



# Department of Defense **INSTRUCTION**

**NUMBER** 1322.06

October 12, 2016

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USD(P&R)

**SUBJECT:** Fellowships, Legislative Fellowships, Internships, Scholarships, Training-With-Industry (TWI), and Grants Provided to DoD or DoD Personnel for Education and Training

**References:** See Enclosure 1

1. PURPOSE. This instruction:

a. In accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), reissues DoD Instruction (DoDI) 1322.06 (Reference (b)) to establish policy, assign responsibilities, and provide procedures for DoD personnel to accept fellowships, legislative fellowships, internships, scholarships, TWI, grants, or rotational assignments, exchange tours for training from federal agencies, corporations, foundations, funds, or educational institutions organized and operated primarily for scientific, literary, educational, and training purposes.

b. Implements policy in accordance with sections 2013 and 2603 of Title 10, United States Code (U.S.C.) (Reference (c)); chapter 41 of Title 5, U.S.C.(Reference (d)); section 1104 of Public Law 109-364 (Reference (e)); DoDD 1344.10 (Reference (f)); and DoD 5500.07-R (Reference (g)).

c. Incorporates and cancels Assistant Secretary of Defense for Legislative Affairs (ASD(LA)) Memorandum (Reference (h)).

2. APPLICABILITY. This instruction:

a. Applies to OSD, the Military Departments, 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 Activities, and all other organizational entities within the DoD (referred to collectively in this instruction as the “DoD Components”).

b. Does not apply to DoD personnel who are:

(1) Detailed to duty outside the DoD pursuant to DoDI 1000.17 (Reference (i)).

(2) Service members pursuing or having obtained a graduate degree in accordance with DoDI 1322.10 (Reference (j)).

(3) Service members participating in the Secretary of Defense Corporate Fellows Program in accordance with DoDI 1322.23 (Reference (k)) or Graduate Professional Medical Education Programs.

(4) Service members participating in the Education and Employment Initiative and Operation WARFIGHTER in accordance with DoDI 1300.25 (Reference (l)).

c. Does not apply to fellowships, internships, scholarships, and grants pursued by DoD personnel in their personal capacities.

3. POLICY. In accordance with sections 2013 and 2603 of Reference (c); References (d) through (g); and DoDD 1322.18 (Reference (m)), it is DoD policy that:

a. DoD personnel will be supported and enhanced by human capital strategic plans that include programming, budgeting, implementing, and evaluating education, training, and professional development opportunities. These activities will empower the DoD workforce with the skills to support current and future requirements, improve individual and organizational performance, and maximize the return on investment to the DoD.

b. Effective strategies for developing military and civilian personnel careers will be identified and implemented, including specific objectives and intended outcomes of educational and training activities and programs, to enhance the mission performance of Military Departments, other DoD Components, and individual functional communities.

c. Fellowships, legislative fellowships, internships, scholarships, TWI, and grants enhance the educational and training level of DoD personnel, and they may apply for these programs in accordance with References (c), (d), and (e). These programs may be hosted by organizations such as universities, think tanks, corporations, federal agencies, or foreign military and civilian institutions.

d. DoD's objective for these programs is to address workforce competency gaps, fulfill present personnel needs, address anticipated requirements, and advance preparation for future capabilities that contribute to the effectiveness of the respective Military Department and other DoD Components. These programs will be considered a component of the training, education, and professional development activities for military and civilian personnel.

e. Fellowships, legislative fellowships, internships, scholarships, TWI, and grants for education and training opportunities will be provided to DoD personnel to improve performance of official duties; enhance mutual understanding of their missions; and develop competencies, skills, knowledge, and abilities to build, sustain, and retain a mission-ready workforce. These personnel will have the capability to use the best modern practices and techniques to integrate

into diverse operational environments and enhance performance of present and future mission-related functions.

f. Fellowships, legislative fellowships, internships, scholarships, TWI, and grants for education and training will be leveraged whenever possible in support of the DoD total force approach to mission execution. These programs support the DoD objectives of developing world class enterprise leaders, preparing a mission-ready workforce, and promoting a results-oriented performance culture.

g. The Military Departments and the DoD Components other than Military Departments will prepare the following for their fellowships, legislative fellowships, internships, scholarships, TWI, and grants for education and training programs:

(1) The Military Departments will provide to the USD(P&R):

(a) An annual report on the program reviews of fellowships, legislative fellowships, internships, scholarships, TWI, and grants, including an evaluation on the appropriateness of fees or tuition charged to DoD versus institutional academic ranking to determine whether the cost effectiveness of each fellowship is consistent in comparison to other fellowships.

(b) A quarterly report consistent with Reference (e) on covered legislative details or fellowships of Service members and employees of the respective Military Department, who have served continuously in the Legislative Branch for more than 12 consecutive months in one or a combination of covered legislative details or fellowships.

(c) An immediate report whenever a Service member is sent to serve in the Legislative branch as the person's last tour of duty before retirement or separation.

(2) DoD Components other than the Military Departments will provide to the ASD(R):

(a) An annual report on the program reviews of fellowships, legislative fellowships, TWI, and grants.

(b) A quarterly report consistent with Reference (e) on covered legislative details or fellowships of Component employees, who have served continuously in the Legislative Branch for more than 12 consecutive months in one or a combination of covered legislative details or fellowships.

h. An inventory of fellowship and TWI programs will be developed to track the number of programs in which DoD personnel participate, the number of participants in fellowships or TWI programs, and the needs these programs address. This information will assist DoD to identify new and emerging needs and assess education and training gaps.

i. DoD personnel may participate in non-legislative fellowship programs in order to align DoD human capital with current capability requirements and gain education and experience in

emerging enterprise systems, adaptive business rules, transformed warfighting, and executive-level strategic programs that will benefit DoD Components.

j. DoD personnel may participate in TWI programs at for-profit private sector organizations in professional, technical, or executive management areas that are not otherwise available through existing military or advanced civilian education programs or other established training and education programs offered by the Military Departments or other DoD Components.

k. No DoD personnel will be placed in the Legislative Branch of the U.S. Government outside of the procedures established by this instruction, unless a waiver to this policy is granted by the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) in coordination with the ASD(LA). Furthermore, it is the policy of DoD that a Service member will not be assigned to a legislative fellowship or detail as the last tour of duty before the member's retirement or separation, or in excess of 12 months. Even if a policy waiver is granted by the USD(P&R), the reporting requirements of Reference (e) are applicable. The ASD(LA) is responsible for the placement of all DoD personnel in the Legislative Branch of the U.S. Government as legislative fellows. Legislative fellows will routinely be placed in congressional offices or committees listed in this instruction in Enclosure 2, but may be placed in other congressional offices or committees upon the approval of the ASD(LA).

l. Academic degrees, credentials, or other education or training awards earned by civilian employees participating in a program covered by this instruction will be recorded in the Defense Civilian Personnel Data System. Service members will have these awards registered in their military personnel record and with the Defense Manpower Data Center.

m. Recipients of fellowships, legislative fellowships, scholarships, and TWI programs will complete a 2-year mandatory follow-on utilization tour in positions in which the benefits of the education or training will be used immediately upon completion, in accordance with Enclosure 3.

n. Written agreements or memorandums of understanding between DoD and hosting organizations will be established to document legislative fellowship, fellowship, TWI, scholarship, internship, and grant objectives, to evaluate the appropriateness of fees or tuition charged to DoD, and to assess criteria for evaluating the programs.

4. RESPONSIBILITIES. See Enclosure 2.

5. PROCEDURES. See Enclosure 3.

6. INFORMATION COLLECTION REQUIREMENTS

a. The Military Department and DoD Component other than the Military Departments Annual Report to the USD(P&R) and Quarterly filler report to Congress referred to in paragraph 3g above the signature, 7f, 8h, 8m(3)(a) of Enclosure 2 and Enclosure 4, have been assigned

report control symbol DD-P&R(A,Q)2574 in accordance with the procedures in Volume 1 of DoD Manual 8910.01 (Reference (n)).

b. The Quarterly and Immediate Report to Congress and the reports to Congress on DoD personnel serving in the Legislative Branch, pursuant to Reference (e) and referenced in paragraph 3g above the signature, 1b and 2a of Enclosure 2, are submitted to Congress in accordance with Reference (e) and are coordinated with the ASD(LA) in accordance with the procedures in DoDI 5545.02 (Reference (o)).

7. **RELEASABILITY**. **Cleared for public release**. This instruction is available from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. **EFFECTIVE DATE**. This instruction is effective October 12, 2016.



Peter Levine  
Acting Under Secretary of Defense for  
Personnel and Readiness

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ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
- (b) DoD Instruction 1322.06, "Fellowships, Scholarships, Training With Industry (TWI), and Grants for DoD Personnel," November 15, 2007 (hereby cancelled)
- (c) Title 10, United States Code
- (d) Chapter 41 of Title 5, United States Code
- (e) Section 1104 of Public Law 109-364, "John Warner National Defense Authorization Act for Fiscal Year 2007," October 17, 2006
- (f) DoD Directive 1344.10, "Political Activities by Members of the Armed Forces," February 19, 2008
- (g) DoD 5500.07-R, "Joint Ethics Regulation (JER)," August 30, 1993, as amended
- (h) Assistant Secretary of Defense for Legislative Affairs Memorandum, "Revised Congressional Fellows Program," March 15, 2007 (hereby cancelled)
- (i) DoD Instruction 1000.17, "Detail of DoD Personnel to Duty Outside the Department of Defense," October 30, 2013
- (j) DoD Instruction 1322.10, "Policy on Graduate Education for Military Officers," April 29, 2008
- (k) DoD Instruction 1322.23, "Secretary of Defense Corporate Fellows Program (SDCFP)," May 20, 2011
- (l) DoD Instruction 1300.25, "Guidance for the Education and Employment Initiative (E2I) and Operation WARFIGHTER (OWF)," March 25, 2013
- (m) DoD Directive 1322.18, "Military Training," January 13, 2009
- (n) DoD Manual 8910.01, Volume 1, "DoD Information Collections Manual: Procedures for DoD Internal Information Collections," June 30, 2014, as amended
- (o) DoD Instruction 5545.02, "DoD Policy for Congressional Authorization and Appropriations Reporting Requirements," December 19, 2008
- (p) Administrative Instruction 15, "OSD Records and Information Management Program," May 3, 2013
- (q) Title 5, Code of Federal Regulations
- (r) Title 26, United States Code
- (s) DoD Instruction 1400.25, Volume 410, "DoD Civilian Personnel Management System: Training, Education, and Professional Development," September 25, 2013

ENCLOSURE 2

RESPONSIBILITIES

1. USD(P&R). The USD(P&R):

a. Reviews and approves, as appropriate, candidates for legislative fellowships nominated by the Secretaries of the Military Departments and the Director, Washington Headquarters Services (WHS), by July 15 of each calendar year.

b. Provides reports to Congress required by Reference (e) in coordination with the ASD(LA).

(1) Subsection 1104(a) of Reference (e) requires quarterly reports on covered legislative details or fellowships of DoD personnel who have served continuously in the Legislative Branch for more than 12 consecutive months in one or a combination of covered legislative details or fellowships.

(2) Subsection 1104(b) of Reference (e) requires an immediate report whenever the DoD policy prohibiting the assignment of a Service member to a legislative fellowship or detail as the last tour of duty before the member's retirement or separation is waived and a Service member is assigned to a covered legislative detail or fellowship as the Service member's last tour of duty before retirement or separation.

2. ASSISTANT SECRETARY OF DEFENSE FOR READINESS (ASD(R)). Under the authority, direction, and control of the USD(P&R), the ASD(R):

a. Monitors congressional reporting requirements concerning legislative fellowships in accordance with Reference (e) and oversees compliance by DoD Components of their requirement to submit quarterly and annual reports on their respective programs.

b. Provides guidance to define the goals of fellowships, internships, and TWI programs, including implementation, quantifiable performance, and cost effectiveness for DoD personnel in accordance with Enclosure 3 of this instruction.

c. Provides guidance to define the goals of the legislative fellowships in coordination with the ASD(LA), including implementation, quantifiable performance, and cost effectiveness for DoD personnel in accordance with Enclosure 3 of this instruction.

d. In coordination with the DoD Component heads, consolidates and establishes an inventory of fellowships, legislative fellowships, internships, scholarships, TWI, and grant programs and participants. The purpose of the inventory is to ensure that these programs are designed and managed to improve DoD personnel standards of performance and efficiency,



and to identify educational and training solutions to meet new and emergent skill needs and to better fulfill the DoD mission.

3. DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR FORCE EDUCATION AND TRAINING (DASD(FE&T)). Under the authority, direction, and control of the ASD(R), the DASD(FE&T):

- a. Monitors compliance with this instruction.
- b. Develops policy to define the goals and objectives of the fellowships, scholarships, TWI, and grants for education and training for DoD personnel.
- c. Develops policy to define the goals and objectives of the legislative fellowships, in coordination with the ASD(LA) and in accordance with Enclosure 3 of this instruction.
- d. Gathers and prepares documentation for USD(P&R) approval of military and civilian candidates nominated by the Secretaries of the Military Departments or other DoD Component heads for legislative fellowships. The DASD(FE&T) provides the consolidated list of military and civilian candidates to the USD(P&R) by June 30 of each calendar year for approval.

4. DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR CIVILIAN PERSONNEL POLICY (DASD(CPP)). Under the authority, direction, and control of the Assistant Secretary of Defense for Manpower and Reserve Affairs, the DASD(CPP) develops policies, procedures, and information requirements for DoD employees of DoD Components other than the Military Departments participating in legislative fellowship programs beyond the procedures provided in Enclosure 3, as may be applicable.

5. ASD(LA). The ASD(LA):

- a. Manages the execution of the legislative fellows program, coordinating with the Military Departments and other DoD Components, and determines the committees and congressional offices in which legislative fellows will be placed.
- b. Develops documented criteria for the placement of legislative fellows to match the educational needs of the legislative fellow with the needs of the congressional committees and members.
- c. Maintains a list of selected congressional offices and committees for possible legislative fellow placement for the Secretaries of the Military Departments and the DASD(CPP); the list will include, but not be limited to:

- (1) House and Senate leadership.

- (2) Senate and House Armed Services Committees.
  - (3) Senate and House Defense Appropriations Subcommittees.
  - (4) Senate and House Military Construction, Veterans Affairs, and Related Agencies Appropriations Subcommittees.
  - (5) Senate Select Committee on Intelligence.
  - (6) House Permanent Select Committee on Intelligence.
  - (7) Senate Homeland Security and Governmental Affairs Committee.
  - (8) House Oversight and Government Reform Committee.
  - (9) House Homeland Security Committee.
  - (10) Senate Foreign Relations Committee.
  - (11) House Foreign Affairs Committee.
  - (12) Senate and House Veterans Affairs Committees.
- d. Monitors the activities of the legislative fellows during the period they are assigned to the congressional offices.
- e. Annually provides a list of congressional offices hosting a legislative fellow to the ASD(R) following final placement.

6. DIRECTOR, WHS. Under the authority, direction, and control of the Deputy Chief Management Officer of the Department of Defense, through the Director of Administration, Office of the Deputy Chief Management Officer, the Director, WHS:

- a. Ensures implementation of, and compliance with, the policies, procedures, and information requirements established in this instruction.
- b. Collects, consolidates, and reviews nominations of civilian personnel for legislative fellowships from DoD Components other than the Military Departments. Sends nomination recommendations for review and approval through the DASD(FE&T) to the USD(P&R) not later than June 1 of each calendar year.
- c. Coordinates the announcement of candidates from the DoD Components other than the Military Departments that have been nominated for civilian legislative fellowship

candidates with the DASD(CPP) before releasing the announcement to the DoD Component heads.

**7. DoD COMPONENT HEADS OTHER THAN THE SECRETARIES OF THE MILITARY DEPARTMENTS.** The heads of the DoD Components other than the Military Departments:

a. Ensure implementation of, and compliance with, the policies, procedures, information, and reporting requirements established in this instruction.

b. Nominate to the Director, WHS, DoD civilian employee candidates for legislative fellowships from their respective DoD Components other than the Military Departments for the legislative fellowship program on or before May 1 of each calendar year.

c. Implement, maintain oversight, and manage their respective fellowships, legislative fellowship, internships, scholarships, TWI, and grant for education and training programs. Ensure that those selected for any of these programs comply with the DoD intent of the program, including proper management of skills gained by the individual in accordance with Enclosure 3 of this instruction.

d. Ensure current assignments or billets using the fellowships, legislative fellowships, internships, scholarships, TWI, or grants meet the intent of the program and continue to meet DoD needs.

e. Request USD(P&R) authorization, through the ASD(LA), for their respective civilian employees who are legislative fellows to serve more than 12 consecutive months in one or a combination of legislative fellowships.

f. Submit quarterly reports to the USD(P&R) consistent with Reference (e).

g. Identify a point of contact and designate an office responsible for compiling information and preparing annual reports on the program reviews. The annual report will be prepared in accordance with Administrative Instruction 15 (Reference (p)) and will be sent to the ASD(R) no later than March 31 of each calendar year.

h. Develop for submission to the ASD(R) an inventory of fellowships, legislative fellowships, internships, scholarships, TWI, and grants for education and training programs for their respective DoD Component to determine the totality of programs, the participants, and the needs these programs address.

i. Make available to eligible civilian employees information about fellowships, legislative fellowships, internships, scholarships, TWI, and grants for education and training. Conduct regular oversight for compliance with this requirement.

8. SECRETARIES OF THE MILITARY DEPARTMENTS. The Secretaries of the Military Departments:

- a. Ensure implementation of, and compliance with, the policies, procedures, and information and reporting requirements established in this instruction.
- b. Establish programs to select Service members and civilian employees of their respective Military Departments for fellowships, legislative fellowships, internships, scholarships, TWI, or grants for education and training.
- c. Nominate to the DASD(FE&T) for USD(P&R) review and approval Service members and civilian employees serving in a Military Department or on the Joint Staff for the legislative fellowship program no later than June 1 of each calendar year.
- d. Assign DoD personnel from their respective Military Department to legislative fellowships after approval of the nominees by the USD(P&R).
- e. Following the completion of a fellowship, legislative fellowship, internship, scholarship, TWI, or grant, assign DoD personnel from their respective Military Department to utilization tours if the following conditions are met:
  - (1) The utilization tour is part of a planned, systematic, coordinated and tracked employee development program linked to accomplishing the strategic goals of the Military Department.
  - (2) The utilization tour contributes to meeting an identified requirement, resolving an identified staffing problem, or accomplishing goals in the strategic plan of the Military Department.
- f. Request USD(P&R) authorization, through the ASD(LA), for Service members and civilian employees from the Military Department concerned, who are legislative fellows, to serve more than 12 consecutive months in one or a combination of legislative fellowships.
- g. Develop for submission to the ASD(R), an inventory of the respective Military Departments' legislative fellowships, fellowships, scholarships, TWI, and grants for education and training programs to determine the totality of programs, participants, and the needs these programs address.
- h. Review Service members and civilian employees nominees, submitted by their respective office or command within the Military Department concerned, for consideration for fellowships, scholarships, internships, TWI, or grants. Submit recommended candidates for legislative fellowships for USD(P&R) review and approval.
- i. Submit annual and quarterly reports to the USD(P&R) of their legislative fellowship programs to ensure compliance with this issuance and consistency with:

(1) For Service members, References (c) and (e).

(2) For civilian employees, References (d) and (e).

j. Identify a sponsoring organization for each non-legislative and TWI program. Provide the sponsor to the USD(P&R) for review, processing, and final approval.

k. Work collectively to design, implement, and operate a standardized system for collecting, analyzing, and interpreting direct cost data and performance metrics to evaluate their programs and to prepare annual reports.

l. Identify a point of contact and designate the offices responsible for compiling information and preparing annual and quarterly reports on the program reviews.

m. Develop and establish standardized periodic and comprehensive reviews of the legislative fellowship, fellowship, scholarship, internship, TWI, and grants for education and training programs. The reviews will include assessments of the programs against program goals to ascertain whether they meet desired program outcome, address emergent mission requirements, or develop needed personnel skills, and assessments of written agreements or memorandums of understanding. The review will be maintained by assessment by the Military Department concerned in accordance with Reference (n). These reviews include, among other criteria:

(1) Quantifiable performance measures include reports on utilization tours of fellows, promotion rates, and career progression, including rates at which fellows earn command billets, achieve the grades of O-6 and general or flag officer, or GS-15 and Senior Executive Service positions or equivalent, compared to the overall population.

(2) Provide a report to the USD(P&R) that evaluates the appropriateness of fees or tuition charged to DoD versus institutional academic ranking to determine whether the cost of effectiveness of each fellowship is consistent in comparison to other fellowships.

(3) Validation that the program meets current and emergent requirements of the Military Department concerned.

(4) Incorporation of feedback from participants and host organizations, and documentation of the results of the review.

n. Maintain oversight and manage their legislative fellowships, fellowships, scholarships, internships, TWI, and grants programs to require that:

(1) Overall compliance with the DoD intent of the program is accomplished, including proper management of skills gained by the individual, in accordance with Enclosure 3 of this instruction.

(2) Current assignments or billets using the fellowships, legislative fellowships, internships, scholarships, TWI, or grants meet the intent of the program and continue to meet Military Department and DoD requirements or anticipated needs.

(3) The Secretary of the Military Department concerned will:

(a) Maintain all periodic internal reviews that assess progress, validate current or emerging needs, and determine the direct and indirect costs of fellowships, legislative fellowships, internships, scholarships, TWI, and grants in accordance with applicable DoD and Service policies and procedures.

(b) Send the reviews to the ASD(R).

(4) Requirements are validated to assure quality of the fellowships, legislative fellowships, internships, scholarships, TWI, or grant programs covered by this instruction.

(5) Guidance is developed and implemented for determining what qualifies as a utilization tour.

o. Make available to eligible DoD personnel information about fellowship, legislative fellowships, internships, scholarships, TWI, and grants for education and training; conduct regular oversight for compliance with this requirement.

p. Review written agreements or memorandums of understanding with hosting organizations to document fellowship, legislative fellowships, internships, scholarships, TWI, and grant objectives, evaluate the appropriateness of fees or tuition charged to DoD, and assess criteria for evaluating the programs.

ENCLOSURE 3

PROCEDURES

1. CRITERIA

a. General. DoD personnel may only apply for legislative fellowships, fellowships, scholarships, internships, TWI, or grants in accordance with this instruction if the following criteria are met:

(1) The legislative fellowships, fellowships, scholarships, internships, TWI, or grants must be awarded based on at least one of the following:

(a) Recognition of outstanding performance in the recipient's field.

(b) To undertake a project that may be of value to the DoD or the United States.

(c) For development of the recipient's recognized potential for future career service.

(2) DoD personnel must complete a 2-year utilization tour in positions in which the benefits of the education or training will be used immediately upon completion.

(a) Civilian employees may incur an additional service obligation in accordance with Reference (d).

(b) Service members may incur an additional service obligation when required.

b. Legislative Fellowships. The purpose of DoD legislative fellowships is to provide select Service members and civilian employees first hand, senior-level experience with the workings of the U.S. Congress and, through the acquisition of additional skills, relationships, and knowledge, provide DoD with an identifiable and measurable understanding of how congressional actions affect the DoD's budget, roles and missions, force structure, programs, military projects, and quality of life. The criteria for all legislative fellowships are:

(1) The legislative fellowship must fulfill explicit or anticipated DoD requirements by virtue of education or experience gained in a congressional office.

(2) There should be an immediate utilization tour or assignment to which the Service members or civilian employees will be assigned upon completion of the legislative fellowship. The Secretary of the Military Department concerned or the DoD Component head (other than the Military Departments) concerned may delay or waive this requirement only as needed to meet current mission needs.

(3) The legislative fellowship may be no more than 12 consecutive months, nor can the legislative fellowship be the last assignment of the Service member or civilian employee.

For exceptional mission demands that may require a legislative fellow to serve beyond 12 consecutive months, see paragraphs 7e or 8e of Enclosure 2 of this instruction.

(4) The legislative fellowship must meet professional development requirements for the military member or civilian employee.

(5) Prior legislative fellows must wait 5 years to be considered for another legislative fellowship, but may serve in the Military Department, OSD, or another DoD legislative liaison office.

(6) Legislative fellowship nominations to fill quotas announced by the Office of the USD(P&R) will be submitted to the ASD(R) for USD(P&R) approval no later than June 15 of the current calendar year, and must include:

(a) A letter stating that the sponsoring organization has accepted the proposed legislative fellowship candidate into its educational legislative fellowship program.

(b) A signed agreement to continue service within DoD for three times the length of legislative fellowship.

(c) A signed acknowledgement from the nominee that the legislative fellowship will not be the candidate's last assignment with the DoD.

(7) Assignment of legislative fellowships to congressional offices listed in this enclosure is the responsibility of the ASD(LA). The ASD(LA) will monitor the activities of the legislative fellowship during the year they are assigned to the congressional offices.

(8) The minimum number of legislative fellows assigned per calendar year is 82 and will be allocated according to the following:

(a) Army: 21 military and 1 civilian (22 minimum).

(b) Navy: 21 military and 1 civilian (22 minimum).

(c) Air Force: 21 military and 1 civilian (22 minimum).

(d) Marine Corps: 13 military and 1 civilian (14 minimum).

(e) DoD Components that are not Military Departments: 2 civilian (2 minimum).

(f) The Military Departments may choose to nominate fewer individuals than their allocation based on mission requirements, officer inventory, or anticipated needs.

(9) No congressional office will have more than one legislative fellowship assigned to that office in a calendar year.



(10) Legislative fellowships are the exclusive means of placing DoD personnel in positions in the U.S. Congress. The DoD Components may not participate in any other legislative fellowships or other training programs that involve sending DoD personnel to work on the staff of a member of Congress or congressional committee unless the USD(P&R), with ASD(LA) concurrence, grants a waiver to this policy. Excepted from this requirement are Recovering Service members, in accordance with Reference (l).

c. Fellowships. The purpose of non-legislative fellowships is to provide selected DoD personnel with an educational experience to increase skills, competencies, and expertise in areas relevant to the DoD mission in subject matter areas for which comparable expertise cannot reasonably be acquired through attendance at a DoD educational institution.

(1) The criteria for DoD fellowships are:

(a) Universities, think tanks, corporations, federal agencies, or foreign military and civilian institutions will sponsor fellowships.

(b) Fellows will pursue individual research and writing projects related to DoD requirements not available through in-house education and training programs in consultation with host organization's faculty or experts. Fellows will share their operational and policy insights with host organization's faculty to the extent not otherwise prohibited by law or regulation.

(c) DoD personnel will be assigned to an immediate follow-on utilization tour or assignment upon completion of the fellowship. If it is a Service member's last tour of duty, the Military Department or DoD Component concerned must immediately inform OSD so that the report required by subsection 1104(b) of Reference (e) can be submitted to Congress before the member retires or separates.

(2) The criteria for DoD rotational assignments or exchange tours:

(a) Rotational assignments or exchange tours will be coordinated with other federal agencies, with emphasis on Department of State, United States Agency for International Development, Department of Justice, Federal Emergency Management Agency, as well as nongovernmental and international organizations (e.g., United Nations, World Bank, and Red Cross). Agencies and organizations will be selected based on how their expertise can enhance military operations, such as security force assistance and defense support to civil authorities, and the mutual benefit to the agency or organization of increased exposure to experienced Service members. Rotational assignments within or between DoD Components, or between elements of the Intelligence Community, are not covered by this instruction.

(b) This instruction is intended to provide authority to approve rotational assignments or exchange tours that do not meet the criteria for a detail, as described in Reference (i).

(c) DoD personnel participating in rotational assignments or exchange tours will concentrate on work that improves their ability to perform missions that benefit DoD requirements, while providing the hosting organization the benefit of operating with DoD. To be most valuable, DoD personnel should be assigned to a part of the organization that works with the DoD Component during emergent missions.

(d) There must be an immediate follow-on utilization tour or assignment to which DoD personnel are assigned when they complete the assignment.

d. TWI. The purpose of TWI is to provide selected DoD personnel the opportunity to gain career broadening experience while working in an industry environment. It also provides the participant's organization the means to acquire needed skills or expertise to accomplish their mission. TWI is a non-degree producing program and provides training and skills in best business procedures and practices not available through existing military or advanced civilian schooling programs for identifiable DoD requirements. TWI assignment criteria:

(1) There must be an existing DoD Component need or future capability fulfilled by virtue of the experience gained from the TWI.

(2) There must be either a utilization tour or assignment to which the individual is assigned, or a clear, documented future need for the skill that is to be gained by a future follow-on utilization tour.

(3) The TWI tour or assignment should not exceed 12 months in length. Any TWI tour or assignment that will exceed 12 months must be approved by the DoD Component head concerned.

(4) The proposed TWI tour or assignment must meet professional development requirements.

(5) There must be a written agreement between the private sector host, DoD personnel involved, and the DoD Component head concerned before the start of the TWI assignment.

(6) The education or training to be received or the research to be performed by a fellowship, scholarship, TWI, or grant recipient must be designed to qualify the recipient to satisfy a requirement or potential requirement of DoD; contribute to the recipient's recognized potential for career service; or constitute a contribution to a project of value to the United States. For civilian employees, training that will result in the award of an academic degree must be consistent with section 4107 of Reference (d).

e. Scholarships and Grants

(1) DoD personnel may compete and be authorized to accept scholarships or grants offered by eligible sponsors or donors for educational and training purposes or research in the United States or abroad. DoD Components will establish processes for the competition and

acceptance of scholarships or grants. The competition requirement does not apply if the purpose of the scholarship or grant is to:

(a) Recognize outstanding performance of DoD personnel in their field.

(b) Permit work on an initiative of value to the U.S. Government, rather than to fulfill the requirements of an academic degree

(2) In accordance with Reference (g), eligible DoD personnel may accept an educational scholarship or grant from:

(a) An entity that does not have interests that could be substantially affected by the individual's performance level of his or her official duties.

(b) An association or similar entity that does not have a majority of members with interests that could be substantially affected by the individual's performance level of his or her official duties.

(3) DoD personnel may only accept the scholarship or grant if the designated agency ethics official or designee determines that:

(a) The scholarship or grant is part of an established program of grants or awards that has written standards for choosing recipients and that is funded, wholly or in part, to ensure it may continue to award recipients on a regular basis; or

(b) The scholarship or grant is established for the benefit of DoD personnel, and recipients are selected pursuant to written standards established in this instruction or, where the scholarship or grant is available only to Service members, by the Secretary of the Military Department concerned. These criteria are in accordance with part 3601.103 of Title 5, Code of Federal Regulations (Reference (q)).

(4) The education or training to be received or the research to be performed by the recipient of a scholarship or grant must:

(a) Satisfy a current or anticipated mission requirement of the DoD.

(b) Contribute to the development and advancement of the careers of DoD personnel.

(c) Contribute to a U.S. Government initiative.

(5) Eligible sponsors or donors for scholarships or grants are corporations, foundations, or educational institutions that:

(a) Are organized and operated primarily for educational, training, scientific, or literary purposes.

(b) Qualify for tax-exempt status pursuant to section 501 of Title 26, U.S.C., also known as “The Internal Revenue Code of 1954, as amended” (Reference (r)), including:

1. U.S. federal, State, and local governments.
2. Foundations, funds, education, and training institutions that would qualify as tax-exempt organizations pursuant to Reference (p).
3. Any other corporation, foundation, fund, education, or training institution that the USD(P&R) determines operates primarily for educational, training, scientific, or literary purposes.

(6) Business groups operating for profit, foreign governments, and political organizations are not eligible sponsors or donors.

2. EDUCATION AND TRAINING AGREEMENTS. Education and training agreements for legislative fellowships, fellowships, internships, scholarships, TWIs, or grants have the following requirements:

a. After finishing the education or training, a Service member must agree in writing to a service commitment for a minimum period of three times the length of the legislative fellowship, fellowship, internship, scholarship, TWI, or grant. The Service member must submit with his or her nomination package their Service authorization, agreement, and certification of training form. An agreement is not required if the education or training away from regular military duty does not exceed 26 weeks and involves work on a project of value to the United States rather than the fulfillment of requirements of an academic degree.

b. A civilian employee must agree in writing to a service commitment for a minimum period of three times the length of the legislative fellowship, fellowship, scholarship, TWI, or grant after finishing the education or training. The civilian employee must submit with his or her nomination package a signed Standard Form 182, “Authorization, Agreement and Certification of Training.” An agreement is not required if the education or training away from regular duty does not exceed 26 weeks and involves work on a project of value to the United States rather than the fulfillment of requirements of an academic degree.

c. In the case of legislative fellowships, the Military Departments’ Legislative Liaison Offices must report any non-compliance with the requirements established in Reference (e) and paragraph 1b(3) of this enclosure. If a Service member or a civilian employee is assigned to a legislative fellowship as his or her last tour of duty before retirement or separation from the Military Services, the Legislative Liaison Office concerned must report the issue to the Director of Training Readiness and Strategy through the DASD(FE&T).

d. DoD ethics counselors will provide training to DoD participants in DoD legislative fellowships, fellowships, internships, scholarship, TWI, or grants. The training includes a briefing regarding restrictions on standards of conduct issues likely to arise in conjunction with a program established pursuant to this instruction. Training must be held before DoD

personnel begin participation in the program. In addition, DoD personnel in the legislative fellowship program must be provided with relevant guidance concerning partisan political activities contained in Reference (f).

**3. PARTICIPANTS IN FELLOWSHIP, LEGISLATIVE FELLOWSHIP, INTERNSHIP, SCHOLARSHIP, TWI, AND GRANTS.** Participants will:

- a. Request review by the appropriate ethics counselor before acceptance of a fellowship, legislative fellowship, internship, scholarship, TWI, or grant.
- b. Comply with the length of the time limitation allowed for legislative fellowships in paragraph 1b(3) of this enclosure.
- c. Comply with training agreements that require DoD personnel to agree in writing to serve on active duty or continue service when they complete the training for a minimum period of three times the length of the fellowship, legislative fellowship, scholarship, TWI, or grant.

ENCLOSURE 4

DoD COMPONENT ANNUAL REVIEW FORMAT

1. The internal annual review by the DoD Components will include Tables 2 through 5 that capture, by the respective category:

- a. The number of personnel that participated in each program.
- b. Where the personnel were assigned.
- c. Whether there was a cost involved (including training costs) in the participation of personnel in the program, and if so, how much it was.
- d. Whether the personnel are in a utilization tour, and if so, where the utilization tour is and its duration.
- e. Justifications for those not required to complete a utilization tour.
- f. The date the individual returned to the DoD Component.
- g. Any tracking mechanism the DoD Component uses for personnel completing the designated program.

Table 1. Legislative Fellowships

Name of Military Participants	Name of Civilian Participants	Fellowship Location	Direct Training Costs Estimate	Indirect Training Costs Estimate	Date Returned to DoD Component	Location of Utilization Tour

Table 2. Fellowships

Name of Military Participants	Name of Civilian Participants	Fellowship Location	Direct Costs Training Estimate	Indirect Costs Training Estimate	Date Returned to DoD Component	Location of Utilization Tour (if Applicable)

2. Programs and training opportunities that do not meet the criteria of legislative fellowships, TWI, or grants should be reported using Table 3.

Table 3. TWI

Name of Military Participants	Name of Civilian Participants	Assignment Location	Direct Training Costs Estimate	Indirect Training Costs Estimate	Date Returned to DoD Component	Location of Utilization Tour (if applicable)

Table 4. Grants

Name of Military Participants	Name of Civilian Participants	Assignment Location	Direct Training Costs Estimate	Indirect Training Cost Estimate	Date Returned to DoD Component	Location of Utilization Tour (if applicable)

3. DoD Components will use Table 5 to provide comments relevant to the annual placement of personnel, including benefits and problems associated with any of the programs.

Table 5. General Comments

Name of the Program	Benefit to the Military Department, DoD Personnel Problem with Program, etc.

## GLOSSARY

### PART I. ABBREVIATIONS AND ACRONYMS

ASD(LA)	Assistant Secretary of Defense for Legislative Affairs
ASD(R)	Assistant Secretary of Defense for Readiness
DASD(FE&T)	Deputy Assistant Secretary of Defense for Force Education and Training
DASD(CPP)	Deputy Assistant Secretary of Defense for Civilian Personnel Policy
DoDD	DoD Directive
DoDI	DoD Instruction
TWI	training with industry
U.S.C.	United States Code
USD(P&R)	Under Secretary of Defense for Personnel and Readiness
WHS	Washington Headquarters Services

### PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purposes of this instruction.

DoD Components other than the Military Departments. The OSD, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Office of the Inspector General, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the DoD that are not in the Military Departments or the Combatant Commands.

fellowship. A program offered to Service members and civilian employees by an academic institution, think tank, corporation, or federal agency. The goal of the program is for personnel to acquire the education, skills, knowledge, or ability to fulfill a present need, anticipated requirement, or future capability of the DoD. The program provides personnel with expertise that contributes to the effectiveness of the Military Department concerned and DoD progress; this expertise cannot be efficiently and comparably acquired through attendance at Military institutions. Intelligence community joint duty assignments are excluded from this definition. DoD internal fellowships or rotational assignments, as described in Volume 410 of DoDI 1400.25 (Reference (s)), are not covered by this definition.

legislative fellowship. An assignment in which the selected DoD personnel works in the U.S. Congress in one of the authorized congressional offices or committee generally for a period not to exceed 12 consecutive months, to develop an understanding of how Congress works. The experience should benefit the DoD Component or the gaining organization. The candidate selected will be known as a legislative fellow and will comply with this instruction and Reference (c) or (f), as applicable.



grant. A monetary contribution made to either DoD or the individual concerned from an entity outside of DoD to be used for the training and education of DoD personnel, such as a scholarship. Any such grant made to an individual may only be accepted if consistent with Reference (g). If the grant is made to DoD, it may need to be accepted as a gift to DoD by the DoD Component concerned. It does not have to be paid back to the grantor.

rotational assignments or exchange tours. A work experience assignment for Service members or civilian employees that will enhance the conduct of military operations, benefit the hosting organization, and increase the Service member's understanding of operations conducted by another federal agency, nongovernmental, or international organization. Examples include: work with Department of Justice that is related to security force assistance or work with the Federal Emergency Management Agency that is related to defense support of civil authorities. The duration of a rotational assignment or exchange tour and authority exercised by the Service member are less than for a detail, which is addressed in Reference (c). Likewise, this type of assignment does not have the academic or research focus of a fellowship nor the legislative focus of a legislative fellowship. Details of DoD personnel to duty outside the DoD pursuant to Reference (i) are excluded from this definition.

scholarship. A grant-in-aid awarded to a student for full-time study leading to a degree. The service normally would be related to the field of study sponsored by the organization that paid the scholarship.

think tank. A research institute or organization employed to solve complex problems or predict or plan future developments, as in military, political, or social areas.

TWI. A non-degree producing program designed to provide training or to develop skills in best business procedures and practices not available through existing military or advanced civilian schooling programs for identifiable DoD requirements. The private sector hosts are for-profit companies or organizations. DoD continues to pay normal salaries and allowances to the individual while assigned outside DoD.