Approved For Release 2006/11/06 : CIA-RDP87B01034R000100020004-8

Executive Order No. _____

EMPLOYMENT IN THE FEDERAL GOVERNMENT

By virtue of the authority and discretion vested in me under the Constitution to appoint and remove employees of the Executive Branch and by virtue of the authority and discretion vested in me by the statutes of the United States to promulgate rules and regulations governing Executive Branch employment, including but not limited to 5 U.S.C. § 1104, 5 U.S.C. § 3301, 5 U.S.C. § 7301, 5 U.S.C. § 7311, and 5 U.S.C. § 7312, it is hereby ordered as follows:

Section 1. This Order establishes minimum employment suitability standards for the hiring and retention of personnel within the Executive Branch. Additional standards may be established by individual agencies if such standards would promote the efficiency of the service or if such standards are otherwise authorized under law. This Order does not govern security clearances or approvals and the fact that a person may meet the employment suitability standards established by this Order does not mean that such person is in any way entitled to receive or retain a security clearance or approval.

Section 2. When a person applies for employment within the Executive Branch, an inquiry shall be conducted to determine whether the person is suitable for federal employment, and this inquiry shall include a National Agency Employment Check (NAEC). The inquiry shall be conducted by the Office of Personnel Management (OPM) in the case of competitive service applicants, and by the hiring agency in the case of excepted service applicants. A NAEC shall consist of a records check by appropriate agencies of the Executive Branch to ascertain whether they possess information which they have reason to believe would disqualify a person for federal employment. Disqualifying information disseminated in response to a NAEC shall not include information used to make a security determination as to whether a person should be provided access to information which has been classified pursuant to Executive Order 12356, or

Approved For Release 2006/11/06 : CIA-RDP87B01034R000100020004-8

Approved For Release 2006/11/06 : CIA-RDP87B01034R000100020004-8

any prior or subsequent Orders. Information which an agency has reason to believe would disqualify a person from federal employment on other than security grounds shall not be disseminated in response to a NAEC, or otherwise, unless the person has been provided the opportunity to confront the source of the information believed to be disqualifying. After receiving the results of a NAEC and completing the inquiry, OPM, for competitive service applicants, and the hiring agency, for excepted service applicants, shall make a determination whether the person is suitable for federal employment.

Section 3. It is necessary for all applicants and employees to meet certain minimum employment suitability standards which promote the efficiency of the service. Failure to meet these minimum employment suitability standards shall be grounds for an agency to refuse to hire an applicant, and to refuse to retain a current employee. To meet minimum federal employment suitability standards, the personal history of the applicant or employee normally should not reflect:

a. Delinquency or misconduct in prior employment;

b. Criminal, infamous, dishonest, or notoriously disgraceful conduct;

c. Refusal to furnish testimony as required by section 5.3 of the Civil Service Rules;

d. Intentional false statement or deception or fraud in examination or appointment;

e. Habitual use of intoxicating beverages to excess;

f. Abuse of narcotics, drugs, or other controlled substances;

g. Reasonable doubt as to the loyalty of the person involved to the Government of the United States;

Approved For Release 2006/11/06 : CIA-RDP87B01034R000100020004-8

Approved For Release 2006/11/06 : CIA-RDP87B01034R000100020004-8

h. Any medical condition which makes the individual unfit for service; or

i. Any statutory disqualification which makes the individual unfit for service.

Section 4. With respect to competitive service applicants, OPM shall promulgate such rules and regulations necessary to implement this Order. With respect to competitive service employees and excepted service applicants and employees, each Executive Branch agency shall promulgate such rules and regulations necessary to implement this Order.

Ronald Reagan

Approved For Release 2006/11/06 : CIA-RDP87B01034R000100020004-8