

Transportation). Reserve components include the Army National Guard, the Army Reserve, the Naval Reserve, the Marine Corps Reserve, the Air National Guard, the Air Force Reserve, and the Coast Guard Reserve.

#### § 44.3 Definitions.

(a) *Defense support industry.* Any business or corporation so determined by FEMA.

(b) *Extreme community hardship.* A situation that, because a reservist is mobilized, may have a substantially adverse effect on the health, safety, or welfare of the community. Any request for a determination of such hardship shall be made by the reservist and must be supported by documentation as required by the Secretary of the Military Department concerned.

(c) *Extreme personal hardship.* An adverse impact upon a reservist's dependents resulting from his or her mobilization. Any request for a determination of such hardship shall be made by the reservist and must be supported by documentation as required by the Secretary of the Military Department concerned.

(d) *Key employee.* Any Federal employee occupying a key position.

(e) *Key position.* A Federal position that cannot be vacated during a national emergency or mobilization without seriously impairing the capability of the parent Federal agency or office to function effectively. There are three categories of Federal key positions. The first two categories are, by definition, key positions. Only the final category requires a case-by-case determination and designation:

(1) The Vice President of the United States or any official specified in the order of presidential succession as set forth in 3 U.S.C. 19.

(2) Members of Congress, heads of Federal agencies appointed by the President with the consent of the Senate, and the Federal judiciary (District, Circuit, and Supreme Court judges and justices only; all other positions within the Federal judiciary shall be considered under the provisions of paragraph (e)(3) of this section). For the purposes of the definition contained in this paragraph, the terms "heads of Federal agencies" does not

include any person appointed by the President with the consent of the Senate to a Federal agency as a member of a multimember board or commission. Positions occupied by such persons may be designated as key positions only by the application of the criteria set forth in § 44.5(b)(2) of this part.

(3) Other Federal positions determined by Federal agency heads, or their designees, to be key positions in accordance with the guidelines specified in § 44.5(b)(2) of this part.

(f) *Ready Reserve.* Units and individual reservists liable for active duty as outlined in 10 U.S.C. 672 and 673.

(g) *Selected Reserve.* Part of the Ready Reserve of each reserve component consisting of units and individuals who participate actively in paid training periods and serve on paid active duty for training each year.

(h) *Standby Reserve.* Units or members of the reserve components, other than those in the Ready Reserve or Retired Reserve, who are liable for active duty as provided in sections 672 and 674 of title 10, U.S.C.

#### § 44.4 Policy.

It is DoD policy that members of the Selected Reserve and other Ready Reservists who are not on active duty shall be screened at least annually to provide a Ready Reserve force composed of members who:

(a) Meet Military Service wartime standards of mental, moral, professional, and physical fitness.

(b) Possess the military qualifications required in the various ranks, grades, ratings, and specialties.

(c) Are available immediately for active duty during a mobilization (or during a war or national emergency or in response to a presidential order to augment the active forces for an operational mission).

#### § 44.5 Procedures.

(a) *Reserve component screening activities.* The following general procedures shall be followed to ensure the immediate availability of a Ready Reserve force:

(1) *Annual screening.* All Ready Reservists shall be screened at least annually to ensure their availability.