:

(1) The host government is desirous and capable of discharging the responsibilities inherent in an indirect hire agreement.

(2) A large number of employees will be required for a limited time, which may result in a disruption in the local labor market when the employees' services are no longer required.

(3) Direct hire of foreign nationals will disrupt the local market, and the host government is in the best position to cope with the situation.

3. Subsidiary Agreements

a. A basic agreement or treaty, as outlined in section C., provides the terms of reference for the formulation of a more detailed operating agreement or arrangement. The subsidiary agreement should provide as complete and detailed coverage of all aspects of the management and administration of foreign national personnel as the local situation permits. Negotiation of subsidiary agreements is subject to DoD Instruction 2050.1 (reference (c)) and DoD Directive 5530.3 (reference (d)). Subjects that may be covered are contained below:

(1) Responsibility for Recruitment

(a) Direct Hires. In the case of direct hires, the responsibility for recruitment should be vested in the U.S. Forces. However, the agreement may provide for assistance from the host government through its existing facilities. This can take the form of a host government's assistance in obtaining qualified applicants and referring them to the U.S. Forces for selection. In such cases, the U.S. Forces have the right to accept or reject any applicant so referred.

(b) Indirect Hires. Usually, the host government, through its existing facilities, is responsible for recruiting civilian workers. The host government procures qualified applicants and refers them to the U.S. Forces for selection. The U.S. Forces have the right to accept or reject any

For	
A&I	<input checked="" type="checkbox"/>
B	<input type="checkbox"/>
ced	<input type="checkbox"/>
per-form	
50	

Availability Codes	
Dist	Avail and/or Special
A-1	

applicant so referred. In addition, the U.S. Forces, should be permitted, with the consent of the host government, to recruit qualified personnel.

(2) Security Measures

(a) The U.S. Forces must take measures to protect their security. The agreement shall provide for appropriate investigative requirements for the employment of foreign nationals in accordance with DoD regulations relating to security requirements for Government employment or for access to classified defense information.

(b) The agreement shall provide that no person will be employed by the U.S. Forces if the employment is inconsistent with the interests of national security. The U.S. Forces shall be authorized to effect the release of any foreign national who is considered to be a security risk, as long as the person is fairly treated.

(c) Since the discharge of foreign nationals on the grounds of security may be serious cause of grievance and labor unrest, carefully devised procedures shall be instituted to ensure there is no misuse of this authorization.

(3) Priority Accorded U.S. Forces in Labor Market. Under peacetime conditions, it is rarely necessary to establish labor priorities for U.S. Forces. However, provision shall be made for establishing such priorities in the event of an emergency. When it is necessary to establish priorities, the U.S. Forces shall be accorded the same priority as that of the armed forces or essential industry of the host country, particularly if the U.S. Forces are participating in the defense of the area or are an ally of the host country.

(4) Host Government Control on Personnel Requirements. Rarely has a host government imposed a control on the number of local nationals used by the U.S. Forces. Such control by the host government should be avoided, unless a valid reason for such control exists, such as:

(a) The labor market is in short supply.

(b) The protection of the local economy from the disruption caused by the U.S. Forces' having a disproportionate share of available labor.

(c) An emergency condition exists.

(5) Importation of Workers. The U.S. Forces should not import workers from a third country into a host country when personnel requirements can be satisfied by local labor. If personnel needs in any occupational category cannot be satisfied, arrangements should be made with the host government to permit importation of workers from other countries who are acceptable to the host government in the skills and numbers required. The host government should be asked to issue such workers the necessary documentation for residence or working permits. A periodic assessment shall be made of the need for continuing to employ third country nationals.

(6) Employment Conditions. Local nationals shall be afforded conditions of employment that are based on prevailing practices, local law, and customs and are generally equivalent to those enjoyed by persons with similar skills and in similar occupations in the general economy of the host country. Employment conditions offered shall be favorable enough to meet existing fair standards in the labor market, but not so advantageous as to create a privileged group within the country. Alternate provisions may be necessary when prevailing practices are inconsistent with local laws or in instances where United States laws or operational requirements of the U.S. Forces make adherence to prevailing practices, local law, and customs impossible or difficult.

(7) Employee Compensation. In the day-to-day operations of a civilian personnel program, changing conditions necessitate many changes in wage scales, wage rates, and, to a lesser degree, employment conditions. When an indirect hire system is adopted, it is usually beneficial to have the employment conditions and the wage and salary scales written as a supplement to the subsidiary agreement. The subsidiary agreement can then provide for any changes in the supplement that are required through mutual agreement without renegotiating a new agreement.

(a) In the case of direct hires, it is customary to use either variations of the classification and grading systems used for U.S. employees or those systems used locally, and to determine wage and salary scales on the basis of local prevailing rates. Complete authority to determine the grade, classification, and pay for positions and to assign employees to such positions should be vested in the U.S. Forces.

(b) When an indirect hire system is adopted, pay plans, to include job criteria, and wage and salary schedules, reflect prevailing practices in the general economy to the extent possible and shall be compatible with special U.S. Forces' requirements and personnel utilization practices. Differences between conditions of employment, allowances, and fringe benefits prevailing in the general economy and those afforded foreign national personnel of the U.S. Forces shall be considered in establishing foreign national pay schedules. Depending on existing bilateral agreements, contractual agreements concerning pay plans may be concluded by the U.S. Forces or their delegated representative with the host government or by the host government with trade unions or other employee representative groups, subject to the concurrence of the U.S. Forces. It is the responsibility of the U.S. Forces to determine the proper classification and pay rate under existing pay plans for each employee. Wage and salary rates established by agreement with the host government may be supplemented, as approved practice, if pay patterns for specific kinds of work exceed the basic U.S. Forces pay schedule for such work.

(8) Social Security Coverage

(a) Unless local conditions dictate otherwise, foreign nationals shall be covered under the existing social security program of the host government.

(b) In the case of direct hire employees, there is, at present, no legal authority for the U.S. Government's paying the employer's share of the social security contribution, unless the treaty or subsidiary agreement so provides. When either the direct hire or the indirect hire system is used, the treaty or subsidiary agreement should provide that foreign nationals will or will not be covered by the existing social insurance and worker's compensation benefits of the host country. When employees are so covered, the employer's contribution to social insurance will be made by the U.S. Forces, either directly or by reimbursement to the host government.

(9) Complaints. With respect to matters pertaining to an existing arrangement within the U.S. Forces' areas of responsibility, the U.S. Forces should establish adequate procedures appropriate to the local situation to deal directly with complaints that may arise. The host government should receive complaints that fall within the area of its responsibility, as well as suggestions for a change of the agreement between the host government and the U.S. Forces.

(10) Labor-Management Relations. The basic principle set forth in D.1.a. above, applies to labor-management relations and to other aspects of employment. Policies governing the relationship between the U.S. Forces and the organization(s) representing their local national employees, including dispute-resolution procedures and, where appropriate, those matters subject to collective bargaining, shall be set forth in the agreement with the host government. Whenever possible, particularly in those countries where government employees are not permitted to strike, an explicit statement shall be sought, to the effect that foreign national employees do not have the right to strike against the U.S. Forces.

(11) Administrative Costs. A method of determining the administrative costs incurred by the host government in providing personnel and in assuming certain administrative responsibilities under an indirect hire system should be developed. The extent to which these costs will be borne by the U.S. Forces, the manner in which payments for any assessed costs will be made by the U.S. Forces, and the extent to which it may be mutually desirable for the U.S. Forces to audit expenditures for administrative costs should be agreed upon.

b. Division of Responsibilities. The recommendations contained in paragraphs D.3.a.(1) through D.3.a.(11) above, as they may relate to the indirect hire system, visualize an arrangement whereby the host government assumes the status of employer, employs the personnel, performs certain administrative functions, and furnishes the personnel to the U.S. Forces on a reimbursable basis. In a system of this type, the host government and the U.S. Forces each have certain responsibilities and functions. The recommended division of the more important of these, which, if agreed upon, must be delineated in the subsidiary agreement, is as follows:

(1) Host Government

(a) Recruitment of personnel and referral of qualified applicants to U.S. Forces for selection.

- (b) Appointment of those applicants who are selected.
- (c) Maintenance of personnel records.
- (d) Preparation of payrolls and paying of personnel.
- (e) Completion of personnel actions requested by U.S. Forces, such as promotions, transfers, or separations.
- (f) Negotiations with labor organizations. In areas of agreed U.S. Forces' responsibilities and in matters pertaining to the provisions of the basic treaty and subsidiary agreement, no binding obligation should be concluded in any negotiation between the host government and the labor organizations without concurrence of the U.S. Forces.

(2) U.S. Forces

- (a) Establishment of number and types of positions required, and transmittal of requests to host government for personnel.
- (b) Determination of the proper classification of individual positions within an established wage and salary structure.
- (c) Selection of personnel from applicants referred by the host government.
- (d) Submission of time and attendance reports to the host government's agency preparing the payrolls.
- (e) Assignment, supervision, control, and training of personnel.
- (f) Determination of promotions, demotions, transfers, and separations.
- (g) Audit of payrolls prepared by host government.
- (h) Consultation with employee associations or labor organizations.

E. AUTHORITY AND POLICY FOR ESTABLISHING COMPENSATION AND OTHER CONDITIONS OF EMPLOYMENT

1. The legal basis for setting pay for foreign national employees is Section 408 of the Foreign Service Act of 1980 (reference (e)) which reads in part as follows:

"(a) The Secretary shall establish compensation (including position classification) plans for foreign national employees of the Services, and for United States citizens employed in the Service abroad who are family members of Government employees. To the extent consistent with the public interest, each compensation plan shall be based upon prevailing wage rates and compensa-

tion practices (including participation in local social security plans) for corresponding types of positions in the locality of employment, except that such compensation plans shall provide for payment of wages to those family members of Government employees who are paid in accordance with such plans at a rate which is no less than the then applicable minimum wage rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)). Any compensation plan established under the section may include provision for leaves of absence with pay for foreign national employees in accordance with prevailing law and employment practices in the locality of employment without regard to any limitations contained in section 6310 of title 5, United States Code.

"(b) For the purpose of performing functions abroad, any agency or other Government establishment (including any establishment in the legislative or judicial branch) may administer employment programs for its employees who are foreign nationals or are family members of Government employees assigned abroad, in accordance with the applicable provisions of this Act."

2. In accordance with the provisions of DoD Directive 5120.39 (reference f), authority is hereby delegated to each Military Department for redelegation to its Service component commander in each of the following areas who shall exercise authority in that area to jointly establish salaries, wages, fringe benefits, and related compensation items:

- a. U.S. European Command
- b. U.S. Pacific Command
- c. Azores
- d. Iceland
- e. Ottawa (Defense Logistics Agency activities)

f. Compensation in all other areas, except Panama, will be fixed and adjusted by DoD wage fixing authority.

3. Each Military Department shall delegate authority to that same commander in that area to establish other terms and conditions of employment for foreign national employees.

4. The following policy is established for determining compensation and conditions of employment for foreign national employees of the U.S. Forces in foreign areas under this delegation of authority:

a. The average pay of employees of the U.S. Forces shall equal average pay of the non-U.S. Forces sector in the country concerned; and

b. Total compensation of employees of the U.S. Forces shall equal total compensation of the non-U.S. Forces sector in the country concerned.

5. Limitations on delegations of authority are:

a. Unresolved differences relating to salaries, wages, fringe benefits and related compensation matters shall be referred by the cognizant Commander-in-Chief to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) (ASD(MRA&L)).

b. Situations which in the view of service component commands warrant deviation from prevailing practice, sometime referred to as public interest determinations, shall be referred by the cognizant commander-in-chief to the ASD(MRA&L).

c. The annual total pay for an individual established under the delegated authorities may not be more than the maximum payable rate for GS-18.

6. Unified Commanders in Chief or equivalent for the area shall establish joint personnel committees, with Service component representation as applicable to the situation. The Unified Commander may determine the number of joint committees or subcommittees necessary for the conduct of orderly business. Committees may be established on an area or country basis. Component representatives (not to exceed one on a joint committee or subcommittee) shall be appointed by their respective Service component commanders. For each such joint committee, a chairperson shall be designated by the Unified Commander.

a. For direct hire employees (paid from either appropriated or non-appropriated funds), the joint committees shall seek to establish a uniform position with respect to salaries, wages, fringe benefits, and other terms and conditions of employment for foreign national employees. The terms and conditions of employment established shall be in accord with the provisions of controlling treaties and administrative and labor management agreements and this Instruction. Negotiations with labor organizations shall not extend to such areas of discretion and policy as mission, budget, security, organization and assignment of personnel, the technology of performing work, or schedules of compensation, except to the extent provided by treaty, agreement, or directive (but labor organizations may be permitted to participate in the planning and conduct of area wage surveys).

b. For indirect hire employees, the joint committees shall be responsible for coordinating negotiations with host government officials and for ensuring uniform application of agreed service positions.

c. Procedures and detailed instructions to be followed in the administration of that part of the personnel program for foreign national employees of the U.S. Forces concerned with compensation are contained in DoD Instruction 1416.8 (reference (g)) and in The Department of Defense Foreign National Compensation Manual, 1416.8 -M (reference (h)).

d. Guidance on accounting for the pay of foreign national employees is contained in DoD 7220.9-H (reference (i)), see especially paragraph 22110.

7. Unified Commanders and joint committees shall afford full consideration to the participation, wherever appropriate, of other parties, such as

other allied forces or U.S. Government departments or agencies, in achieving a unified position to preclude unilateral action inconsistent with controlling treaties, agreements, or directives.

8. The joint committees shall operate under and be responsible to the commander-in-chief of the Unified Command who shall seek to resolve any component difference to achieve a unified U.S. Forces' position prior to referral by the commander-in-chief to the ASD(MRA&L) for resolution in accordance with paragraph E.5.a., above.

9. Matters, other than unresolved differences referred to in paragraph E.5.a. above, having significant budgetary or legal implications, major policy issues, or impact on manpower ceilings, at the discretion of the commander-in-chief may be referred to the ASD(MRA&L), or to the Military Departments, as appropriate, for advice or decision. The commander-in-chief may obtain through the ASD(MRA&L) technical assistance on compensation matters from the DoD Wage Fixing Authority Technical Staff, established under DoD Directive 5120.39 (reference (f)).


10. The joint committee shall submit the materials listed in DoD Instruction 1416.8 -M (reference (h)) to ASD(MRA&L), with informational copies to the concerned Military Departments.

11. This policy does not apply to the Civilian Marine Personnel of the Military Sealift Command, to foreign national employees serviced by U.S. Embassies in accordance with State and DoD Agreement (reference (j)), or to foreign national employees in Panama.

#### F. EFFECTIVE DATE AND IMPLEMENTATION

This Instruction is effective immediately. Forward one copy of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days.

Enclosure-1  
References

  
Robert A. Stone  
Acting Assistant Secretary of  
Defense (MRA&L)

REFERENCES, continued

- (d) DoD Directive 5530.3, "International Agreements," December 6, 1979
- (e) The Foreign Service Act of 1980, Public Law 96-465, October 17, 1980
- (f) DoD Directive 5530.39, "Department of Defense Wage Fixing Authority Appropriated Fund Compensation," April 24, 1980
- (g) DoD Instruction 1416.8, "Compensation Program for Foreign Nationals," Dec. 5, 1980
- (h) DoD Manual 1416.8 -M, "Department of Defense Foreign National Compensation Manual," December 1980, authorized by DoD Instruction 1416.8, December 5, 1980
- (i) DoD 7220.9-H, "DoD Accounting Guidance Handbook," February 1, 1978, authorized by DoD Instruction 7220.9, July 12, 1971
- (j) Department of State/Department of Defense Agreement, Subject: "Agreement Concerning Joint Compensation Plans for Local Employees of the Department of State -- United States Information Agency -- Agency for International Development -- Certain Designated Units of the Department of Defense -- and the Foreign Agriculture Service and other Designated Units of the Department of Agriculture," July 9, 1977

# DEPARTMENT OF DEFENSE

## DIRECTIVES SYSTEM TRANSMITTAL

Fmt P  
695-6176

NUMBER	DATE	DISTRIBUTION
1400.10 - Ch 1	December 22, 1980	1000 series

ATTACHMENTS  
None

### INSTRUCTIONS FOR RECIPIENTS

Please make the following corrections on DoD Instruction 1400.10, "Employment of Foreign Nationals in Foreign Areas, December 5, 1980:


#### PEN CHANGES

Change the identifying Instruction number, upper right hand corner on pages 3, 5, 7, and 9 from 1400.15 to 1400.10.

Page 9: Insert capital "C" to read Commanders.

Changes are underscored.

These changes are administrative corrections and are effective December 5, 1980, the date of the Instruction.

  
O. J. WILLIFORD, Director  
Correspondence and Directives  
Washington Headquarters Services  
Department of Defense

WHEN PRESCRIBED ACTION HAS BEEN TAKEN, THIS TRANSMITTAL SHOULD BE FILED WITH THE BASIC DOCUMENT

**SUPPLEMENTARY**

**INFORMATION**

# DEPARTMENT OF DEFENSE DIRECTIVES SYSTEM TRANSMITTAL

NUMBER See Pen Changes Below	DATE November 16, 1994	DISTRIBUTION 1000 series
---------------------------------	---------------------------	-----------------------------

ATTACHMENTS  
None

*CORRATA AD-A 270331*

## INSTRUCTIONS FOR RECIPIENTS

Pen changes to the following DoD Issuances are authorized:

<u>DoD Issuance Number and Date</u>	<u>Change Number</u>
<u>DoD Instruction 1000.15, September 22, 1978</u> Section H. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of implementing regulations to the Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics) within 120 days."	Change 2
<u>DoD Directive 1020.1, March 31, 1982</u> Section H. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward one copy of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days."	Change 1
<u>DoD Directive 1205.5, May 16, 1980</u> Section F. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward one copy of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days."	Change 1

WHEN PRESCRIBED ACTION HAS BEEN TAKEN, THIS TRANSMITTAL SHOULD BE FILED WITH THE BASIC DOCUMENT

NUMBER See Below Pen Changes	DATE November 16, 1994	DEPARTMENT OF DEFENSE DIRECTIVES SYSTEM TRANSMITTAL
---------------------------------	---------------------------	--

INSTRUCTIONS FOR RECIPIENTS (continued)

<u>DoD Issuance Number and Date</u>	<u>Change Number</u>
<u>DoD Instruction 1205.12, January 15, 1969</u> Section VI. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 4. Delete "Two (2) copies of implementing instructions issued by the Military Departments shall be furnished to the Assistant Secretary of Defense (M&RA) within sixty (60) days."	Change 1
<u>DoD Directive 1205.14, November 11, 1974 (Reprint)</u> Section IV. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 4. Delete "Two copies of implementing documents shall be forwarded to the Assistant Secretary of Defense (Manpower and Reserve Affairs) within 90 days."	Change 1
<u>DoD Directive 1205.17, June 20, 1985</u> Section F. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of implementing documents to the Assistant Secretary of Defense (Reserve Affairs) within 120 days."	Change 1
<u>DoD Directive 1215.13, June 30, 1979</u> Section G. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 4. Delete "Forward two copies of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days for review and approval prior to issuance."	Change 2
<u>DoD Directive 1215.14, February 4, 1975</u> Section IV. Heading. Delete "AND IMPLEMENTATION" Subsection B. Delete in its entirety.	Change 3
<u>DoD Directive 1304.23, February 15, 1984</u> Section G. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward one copy of implementing documents to the Assistant Secretary of Defense (Manpower, Installations, and Logistics) within 120 days."	Change 1

NUMBER See Below Pen Changes	DATE November 16, 1994	DEPARTMENT OF DEFENSE DIRECTIVES SYSTEM TRANSMITTAL
---------------------------------	---------------------------	--

INSTRUCTIONS FOR RECIPIENTS (continued)

<u>DoD Issuance Number and Date</u>	<u>Change Number</u>
<u>DoD Directive 1312.2, October 4, 1989</u> Section G. Heading. Delete "AND IMPLEMENTATION" Lines 2 through 4. Delete "Forward two copies of implementing documents to the Assistant Secretary of Defense (Health Affairs) within 120 days."	Change 1
<u>DoD Directive 1320.5, July 26, 1978</u> Section F. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward one copy of each implementing document to the Assistant Secretary of Defense (MRA&L) within 120 days."	Change 2
<u>DoD Instruction 1322.20, March 14, 1991</u> Section H. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of implementing documents to the Assistant Secretary of Defense (Force Management and Personnel) within 120 days."	Change 1
<u>DoD Directive 1325.6, September 12, 1969</u> Section IV. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Two (2) copies of implementing regulations shall be forwarded to the Assistant Secretary of Defense (Manpower and Reserve Affairs) within ninety (90) days."	Change 3
<u>DoD Instruction 1330.7, April 26, 1974</u> Section V. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Two copies of implementing instructions shall be forwarded to the Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics) within 60 days."	Change 3
<u>DoD Directive 1338.5, August 13, 1980</u> Section F. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days."	Change 2

NUMBER See Below Pen Changes	DATE November 16, 1994	DEPARTMENT OF DEFENSE DIRECTIVES SYSTEM TRANSMITTAL
---------------------------------	---------------------------	--

INSTRUCTIONS FOR RECIPIENTS (continued)

<u>DoD Issuance Number and Date</u>	<u>Change Number</u>
<u>DoD Directive 1344.3, February 1, 1978</u> Section D. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of implementing regulations to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 60 days."	Change 1
<u>DoD Instruction 1400.10, December 5, 1980</u> Section F. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward one copy of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days."	Change 2
<u>DoD Instruction 1400.11, February 8, 1980</u> Section D. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward one copy of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days."	Change 2
<u>DoD Directive 1400.13, July 8, 1976</u> Section VI. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Two copies of implementing regulations shall be forwarded to the ASD(M&RA) within 60 days."	Change 1
<u>DoD Directive 1400.16, October 30, 1970</u> Section VIII. Heading. Delete "AND IMPLEMENTATION" Paragraph B. Delete in its entirety.	Change 2
<u>DoD Directive 1400.25, January 24, 1978</u> Section E. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of implementing documents to the ASD(MRA&L) and one copy to the ASD(C) within 60 days."	Change 1
<u>DoD Instruction 1400.32, January 15, 1987</u> Section G. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of implementing documents to the Assistant Secretary of Defense (Force Management and Personnel) within 60 days."	Change 1

NUMBER See Below Pen Changes	DATE November 16, 1994	DEPARTMENT OF DEFENSE DIRECTIVES SYSTEM TRANSMITTAL
---------------------------------	---------------------------	--

INSTRUCTIONS FOR RECIPIENTS (continued)

<u>DoD Issuance Number and Date</u>	<u>Change Number</u>
<u>DoD Directive 1400.34, December 15, 1988</u> Section F. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 5. Delete "The Military Departments shall forward one copy of implementing documents to the Assistant Secretary of Defense (Force Management and Personnel) within 60 days of receipt of DoD 1400.34-M, "DoD Civilian Intelligence Personnel Management System (CIPMS) Procedures."	Change 2
<u>DoD Directive 1402.1, January 21, 1982</u> Section F. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days."	Change 3
<u>DoD Instruction 1412.3, December 8, 1971</u> Section V. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 4. Delete "Two copies of each implementing document will be forwarded to the Assistant Secretary of Defense (Manpower and Reserve Affairs) within ninety (90) days."	Change 2
<u>DoD Instruction 1416.4, March 4, 1963</u> Section VIII. Heading. Change "IMPLEMENTATION" to "EFFECTIVE DATE" Subsection A. Delete in its entirety. Subsection B. Redesignate paragraph "B." as paragraph "A."	Change 2
<u>DoD Instruction 1416.8, December 5, 1980</u> Section E. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 4. Delete "Forward one copy of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days."	Change 1
<u>DoD Instruction 1418.2, May 5, 1969</u> Section VII. Heading. Delete "IMPLEMENTATION AND" Lines 1 through 4. Delete "Two copies of implementing instructions and revisions thereto will be furnished to the to the Assistant Secretary of Defense (Manpower and Reserve Affairs) within 60 days."	Change 4

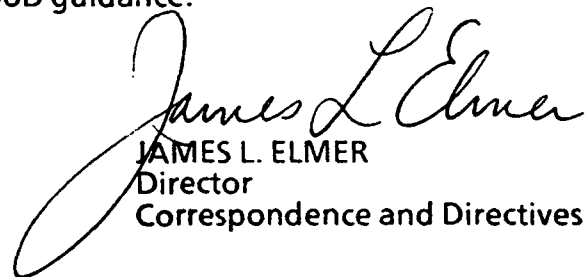
NUMBER See Below Pen Changes	DATE November 16, 1994	DEPARTMENT OF DEFENSE DIRECTIVES SYSTEM TRANSMITTAL
---------------------------------	---------------------------	--

INSTRUCTIONS FOR RECIPIENTS (continued)

<u>DoD Issuance Number and Date</u>	<u>Change Number</u>
<u>DoD Instruction 1422.1, October 31, 1967 (Reprint)</u> Section VI. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 4. Delete "Two copies of implementing regulations issued by the DoD components will be forwarded to the Assistant Secretary of Defense (Comptroller) within 90 days."	Change 1
<u>DoD Instruction 1424.3, January 28, 1980</u> Section E. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward one copy of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days."	Change 1
<u>DoD Directive 1430.2, June 13, 1981</u> Section E. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days."	Change 1
<u>DoD Directive 1430.4, January 30, 1985</u> Section E. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of implementing documents to the Assistant Secretary of Defense (Manpower, Installations, and Logistics) within 120 days."	Change 1

EFFECTIVE DATE

The above pen changes are effective immediately. Although the pen changes remove the requirement for DoD Components to issue implementing documents, the DoD issuances are directly applicable to all elements with the Components and the Heads of the DoD Components are responsible for carrying out the DoD guidance.

  
 JAMES L. ELMER  
 Director  
 Correspondence and Directives