

National Reconnaissance Office
Business Function 80, Oversight
Directive 80-3, Equal Employment Opportunity
Instruction 80-3-3, Reasonable Accommodations Process



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Revision	Date	Revised By	Pages Affected	Remarks
0	9 Sep 15	Office of Equality & Inclusion (OE&I)	All	Initial Release
1	29 APR 2019	OE&I & Accommodations Program	All	
2	24 Feb 2020	OE&I	All	Admin changes to remove duplicate information and improve readability
3	18 Dec 2020	OE&I	All	Admin changes in response to Equal Employment Opportunity Commission (EEOC) recommendations
4	29 Apr 2021	OE&I	5, 6, 12, 15, and 17	Admin changes to reflect pronoun consistency and updates to links
5	9 Sept 2021	OE&I	All	Changes to reflect compliance with Regulations and EEOC Feedback
6	10 Apr 2026	Office of Equal Employment Opportunity Accessibility and Accommodations Program	All	Office name change reflected, clarification regarding the RA process, and the addition of Pregnant Workers Fairness Act, admin changes, additions to appendices, and inclusion of process flow diagram

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SECTION I - INTRODUCTION

In accordance with the National Reconnaissance Office (NRO) Governance Plan, NRO Business Function (NBF) 80, and NRO Directive 80-3, this NRO Instruction (NI) sets forth the procedural implementation guidance and provides applicable information in addenda. All NRO personnel who perform tasks or have duties specific to the Reasonable Accommodations (RA) Process will comply with this NI. When the work to be performed under an NRO contract must comply with this NI, the program office shall list this NI as a reference document in the contract statement of work. Upon request by a Cadre applicant or NRO personnel, this Instruction will be provided in an accessible format within a reasonable timeframe.

SECTION II - REASONABLE ACCOMMODATIONS (RA) PROCESS DOCUMENTATION

The sub-sections that follow detail the RA Process.

Governing NRO Business Function (NBF)

NBF 80, *Oversight*

Description

Under the Rehabilitation Act of 1973, federal executive branch agencies are required to provide RAs to a Qualified Individual with Disabilities (QIWD) unless doing so would cause undue hardship. Under the Pregnant Worker Fairness Act of 2023, federal executive branch agencies are also required to provide RAs to the known limitations related to pregnancy, childbirth, or related medical conditions of a qualified employee unless doing so would cause undue hardship.

This Instruction applies to applicants for employment with the NRO (i.e., Cadre applicants) and civilian NRO personnel (i.e., NRO Cadre) who meet the definition of a QIWD in need of an RA. Contractors, assignees, and detailees performing work on NRO's mission in NRO facilities may request RAs. NRO will fulfill the request or liaise with the contract company or home agency to ensure the workplace barrier in the NRO facility and/or on an NRO system is removed.

Director, NRO has designated the Office of Equal Employment Opportunity (OEEO) to oversee and manage the NRO's RA process and Personal Assistance Services (PAS). The Director, OEEO has designated the management of RA and PAS requests to the OEEO Accessibility and Accommodations Program (AAP). OEEO is the responsible office for this Instruction and a resource available on behalf of the NRO and all of its external locations, foreign or domestic. The RA process implements the Rehabilitation Act of 1973, Executive Order 13164 (requiring federal agencies to establish procedures to facilitate the provision of reasonable accommodations), the Pregnant Workers Fairness Act of 2023, and EEOC regulations.

Instruction Point of Contact (POC)

OEE0, Accessibility and Accommodations Program (AAP), email:
OEE0-Accommodations@nro.ic.gov (secure)

Support Systems and Information Tracking

NRO Management Information System (NMIS) and the Equal Accessibility Services Environment¹ (EASE).

Process Narrative

Communication and the Interactive Process

The RA process is voluntary, optional, Requestor-driven, interactive, and iterative as employer and/or employee needs evolve. Communication is fundamental to the RA process. The RA process is an interactive process intended to: 1) determine whether the individual has met the definition of a QIWD and is thereby eligible for an RA; 2) determine the essential functions of the individual's position; 3) ascertain the precise job-related limitations imposed by the individual's disability; 4) identify potential RAs; and 5) select and implement the accommodation that is most appropriate for both the individual and the NRO. Ongoing communication is especially important when the Requestor's specific limitation is not obvious, the barrier is unclear, or alternative or additional RAs are being considered.

The interactive process may require information sharing with other NRO officials only when those officials have a legitimate need to know in order to fulfill the RA request.

Requestors' failure to engage in the interactive process or respond in a timely manner to information or document requests from the AAP staff may result in the cancellation or denial of an RA request. Requestors may re-engage in the RA process at any time.

The Reasonable Accommodation Interactive Process

There are five possible phases of the RA interactive process: 1) initiation of request; 2) consideration of request; 3) decision; 4) post-decision implementation and evaluation; and 5) reconsideration.

Initiation of Request:

A Requestor may request an RA orally, in writing, or via EASE. A request can be made at any time, even if the Requestor has not previously disclosed the existence of a disability, and does not have a particular accommodation in mind before making a request. The

¹ EASE is an internal NRO electronic tool for the receipt, tracking, and processing of RA requests made by NRO personnel. It is approved to store and safeguard Personally Identifiable Information and Privacy Act protected information.

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request does not need to contain the phrase "reasonable accommodation" or refer to any legal authority. NRO may ask the Requestor to document an oral request in writing, or follow up with an EASE submission, but such requests do not delay the initiation of the RA interactive process.

NRO Cadre employees may make a request for an RA to a supervisor or manager in the individual's chain of command or directly to the AAP staff. Cadre applicants may make a request for an RA to their Office of Human Resources (OHR) Recruitment Group (RG) POC or, if the applicant who has yet to be assigned an OHR POC, via email to hiring@nro.mil. OHR will refer all requests for RAs from Cadre applicants to AAP within three business days of receipt. The Requestor may make a request for an RA directly, or through a representative, including but not limited to a family member, health professional, or fellow employee. When a representative makes a request on behalf of a Requestor, the supervisor/manager or AAP Case Manager (AAPCM) must confirm the request with the Requestor to ensure that an accommodation is desired.

NRO Cadre employees should submit their request for an RA through EASE (or the supervisor/manager may submit a request in EASE on the employee's behalf). In the event EASE is not accessible or available to the NRO Cadre employee, the AAP staff can be contacted directly via phone, email, or walk-in appointment at OEEO spaces in Westfields. The AAPCM will follow up with requests submitted via EASE or directly to AAP staff within three business days of receipt of the request. The AAPCM will follow up with referrals from supervisors/managers and OHR/RG within three business days of receipt of the referral.

A request for an RA is a statement that an individual needs a modification at work or in the application process for a reason related to a medical condition. Any employee-initiated expression of a job-related limitation or adjustment for a medically related reason should be recognized by a supervisor/manager as a verbal request for an RA. Examples of how to recognize a request for an RA include, but are not limited to:

Example A: An employee tells her supervisor, "I'm having trouble getting to work at my scheduled starting time because of medical treatments I'm undergoing." This is a request for an RA.

Example B: An employee tells his supervisor, "I will need to use six weeks of my sick leave to get treatment for a back problem." This is a request for an RA.

Example C: A new employee, who uses a wheelchair, informs the employer that her wheelchair cannot fit under the desk in her office. This is a request for an RA.

Similarly, some requests will seek modification or accommodations that do not meet the requirements of an RA request. If you are

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unsure, reach out to AAP at OEEO-Accommodations@nro.ic.gov to learn more.

Example D: An employee tells his supervisor that he would like a new chair because his present one is uncomfortable. Although this is a request for a modification at work, his statement is insufficient to put the employer on notice that he is requesting an RA. The employee does not link his request for the new chair with a medical condition.

Supervisors/managers who receive RA requests may seek clarity from the Requestor about the RA requested, but they are prohibited from asking the Requestor about their medical condition or medical history. Additionally, supervisors/managers should not rely on assumptions about a medical condition to determine if the requestor is a QIWD. The NRO has delegated to AAP the sole authority to determine whether the Requestor is a QIWD.

Consideration of Request:

In this phase of the RA interactive process, AAP will first determine whether the Requestor is a QIWD. If so, the Requestor's supervisor/manager and/or the AAPCM will work collaboratively with appropriate stakeholders to determine whether: 1) the requested RA enables the Requestor to perform the essential functions of their position or enjoy the equal benefits and privileges of employment; 2) additional medical documentation or other information is necessary; and 3) to present an alternate effective RA. Appropriate stakeholders in the identification and evaluation of potential RAs may include, but are not limited to, Requestors, facilities specialists, medical specialists, security specialists, and the NRO Office of General Counsel (OGC). An effective RA is one that enables the Requestor to perform the essential functions of their current position. A temporary or interim RA may be implemented until an effective RA is agreed upon and approved.

Absent a showing of undue hardship, the supervisor/manager, AAP, and relevant stakeholder(s) may not consider financial cost as a prohibitive factor in considering an RA request. Training is available to all supervisors, managers, hiring officials, and AAP staff to ensure they understand the process for the use of NRO resources to provide RAs, including access to centralized funding through AAP.

Decision:

In the decision phase of the RA interactive process, AAP or the Requestor's supervisor/manager informs the Requestor of the RA decision.

If the Requestor used EASE or contacted AAP independently, then AAP will notify the requestor of their eligibility for an RA based on all documentation and communication up to that point. Eligibility for an RA does not mean the employee will receive the RA they requested.

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Rather, it is the next step in the interactive process to find an effective solution.

If the disability and need for the RA are obvious, and no medical documentation is required, AAP will issue a written decision to the Requestor within 15 business days of receiving the request. If medical documentation is required, AAP will issue a written decision to the requestor within 15 business days from receiving sufficient medical documentation.

Requestors who are eligible for an RA will be informed: 1) that AAP will work with stakeholders (e.g., Communications Systems Directorate (COMM), Management Services and Operations) to deliver the requested RA (e.g., sit/stand desk); 2) of alternative accommodation options; or 3) that the next step will be an interactive process with the Requestor's supervisor/manager (e.g., schedule modification). For Requestors who are deemed not eligible for an RA, they may still engage in an interactive process with their supervisor/manager to determine if there are solutions outside of the RA process (e.g., procuring supplies with Directorates and/or Offices (Ds and/or Os) budget; schedule modification, etc.).

If the Requestor approached their manager/supervisor for an RA outside of the AAP process, then the manager/supervisor will notify the Requestor of the RA decision. If the disability and need for the RA are obvious, and no medical documentation is required, the supervisor/manager will issue a written decision to the Requestor within 15 business days of receiving the request.

Manager/supervisor RA approvals may include schedule modifications, seat assignments, office assignments, or work assignment modifications. In coordination with Ds and/or Os, Office of Security and Counterintelligence (OS&CI), Management Services & Operations, and COMM, manager/supervisors may also pursue furniture, hardware, and software acquisitions that fall outside of AAP's RA process. It is incumbent on the manager/supervisor to document all aspects of the granted RA, to include duration, re-evaluation periods, and more.

If medical documentation is required, the supervisor/manager will instruct the Requestor to contact AAP directly, as AAP is the only office designated to receive medical documentation.

In instances that may require expedited processing of RA requests (e.g., to enable an individual to apply for a job or to participate in a specific NRO activity that is scheduled to occur shortly), the supervisor/manager or AAPCM must make every effort to reach a decision quickly.

When there has been a decision to offer an alternative RA, the written decision should explain the reason(s) why the originally requested RA was not effective and the reason(s) why the alternative RA would be effective and permit the Requestor to successfully perform the essential functions of their current position, enjoy equal access

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to the benefits and privileges of employment, or complete the employment application process.

Only AAP can deny a request for an RA on behalf of the NRO, and must do so in writing and specifically explain the reason(s) for denying the request. Valid reasons for denying an RA include, but are not limited to: 1) a determination that the Requestor is not a QIWD; 2) inadequate medical documentation to establish that the Requestor has a disability or needs an RA; 3) the requested RA would not be effective; and 4) the RA would pose an undue hardship. The written decision denying the request for an RA will explain the process for submitting a request for reconsideration and will inform the individual that they have the right to file an Equal Employment Opportunity (EEO) complaint within 45 days of decision notification if they believe the denial was discriminatory.

Generally, the processing of a request for an RA is completed in a timely, efficient, and fair manner, excluding extenuating circumstances. If extenuating circumstances justify delays beyond the designated timelines, the Requestor will be informed of the status of the request and provided with periodic updates. A delay may be justified by circumstances that could not be reasonably anticipated or avoided, or are outside AAP's ability to control (e.g., the ordering of specialized equipment requiring vetting prior to use in the NRO, or the requiring of supplemental medical documentation). If there is a delay, but all the facts and circumstances known to the supervisor/manager or AAPCM make it reasonably likely that the Requestor will be entitled to an RA, the Requestor will be provided with an interim RA that allows the Requestor to perform some or all of the essential functions of their current position, if it is possible to do so without imposing an undue hardship on the NRO.

Post-Decision Implementation and Evaluation:

Once an RA request has been approved, in light of unique NRO equities, consultation with additional NRO stakeholders may be necessary in some cases in order to ensure that implementation of the RA is done in a manner consistent with applicable NRO regulations and policies.

Every effort should be taken to implement the RA promptly, and when possible, prior to the prescribed timelines for processing and providing an RA set forth below. Failure to provide the RA within the prescribed timelines may result in a violation of the Rehabilitation Act.

An important part of NRO's RA process is monitoring the RAs after they have been implemented. Regular communication between the Requestor, their supervisor/manager, and the AAP is essential to maintain the effectiveness of the RA, especially when workplace technology updates, software changes, the Requestor's capabilities, or job functions evolve over time.

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RAs do not automatically move with the Requestor from one position and/or supervisor/manager to the next position and/or supervisor/manager. Any time a Requestor moves to a new position, falls under a new supervisor/manager, has a change to the essential functions of their position, or experiences a change in medical condition or functional limitations, the Requestor must re-engage in the interactive process with their new supervisor/manager and/or AAP.

Reconsideration:

If, after receiving a denial of their request for an RA, the Requestor has additional information/documents to provide in support of their request, or an assertion they believe was not properly considered by the supervisor/manager or AAPCM, the Requestor may submit a request for reconsideration to Chief/AAP (C/AAP) (via OHR, in the case of a Cadre applicant) within 10 business days after receiving the written decision from the supervisor/manager or AAPCM. The Requestor may provide new information/documents in support of the request for reconsideration. If an alternative RA has been offered, the Requestor must try the alternative RA before requesting reconsideration.

C/AAP will review the request for reconsideration and issue a final decision to the Requestor (via OHR to a Cadre applicant) within 15 business days of the date C/AAP received the request for reconsideration, or within 15 business days of the date of receipt of additional information/documents, if provided. C/AAP's final decision is neither appealable nor grieveable. A request for reconsideration does not extend or toll the time limits for initiating any available administrative or statutory claims.

Medical Information and Confidentiality

AAP generally will not request medical information from the Requestor when the Requestor's disability and need for an RA are obvious or when the Requestor has already provided sufficient current medical information to document the existence of the disability and the functional limitations on the Requestor's ability to perform the essential functions of their position.

If the Requestor's disability or need for an RA are not obvious, or if the Requestor has not provided sufficient or current medical information to document the existence of a disability and any workplace-related functional limitations, AAP may require the Requestor to provide medical information, or supplemental medical information to explain:

- a. The diagnosis and prognosis of the Requestor's disability (name, severity, and expected duration of the symptoms);
- b. The major life activities that are substantially limited by the medical condition(s) (e.g., walking, sitting, sleeping, breathing, etc.);

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c. How the disability impacts the Requestor's ability to perform the essential functions of their position, to enjoy equal access to the benefits and privileges of employment, or to complete the employment application process;

d. The recommended workplace RA(s); and

e. How the RA will assist the Requestor in performing the essential functions of their position, enjoying equal access to the benefits and privileges of employment, or completing the employment application process.

AAP requests for medical information during the RA process are limited in scope to information related to the disability that is impacting the Requestor's ability to perform the essential functions of their position, to enjoy equal access to the benefit and privileges of employment, or to complete the employment application process.

If the initial medical information provided by the Requestor's medical professional or volunteered by the Requestor is insufficient for AAP to determine whether the Requestor is a QIWD and/or that an RA is needed, the AAPCM will inform the Requestor what additional information is needed and why. The AAPCM also may give the Requestor a list of questions for the medical professional to answer.

AAP staff may request that the medical documentation provided by the Requestor be reviewed by the NRO's Medical Director. The review, if needed, is at NRO's expense. The timeline contained in this Instruction for granting or denying an RA does not stop because the NRO Medical Director is reviewing medical documentation. If a Requestor prefers to obtain an outside medical professional to review the medical documentation, any expenses associated or incurred will be at the Requestor's expense. The timelines contained in this Instruction are not tolled while AAP awaits the Requestor's medical professional to provide or review medical documentation, or any period when AAP is awaiting follow-up information/documentation from the Requestor.

Pursuant to Reference (a), medical documentation must be collected and maintained on separate forms, treated as confidential medical records, and secured and stored separately from a Requestor's personnel records or job application.

In rare circumstances, AAP may decide to waive the requirement for medical documentation (e.g., when the employee is stationed in an austere environment where access to the required medical specialists is not possible).

There are limited circumstances when AAP and/or the NRO may disclose a Requestor's confidential medical information to certain individuals, to include:

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- a. Supervisors and managers who need to know about necessary restrictions on the work or duties of the Requestor and about the necessary RA(s);
- b. First aid and safety personnel if the disability might require emergency treatment or assistance in evacuation;
- c. Government officials when necessary to investigate the NRO's compliance with the Rehabilitation Act;
- d. In certain circumstances, workers' compensation offices or insurance carriers; and
- e. Department of War (DoW) Component Equal Employment Opportunity (EEO) officials to maintain records and evaluate and report on or in response to the NRO's performance in processing RA requests.

Any medical documentation that someone other than the AAP staff receives as part of the RA process (for example, a letter from a health care provider to a supervisor), must be sent to AAP to become part of the Requestor's file. Only AAP will retain copies of the Requestor's medical documentation, and such medical documentation shall be stored separately from the Requestor's personnel records or job application.

Reassignment (NRO Cadre employees only)

Reassignment is the "accommodation of last resort (ALR)" that may be provided after it is determined and documented that the QIWD cannot perform the essential functions of their current position due to a disability and the NRO cannot otherwise accommodate the QIWD. If an appropriate RA cannot be identified to enable the Requestor to perform the essential functions of their current position, AAP staff will consult with OHR, OGC, and other appropriate parties such as the individual's Career Field Manager (CFM) for any possible alternative reassignment options available. In such cases, the ALR is a direct reassignment to a vacant, equivalent (same GG level) position for which the Requestor is qualified, and not just permission to apply and compete for the position. Reassignment is only available if the Requestor is qualified for the position (as determined by the CFM who owns the position) and is able to perform the essential functions of the vacant position with or without RA(s).

After it is determined and documented that the QIWD cannot perform the essential functions of their current position because of a disability, and the NRO cannot otherwise accommodate them, AAP staff will ask the Requestor if they are willing to accept a reassignment. If the Requestor will accept a reassignment, AAP will notify OHR's Employee Relations (ER) branch, who will execute the ALR process with AAP. OHR/Employee Relations (OHR/ER) will first consider reassignment options within the Requestor's designated NRO career service and occupation code. If there are no open positions at the Requestor's

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grade level (or within two grades below) within their career service that the Requestor is qualified to fill, the Requestor's resume and NRO performance and training history will be provided to the other NRO CFMs to assess whether they have any open positions at the Requestor's grade level (or within two grades below) within other career services that the individual is qualified to fill. To qualify for a vacant position, the Requestor must have the requisite skills, experience, education, and other job-related requirements necessary to fill the vacant position. The CFM is the final decision authority on whether a NRO Cadre employee is qualified to fill a position within the CFM's career service. OHR/ER must maintain a list of all valid vacancies considered for placement of the Requestor during the ALR process.

Reassignment is available only to NRO Cadre employees and may be made only to a currently vacant (or scheduled to be vacant within two months) position. The law does not require agencies to create new positions, fill positions for which the NRO has no need and did not intend to fill once the incumbent left, or move other personnel in order to create a vacancy.

If a reasonable amount of time (no less than 30 calendar days) has passed and OHR/ER and AAP have been unable locate a vacant position for the Requestor, or if the Requestor has declined a vacant position, and no other position is identified, OHR/ER shall notify the Requestor in writing that they will be removed from federal employment for Medical Inability to Perform and that they may apply for medical disability retirement.

Event-Driven Reasonable Accommodations

RAs that are likely to be needed on a repeated basis (e.g., sign language interpreting, reader, etc.) are referred to as "event-driven" RA requests. The Requestor will not be required to submit medical documentation each time the event-driven RA is needed, unless the originally submitted documentation indicated the disability was temporary or the essential functions of the Requestor's position change. The AAPCM will instruct the Requestor to first submit a one-time event-driven RA request in EASE and then, once approved, to submit subsequent requests through the Interpreter Requests or Reader Requests tab within EASE at least five business days before the service is needed.

Tracking

Cadre applicants may reach out to their OHR/RG POC to request a status on their RA request. NRO Cadre employees who requested an RA from their supervisor/manager and did not engage with AAP should discuss the status of their RA request with their supervisor/manager. NRO Cadre employees who engaged with AAP regarding their RA request may reach out to AAP to request a status on their RA request. Appropriate contact information for AAP is located on the NRO's Intranet. EASE will record the following information: 1) the date the RA request was initiated and the Requestor; 2) the specific RA

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requested; 3) employment details (organizational assignment, contact information, location, NRO affiliation) sought by the Cadre applicant Requestor or held by NRO Cadre Requestor; 4) whether the RA was needed to apply for a job, perform the essential functions of a position, or enjoy the benefits and privileges of employment; 5) whether the request was granted or denied; 6) the identity of the deciding official; 7) the basis of the denial, if the request was denied; 8) the number of days taken to process the request; and 9) any submitted documentation as well as notes on correspondence between AAP and the Requestor.

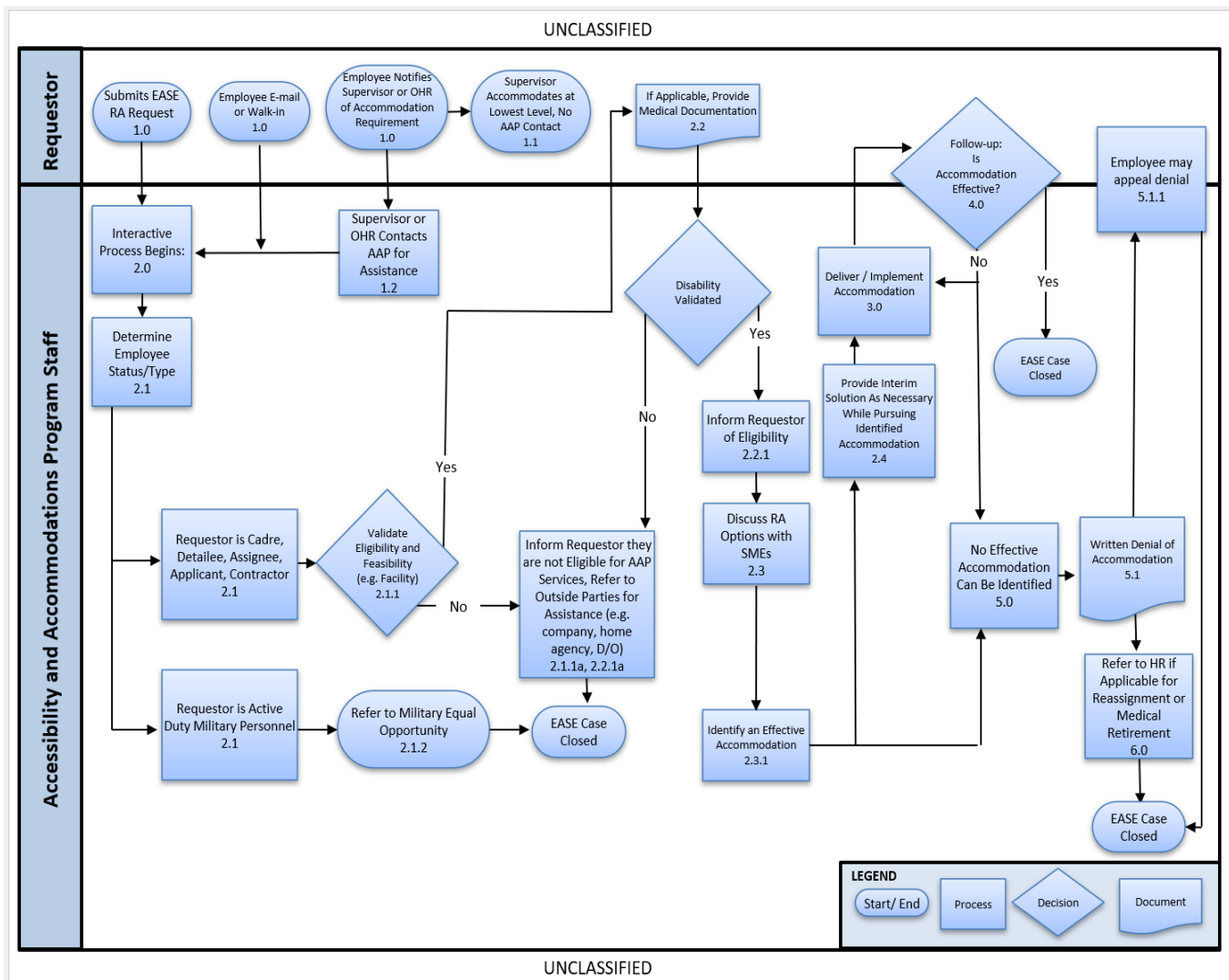
Costs and Resources

The NRO is not required to provide RAs that would impose an undue hardship on the operation of the NRO. An undue hardship means that a specific RA would require significant difficulty or expense or significantly impact NRO operations. This determination is fact-specific and must be made on a case-by-case basis.

The budget of the NRO, as a whole, must be considered when determining whether the expense of a potential RA constitutes an undue hardship. Budget resources allocated by statute for a specific NRO purpose that does not include RA support are excluded from the undue hardship analysis. It is unlikely that cost will be a basis for denying a request for an RA.

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Process Flow Diagram



SECTION III - TIMELINE FOR PROCESSING RA REQUESTS

1.0 Requestor submits a request for an RA, orally or in writing, to a supervisor/manager, to AAP staff, via EASE, to OHR/RG, or to hiring@nro.mil.

1.1 Within three business days of receipt of a request for an RA from a Cadre employee, the supervisor/manager acknowledges receipt of and begins the RA interactive process for RA requests that do not require additional information about the Requestor's medical condition or the review of medical documentation (e.g., special office supplies, moving furniture, temporary work location, removal of light bulbs, flexible work schedule, etc.).

1.2 The supervisor/manager refers requests for RAs from Cadre employees to AAP within three business days if the request requires additional information about the Requestor's medical condition or the review of medical documentation (e.g., reassignment, assistive technology, specialized furniture, etc.). The AAPCM follows up with the supervisor/manager within three business days of receipt of the referral to discuss the needs of the Requestor and whether the NRO can reasonably accommodate them.

Within three business days of receipt of a request for an RA from a Cadre applicant, OHR refers the RA request to AAP. The AAPCM follows up with OHR within three business days of receipt of the referral to discuss the needs of the applicant and whether the NRO can reasonably accommodate them.

1.3 Within three business days of receipt of a request for an RA from a Cadre employee, AAP acknowledges receipt of and follows up on RA requests submitted via EASE or made directly to AAP staff.

2.0. Once in receipt of the request, AAP begins the interactive process. If the employee has not already initiated an EASE request, AAP will require them to do so for record-keeping purposes.

2.1 Review of eligibility begins with determining employee status/type (Cadre, applicant, military, other government agency detailee, other government agency assignee, contractor).

2.1.1 Requests for RAs from civilians are reviewed for eligibility and feasibility based on factors like assigned facility, system ownership, US citizenship status, etc.

If the employee is not eligible for AAP services based on factors like assigned facility, system ownership, etc. then AAP will notify the employee of the ineligibility and refer them to relevant outside parties for assistance (e.g., their company, home agency, or Ds and/or Os for a non-RA wellness purchase). The interactive process stops and the EASE case is closed.

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2.1.2. Requests for RAs from military personnel are referred to Chief, Military Equal Opportunity (MEO) for processing. The interactive process stops and the EASE case is closed.

2.2 If medical documentation is required, the AAPCM will advise the employee on medical documentation standards for the program and request sufficient documentation.

2.2.1 The AAPCM shall issue a written decision to the Requestor (via OHR to a Cadre applicant) of their eligibility within 15 business days from the date that sufficient medical documentation is received. If the disability and need for the RA are obvious and no medical documentation is required, the supervisor/manager or AAPCM shall issue a written decision to the Requestor (via OHR to a Cadre applicant) within 15 business days of the request.

If the required medical documentation is not submitted, or is not sufficient, AAP will continue to advise the client on the standards of the program. If the disability cannot be validated, AAP will advise the requestor they are not eligible for AAP services and refer them to outside parties for assistance (e.g., company, home agency, Ds and/or Os). The EASE case is closed, but the requestor is informed they are welcome to re-submit a new EASE case at any time if they acquire sufficient medical documentation.

2.3 The supervisor/manager, AAP staff, OHR, and other appropriate stakeholders including, but not limited to, the Requestor's Ds and/or Os, facilities specialists, medical specialists, security specialists, and OGC, discuss accommodation options with the Requestor. If no effective accommodation can be identified, skip to step 5.0.

2.3.1 Stakeholders agree to trial a specific accommodation.

2.4 When all the facts and circumstances known to the supervisor/manager or AAPCM make it reasonably likely that the RA will take some time to be delivered or implemented, the Requestor will be provided with an interim RA that allows the Requestor to perform some or all of the essential functions of their current position, if it is possible to do so without imposing an undue hardship on the NRO.

3.0. The RA will be implemented within 30 business days or 45 calendar days, absent extenuating circumstances.

3.1 In instances that require expedited processing of RA requests (e.g., to enable a Cadre applicant to apply for a job or to enable a Cadre employee to participate in a specific training, meeting, or other job-related activity that is scheduled to occur shortly), the supervisor/manager or AAPCM must make every effort to reach a decision quickly.

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4.0 The Requestor must try the proposed effective accommodation for a reasonable period of time (e.g., 4-6 weeks), after which time AAP will follow up with all stakeholders to determine effectiveness. Any stakeholder may request reconsideration, i.e., request an alternative accommodation, if the trialed accommodation is deemed ineffective.

4.1 If the accommodation is not effective, stakeholders will identify and implement an alternative accommodation, which the requestor must try for a reasonable period of time (e.g., 4-6 weeks). This iterative process continues until an effective accommodation is identified, or stakeholders agree that no effective accommodation can be identified.

4.2 If the accommodation is effective, the EASE request will be marked "fulfilled" and the case closed.

5.0. If no effective accommodation can be identified, the supervisor/manager or AAPCM notifies the Requestor (via OHR to a Cadre applicant) of the decision to deny the request for an RA. Only AAP may deny an RA on behalf of the NRO, and an employee may pursue the AAP process after a supervisor/manager denial.

5.1 When AAP denies an accommodation request, a written denial of accommodation will be provided to the requestor.

5.1.1 The written decision will inform the Requestor of the right to submit a request for reconsideration to C/AAP (via OHR, in the case of a Cadre applicant) within 10 business days after receiving the written decision.

5.1.2 C/AAP will review the request for reconsideration and issue a final decision to the Requestor (via OHR to a Cadre applicant) within 15 business days of the date C/AAP received the request for reconsideration, or within 15 business days of the date of receipt of additional information/documents, if provided.

5.1.3 C/AAP's final decision is neither appealable nor grieveable.

6.0 AAP may refer denied cases to OHR for consideration of reassignment or medical retirement as accommodations of last resort.

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Table 1: Risk & Internal Control Table

Risk	Internal Control
Complaints of discrimination arising from failure to provide a RA.	Annual review of organization policies relative to EEO issues. Written documentation received from office detailing reason for any denial of RA. Coordination with applicable stakeholders as appropriate for each case.

SECTION V – CONFIGURATION CONTROL

All changes to the NI 80-3-3, *Reasonable Accommodation Process* require Director, OEEO approval.

APPROVING SIGNATURE

With the authority delegated by the NBF owner for Oversight, I confirm that this document provides a complete representation of the *Reasonable Accommodations Process* Instruction and that the document has been coordinated with stakeholders of the process.

Kelli Lozada
Director, OEEO

Date

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APPENDIX A – GLOSSARY AND ACRONYM LIST

Acronym or Term	Definition
AAP	Accessibility and Accommodations Program
AAPCM	Accessibility and Accommodations Program, Case Manager
ALR	Accommodation of Last Resort
C/AAP	Chief, Accessibility and Accommodations Program
CFM	Career Field Manager
D and/or O	Directorate and/or Office
DoD	Department of Defense
DoW	Department of War
EASE	Equal Accessibility Services Environment
EEO	Equal Employment Opportunity
EEOC	Equal Employment Opportunity Commission (non NRO)
EMD	Electronic Medical Device
ER	Employee Relations
MEO	Military Equal Opportunity
NBF	National Reconnaissance Office Business Function
NI	National Reconnaissance Office Instruction
NRO	National Reconnaissance Office
OEE0	Office of Equal Employment Opportunity
OGC	Office of General Counsel
OHR	Office of Human Resources
QIWD	Qualified Individual with a Disability
RA	Reasonable Accommodation
RG	OHR's Recruitment Group
Alternative Dispute Resolution (ADR)	ADR is a voluntary process that uses several methods, most commonly mediation or facilitation, to attempt resolution.
Benefits and privileges of federal employment	"Benefits and privileges" of federal employment may include, but are not limited to: DoW Component-sponsored training (whether provided by the DoW Component or an outside entity), services (e.g., individual assistance programs, credit unions, cafeterias, lounges, gymnasiums, auditoriums, transportation), social and professional functions, emergency evacuation plans, and workplace communications through e-mail, public address systems, or during meetings, whether that communication relates directly to performance of an individual's essential job functions.
COMM	Communications Systems Directorate
Confidential Medical Information	All information obtained regarding an applicant or individual's medical condition or history. Documentation of an individual's diagnosis or symptoms is confidential medical information and is protected under the Privacy Act of 1974.

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Acronym or Term	Definition
Disability	A physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment. (29 C.F.R. § 1630.2) To be eligible for an RA, an individual must either have a physical or mental impairment that substantially limits a major life activity, or must have a record (a history) of a physical or mental impairment that substantially limited a major life activity. An individual who is only regarded as having a disability is not entitled to an RA. Determination of disability will comply with the requirements of the Americans with Disabilities Act Amendments Act of 2008 (ADAAA) which requires a broad interpretation of the term and generally does not require an extensive analysis.
Equal Accessibility Services Environment (EASE)	RA electronic application
Essential Job Functions	The fundamental job duties of the employment position the individual with a disability holds or desires. Essential functions do not include marginal functions. A job function may be considered essential for any of several reasons, including but not limited to the following: · The reason the position exists is to perform that function. · There are a limited number of employees available among whom the performance of that job function can be distributed. · The function may be highly specialized so that the incumbent in the position is hired for his or her expertise or ability to perform the particular function.

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Acronym or Term	Definition
Essential Job Functions	Evidence of whether a particular function is essential includes, but is not limited to: · The NRO's judgment as to which functions are essential. · Written job descriptions prepared before advertising or interviewing applicants for the position. · The amount of time spent on the job performing the function. · The consequences of not requiring the incumbent to perform the function. · The work experience of past incumbents in the job. · The current work experience of incumbents in similar jobs.

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Impairments that substantially limits a major life activity	An impairment is a disability within the meaning of this section if it substantially limits the ability of an individual to perform a major life activity as compared to most people in the general population. An impairment need not prevent, or significantly or severely restrict, the individual from performing a major life activity in order to be considered substantially limiting. Not every impairment will constitute a disability. It should easily be concluded that the following types of impairments will, at a minimum, substantially limit the major life activities indicated: · Deafness substantially limits hearing. · Blindness substantially limits seeing. · An intellectual disability (formerly termed mental retardation) substantially limits brain function. · Partially or completely missing limbs or mobility impairments requiring the use of a wheelchair substantially limit musculoskeletal function. · Autism substantially limits brain function. · Cancer substantially limits normal cell growth. · Cerebral Palsy substantially limits brain function. · Diabetes substantially limits endocrine function. · Epilepsy substantially limits neurological function. · Human Immunodeficiency Virus (HIV) infection substantially limits immune function. · Multiple Sclerosis substantially limits neurological function. · Muscular Dystrophy substantially limits neurological function. · Major depressive disorder, bipolar disorder, post-traumatic stress disorder, obsessive
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Acronym or Term	Definition
	compulsive disorder, and schizophrenia substantially limit brain function. The types of impairments described in this section may substantially limit additional major life activities not explicitly listed above.
Interactive Process	The process that offers the ability for AAP and all applicable parties involved to maintain open and on-going communication throughout the RA process. This interaction includes: explaining the RA process, offering alternative RAs to Requestor when necessary, or continuing dialogue between parties to obtain appropriate medical documentation when the disability or need for an RA is not obvious.

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Major Life Activity	In general, major life activities include, but are not limited to: · Caring for oneself · Performing manual tasks · Seeing · Hearing · Eating · Sleeping · Walking · Standing · Sitting · Reaching · Lifting · Bending · Speaking · Breathing · Learning · Reading · Concentrating · Thinking · Communicating · Interacting with others · Working The operation of a major bodily function, include functions of the immune system, special sense organs and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system. In determining other examples of major life activities, the term "major" shall not be interpreted strictly to create a demanding standard for disability.
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Acronym or Term	Definition
Mental Impairment	Any mental or psychological disorder, such as an intellectual disability (formerly termed "mental retardation"), organic brain syndrome, emotional or mental illness, and specific learning disabilities.
NMIS	NRO Management Information System
NRO Personnel	NRO personnel and the term "NRO Total Workforce" are interchangeable and defined as permanent NRO civilians (i.e., NRO Cadre), DoW and Intelligence Community civilians assigned or detailed to the NRO, and contractors performing work under NRO contracts in NRO facilities.
OHR/ER	Office of Human Resources/Employee Relations
OS&CI	Office of Security and Counterintelligence
Personal Assistance Services (PAS)	The term personal assistance services means assistance with performing activities of daily living that an individual would typically perform if he or she did not have a disability, and that is not otherwise required as an RA. Examples of personal assistance services include assistance with removing and putting on clothing, eating, and using the restroom.
Physical Impairment	Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems.
POC	Point of Contact
Qualified Individual with a Disability (QIWD)	An QIWD who satisfies the requisite skills, experience, and education and other job-related requirements of the employment position such individuals holds or desires, and who, with or without and RA, can perform the essential functions of such position.

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Acronym or Term	Definition
Reasonable Accommodation (RA)	In accordance with 29 C.F.R. Part 1630, RA means: Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position such qualified applicant desires; or Modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable an individual with a disability who is qualified to perform the essential functions of that position; or Modifications or adjustments that enable a DoW employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.
Requestor	A Requestor is an individual who makes a request for an RA.

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Acronym or Term	Definition
Undue Hardship	With respect to the provision of an RA, an undue hardship means significant difficulty or expense. The determination that a specific RA would impose an undue hardship must be based on an individualized assessment. Factors to be considered include: The nature and cost of the RA needed. The overall financial resources of the DoW Component facility making the RA, the number of persons employed at this DoW Component facility, and the effect on expenses and resources of the facility. The overall financial resources, size, number of employees, and type and location of facilities of the DoW Component. The overall financial resources of DoW as a whole, excluding resources designated by statute for a specific purpose that does not include the RA. The type of operation or operations of the DoW Component, including the composition, structure, and functions of the DoW Component's workforce. The impact of the RA on the nature of the operation or mission of the DoW Component, including the impact on the ability of other employees to perform their duties and the impact on the DoW Component facility's operation or mission.

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APPENDIX B - RESOURCES

Accessibility and Accommodations Program Website on NMIS:
<https://oeeo.nro.ic.gov/accessibility-accommodations/>

Accessibility and Accommodations Program group email address:
OEEO-Accommodations@nro.ic.gov

Alternative Dispute Resolution email address:
OmbudsandGrievance@nro.ic.gov

Computer Accommodations Program web address:
<http://www.cap.mil/WSM>

Equal Accessibility Services Environment (EASE) link on NMIS:
<https://ease.nro.ic.gov/>

OS&CI F&ISD email address:
OSCI-FISD-PTSB-EMD@nro.ic.gov

Military personnel: Chief, Military Equal Opportunity, 850-2561,
Email: MEO@nro.ic.gov

Active-duty military personnel are not covered under the Rehabilitation Act or the EEOC's implementing regulations. AAP will refer requests for active-duty military members to MEO.

Equal Employment Opportunity Commission (EEOC) website: www.eeoc.gov; specifically, 1) EEOC Enforcement Guidance; Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act (July 27, 2000), and 2) EEOC Enforcement Guidance on Reasonable Accommodations and Undue Hardship under the Americans with Disabilities Act (revised October 17, 2002).

The Job Accommodation Network (JAN) (www.askjan.org), is a source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. JAN is one of several services provided by the United States Department of Labor's Office of Disability Employment Policy.

Electronic Medical Devices (EMD):

Electronic Medical Devices are battery-powered or electrically operated instruments, equipment, or systems designed to diagnose, monitor, or treat medical conditions and disabilities (e.g. hearing aids, insulin pumps, etc.). AAP will collaborate with OS&CI in accordance with Intelligence Community Directive 124. Electronic Medical Device waivers should be submitted through the 'Security Waiver' TALON module located at <https://talon.nro.ic.gov/>

To submit an EMD waiver:
Go to TALON
Select 'Security Waiver'

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Select 'Create Security Waiver'
Select 'New'
Waiver Type = 'Electronic Medical Device'
For questions about the waiver process, contact OSCI-FISD-PTSB-EMD@nro.ic.gov.

Portable Electronic Devices:

Employees seeking to use Portable Electronic Devices (PEDs, e.g., heating blanket, refrigerator, etc.) for RA purposes, please contact your [Program Security Officer \(PSO\)](#) to begin the review process. Additionally, be prepared to provide the user manual and technical specifications to help expedite this process. This will allow Office of Security and Counterintelligence (OS&CI) technical teams to conduct a thorough review of these items.

Ergonomic, wellness, or preventative items:

Ergonomic, wellness, or preventative items do not meet the eligibility threshold to qualify as an RA. Individuals may contact the NRO Wellness program and/or their assigned Ds and/or Os POCs to request such items.

In Kind Requests:

AAP processes travel RA requests in the same manner as an RA request. Requests for travel RAs due to a medical condition are renewed annually with the submission of a new EASE request.

AAP processes service animal requests in the same manner as an RA request. The Requestor must substantiate that they are a QIWD, in addition to answering the following questions and requirements under the Americans with Disabilities Act:

- 1) Is the Service Animal required because of a disability?
- 2) What work or task has the Service Animal been trained to perform?
- 3) Provide vaccination records indicating the dates when the Service Animal has been vaccinated.
- 4) Additional vetting/approval for Service Animals that are microchipped.

At this time, dogs are the only recognized service animal at NRO. (Reference: Office of the Director Policy Note, Number 2025-03, 19 May 2025)

APPENDIX C – REFERENCES/AUTHORITIES

- a. 29 Code of Federal Regulations Part 1630, *Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act*.
- b. The Americans with Disabilities Act of 1990, as amended, and the Americans with Disabilities Act Amendments Act of 2008.
- c. The Rehabilitation Act of 1973, as amended.
- d. The Pregnant Workers Fairness Act of 2023.
- e. Executive Order 13164, "Requiring Federal Agencies to Facilitate the Provision of Reasonable Accommodation," July 26, 2000.
- f. DoD Directive 1020.01, "Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of Defense," March 31, 1982, as amended.
- g. DoD Directive 1020.02E, "Diversity Management and Equal Opportunity in the DoD," June 8, 2015, as amended.
- h. DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008, as amended.
- i. DoD Directive 5145.01, "General Counsel of the Department of Defense (GC DoD)," December 2, 2013, as amended.
- j. DoD Instruction 1020.04, "Harassment Prevention and Responses for DoD Civilian Employees," June 30, 2020.
- k. NRO Governance Plan, Version 4.0, 17 October 2025.
- l. NRO Business Function 80, *Oversight*, Version 5.0, 17 March 2025.
- m. NRO Directive 80-3, *Equal Employment Opportunity*, Version 4.0, 3 February 2025.
- n. NRO Directive 100-6, *Facility and Information Security*, Version 1.0, 14 February 2024.
- o. NRO Instruction 80-3-2, *Military Equal Opportunity Complaint Process*, Version 2.0, 3 February 2025.
- p. NRO Directive 80-8, *Grievance Resolution, Ombuds, and Alternative Dispute Resolution*, Version 4.0, 28 October 2022.
- q. NRO Instruction 80-8-2, *Alternative Dispute Resolution Process*, Version 3.0, 30 July 2025.

APPENDIX D – SAMPLE RA WRITTEN DENIAL

1. Name: _____

2. Accommodation(s) Requested:

3. REASON(S) FOR DENIAL (may check more than one box)

- ☐ Accommodation Ineffective
- ☐ Accommodation Would Cause Undue Hardship
- ☐ Medical Documentation Inadequate
- ☐ Accommodation Would Require Removal of an Essential Job Function
- ☐ Accommodation Would Require Lowering of Performance or Production Standard
- ☐ Other (explain):

4. DETAILED REASON(S) FOR THE DENIAL OF ACCOMMODATION

If the individual proposed one type of accommodation, which is being denied, but rejected an offer of a different type of accommodation, explain both the reasons for denial of the requested accommodation and why AAP believes the chosen accommodation would be effective.

5. If an individual wishes to request reconsideration of this decision, they may make their request known to the OEEEO following steps:

NEXT STEPS

- ☐ Provide Additional Information
- ☐ Meet to Discuss Other Accommodation Options
- ☐ Explore Reassignment
- ☐ Terminate Employment
- ☐ Other:

COMMENTS:

6. Pursuant to 29 C.F.R. § 1614.105, if a federal applicant or employee wishes to file an EEO complaint, they must contact an EEO counselor in the OEEEO within 45 days from date of this notice of denial of reasonable accommodation.

7. The NRO's Alternative Dispute Resolution process may be an option offered to a federal applicant or employee. For further guidance on the ADR process, please see NRO Directive 80-8 and NI 80-8-2.

Name of Deciding Official: _____

Signature of Deciding Official: _____

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Date reasonable accommodation denied _____

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APPENDIX E - SAMPLE RA REQUEST

CLASSIFY APPROPRIATELY WHEN FILLED IN

**Equal Accessibility Services Environment (EASE)
Reasonable Accommodation Request**

Requestor Information

Last Name:
First Name:
Organization:
Secure Email:
Secure Phone:
Non-Secure Phone:
Room Number:
Site:
Office Location:
Affiliation:
Company/Agency:

Consumer Information

Last Name:
First Name:
Affiliation:
Organization:
Office Location:
Secure Phone:
Non-Secure Phone:
Secure Email:
Non-Secure Email:
Room Number:
Site:
Company:

Alternate Phone:

Supervisor Information

Name:
Secure Phone:
Non-Secure Phone:
Secure Email:

Request Information

Category:
Type:
Details:

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Medical Diagnosis:

Justification for Request:

Attachments:

APPENDIX F – PROCESS FLOW DIAGRAM LEGEND

