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8-15

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SECTION 5. PERFORMANCE [APPRAISALS,] RECOGNITION AND AWARDS

[[5-1] PERFORMANCE APPRAISALS

This Performance Appraisal System (PAS) applies to FBI employees in grade GS-15 and below. It does not apply to employees in grade GS-16 and above. Employees' current appraisals (i.e., most recently issued, either annual or special) are used as a basis for personnel actions such as merit pay determinations, promotions, demotions, transfers, granting/denying within-grade increases (WIGIs), awards, and training. Management officials and supervisors in each office must establish minimum requirements pertaining to how much time should be allowed after an employee is assigned to a position and notified of its critical elements (CEs) and performance standards (PSs) before an actual appraisal may be issued. The time requirements should provide equity and uniformity of treatment for employees occupying the same or similar positions; however, they do not have to be the same for all positions in an office.

[5-1.1 Legal and Administrative Authority

- (1) All employees are subject to provisions of:
- (a) Title 5, USC, §§ 4301-4305, and
 - (b) 5 Code of Federal Regulations (CFR), Parts 430-432.
- (2) In addition to the above, merit pay employees are also subject to:
- (a) Title 5, USC, §§ 5401(a)(1)(B) and 5402(b)(2)(B)
 - (b) 5 CFR 540.104(b) and (e).

[5-1.2 Official Exclusions

- (1) The following employees are not subject to the PAS:
- (a) Persons serving without compensation;
 - (b) Experts and consultants appointed under Title 5, USC, § 3109;
 - (c) Persons employed on a contract or fee basis;
 - (d) Persons employed intermittently on a when actually employed basis whose service does not aggregate more than 130 workdays in any service year; however, merit pay category employees in this instance are not excluded;
 - (e) Employees in the territories and possessions of the United States or foreign areas who are paid in accordance with local native prevailing wage rates for the area in which employed;
 - (f) Individuals, other than permanent employees, in positions whose employment is not reasonably expected to exceed 120 days in a 12-month period; and
 - (g) Individuals occupying positions not in the competitive service excluded from coverage by regulations of the Office of Personnel Management (OPM), with concurrence of the DOJ (Title 5, USC, § 4301(2)(G)).

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[NOTE: OPM allows such exclusions in the interest of "good administration."
 [Since all FBI employees are in the excepted, as opposed to competitive,
 [service such exclusions have been obtained for special cases. If a rating
 [official believes circumstances exist which preclude the fair appraisal of an
 [employee's performance, he/she may, with the approval of the reviewing
 [official and head of office, request an exclusion. The request (airtel from
 [field offices; memorandum from FBIHQ divisions) is to be submitted to the
 [Personnel Officer, Attention: Performance, Recognition and Awards Unit
 [(PRAU), and must include detailed reasons for the exclusion. The Personnel
 [Officer or his/her designee will advise regarding action on the request.

5-2 RESPONSIBILITIES

[The Personnel Officer is responsible for the overall
 [administration of the PAS. The specific responsibilities of other management
 [officials and supervisors are described below.

[(1) The head of each office (Special Agent in Charge or Assistant
 [Director) is to ensure that:

[(a) Employees under his jurisdiction are timely and
 [adequately informed of their rights and responsibilities under this PAS;

[(b) Managers and supervisors under his jurisdiction are
 [given training and periodic reminders of their duties and responsibilities
 [under this PAS and supplementary directives as necessary;

[(c) Instructions governing the identification and
 [establishment of CEs and corresponding PSs, within the parameters prescribed
 [by this PAS, are developed for use within, and tailored to, their respective
 [organizations; and

[(d) Periodic evaluations of the PAS within his office are
 [conducted.

[(2) The reviewing official is normally the supervisor of the
 [rating official and as such must ensure that:

[(a) The CEs identified and PSs established for subordinates
 [at the beginning of the appraisal period are in furtherance of the mission
 [(goals) of the entity served;

[(b) Performance appraisal reports (PARs) completed by rating
 [officials, together with employees' responses to same, if any, are reviewed
 [and are accepted or adjusted as warranted; and

[(c) Rating officials provide advice or instruction as
 [appropriate to subordinates.

[NOTE: 5 CFR 540.104(e) requires the concurrence in each merit pay
 [determination by an official of the agency who is at a higher level than the
 [official who made the merit pay determination. In processing appraisals for
 [merit pay employees, reviewing officials ensure compliance with this
 [regulation. Since there are, normally, no reviewing officials for Assistant
 [Special Agents in Charge (ASACs), the Senior Executive Board (SEB) chairman
 [will designate a member(s) of the SEB to review the ASACs' performance
 [appraisals and satisfy the merit pay requirement. In addition, the

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[Executive Assistant Director (EAD) - Administration will review the appraisals
[for Special Assistants assigned to the EADs - Law Enforcement and
[Investigations, and the EAD - Law Enforcement will review the appraisals for
[Special Assistants assigned to the EAD - Administration.

[(3) The rating official is normally the employee's immediate
[supervisor who trains, assigns and reviews the employee's work. In applying
[the PAS, the rating official is to:

- [(a) Prepare a Performance Plan for each subordinate;
- [(b) Afford guidance and assistance to each subordinate;
- [(c) Issue PARs to subordinate employees as prescribed;
- [(d) If applicable, review the performance appraisal
[practices of subordinate supervisors and provide advice as appropriate.

[5-3 SPECIAL PERFORMANCE APPRAISAL REPORTS

[Once an employee has met the office time requirements for an
[appraisal, a special PAR is to be issued whenever:

[(1) An employee completes a demonstration period, as prescribed
[in an administrative warning (described in item 5-7), and fails to achieve the
[Minimally Acceptance level. In this situation, a special PAR at the
[Unacceptable level is to be issued. (NOTE: An annual PAR at the Unacceptable
[level may be issued if the demonstration period is completed when the annual
[is due.);

[(2) FBIHQ requested the submission of a PAR. In this situation,
[the requesting office will advise as to the reason(s) for the submission; or

[(3) An office desires to update performance appraisal information
[regarding an employee, for example, prior to an interdivisional transfer of an
[employee or rating official to record a change in the level of the employee's
[performance since his/her last appraisal. In this situation, the submitting
[office is to provide a cover communication (routing slip is sufficient) to the
[attention of the PRAU setting forth the reason(s) for the submission.

[5-4 ANNUAL PERFORMANCE APPRAISAL REPORTS

[5 CFR 430.203(e) requires that "employees shall generally be
[appraised on at least an annual basis." FBIHQ will provide a preprinted Cover
[Page (FD-593) for each employee one month prior to his/her annual appraisal
[due date in accordance with the schedule set forth below. Unless an exception
[is authorized, annual PARs are to be received in the PRAU no later than 21
[days after the end of the appraisal period.

[(1) A "regular" annual PAR normally covers:

- [(a) July 1 through June 30 for merit pay employees (Agent
[and support personnel);
- [(b) October 1 through September 30 for nonmerit pay support
[personnel; and
- [(c) April 1 through March 31 for nonmerit pay Agent
[personnel.

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(d) Exceptions to the above schedule are authorized when:

1. An employee was not in a merit pay position at the beginning of the appraisal period or was promoted to a higher grade merit pay position during the appraisal period. Under this exception, the annual period will begin the effective date of entry or promotion to the merit pay position and will end June 30. (Appraisals received when an employee occupied a nonmerit pay position may not be used in determining the employee's annual appraisal.)

2. An employee is promoted or demoted during the appraisal period. Under this exception, the annual period will begin the date of the grade change and is only to reflect the employee's performance in the higher or lower grade position.

3. An employee has not satisfied the office time requirements (as described in item 5-i of this Section) prior to the end of the annual appraisal period and his/her performance does not warrant the issuance of a presumptive annual appraisal or an administrative warning. Under this exception, the annual PAR will be delayed only to allow the employee to satisfy the office time requirements.

4. An employee is issued an administrative warning and the demonstration period has not been completed prior to the end of the annual appraisal period. Under this exception, the annual period will be extended only to allow completion of the demonstration period.

NOTE: The extension permitted under 3. and 4. above may not exceed August 31 for merit pay employees. The August 31 deadline is necessary to allow timely merit pay determinations, however, it is recognized that some employees may be precluded from completely satisfying office time requirements or from being allowed the maximum demonstration period (90 days) which is otherwise permissible.

5. An employee's current appraisal does not reflect performance in a merit pay position but the employee enters such a position as late as the first day of the first pay period beginning on or after October 1. Under this exception, such an employee must be issued a presumptive annual PAR with the appraisal period beginning and ending the date of his/her entry into the merit pay position.

(2) A conversion PAR may be prepared at the discretion of the rating official when the employee has not changed grade or has not been reassigned from a nonmerit pay position to a merit pay position, and the rating official determines that the most recent special PAR is still current at the end of the annual period. In converting the special PAR, the rating official is not appraising the employee's performance per se but is relying on the special appraisal previously given the employee either personally or by the employee's former rating official. A rating official is under no obligation to convert a special appraisal to an annual.

(3) A presumptive annual PAR at the Fully Successful level may be issued at the end of the annual appraisal period (presumptives are only issued as annuals, never as specials) when an employee has not satisfied the office time requirement and there is no special PAR which the rating official wants to convert to an annual. The appraisal is "presumptive," in that, in the absence of an opportunity to appraise, the rating official presumes ("assumes") the employee's performance merits the Fully Successful level. A rating official is under no obligation to issue a presumptive annual appraisal

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[when there is doubt the employee's performance will reach the Fully Successful level.

[If, because of some unusual circumstances such as long term training to be carried out over most of the annual appraisal period, an employee does not meet the office time requirements, a presumptive annual appraisal at the same level (Superior or Exceptional) as the employee's previous annual appraisal may be issued in lieu of assigning the Fully Successful level, providing there has been no change in grade level or merit pay status. In this case, the rating official must prepare a communication, subject to approval by the reviewing official and the head of the office, justifying the assignment of a level higher than Fully Successful. The communication must be submitted to the PRAU, together with the presumptive annual appraisal itself. Under no circumstances can a presumptive annual appraisal below the Fully Successful level be given regardless of the level of the employee's previous annual appraisal.

[5-5 ADJECTIVE RATING LEVELS AND THEIR DEFINITIONS

[(1) Unacceptable - Following receipt of an administrative warning and completion of the designated demonstration period, employee's performance fails to meet the minimum standard of competence described on the employee's Performance Plan at the Minimally Acceptable level.

[(2) Minimally Acceptable - Throughout the appraisal period, the employee's performance meets the minimum standard of competence set forth on his/her Performance Plan in all aspects of the critical element being evaluated (i.e., employee completed satisfactory amount of assigned projects at acceptable accuracy and/or quality levels, within time limits identified by supervisor).

[(3) Fully Successful - Throughout the appraisal period, the employee's performance meets the standard set for this level on his/her Performance Plan. The standard at this level shows that, under less than the normal degree of supervision received as set forth in the employee's official position description, the employee exceeds the production and accuracy and/or quality requirements which are set for the Minimally Acceptable level, and completes assignments in advance of established deadlines. The employee's performance serves as a model for other employees engaged in the same or similar operations.

[(4) Superior - Throughout the appraisal period, the employee's performance meets the standard set for this level on his/her Performance Plan. The standard at this level shows that, under substantially less than the normal degree of supervision received as set forth in the employee's official position description, the employee's performance reflects a high degree of achievement with respect to the quality, quantity, and timeliness measurements applied in evaluating work performed. In addition, the employee's performance shows significant contributions to the overall effectiveness of the organizational entity to which assigned, as evidenced by increased cost effectiveness, more efficiency, reduction in paperwork, reduced staffing levels, or the like.

[(5) Exceptional - Throughout the appraisal period, the employee's performance exceeds the Superior level described on his/her Performance Plan, going beyond the scope of assigned duties and responsibilities in terms of valuable innovations and improvements introduced. Employee continually demonstrates extraordinary proficiency typical of expert status within scope of assigned duties and responsibilities.

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5-6 OVERALL ADJECTIVE RATING

The overall adjective rating is determined by adding the numerical value assigned to each critical element being appraised and dividing by the total number of elements being appraised. For example, an employee has three CEs which were rated at the Minimally Acceptable, Fully Successful and Superior levels. The total of the numerical values is 7.5 which when divided by three is 2.50 and is within the range for Fully Successful. To a large extent, this process has been completed and the Combinations Table, which is set forth below in item 5-6.1, is applicable for all employees who have no more than seven CEs assigned. In the event an employee has more than seven CEs, the rating official is responsible for determining the appropriate overall rating through application of the averaging process described above, using only the the numerical values and ranges specified in the Element Rating Levels Table below.

Element Rating Levels Table

Adjective Rating Level		Numerical Value	Range
Unacceptable	(U)	0	N/A
Minimally Acceptable	(MA)	1.5	1.5 - 1.99
Fully Successful	(FS)	2.5	2.0 - 2.99
Superior	(S)	3.5	3.0 - 3.99
Exceptional	(E)	4.5	4.0 - 4.50

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[5-6.1 Combinations Table

[Column A shows the individual element rating combinations and
 [column B shows the overall adjective rating for each combination.

Two Critical Elements

<u>A</u>	<u>B</u>	<u>A</u>	<u>B</u>
MA - MA	MA	FS - S	S
MA - FS	FS	FS - E	S
MA - S	FS	S - S	S
MA - E	S	S - E	E
FS - FS	FS	E - E	E

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Three Critical Elements

<u>A</u>	<u>B</u>	<u>A</u>	<u>B</u>
MA - MA - MA	MA	FS - FS - FS	FS
MA - MA - FS	MA	FS - FS - S	FS
MA - MA - S	FS	FS - FS - E	S
MA - MA - E	FS	FS - S - S	S
MA - FS - FS	FS	FS - S - E	S
MA - FS - S	FS	FS - E - E	S
MA - FS - E	FS	S - S - S	S
MA - S - S	FS	S - S - E	S
MA - S - E	S	S - E - E	E
MA - E - E	S	E - E - E	E

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Four Critical Elements

<u>A</u>	<u>B</u>	<u>A</u>	<u>B</u>
MA - MA - MA - MA	MA	MA - S - E - E	S
MA - MA - MA - FS	MA	MA - E - E - E	S
MA - MA - MA - S	FS	FS - FS - FS - FS	FS
MA - MA - MA - E	FS	FS - FS - FS - S	FS
MA - MA - FS - FS	FS	FS - FS - FS - E	S
MA - MA - FS - S	FS	FS - FS - S - S	S
MA - MA - FS - E	FS	FS - FS - S - E	S
MA - MA - S - S	FS	FS - FS - E - E	S
MA - MA - S - E	FS	FS - S - S - S	S
MA - MA - E - E	S	FS - S - S - E	S
MA - FS - FS - FS	FS	FS - S - E - E	S
MA - FS - FS - S	FS	FS - E - E - E	E
MA - FS - FS - E	FS	S - S - S - S	S
MA - FS - S - S	FS	S - S - S - E	S
MA - FS - S - E	S	S - S - E - E	E
MA - FS - E - E	S	S - E - E - E	E
MA - S - S - S	S	E - E - E - E	E
MA - S - S - E	S		

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Five Critical Elements

A	B	A	B
MA - MA - MA - MA - MA	MA	MA - FS - S - E - E	S
MA - MA - MA - MA - FS	MA	MA - FS - E - E - E	S
MA - MA - MA - MA - S	MA	MA - S - S - S - S	S
MA - MA - MA - MA - E	FS	MA - S - S - S - E	S
MA - MA - MA - FS - FS	MA	MA - S - S - E - E	S
MA - MA - MA - FS - S	FS	MA - S - E - E - E	S
MA - MA - MA - FS - E	FS	MA - E - E - E - E	S
MA - MA - MA - S - S	FS	FS - FS - FS - FS - FS	FS
MA - MA - MA - S - E	FS	FS - FS - FS - FS - S	FS
MA - MA - MA - E - E	FS	FS - FS - FS - FS - E	FS
MA - MA - FS - FS - FS	FS	FS - FS - FS - S - S	FS
MA - MA - FS - FS - S	FS	FS - FS - FS - S - E	S
MA - MA - FS - FS - E	FS	FS - FS - FS - E - E	S
MA - MA - FS - S - S	FS	FS - FS - S - S - S	S
MA - MA - FS - S - E	FS	FS - FS - S - S - E	S
MA - MA - FS - E - E	FS	FS - FS - S - E - E	S
MA - MA - S - S - S	FS	FS - FS - E - E - E	S
MA - MA - S - S - E	FS	FS - S - S - S - S	S
MA - MA - S - E - E	S	FS - S - S - S - E	S
MA - MA - E - E - E	S	FS - S - S - E - E	S
MA - FS - FS - FS - FS	FS	FS - S - E - E - E	S
MA - FS - FS - FS - S	FS	FS - E - E - E - E	E
MA - FS - FS - FS - E	FS	S - S - S - S - S	S
MA - FS - FS - S - S	FS	S - S - S - S - E	S
MA - FS - FS - S - E	FS	S - S - S - E - E	S
MA - FS - FS - E - E	S	S - S - E - E - E	E
MA - FS - S - S - S	FS	S - E - E - E - E	E
MA - FS - S - S - E	S	E - E - E - E - E	E

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Six Critical Elements

A	B	A	B
MA - MA - MA - MA - MA - MA	MA	MA - FS - FS - S - S - E	S
MA - MA - MA - MA - MA - FS	MA	MA - FS - FS - S - E - E	S
MA - MA - MA - MA - MA - S	MA	MA - FS - FS - E - E - E	S
MA - MA - MA - MA - MA - E	FS	MA - FS - S - S - S - S	S
MA - MA - MA - MA - FS - FS	MA	MA - FS - S - S - S - E	S
MA - MA - MA - MA - FS - S	FS	MA - FS - S - S - E - E	S
MA - MA - MA - MA - FS - E	FS	MA - FS - E - E - E - E	S
MA - MA - MA - MA - S - S	FS	MA - S - S - S - S - S	S
MA - MA - MA - MA - S - E	FS	MA - S - S - S - S - E	S
MA - MA - MA - MA - E - E	FS	MA - S - S - S - E - E	S
MA - MA - MA - FS - FS - FS	FS	MA - S - S - E - E - E	S
MA - MA - MA - FS - FS - S	FS	MA - E - E - E - E - E	E
MA - MA - MA - FS - FS - E	FS	FS - FS - FS - FS - FS - FS	FS
MA - MA - MA - FS - S - E	FS	FS - FS - FS - FS - FS - S	FS
MA - MA - MA - FS - S - S	FS	FS - FS - FS - FS - FS - E	FS
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MA - FS - FS - FS - S - S	FS	S - E - E - E - E - E	E
MA - FS - FS - FS - S - E	FS	E - E - E - E - E - E	E
MA - FS - FS - FS - E - E	S		
MA FS FS - S - S - S	FS		

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Seven Critical Elements

A	B	A	B
MA - MA - MA - MA - MA - MA - MA	MA	MA - FS - FS - FS - FS - S - E	FS
MA - MA - MA - MA - MA - MA - FS	MA	MA - FS - FS - FS - FS - E - E	FS
MA - MA - MA - MA - MA - MA - S	MA	MA - FS - FS - FS - S - S - S	FS
MA - MA - MA - MA - MA - MA - E	MA	MA - FS - FS - FS - S - S - E	FS
MA - MA - MA - MA - MA - FS - FS	MA	MA - FS - FS - FS - S - E - E	S
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MA - MA - MA - MA - MA - FS - E	FS	MA - FS - FS - S - S - S - S	FS
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MA - MA - MA - MA - MA - S - E	FS	MA - FS - FS - S - S - E - E	S
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MA - MA - MA - MA - MA - FS - S - S	FS	MA - FS - S - S - S - E - E	S
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MA - MA - MA - S - E - E - E	S	FS - FS - FS - FS - S - E - E	S
MA - MA - MA - E - E - E - E	S	FS - FS - FS - FS - E - E - E	S
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MA - MA - FS - FS - FS - FS - S	FS	FS - FS - FS - FS - S - S - E	S
MA - MA - FS - FS - FS - FS - E	FS	FS - FS - FS - S - E - E - E	S
MA - MA - FS - FS - FS - S - S	FS	FS - FS - FS - E - E - E - E	S
MA - MA - FS - FS - FS - S - E	FS	FS - FS - S - S - S - S - S	S
MA - MA - FS - FS - FS - E - E	FS	FS - FS - S - S - S - S - E	S
MA - MA - FS - FS - S - S - S	FS	FS - FS - S - S - S - E - E	S
MA - MA - FS - FS - S - S - E	FS	FS - FS - S - S - E - E - E	S
MA - MA - FS - FS - S - E - E	S	FS - S - S - S - S - S - E	S
MA - MA - FS - FS - E - E - E	S	FS - S - S - S - S - E - E	S
MA - MA - S - S - S - S - S	FS	FS - S - E - E - E - E - E	E
MA - MA - S - S - S - E - E	S	FS - E - E - E - E - E - E	E
MA - MA - S - S - E - E - E	S	S - S - S - S - S - S - S	S
MA - MA - S - E - E - E - E	S	S - S - S - S - S - E - E	S
MA - MA - E - E - E - E - E	S	S - S - S - S - E - E - E	S
MA - FS - FS - FS - FS - FS - FS	FS	S - S - S - E - E - E - E	E
MA - FS - FS - FS - FS - FS - S	FS	S - S - E - E - E - E - E	E
MA - FS - FS - FS - FS - FS - E	FS	E - E - E - E - E - E - E	E
MA - FS - FS - FS - FS - S - S	FS		

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[Overall adjective rating of PARs will have the following impact:

[(1) A rating of Unacceptable in any CE requires that the overall adjective rating be Unacceptable regardless of the performance levels achieved for other CEs.

[(2) An overall rating at the Minimally Acceptable level is sufficient to justify retaining an employee in his/her position, but not sufficient to afford the employee consideration for promotion, office of preference transfer or to grant a WIGI (to a nonmerit pay employee). Refer to appropriate sections of this manual for additional information concerning promotions, office of preference transfers and WIGIs.

[(3) An overall rating at the Fully Successful level shows that an employee has achieved the level which warrants consideration of him/her for promotion and office of preference transfer and has met the performance appraisal requirements for a WIGI.

[(4) An employee must receive an overall rating at least at the Superior level, with no CE(s) being rated below the Fully Successful level, before he/she may be considered for a quality step increase (QSI). (Refer to 5-14 of this Section for additional information on QSIs.)

[5-7

ADMINISTRATIVE WARNING FOR PERFORMANCE BELOW THE MINIMALLY ACCEPTABLE LEVEL

[Performance below the Minimally Acceptable level is a basis to reassign, reduce in grade or remove an employee. Such remedial action may be taken only after an employee has been given an opportunity to demonstrate acceptable performance as well as assistance to improve after his/her performance has been deemed less than Minimally Acceptable. Procedurally, an administrative warning is to be issued at any time of the year when an employee's performance is less than Minimally Acceptable in any CE(s).

[(1) When an employee's performance deteriorates to less than the Minimally Acceptable level, the rating official is to advise the employee of specific shortcoming(s) between observed performance in the affected CE(s) and its performance standard for the Minimally Acceptable level and provide the employee an opportunity to explain the observed deficiencies. In addition, the rating official is to provide either formal or informal guidance through coaching, counseling, training, closer supervision or other appropriate means to assist the employee to improve and must monitor his/her performance to determine the degree of improvement and/or necessity for further action. The issuance of an administrative warning is necessary if the employee's performance does not improve over a reasonable period of time to the Minimally Acceptable level.

[(2) The administrative warning must be documented in the form of a memorandum for FBIHQ employees or an airtel for field personnel and must include not only the identity of the CE(s) involved, but also specific instances of performance below the Minimally Acceptable level relating to such CE(s). In addition, the communication must address suggested means for the employee to improve his/her performance and must specify the length of the period being allowed for him/her to demonstrate Minimally Acceptable performance. (A period of no less than 30 and no more than 90 days is to be designated for the employee to demonstrate Minimally Acceptable performance.) The employee is also to be advised, and the warning communication should so

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[reflect, that performance on other CEs of his/her position may not deteriorate
[below the Minimally Acceptable level during the demonstration period. Given
[concurrence with the rating official's assessment by the reviewing official
[and the head of the office, the communication is to be submitted to the PRAU.

[(3) Each office must establish appropriate controls to ensure
[equitable and uniform treatment for employees occupying the same or similar
[positions with respect to the length of the demonstration periods established.
[If the maximum demonstration period (90 days) was not allowed, but the rating
[and reviewing officials determine that the employee has improved and may yet
[achieve the Minimally Acceptable level if given additional time, a
[communication recommending an extension should be prepared. The extension
[together with the period originally specified must not exceed the 90-day
[maximum. Given concurrence with the recommendation by the head of the office,
[the communication is to be submitted to the PRAU. This extension option is
[not applicable to merit pay employee when the exercise of it would cause the
[demonstration period to end after August 31.

[(4) As a rule, once an employee is given an administrative
[warning he/she should not be transferred or reassigned prior to completing the
[demonstration period. To transfer or reassign an employee during his/her
[demonstration period nullifies that employee's opportunity to demonstrate
[Minimally Acceptable performance with respect to the CE(s) in question.
[Generally, transfers and reassignments are supervisory options which should be
[exercised before issuing a warning. If a transfer or reassignment is required
[after a warning is issued, the employee may not be appraised at the
[Unacceptable level without first receiving an administrative warning in
[his/her new assignment or position.

[(5) At the completion of the demonstration period, the rating
[official must reevaluate the employee's performance and prepare a
[communication to the PRAU detailing that evaluation in accordance with the
[following:

[(a) If the employee achieved at least the Minimally
[Acceptable level for the CE(s) in question and sustained at least that level
[on all other elements, the communication (memorandum for FBIHQ employees;
[airtel for field personnel) must include details regarding the improvement
[together with notice that the employee has been advised that any further
[failure within the annual appraisal period with respect to the element(s) for
[which the warning was issued will be cause for the issuance of an Unacceptable
[appraisal.

[(b) If the employee's performance has not improved to the
[Minimally Acceptable level with respect to the CE(s) in question or has
[improved in respect to that element(s) but deteriorated below that level on
[another element(s), an appraisal at the Unacceptable level must be issued.
[The PAR must cover the employee's performance since his/her last PAR or last
[grade change, whichever is more recent, not just the demonstration period, and
[must include specific instances of less than Minimally Acceptable performance
[as well as actions taken to assist the employee to improve. Following
[approval by the reviewing official, the PAR must be submitted to the head of
[the office with a communication recommending the reassignment, reduction in
[grade, or removal of the employee. Given concurrence with the recommendation,
[the head of the office must forward the communication and the PAR to the PRAU.

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1. Upon approval from FBIHQ, action to reassign an employee based on an Unacceptable appraisal may be taken with or without further notice to the employee.

2. When FBIHQ approves a recommendation to reduce in grade or remove the employee based on a PAR at the Unacceptable level the employee is entitled to:

a. 30 days' advance written notice of the proposed action. This notice will be provided to the employee by the Personnel Officer and will identify specific instances of less than Minimally Acceptable performance as well as actions taken to assist the employee to improve, advise the employee of his/her right to representation by an attorney or other counsel, and provide the employee with 10 days to respond to the proposed action orally and in writing; and

b. A written decision. The decision will be approved by the Personnel Officer, or another appropriate official, and must specify the instances of less than Minimally Acceptable performance by the employee on which the reduction in grade or removal is based.

3. The decision to retain, reduce in grade, or remove the employee must be made within 30 days after the date of expiration of the notice period. Furthermore, in the case of a reduction in grade or removal, the decision must be based on those instances of unacceptable performance by the employee which occurred during the one year period ending on the date of the advance written notice of the proposed action.

4. At the expiration of the notice period, the supervisor must submit an appropriate communication to the head of the office certifying the employee's failure to improve or a special PAR at least at the Minimally Acceptable level. The head of the office must advise the Personnel Officer by written communication (teletype from field offices and Legal Attaches; memorandum from FBIHQ offices) of the office's final decision regarding the employee.

5. If, because of an improvement in performance by the employee during the notice period, the employee is not reduced in grade or removed, and the employee's performance continues to be acceptable for one year from the date of the advance written notice, the Unacceptable PAR and any entry or other notation with reference to same must be removed from any office or FBIHQ record relating to the employee.

5-8 PERFORMANCE APPRAISAL FORMS - FD-590, FD-593 AND FD-593a

The Performance Plan (FD-590) is to record CEs and PSs. The PAR Cover Page (FD-593) is to record appraisal information. The Evaluation Page (FD-593a) is to record individual adjective ratings for each element assigned. The instructions for these forms are printed on their reverse sides. Additional information to assist rating officials in the use of these forms is provided below.

5-8.1 Performance Plan (FD-590)

(1) A CE is defined as "a component of an employee's job that is of sufficient importance that performance below the minimum standard established by management requires remedial action and denial of a within-grade increase (WIGI), and may be the basis for removing or reducing the

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[grade level of that employee. Such action may be taken without regard to
 [performance on other components of the job." (5 CFR 430.202(e).) CEs and
 [their corresponding PSs must be established, recorded in writing and
 [communicated to each employee. CEs and PSs must be consistent with employees'
 [position descriptions.

[(2) Rating officials should ask the following questions in
 [assuring the feasibility of CEs being established.

[(a) Does the element represent a significant component or
 [key factor of the job?

[(b) What is the consequence of error?

[(c) Is it based on and consistent with the employee's
 [position description?

[(d) Does it represent a significant portion of the
 [employee's time?

[(e) Is it distinguishable from other CEs?

[(f) Can it be clearly stated?

[(g) Does it represent objective criteria, i.e., job related
 [behaviors, tasks, projects or performance outcomes?

[(h) Is it controllable?

[(i) Is it measurable?

[(j) Is it specific enough to determine whether results are
 [accomplished?

[(k) Can accountability be fixed?

[(l) Does it address process as well as output when
 [appropriate?

[(m) Will substandard performance on the element really
 [affect the objectives or mission of the organization or entity?

[(n) Is it reasonable to put the employee on notice that
 [he/she may be reassigned, reduced in grade or removed if the Minimally
 [Acceptable standard for the element is not met?

[(3) Each position must have at least one CE with corresponding
 [PSs to justify its existence. As a general rule, most jobs can be adequately
 [described in 4 or 5 elements.

[(4) Similar positions may have certain identical CEs. In such
 [situations, it may be advisable to develop "core CEs" that are common to a
 [number of positions. Use of core CEs does not mandate the use of core PSs.
 [Core elements and standards have been developed for various Special Agent and
 [support positions throughout the field and smaller number of support positions
 [at FBIHQ. The use of core elements and standards is recommended only to the
 [extent they are applicable to the employees' individual assignments.

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(5) PSs are defined as "the expressed measure of the level of achievement established by management for the duties and responsibilities of a position or group of positions. Performance standards may include, but are not limited to, elements such as quantity, quality and timeliness." (5 CFR 430.202(d).)

(6) Rating officials are to encourage employee participation in establishing PSs; however, they must determine the means and extent of such participation. Standards developed mutually should be objective and realistic.

(7) Rating officials should ask the following questions in determining the suitability of PSs.

- (a) Are they job related?
- (b) Are they consistent with the employee's position description?
- (c) Are they communicable?
- (d) Are they consistent with standards for similarly situated employees in the same position?
- (e) Are they realistic and attainable? (Is it reasonable to expect that the employee can reach the standard in view of all components of the employee's position?)
- (f) Are they objectively measurable?
- (g) Are they practical to measure?
- (h) If the standard is based on a measure other than quantity, quality, or timeliness, is the way of measuring specified?
- (i) Are they fair and reasonable considering the employee's grade level, experience and training?
- (j) Are they based on a sound rationale?
- (k) Are they valid? (Do they measure what they are intended to measure?)
- (l) Can they be assessed on a regular or interim basis?
- (m) Are the consequences of error in performing the CE serious?
- (n) Are the various levels distinguishable?
- (o) Do they allow for latitude or leeway where appropriate? (Are they sufficiently broad in scope?)
- (p) Are they surpassable if appropriate?
- (q) Can enough information be collected on the CE to evaluate performance?
- (r) Do they appropriately measure the various levels of performance for the job?

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(8) Offices may wish to develop core PSs which can be supplemented, modified, or adapted as necessary.

(9) The factors listed below are to be included, to the extent applicable, in the PSs for management officials and supervisors at all grade levels, particularly those subject to the Merit Pay System.

(a) Improvements in efficiency, productivity, and quality of work or service, including any significant reduction in paperwork;

(b) Cost efficiency;

(c) Timeliness of performance;

(d) Other indications of the effectiveness, productivity, and performance quality of the employees for whom the particular manager or supervisor is responsible; and

(e) Meeting affirmative action goals and achievement of equal employment opportunity requirements.

In addition to the above factors, the responsibilities set forth in 5-2(2) and (3) are to be considered when appraising all management officials (with subordinates) and supervisors.

(10) Rating officials may add, delete or modify CEs and their corresponding PSs at any time as circumstances dictate.

(a) To add a new CE, the rating official must execute a page for the Plan in accordance with instructions on the form. The original of this new page must then be submitted to the PRAU (a routing slip is sufficient) and the copy maintained in the employee's personnel folder with the copies of the other pages of the Plan.

(b) To delete an established element, the rating official must note on the Plan that the element was terminated and, together with the employee, initial and date that notation. A routing slip covering the deletion of the element is to be forwarded to the PRAU for inclusion in the employee's personnel file.

(c) When an element or its standards are modified, the page showing the modification, initialed and dated by the employee and the rating official, is to be submitted (by routing slip) to the PRAU and a copy maintained in the employee's personnel folder.

(11) Incoming (newly designated or assigned) rating officials are to review the Performance Plans for each subordinate within 10 days after reporting to their new assignments. They may continue to hold employees to the same CEs and PSs set forth on previously executed Plans and simply sign and redate the Plans with the employees or may establish new CEs and PSs and execute Plans in accordance with instructions.

5-8.2 Evaluation Page (FD-593a)

(1) If the employee achieved the Exceptional level, the narrative summary must include specific examples of how his/her performance exceeded the PS at the Superior level.

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(2) An employee may not be rated at the Unacceptable level without first receiving an administrative warning. If at the end of the demonstration period his/her performance is still below the Minimally Acceptable level, specific instances reflecting such performance both before and after the issuance of the warning must be included in the narrative summary.

5-8.3 Cover Page (FD-593)

(1) If an employee is rated at the Unacceptable level in any CE(s), then the overall adjective rating shown in item 6 must be Unacceptable.

(2) When converting a special PAR to an annual, the rating official is to copy the information from item 6 and 7 on the special to the preprinted Cover Page of the annual.

(3) Normally, a presumptive annual appraisal is issued at the Fully Successful level; however, under certain circumstances the Superior or Exceptional level may be assigned. Refer to 5-4(3) of this section.

(4) In discussing item 7 with an employee, the rating official is to explain that the element ratings (and the overall adjective rating shown in item 6) are tentative and not final until approved by the reviewing official.

(5) Employees have the right to respond to any aspect of the PAR. (This right does not apply when a special PAR is converted to an annual since the opportunity to respond was afforded when the special was issued.) If this right is exercised, the response must be provided, in writing, to the rating official within 7 calendar days of the date the PAR was presented for review. An employee is to be allowed a reasonable amount of official time within his/her regularly scheduled shift during the 7 day period to prepare his/her response. The 7 day response period may be extended at the discretion of the reviewing official to accommodate an employee's absence for previously scheduled annual leave, official business trips, or the like. Such extensions are proper to ensure equitable treatment for employees and do not require the prior approval of the Personnel Officer or personnel assigned to the PRAU.

(6) If an employee is unavailable to review and sign his/her PAR (e.g., employee is on maternity leave when the annual appraisal is due), the PAR should be reviewed and approved by the reviewing official and submitted to the PRAU with a cover communication (routing slip is sufficient) setting forth the reason for the employee's absence, the expected date of his/her return, and a statement to the effect that a copy of the PAR will be presented to the employee upon his/her return for review and signature. The employee's right to respond to and/or grieve the appraisal will be afforded at the time of his/her review. Accordingly, the reviewing official is required to consider any response made without prejudice by the prior approval.

(7) If the employee responded to his/her PAR, the reviewing official must respond, in writing, to the employee's comments. If the reviewing official makes any adjustments to the rating levels, he/she must provide appropriate justification for same. In these situations, after signing and dating the appraisal the reviewing official is to return it with his/her response and/or comments to the rating official who is to present it to the employee for final review, initialing and dating.

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[5-9 PROVISIONS FOR EMPLOYEES ON DETAIL OR TEMPORARY ASSIGNMENT

[When an employee is on detail or temporary assignment, there is no need to prepare a Performance Plan until it has been determined that the assignment will continue a sufficient length of time to permit an appraisal. If an employee is given a Plan at the outset of or during such an assignment and sufficient time has lapsed, he/she may be given a special PAR at its expiration or an annual when same is due. When no Plan is issued, all documentation regarding the employee's performance is to be forwarded to his/her regularly assigned rating official for consideration when preparing the next PAR and when making personnel decisions.

[5-10 TRIAL ASSIGNMENT

[(1) When serving in a trial assignment an employee is not officially assigned (for pay or titling purposes) to the position being served. Until the successful completion or termination of the trial assignment, the employee continues to be officially assigned to the position he/she occupied prior to selection for the trial assignment. For this reason, PARs are not to cover performance while in trial assignment.

[(2) The preclusion from appraising employees during trial assignments may cause gaps within their annual appraisal periods when the trials end with no change in grade. For example, an employee assigned to a File Clerk GS-5 position serves a 60 day trial assignment to a Special Clerk GS-5 position. That employee's annual PAR is not to reflect the time spent in trial assignment.

[5-11 COMPLETION OF FIRST YEAR ON DUTY

[A new employee must be carefully observed and appraised during the first year on duty to determine whether he/she has the qualities needed to become a successful career employee. The systematic performance appraisal process will provide an excellent basis to determine the employee's progress and will assist the supervisor in making the decision about retaining the employee in the FBI.

[5-12 GRIEVANCES ASSOCIATED WITH PERFORMANCE APPRAISAL

[(1) Employees are encouraged to resolve, whenever possible, at the rating official, reviewing official, or head of office levels, successively, any grievance associated with the PAS, including an administrative warning or a performance appraisal. (Employees may not grieve special PARs which are converted to annual PARs inasmuch as that option is available when the special is first received.) Failing satisfactory resolution at these levels, an employee may submit any such grievances, in writing, to the Personnel Officer for final resolution. Employees whose rating or reviewing official is the Personnel Officer may submit performance appraisal grievances, in writing, to the Assistant Director, Administrative Services Division (ASD), for final resolution.

[(2) Action to grieve an administrative warning or a performance appraisal must be submitted within 15 days after the employee receives the warning or the appraisal from his/her rating official or from his/her reviewing official, whichever is later. Extenuating circumstances may justify an extension of the 15 day limit; however, it is the individual's responsibility to detail the circumstances for the consideration of the Personnel Officer who will decide if an extension should be allowed.

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(3) When submitting a grievance, the employee is to direct an explanatory communication (letter or memorandum) to the appropriate official as set forth above. The communication must address the particular area(s) of concern to the employee and furnish details of work performance in support of the employee's position(s) on the issue(s). A copy of any PAS forms as well as any other forms of documentation related to the grievance is to be submitted with the explanatory communication. Rating officials must allow their subordinates access to performance appraisal related documentation for the purpose of studying same or copying it for submission with their grievance, but only to the extent that such documentation does not contain classified information. Documentation containing classified information may not be reproduced; however, it must be made available for employee's review in preparing his/her grievance.

NOTE: When a performance appraisal is grieved, all aspects of the appraisal come under scrutiny. The Personnel Officer or the Assistant Director, ASD, as appropriate, has the authority not only to increase the level of a CE(s) but to decrease it if the facts so warrant.

(4) Employees will be formally advised of the grievance resolution and, if the PAR was adjusted, afforded an opportunity to review it or a copy thereof. If adjusted, the PAR shall be placed in the employee's personnel file at FBIHQ in lieu of the contested PAR and an adjusted copy shall be forwarded to the appropriate field office or Legat for retention in the employee's personnel file in lieu of the contested appraisal.

(5) When a PAR is adjusted, actions that were based on the original PAR will be reconsidered and, insofar as possible under law and regulations, adjusted to conform to the corrected PAR.

(6) Title 5, USC, § 4302, contains no provisions for appeal outside the agency by the employee of his/her performance appraisal. Therefore, FBI employees have no statutory right to appeal their performance appraisals.]

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[[5-13 RECOGNITION AND AWARDS

[5-13.1 Legal and Administrative Bases

[(1) Title 5, USC, §§ 4501-7 and 5336

[(2) Title 5, USC, -§ 5403

[(3) 28 Code of Federal Regulations (CFR) 0.137

[(4) 5 CFR 451.101-209 and 531.501-509

[(5) Chapters 451 and 531, Federal Personnel Manual

[(6) Departmental Order DOJ 1451.1A

[(7) The Director is authorized by the Attorney General to grant Quality Step Increases (QSI) to qualified employees at intervals of not less than 52 weeks, within the limits of available funds. The Director is also authorized to approve for Bureau employees, other than attorneys and supergrades, special achievement (incentive) awards up to \$5,000. Special achievement awards in excess of \$5,000 are referred to the Department of Justice for approval, as are all recommendations for cash awards for attorneys and supergrades.

[5-13.2 Purpose of Recognition and Awards

[(1) The primary objective of the awards program is to improve the economy and efficiency of Government operations. Its purpose is to motivate employees to increase productivity and creativity by rewarding those whose job performance and adopted ideas benefit the Government and are substantially above normal job requirements and performance standards.

[(2) The FBI has established several means by which its employees may be recognized which are described in this portion of the manual. These include QSIs, incentive awards based on sustained performance or special achievement, and letters of commendation. Bureau supervisors and managers should be knowledgeable of these means of recognition and should ensure that only the most deserving employees are recommended for recognition through these awards. They should also bear in mind that the performance level and contributions of employees being recommended for the same matter differ and should indicate same in their recommendations. Careful consideration should be given to the appropriateness of the award recommended in comparison to the performance or achievements of the employee.

[(3) For all performance-related awards, the employee must be shown to have significantly exceeded the requirements of his/her position. The position description and performance appraisal of the employee will be reviewed, as applicable, to determine the propriety of granting incentive awards. Those recommendations deemed not meeting the criteria for the award will be denied and the submitting division head or SAC so advised through a formal communication.

[(4) Promotions are ordinarily considered sufficient recognition of sustained employee performance and must be taken into consideration prior to the recommendation for an incentive award.

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(5) Division heads and SACs should ensure, on at least an annual basis, that supervisory personnel are knowledgeable of the intent of the recognition program, and their effective use of the program should be taken into consideration with regard to their own performance.

(6) If an employee is assigned to an office other than the one making the recommendation for recognition, the employee's division head or SAC should be contacted and the recommendation should state that the recommendation is being made with the concurrence of the employee's division head or SAC.

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QUALITY STEP INCREASES

(1) QSIs are intended to recognize those exemplary employees whose sustained, high-quality performance is at a level that substantially exceeds an acceptable level of competence by authorizing faster than normal step increases. FBI policy provides that QSIs may be granted, within limits of available appropriations, on an annual basis. Therefore, FBIHQ will request recommendations for QSIs to be submitted by April 1 of each year for Agent personnel and by October 1 of each year for support personnel. Supervisory and management personnel should ensure that only the most deserving Bureau employees are nominated.

(2) Criteria Necessary for QSI Nominations

(a) An employee may be recommended for a QSI when his/her annual performance appraisal reflects an overall adjective rating of Superior or Exceptional with no critical element rated below Fully Successful.

(b) The employee must [have occupied] the same position or a similar position at the same grade level [for at least six months prior to the time a QSI is recommended.] Furthermore, the employee should be expected to remain in the same or similar position for at least 60 days following the awarding of the QSI. If an employee is scheduled for promotion within 60 days, he/she should not be recommended for a QSI.

(c) The employee should not have been granted any other cash award for sustained, high-work performance during the preceding 52 weeks. [An award for a special act or achievement during the 52-week period is not disqualifying.]

(d) The following employees may not be recommended for QSIs: Merit pay; Federal Wage Scale; employees who have reached step 10 of their GS grade; employees who have reached statutory salary limitations (the pay cap); employees whose salaries are fixed under the Executive Pay Act.

(e) A cash award may be recommended in lieu of a QSI for an eligible GS employee who has reached step 10 of their grade or when the employee would enjoy the benefits of a QSI for an insufficient length of time. Also, eligible Federal Wage Scale employees may be recommended for cash awards in lieu of QSIs.

(3) Documentation for QSI Recommendations (Form FD-608). FD-608 is to be used to submit nominations for QSIs. This form should be completed and submitted in duplicate. A narrative setting forth the accomplishments of

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[the individual is required as an attachment to this form. [This narrative is
[required even though the employee may have received an appraisal for which
[narratives were prepared in support of the adjective rating(s).]

(4) Relationship to Regular Within-Grade Increases. An employee who receives a QSI does not start a new waiting period to meet the time requirements for a regular within-grade increase; however, if a QSI places the employee in the 4th or 7th step, the waiting period is extended by 52 weeks. For example, a QSI is awarded to an employee in step 3 who has completed 40 weeks of creditable service to the 4th step. After the QSI places the employee in step 4, a 2-year (104-week) waiting period, the employee will only require 64 more weeks of creditable service to complete the 104-week waiting period for advancement to the 5th step.

(5) Presentation of QSIs. To increase employee understanding of the QSI program, FBIHQ division heads, Assistant Directors in Charge, and SACs will make presentations of QSIs at an office ceremony attended by employees in the immediate work area, with statements of specific reasons why the employee's contribution merited the QSI, including its impact on the division.

(6) Certificates for Exceptional Performance. Although recipients of overall Exceptional annual Performance Appraisal Reports may not be selected to receive a QSI, they will automatically be granted a certificate in recognition of this accomplishment. These certificates will be provided by FBIHQ to division heads and SACs for appropriate presentation.

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INCENTIVE AWARDS

(1) Incentive awards are in addition to the basic pay of an employee and are based on sustained superior performance of assigned tasks so that one or more important job elements are performed in a manner substantially exceeding normal requirements over a period of time or on special achievements or service-type contributions of a one-time, nonrecurring nature, connected with or related to official employment.

(2) Criteria to be Met for Nominations Based on Sustained High Performance.

(a) Sustained above-average performance of major duties performed for a minimum of six months in a manner clearly exceeding normal job requirements or performed in a superior or exceptional manner characterized by abnormal workload, temporary shortage of personnel or other unusual circumstances.

(b) The employee must not have received another cash award for sustained performance within six months preceding the date of nomination. A special achievement award for a special act or service during the six-month period is not disqualifying.

(c) The employee must have received an overall Superior or Exceptional on his/her current performance appraisal, with no critical element less than Fully Successful.

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(3) Documentation for Sustained Performance Awards.

(a) A brief description of employee's major job duties, and, if appropriate, a description of the unusual workload or requirements during the period of service on which the recommendation for the award is based.

(b) A narrative showing how the employee's actual performance exceeded the normal standards or expectations during the period of service on which the recommendation for the award is based, including to the greatest extent possible, specific examples of the employee's performance.

(c) Recommendations for awards for sustained above-average performance should not be submitted two months prior or two months subsequent to the dates QSIs are granted; i.e., April 1 for Agent personnel and October 1 for support personnel.

(4) Criteria for Nomination of Individual or Groups for Special Achievement Awards.

(a) Performance which clearly overcomes unusual difficulties.

(b) Creative efforts which have increased efficiency or improved service.

(c) Performance of assigned duties with special effort or innovation which resulted in significant economies or other highly desirable benefits.

(d) Performance of assigned tasks so that one or more important job requirements significantly exceeded.

(e) Exemplary or courageous handling of an emergency situation in connection with or related to official employment.

(5) Documentation Insufficient to Support Awards.

(a) An employee is successful in an investigation and performed in an excellent fashion but not beyond normal job expectations for his/her grade and experience.

(b) An investigation which makes an interesting case write-up but which fails to describe what employee did to exceed normal job expectations.

(c) A case receiving favorable publicity but which does not describe employee's performance exceeding normal job expectations.

(d) Overtime for which an employee has been compensated by overtime pay or compensatory leave.

(6) Group Awards. Group awards (two or more employees) granted will be shared equally or in proportion to individual contributions.

(7) Presentation of Awards. FBIHQ division heads, Assistant Directors in Charge, SACs, or individuals acting on their behalf, will make incentive award presentations with appropriate publicity to enhance the purposes of the awards program.

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5-15.1 Form FD-255 (Recommendation for Incentive Award)

(1) Form FD-255 should be used to submit recommendations for sustained above-average performance and for special achievement awards. Instructions on the form should be carefully followed and the documentation should include clear, specific statements of fact instead of conclusions.

(2) Special Agent and support supervisors may submit FD-255s to their SACs or division heads recommending awards for employees under their supervision, in which case the SAC or division head may then submit the form to the Performance, Recognition and Awards Unit, Administrative Services Division. However, the SAC or division head, or in their absence, the acting SAC or division head, must personally approve the recommendation. If the SAC or division head so desires, [he/she] may submit the FD-255 with a cover [communication including any comments [he/she] may have regarding the recommendation.

(3) Form FD-255 may also be used to recommend awards under the Principal Relief Supervisors Program.

(4) Sustained above-average performance should not be checked on FD-255 unless the recommendation is for a sustained performance award since this category represents sustained overall performance. Although an employee may have aided in an investigation or project for a sustained period of time, if the performance does not represent his/her overall job responsibilities, sustained would be inappropriate when the recommendation is for a special achievement award.

5-15.2 Amount of Awards

(1) Awards for sustained above-average performance will be granted from a base rate of \$250 up to the amount of a within-grade increase. Awards granted to employees of the Identification and Records Management Divisions for sustained performance over a three-month period will be \$125.

(2) Awards for special achievement will be based on employee's grade, on tangible benefits, intangible benefits, or a combination when a specific act or service is recognized. Award amounts may range from \$25 to \$10,000. Normally, individual awards will be granted from a base rate of \$250.

(3) Cash awards involving a specific act or service resulting in [tangible benefits to the FBI will be determined [using estimated first-year benefits to the Government] in accordance with the following scale:

<u>Tangible Benefit</u>	<u>Award</u>
Up to \$249	Appropriate letter of appreciation
[\$250 to \$10,000	10 percent of benefits
\$10,001 to \$100,000	\$1,000 for the first \$10,000 plus 3 percent of benefits over \$10,000
\$100,001 or more	\$3,700 for the first \$100,000 plus .5 percent of benefits over \$100,000]

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(4) The amount of an award will be determined by FBIHQ; therefore, the specific amount of an award should not be recommended by a division head or SAC. However, general recommendations should be made in multiple recommendations to indicate those who deserve greater recognition, if such is the case.

5-15.3 Merit Pay Awards

(1) In conformance with Title 5, USC, § 5403, the FBI has designed a separate cash awards program for employees under the Merit Pay System (MPS).

(2) Ideally, each employee under the MPS is paid at a rate of basic pay which is consistent with his/her current level of performance. Accordingly, employees under the MPS are not, as a matter of law, eligible for QSIs and, ordinarily, should not be considered for special achievement awards based on long-term sustained superior performance. While long-term sustained superior performance on the part of an employee not under the MPS might warrant a QSI or cash award, long-term sustained superior performance on the part of an employee under the MPS is rewarded through the merit pay increase driven by that superior performance, or with respect to an employee under the MPS at or near the maximum rate of his/her grade, the relatively high level of his/her rate of basic pay.

(3) The following examples set forth the appropriate use of cash awards to reward employees under the MPS for their individual performance with the objective of improving overall performance and ensuring that total pay approximates the employee's total contribution to the FBI.

(a) To reward an employee under the MPS who has performed in a superior or outstanding manner, but who has not received a Performance Appraisal Report (PAR).

(b) To reward an employee under the MPS whose performance is so superior that the employee warrants an award in addition to a merit pay increase.

(c) To reward an employee under the MPS who has performed in an unusually exceptional manner, but the employee is located at or near the maximum rate of the rate range.

(d) To recognize the performance of an employee under the MPS who has substantially exceeded his/her overall performance in one or more of his/her critical elements.

(e) A current PAR containing appropriate documentation is required to support the cash award recommendations under (b), (c), and (d).

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(f) Under the provisions contained in (d), an employee may be recommended for a cash award during the performance appraisal period. This will provide immediate recognition for the sustained performance in one or more critical elements which substantially exceeds the overall performance of the employee. A time-weighted cash award will be granted in this instance based on a special PAR containing appropriate documentation. The special PAR may be weighed in preparing the employee's annual PAR.

(4) Employees under the MPS are also eligible for Special Act or Service cash awards. In this manner, FBI supervisors and management officials may immediately recognize an employee's superior performance under the following circumstances:

(a) To reward the superior performance of an employee under MPS while on detail or temporary assignment by granting a one-time lump sum amount for performance which exceeds his/her overall performance level.

(b) To reward an employee under the MPS whose act or job related accomplishment substantially exceeds his/her overall performance level.

(c) To reward an employee under the MPS who has achieved an outstanding job related accomplishment in furthering equal employment opportunity.

(d) To reward an employee under the MPS who develops significant, new or improved methods or procedures for accomplishing the work of the FBI.

(e) Exemplary or courageous handling of an emergency situation in connection with or related to official employment.

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5-15.4 Principal Relief Supervisor Awards

(1) Criteria for Nomination of Principal Relief Supervisor for an Incentive Award.

(a) The individual must have been officially designated as the principal relief supervisor or the Assistant Supervisory Senior Resident Agent for at least six months.

(b) The recommending official must state in the submitting communication that the individual is at least fully successful in all of his/her other duties.

(c) The individual must perform or have performed relief supervisory functions an average of eight hours per pay period for at least the past six months; and

(d) The individual's performance in the principal relief supervisor capacity must be considered superior and documented as such on an FD-255 (Recommendation for Incentive Award). The field division head or acting field division head must personally endorse the recommendation.

(2) A qualified individual may only receive this particular award once in a 12-month period; however, the same individual may be recognized during subsequent 12-month periods if all qualifications continue to be met. The awards, generally, will be in the amount of \$750.

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(3) Nominations for the principal relief supervisor cash award may be submitted at any time. All nominations must state that the recommended individual meets all of the above criteria.

5-16 LETTERS OF COMMENDATION

(1) A letter of commendation may be recommended when an employee's contributions do not meet the criteria for a cash award but are of such significance that recognition is warranted.

(2) Types of Letters of Commendation

(a) From the Director. Recommendations for a commendation letter from the Director should be made only when the recommending official is convinced that certain elements of the employee's performance are above normal and reasonable performance expectations sufficient to warrant special recognition but do not meet the standards for a cash award.

(b) General Letter from the Director. Recommendations for general letters of commendation may be submitted when several employees warrant recognition, but their performance is not such to justify cash awards or individual letters of commendation from the Director. However, each employee to be included in a general letter of commendation must be named in the recommendation and brief justification submitted describing his/her efforts which are deserving of a general letter.

(c) Letter from the division head or SAC. Division heads and SACs should commend their employees over their own signatures when it is believed an employee's performance warrants recognition but does not meet the requirements for an individual or general letter of commendation from the Director. A copy should be sent to FBIHQ, Attention: Performance, Recognition and Awards Unit, Administrative Services Division, if a copy is to be placed in personnel file.

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(3) Recommendations for commendation letters from the Director and general letters of commendation may be submitted in regular memorandum form for the attention of the Performance, Recognition and Awards Unit, Administrative Services Division. However, if recommendations are being made for letters of commendation in addition to recommendations for incentive awards, they may be added to the FD-255, with the appropriate justification.

5-17 LETTERS OF APPRECIATION TO NON-BUREAU PERSONNEL

Letters of appreciation may be recommended to recognize the efforts of individuals other than employees of the FBI who have contributed to the Bureau's mission or who have been cooperative in furthering our mission. Recommendations for such letters should be submitted on Form FD-468 (Correspondence Matters, Recommendation for Letter from Director) and forwarded to the Office of Congressional and Public Affairs, FBIHQ.

[5-18 PUBLIC SERVICE AWARDS [PROGRAM AND CERTIFICATES OF APPRECIATION]

[Cooperative relationships between the FBI and the public have many [benefits. [There are three]effective means[to]appropriately recognize the [contributions made to the FBI's mission by private citizens or organizations.

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[5-18.1 Public Service Award Plaques

[(1) Division heads and SACs may recommend that a plaque be prepared in appreciation of highly significant contributions for presentation to private citizens or organizations located within the 50 states. Foreign citizens and/or organizations may be recognized as an exception to the normal requirement for this award but only through the additional approval of the U.S. Department of State and the Assistant Attorney General for Administration, Department of Justice. The plaques are prepared in the Special Projects Section, Laboratory Division, and must be approved by the Office of Congressional and Public Affairs (OCPA). The plaques, which are walnut colored with the Bureau seal and wreath, are prepared at an approximate cost of \$75.00 each and are appropriately engraved as recommended by the division head or SAC.]

[(2) [The requesting office must demonstrate that the individual or organization provided one of the following:]

(a) Exemplary service in an advisory capacity to the FBI.

(b) Direct assistance to the FBI through actions or useful ideas which are beneficial in eliminating or minimizing problems or actively contribute to the FBI mission accomplishment.

[(c) Assistance to the FBI of a [highly] significant nature through the cooperative use of facilities, equipment or manpower.

(d) Courageous or heroic action in support of FBI activity or mission.

(3) Submit complete justification describing the contributions of the [individual(s) or organization(s)] for which the plaque is requested, his/her full name, address, agency and position in that agency, if applicable, to the [Special Productions Unit, OCPA.] The recommendation [must] be approved by the division head or SAC and must state that indices of the submitting office have been reviewed with nothing noted to preclude recommended recognition. Employees of the Department of Justice or their families are not eligible for this award.

(4) To allow sufficient time for the preparation of an appropriate plaque, recommendations should be [received by Headquarters at least] 30 days prior to the anticipated date of presentation.

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[5-18.2 Certificates of Appreciation

[(1) SACs or division heads may request a Certificate of
[Appreciation for presentation to an individual and/or an organization that has
[rendered assistance and/or cooperation to the Bureau.

[(2) Certificates of Appreciation are not intended for law
[enforcement officers or agencies.

[(3) The request should support justification for the approval of
[presentation of the Certificate of Appreciation in a written communication
[directed to the Special Productions Unit, OCPA.

[(4) The Certificate of Appreciation is signed by the Director and
[enclosed in a leatherette diploma holder with a gold FBI seal applied on the
[cover.

[5-18.3 Certificate of Appreciation for Use by the Special Agent In Charge

[(1) Each FBI field office has a supply of Certificates of
[Appreciation enclosed in a blue paper folder designed to be signed and
[presented by the Special Agent in Charge. The criteria of this certificate
[are established by the Special Agent in Charge.

[(2) The Special Productions Unit, OCPA, should be contacted for
[additional Certificates of Appreciation for use by the Special Agent in
[Charge.]

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5-19 SUGGESTION PROGRAM

(1) The employee suggestion program can be a useful and important employee-management communication device. It allows the employee to suggest improvements in Bureau operations and enables management to reward those employees who make significant contributions.

(2) Suggestion awards are made to employees in recognition of idea-type contributions which directly contribute to productivity, economy, efficiency, or directly increase effectiveness in carrying out the FBI's programs or mission.

(3) Criteria for Consideration of Suggestion

(a) The suggestion must be outside the employee's responsibility. In rare cases, contributions within the employee's job description may be awarded if they are so superior or meritorious as to warrant this special recognition. The official position description and performance requirements will be used to measure the acceptable level of competence and as the basis for determining what is normally expected of an employee occupying that position.

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(b) The benefit to the FBI in terms of direct contributions in efficiency or economy must be equivalent to a savings of \$250 in order to qualify for a cash award. Benefits will usually be based on the first full year of operation following adoption of a suggestion. Benefits may be determined by estimating the net savings over a longer period when there are high first-year costs required to implement the suggestion. In instances where the value cannot be determined by estimated net savings, it will be determined by reference to the intangible awards table (see 5-19 (6) (c)).

(c) Suggestions that deal with routine employee services, benefits, working conditions, housekeeping, or maintenance of buildings and grounds should be handled through normal administrative channels and not accepted into the suggestion system. Items of supply which can be procured through simple requisition, or proposals which offer no specific means to improve operations, should not be entered into the program unless the contribution to economy, efficiency or increased effectiveness of operation can be clearly demonstrated. Also, proposals which would obviously cost more to process than the tangible benefit achieved will not be evaluated under this program but will be returned for oral acknowledgment.

(d) Inventions and patent disclosures may serve as the basis for a suggestion award when the idea meets the criteria set forth above. The patent application and an analysis of the estimated direct dollar benefits will meet the minimum documentation requirements.

(4) Documentation Requirements for Suggestion Awards

(a) Form FD-252 should be utilized to submit suggestions [(original and [three] copies). If the suggestion relates to a form, submit [[four] copies of the current form and [four] copies of the proposed form.

(b) Form FD-252 should be signed by the division head or SAC [in the appropriate block, and [the division head or SAC] should make a recommendation as to whether or not the suggestion should be approved.

(c) A brief description of the current practice or procedure, if any, should be noted, as well as any manual citation, if appropriate.

(d) A description of the suggested change to existing practice or procedure, or if it is a suggestion to add a new practice or procedure, a description of what is to be added.

(e) An analysis of the direct estimated net dollar benefit which would result over the first 12-month period after adoption should be set forth. The suggester is to document as fully as possible the actual or anticipated savings which will result from adoption of a suggestion.

(5) Adoption of Suggestion and Group Awards

(a) Suggestions not adopted when made remain active for two years. If adopted within the two-year period, the original suggester will be entitled to consideration of an appropriate award. Suggestion becomes invalid if not adopted within two years.

(b) When awards are granted in connection with adopted suggestions, the use of the suggestion by the United States shall not form the basis of a further claim.

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(c) If two or more employees independently and simultaneously submit identical suggestions, any award will be equally divided.

(6) Amount of Cash Award for Adopted Suggestions

(a) In the interest of uniformity, the amount of an award will be determined by FBIHQ; therefore, the specific amount of an award should not be recommended by a division head or SAC.

(b) Cash awards resulting in tangible benefits will be determined in accordance with the scale for such benefits (see 5-15.2(3)).

(c) Cash awards resulting in intangible benefits will be determined in accordance with the following scale:

	<u>Value of benefit</u>		<u>Extent of application</u>	
	<u>Limited</u>	<u>Extended</u>	<u>Broad</u>	<u>General</u>
Moderate	\$ 25-100	\$ 100-250	\$ 250-500	\$ 500-1,000
Substantial	\$ 100-250	\$ 250-500	\$ 500-1,000	\$ 1,000-2,500
High	\$ 250-500	\$ 500-1,000	\$ 1,000-2,500	\$ 2,500-5,000
Exceptional	\$ 500-1,000	\$ 1,000-2,500	\$ 2,500-5,000	\$ 5,000-10,000

(d) Cash awards for suggestions will not affect the annual salary of an employee; however, Federal withholding tax will be deducted from such award prior to payment.

(7) Streamlining Committee or Suggestion Coordinator (Optional). Each division may designate either a Suggestion Coordinator or Streamlining Committee. Their function is to facilitate suggestions to improve Bureau operations. This decision will be left to the discretion of the division head or SAC who is responsible for lending appropriate support to the Suggestion Program.

5-20 SERVICE AWARDS

Service awards are presented to Bureau employees as follows:

(1) 10-Year Service Award

(a) Congratulatory letter

(b) 10-year service award key

(2) 20-Year Service Award

(a) Congratulatory letter

(b) 20-year service award key

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(3) 25-Year Service Award

- (a) Congratulatory letter
- (b) 25-year service award key

(4) 30-Year Service Award

- (a) Congratulatory letter
- (b) 30-year service award key

(5) 35-Year Service Award

Scroll Award

(6) 40-Year Service Award

- (a) Congratulatory letter
- (b) Service award key cluster
- (c) Engraved watch
- (d) Employees may travel to FBIHQ for presentation by

Director

(7) 45-Year Service Award

- (a) Congratulatory letter
- (b) Three dimensional plaque of FBI Seal
- (c) Personal gift
- (d) Employees may travel to FBIHQ for presentation by

Director

(8) 50-Year Service Award

- (a) Congratulatory letter
- (b) Cuff links and tie clasp for men
- (c) Brooch for women
- (d) Employees may travel to FBIHQ for presentation by

Director

5-20.1 Computation of FBI Service

- (1) Based on total period(s) of active duty
- (2) Leave without pay in excess of six months is deducted

(3) [In general, any period of separation from the Bureau's rolls is deducted. Military service is credited for those employees who possess mandatory restoration rights to the positions they hold when they enter the military and who fulfill any criteria necessary to protect such rights.]

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[5-20.2 Presentation of Service Award Keys

[Anniversary keys should be presented to employee through FBIHQ
 [division head or SAC. At the employee's request, the Director will present,
 [as his schedule allows, service awards to those employees celebrating 25
 [years, or longer, of Bureau service who are assigned to FBIHQ, Washington and
 [Alexandria Field Offices.

[5-20.3 Loss of Service Award Key

[A duplicate key, at employee's expense, may be ordered by
 [informing FBIHQ, Attention: Performance, Recognition and Awards Unit,
 [Administrative Services Division.

[5-21 FEDERAL SERVICE EMBLEM

[A Federal service emblem, with FBIHQ concurrence, is available at
 [the employee's specific request when an employee does not qualify for a Bureau
 [service award key under the following circumstances:

[(1) Employee must have completed at least 10 years of civilian
 [and/or military service, exclusive of FBI service.

[(2) Employee must have completed at least one year of FBI
 [service.

[5-22 RETIREMENT PLAQUE

[(1) A retirement plaque is authorized for presentation to
 [employees with their Special Agent credentials or support employee
 [identification card (optional), appropriately mounted thereon. Credentials or
 [identification cards will be suitably perforated and marked "Retired." The
 [plaque will be in one of six different forms based on the length of service
 [and age.

[(a) Employee retiring at age 62 or over with 5-9 years'
 [Bureau service.

[(b) Employee retiring at age 60 or over with 10-19 years'
 [Bureau service.

[(c) Employee retiring with 20-24 years' Bureau service.

[(d) Employee retiring with 25-29 years' Bureau service.

[(e) Employee retiring with 30 or more years' Bureau service.

[(f) Employee retiring under a service-connected disability
 [prior to 20 years' Bureau service.

[(2) Should retiree not submit credentials or identification card
 [to be mounted, a walnut shield-type plaque will be given.

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5-22.1 Request for Retirement Plaque

(1) Type of plaque and employee's desire for such plaque, as well as approval by division head or SAC, should be determined at time of exit interview and appropriately indicated on the exit interview form.

(2) FBIHQ division heads and SACs should ensure that credentials or identification cards are submitted by routing slip to FBIHQ in a sealed envelope at least four weeks prior to retirement date. Credentials or identification cards should be submitted to FBIHQ by registered mail, Attention: Performance, Recognition and Awards Unit, Administrative Services Division.

5-22.2 Presentation of Retirement Plaque

(1) The Director will personally present, as his schedule allows, retirement plaques to employees assigned to FBIHQ and to the Washington and Alexandria Field Offices, at the employee's written request. These requests should be made at the time of the exit interview to Attention: Performance, Recognition and Awards Unit, Administrative Services Division.

(2) In the Director's absence, retirement plaque will be presented by the FBIHQ division head or SAC.

(3) In the field, exclusive of Washington and Alexandria Field Offices, SACs, or in their absence, ASACs will present retirement plaque to recipient employee.

5-23 MEMORIAL PLAQUE

A memorial plaque is authorized, but only after the specific request of surviving family member(s), for a Bureau employee who dies while on the rolls, without regard to age or length of Bureau service. Requests should be forwarded to FBIHQ, Attention: Performance, Recognition and Awards Unit, Administrative Services Division.

(1) In each instance, the availability of a plaque should be communicated to the next of kin.

(2) The memorial plaque will be identical to the employee retirement plaque, with the exception of the inscription and the perforation on the credentials.

(3) The inscription plate will read "Presented to the Family of _____, in Memory of his (her) Loyal and Devoted Service to the Federal Bureau of Investigation, 19 _____ - 19 _____."

(4) The memorial plaque for an Agent killed by the hand of an adversary while in the pursuit of investigative responsibilities, will also have the Agent's official badge mounted thereon. No exceptions will be made to this policy.]