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NATIONAL SECURITY AGENCY REGISTRY FOR CONSULTANTS

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SECTION I - GENERAL

1. Purpose. The National Security Agency Registry for Consultants (NSARC) is hereby established. The Registry is to be headed by the Executive Secretary, National Security Agency Scientific Advisory Board (EXSEC, NSASAB).

2. Mission. The NSA Registry for Consultants will:

a. Promote the most efficient utilization of all categories of outside consultants, experts, or advisors who can be of assistance to NSA in carrying out its mission.

b. Insure that the conduct and continuity of NSA's official relationships with these consultants, experts, or advisors, is maintained in the most effective manner.

c. Make the availability and general qualifications of such consultants, experts, or advisors, known to the interested NSA activities.

d. Exercise staff supervision over the administrative procedures involved in the use by NSA activities of the services of these consultants, experts, or advisors, including official correspondence with them.

e. Provide such assistance to the Executive Secretary and the Chairman of the National Security Agency Scientific Advisory Board as may be necessary.

Approved for Release by NSA
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E.O. 13526

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SECTION II - FUNCTIONS

1. In order to perform its mission, the Registry will:
 - a. Have cognizance of the initial official contacts between NSA and prospective consultants, experts, or advisors.
 - b. Perform the necessary administrative functions involved in obtaining their services, including:
 - (1) Correspondence.
 - (2) Request for or verification of appropriate security clearances.
 - (3) Requests for travel orders and transportation requests.
 - (4) Requests for personnel actions.
 - (5) Certification and submission of travel vouchers.
 - (6) Maintenance and submission of time cards.
 - (7) Submission of budget and fiscal estimates.
 - (8) Maintenance of necessary records and files.
 - (9) Necessary liaison with NSA activities.
 - c. Be kept informed on a current basis of any unofficial or personal contacts made between NSA personnel and any consultant, expert, or advisor on NSA matters.
 - d. Maintain and publish an up-to-date list containing the names and professional fields of all consultants, experts, or advisors available to the NSA activities.
 - e. The provisions of subparagraphs a,b,c, and d above do not apply to contractual arrangements with firms.
 - f. The provisions of subparagraph b above do not apply to contractual arrangements with individuals, but a,c, and d do apply.

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SECTION III - RESPONSIBILITIES OF NSA ACTIVITIES

1. NSA Offices and Staff Divisions requiring the services of an outside consultant, expert, or advisor will:

a. Submit a request therefor in writing by D/F to the Executive Secretary, NSASAB, at least 30 days prior to the date the service is desired, except in cases of emergency. These D/F's will be signed by the Chief of the Office or Staff Division concerned and will contain the following information:

- (1) Name of the NSA activity requesting the service.
- (2) Name(s) of the individual(s) requested.
- (3) Date(s) the services will be required.
- (4) Approximate number of days the services will be required.
- (5) Whether or not the individual(s) concerned is (are) personally known to personnel of the requesting activity.
- (6) Whether or not the individual(s) concerned has (have) been contacted unofficially and personally concerning the proposed visit by any member of the using NSA activity. If any such contact has been made, a written brief of the pertinent correspondence or conversations will be included in the request for services.
- (7) Approval of the Chief of the NSA Office or Staff Division concerned.

b. Notify the Executive Secretary, NSASAB, when the service of the consultant, expert, or advisor on any visit to NSA is completed; state the nature of the problem for which the service was employed; summarize briefly the extent to which the individual was able to assist in the solution of this problem and how applicable to this type of problem the individual's specific qualifications appeared to be.

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2. If any NSA activity needs the services of a specific consultant, expert, or advisor who is not listed as being available, the Chief of the Office or Staff Division concerned will submit to the Executive Secretary, NSASAB, all available information on that individual with a request that he be contacted for consultant service.

3. If any NSA activity needs the services of some consultant, expert, or advisor on some problem but does not know a specific individual qualified in that particular field, the Chief of the Office or Staff Division concerned will submit a request for a consultant, indicating the nature of the problem and the field of professional specialization applicable to his needs.

4. The cost of the travel and services of any consultant, expert or advisor utilized within the provisions of this regulation will be borne by the requesting activity. The cost incident to the utilization of the services of those listed as members of Panels of the NSA Scientific Advisory Board will be borne by the requesting activity when used on an individual consultant basis, and by the Registry when used as Panels or Sub-panels of the Scientific Advisory Board.

SECTION IV - SUPERVISION

Supervision for the implementation of the policy established herein is the responsibility of the Executive Secretary, National Security Agency Scientific Advisory Board.

BY COMMAND OF LIEUTENANT GENERAL CANINE:

L. H. FROST
Captain, US Navy
Chief of Staff

OFFICIAL:

DISTRIBUTION I

Copy of Paragraph 7, CFM A2 - Appointments

* * * * *

7. Appointment of Consultants and Experts

7.1. Policy.

a. Appointments to positions of consultants and experts may be made within applicable statutory authority, rules, and regulations, when the work to be accomplished is highly specialized, and normally

could not be performed by employees in classified positions. It is the policy of NSA and ASA to use this authority as sparingly as possible.

b. The requirements of the particular position must be such that it can be filled only by a consultant or expert, and the proposed appointee must be especially qualified by education and experience to perform the special service involved.

c. Individuals will not be appointed as consultants or experts as a means of placing them on the payroll while action is pending on their appointment to a regular Schedule B excepted position.

7.2. Definitions. For purposes of hiring within the Agencies, the following definitions will be applicable:

a. Consultant. A person who is appointed to a position which involves only the furnishing of advice and counsel, as required in accomplishment of certain highly specialized functions. A consultant may perform duties such as conferring periodically with operating officials and recommending solutions for highly technical problems; serving as a technical advisor in operating activities; assisting operating officials in devising new techniques of operations; and acting in a consultative capacity as a specialist in a highly technical field of knowledge.

b. Expert. A person who performs regular services of a highly technical or administrative nature essential to the accomplishment of certain specialized functions. Examples of such duties would be the solving of highly technical operating problems and the direction of their implementation, conducting activities which are an integral part of highly specialized operating problems, and making operational decisions as specialists in highly specialized fields.

7.3. Appointment of Consultants and Experts.

a. Normally, a consultant or expert will be compensated for his services on a per diem basis. However, a consultant may be appointed to serve without compensation (WOC) under the following conditions:

- (1) The appointment is necessary to accomplish a specific mission.
- (2) The appointee possesses outstanding experience or ability not obtainable on a full-time salaried basis.
- (3) The duties of the appointee will be consultative or advisory only.

Appointment of consultants (WOC) may be effected only after prior approval of the Secretary of the Army. Each consultant appointed without compensation will be required to sign a waiver of compensation.

b. Duration of Appointment. Appointments will be limited to the period during which the need for such services can be anticipated, and will

not extend beyond the end of the fiscal year in which the appointment is made. Consultants and experts may serve for a period not to exceed 90 working days within any fiscal year (under either the original appointment, or any extension thereof). Extensions of periods of service beyond 90 working days in any fiscal year will require the prior approval of the Secretary of the Army. Extensions, if granted, will also be limited to 90 working days and will be requested in the same manner as original appointments. A request for an extension should be submitted to the Chief, Civilian Personnel Branch, prior to the expiration of an original appointment, if continuity of appointment status is desired.

c. Tours of Duty. Consultants and experts may be employed on a full-time, part-time or "when actually employed" (WAE) basis, depending upon the requirements of the work to be performed.

- (1) Intermittent (WAE) Employees. In situations where a regular tour of duty cannot be established, the employee is considered to be an intermittent (WAE) employee. Should any part of such service be scheduled in advance and performed on a regular repetitive basis during each administrative workweek, the employee will become either a full-time or a part-time employee as defined below.
- (2) Full-time Employees. A regularly scheduled tour of duty will be established whenever it is possible to utilize the employee's service on a full-time basis, i. e., five 8-hour days in each administrative workweek.
- (3) Part-time Employees. A part-time tour of duty will be established where service is required on at least one day of each administrative workweek, on a regular repetitive basis, and may be scheduled in advance for a certain day and/or hour of that day.
- (4) Change Actions. Changes which affect the appointment status of a consultant or expert will require the issuance of a Notification of Personnel Action (SF 50). Examples of such changes are: Any change which affects the duties to be performed, particularly, if the duties change from those of an advisory to an operating character; or any change in service, such as a change from WAE to full-time or part-time. When such a change is required, the operating official will prepare a Request for Personnel Action (SF 52) and forward it to the Civilian Personnel Branch, prior to the beginning of the next pay period.

d. Availability of Funds. All appointments will be made within authorized personnel ceilings and will be subject to determination of

availability of funds for the payment of salary, transportation, and per diem, in lieu of subsistence.

e. Effective Date of Appointment. No employee may report for duty, and no payment will be authorized for services, prior to the effective date of appointment. The Civilian Personnel Branch will set the effective date after all legal and regulatory requirements have been met, and all administrative approvals have been obtained. This date will be set to allow for travel time of the employee to his duty station.

7.4. Leave Benefits. Consultants and experts with regularly scheduled tours of duty will be entitled to sick and annual leave benefits, in accordance with the leave regulations. Those appointed for intermittent (WAE) service are excluded from benefits under the leave act.

7.5. Rate of Pay.

a. The maximum rate payable to consultants and experts for services performed is \$50.00 per day. However, the appropriate rate in each particular case will be determined on the basis of the duties and responsibilities of the position. No premium rates such as holiday pay, night differential, or overtime compensation will be authorized for consultants and experts.

b. Consultants (WAE). A day's service for a consultant (WAE) will consist of any consultative services rendered in a given day, regardless of whether the time spent is less or greater than 8 hours. Pay will be computed by multiplying the number of days on which services are performed by the daily rate of pay. Official travel, performed on any day during the normal hours of duty established at the Agency, including normal nonworkdays, will be compensable at the specified daily rate of pay.

c. Experts (WAE). A day's service for an expert will consist of 8 hours of service in any day on which work is required. Since experts are appointed to perform regular services, the daily rate of pay is considered to be compensation for a normal workday. Pay for less than 8 hours on a given day will be computed by multiplying the hourly rate (1/8 of the daily rate) by the number of hours worked. Official travel performed on any day during the normally scheduled hours of duty will be compensable, at the established hourly rate, for each hour, or fraction thereof, up to a maximum of 8 hours in one day.

d. Consultants and Experts (Full-time or Part-time). A consultant or expert who performs personal services within a regularly scheduled tour of duty will be compensated on a straight-time basis for hours of work performed; i. e., pay will be computed by multiplying the hourly rate of pay (1/8 of the daily rate) by the number of hours worked. No compensation will be paid for any hours in excess of 8 hours in any day, regardless of the number of hours worked. Official travel performed within the employee's regularly scheduled tour of duty will be considered

to be service which is compensable on a straight-time basis, as prescribed above. (Travel from home to temporary duty station and return, is not considered to be compensable service and no salary will be paid for this period of travel.)

7.6. Transportation and Per Diem (in Lieu of Subsistence). In addition to payment for services rendered, a consultant or expert will be allowed transportation and per diem, in lieu of subsistence, while away from his home or regular place of business.

7.7. Procedure for Requesting Services of Consultants and Experts.

a. Requests for appointments of consultants and experts will be initiated by the operating official on Request for Personnel Action (SF 52). Each request will include the following information under "Remarks":

- (1) Effective date of appointment, and period of service required (estimated number of working days in the fiscal year).
- (2) Mission to be accomplished (brief unclassified summary of work project; and specific duties to be performed by the appointee).
- (3) Recommended salary (cannot exceed \$50.00 per day).
- (4) Established tour of duty (if applicable).
- (5) Statement that a request for temporary duty travel orders will be submitted (if applicable) after agreement with the Civilian Personnel Branch on the date of appointment.

b. The requesting operating official will forward SF 52, through channels to the Chief, Civilian Personnel Branch. When received, the Chief, Civilian Personnel Branch, in coordination with the requesting official, will establish the appropriate rate of pay, if the services are compensable, and will:

- (1) In ASA, forward a memorandum to the Comptroller, ASA, requesting determination of the availability of funds, prior to appointment action. This step is not required in NSA.
- (2) Select the best qualified candidate for the position.
- (3) Obtain all required approvals and clearances.
- (4) Notify the appointee and the requesting operating official of the effective date of appointment.

Requests for travel orders for the appointee will be prepared in the requesting organizational unit and forwarded through regular channels, if travel to temporary duty station is required.

7.8. Termination of Appointment. When there is no further need for the services of a consultant or expert, the responsible operating official will prepare an SF 52 requesting termination of such services and will forward it to the Civilian Personnel Branch. Appointments of consultants or experts may be terminated at any time; however, all such appointments automatically expire at the end of each fiscal year. The Notification of Personnel Action (SF 50), will be prepared by the Civilian Personnel Branch only when the termination is effected prior to the close of the fiscal year.

8. Employment of the Physically Handicapped.

8.1. Policy. Physically handicapped persons will be given full consideration for appointment, promotion, and reassignment to positions in NSA and ASA under the following policy, which is consistent with the recommendations of the President's committee on the employment of the physically handicapped:

a. Physical standards will be fair, reasonable, and adopted to the realistic requirements of the jobs.

b. Physical abilities of handicapped persons being considered for examination, appointment, or reassignment will be appraised in relation to the essential physical requirements of jobs.

c. An opportunity will be provided for a fair appraisal of pertinent qualifications of physically handicapped applicants and employees.

8.2. Physical Standards and Positions. Physically handicapped persons may be considered for employment in the positions listed in subparagraph d, below, provided they meet the criteria established for the positions, as set forth in subparagraphs a, b, and c:

a. A person with one or a combination of the following impairments may be considered for any of the positions listed below if he is found suitable for the position on the basis of his total qualifications: Disabilities - Amputation (1 leg, if satisfactory prosthesis is used); cardiovascular conditions (mild to moderate); muscular skeletal malfunctions (not to exceed amputation above); glandular disorders; gastrointestinal disorders (if no neuro-psychiatric involvement); respiratory malfunctions (other than pulmonary tuberculosis or bronchiectasis); neurological and psychiatric (other than spastics, encephalopathy, definite neurosis or psychosis and/or serious personality defects); partial deafness (with hearing aid).

b. A person who has lost either a leg or an arm may be considered for the positions indicated by the symbol (*) provided he meets all other conditions outlined in subparagraph a.

c. A deaf mute may also be considered for the six positions indicated by the symbol (X), provided he meets all other conditions outlined in subparagraph b, above.

SECTION III - DEFINITIONS

1. Consultant. A consultant is one who serves in an advisory capacity to an officer or instrumentality of the Government, as distinguished from one who serves as an officer or employee in the performance of duties and responsibilities of the agency. He expresses his views or gives his opinions regarding problems on questions presented to him by the agency, but he does not perform, or supervise the performance of, operating functions. Ordinarily, he will be an expert in the particular field in which he advises. However, he need not be a specialist; his "expertness" may consist in his possession of broad administrative, professional or technical experience of a high order which indicates that his ability and knowledge will render his advice of distinctive value to the employing agency.

2. Consultant position. A consultant position is a position involving the performance of purely advisory or consultant services, as defined in paragraph 1 above, not including the performance of any operating functions.

3. Expert. An expert is a person of excellent qualifications and a high degree of attainment in a professional, scientific, technical, or other field. His knowledge and mastery of the principles, practices, problems, methodology, and techniques of his field of activity, or of an area of specialization within the field, are clearly superior to that usually possessed by persons of ordinary competence in the activity His attainment is such that he will usually be regarded as an authority or as a practitioner of unusual competence and skill by other persons engaged in the profession, occupation or activity.

4. Expert Position. An expert position is a position involving duties which require for satisfactory performance the services of an expert in the particular field, as defined in paragraph 3 above, and which could not be satisfactorily performed by someone who is not an expert in the particular field.

5. Temporary Employment. Temporary employment of an expert or consultant is employment (a) for a period of one year or less which is (b) limited to work on programs, projects, problems, or phases thereof, requiring temporary services for which a need will not extend beyond one year.

6. Intermittent Employment. Intermittent employment of an expert or consultant is employment which (a) occurs occasionally or irregularly and (b) is limited to work on programs, projects, problems, or phases thereof, requiring intermittent services. The Commission holds that employment which aggregates, in the course of the first year of service or in any succeeding year of service, more than one-half of full-time employment, i.e., more than 130 working days, ceases to be intermittent employment and becomes automatically converted to temporary employment which may not be continued beyond the close of the year of service in which the limit was exceeded.

procurement.
 7. Types of employment

- a. Services of consultants and experts may be obtained "by contract" as authorized by Section 15, Act of 2 August 1946. The SF 50 (Notification of Personnel Action) by which consultants and experts are appointed/under Section 7 of NSA CPM Chapter A2 is a "contract" of employment as well as an appointment document.
- b. Services of consultants and experts may be obtained by "contract for personal services" negotiated through SIGPO under the Armed Services Procurement Regulations and Army Procurement Procedure.
- c. The services of corporations, firms may be obtained through SIGPO. For example, services of educational institutions (such as universities, colleges, business schools, and public and private vocational schools), laboratories, or industrial organizations for the training and instruction of civilian employees.
- d. Invitational travel orders may be issued to persons not having an employment status with the Federal Government whose consultative, advisory, or other highly specialized technical services are required in a capacity that is directly related to or in connection with activities of the Agency. (Invitation to travel & Government expense in no instance will be issued to an individual for the purpose of defraying the costs of travel to a designated place for the purpose of entering on duty as a Government employee or for an interview to determine qualifications for appointment.)

8. Categories of consultants and experts. Consultants and experts may be employed under different conditions. For example, in a part-time, full-time, or intermittent or "when actually employed" (WAE), ~~agreement~~ or "without compensation" (WOC) ^{status} agreement.

7. Tours of Duty Consultants and Experts may be employed on a full-time, part-time, ^{or "when actually employed"} or "when actually employed" (WAE) basis, ~~depending upon requirements of work to be performed.~~

8.