

21 MAR 1955

MEMORANDUM FOR: Legislative Counsel

SUBJECT: S.810 and H.R.697, To Amend Section 6 of the Act of August 24, 1912, as Amended, with Respect to the Recognition of Organizations of Postal and Federal Employees

1. Subject Bills have been reviewed in response to your request for our comment as to their interest to CIA activities. We have noted your comment pointing out that S.810 does not contain the exemption for CIA which is contained in H.R.697.

2. As indicated in our memorandum dated 21 March 1955 concerning S.1191, a similar Bill, we believe that CIA should seek exemption from this type of legislation.

[Redacted Signature Box]

STATINTL

H Harrison G. Reynolds
Director of Personnel

WSP

NOTICE OF PENDING LEGISLATION	DATE
	LEGISLATIVE BILL NO. S. 810

SECTION I GENERAL

TO : Director of Security	FROM: LEGISLATIVE COUNSEL OFFICE OF GENERAL COUNSEL
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THE ATTACHED BILL, WHICH HAS BEEN INTRODUCED INTO CONGRESS, IS:

- SENT TO YOU FOR INFORMATION ONLY.
- A BILL ON WHICH FAVORABLE CONGRESSIONAL ACTION IS IS NOT PREDICTED.
- SENT FOR YOUR COMMENT AS TO WHETHER IT IS OF INTEREST TO CIA ACTIVITIES, AND WHETHER FURTHER ACTION BY THIS OFFICE IS NECESSARY OR DESIRED.

IT IS REQUESTED THAT COMMENTS CONCERNING THIS LEGISLATION BE FORWARDED, THROUGH APPROPRIATE CHANNELS, TO THIS OFFICE, BY _____

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SECTION II COMMENTS (From Original Addressee)

TO : LEGISLATIVE COUNSEL OFFICE OF GENERAL COUNSEL	FROM: Deputy Director of Security
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You will note that S. 810 does not contain the exemption for CIA which is contained in H.R. 697.

This Bill, if enacted, could raise serious security problems for the Agency. Accordingly, it is recommended that an exemption for CIA be sought.

It should be noted that in complying with the provisions of this Bill, the Agency would be required to disclose to the national employees' organizations highly sensitive information regarding the CIA organization, internal functions, strength, figures and identity of a large segment of its personnel. For example, the membership drive in itself would require the CIA to reveal its personnel strength to the union (so that it could determine it represented a majority of the employees) and further, would result in the establishment of a roster of CIA personnel within the union.

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DATE OF COMMENTS FEB 17 1955	SIGNATURE AND TITLE	
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84TH CONGRESS
1ST SESSION

S. 810

IN THE SENATE OF THE UNITED STATES

JANUARY 28 (legislative day, JANUARY 27), 1955

Mr. LANGER introduced the following bill; which was read twice and referred to the Committee on Post Office and Civil Service

A BILL

To amend section 6 of the Act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 6 of the Act of August 24, 1912 (U. S. C.,
4 1946 edition, title 5, sec. 652), as amended, is hereby
5 amended by adding a new subsection to read as follows:
6 “(e) (1) The right of officers or representatives of
7 national organizations representing a majority of the em-
8 ployees of a department or agency or subdivision of such
9 department or agency, to present grievances in behalf of
10 their members without restraint, coercion, interference, in-

1 intimidation, or reprisal is recognized and any violation of
2 such right on the part of an administrative official shall be
3 cause for his suspension or removal or such other punitive
4 action as the head of the department or agency may deem
5 advisable.

6 “(2) Administrative officers shall at the request of
7 officers or representatives of the employees organizations
8 enumerated in section (e) (1) of this Act confer, either in
9 person or through duly designated representatives, with
10 such officers or representatives on matters of policy affecting
11 working conditions, safety, in-service training, labor-man-
12 agement cooperation, methods of adjusting grievances, ap-
13 peals, granting of leave, promotions, demotions, rates of pay
14 and reduction in force, and shall recognize the right of such
15 officers or representative to solicit membership, collect fees
16 or dues, or carry on any other lawful activity, without in-
17 timidation, coercion, interference, or reprisal.”

84TH CONGRESS
1ST SESSION

S. 810

A BILL

To amend section 6 of the Act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees.

By Mr. LANGER

JANUARY 28 (legislative day, JANUARY 27), 1955 -
Read twice and referred to the Committee on Post
Office and Civil Service

NOTICE OF PENDING LEGISLATION		DATE
		LEGISLATIVE BILL NO. H. R. 697
SECTION I GENERAL		
TO :	FROM: LEGISLATIVE COUNSEL OFFICE OF GENERAL COUNSEL	
<p>THE ATTACHED BILL, WHICH HAS BEEN INTRODUCED INTO CONGRESS, IS:</p> <p><input type="checkbox"/> SENT TO YOU FOR INFORMATION ONLY.</p> <p><input type="checkbox"/> A BILL ON WHICH FAVORABLE CONGRESSIONAL ACTION <input type="checkbox"/> IS <input checked="" type="checkbox"/> IS NOT PREDICTED.</p> <p><input checked="" type="checkbox"/> SENT FOR YOUR COMMENT AS TO WHETHER IT IS OF INTEREST TO CIA ACTIVITIES, AND WHETHER FURTHER ACTION BY THIS OFFICE IS NECESSARY OR DESIRED.</p> <p style="text-align: center; border: 1px solid black; padding: 5px;">IT IS REQUESTED THAT COMMENTS CONCERNING THIS LEGISLATION BE FORWARDED, THROUGH APPROPRIATE CHANNELS, TO THIS OFFICE, BY _____</p>		
SECTION II COMMENTS (From Original Addressee)		
TO : LEGISLATIVE COUNSEL OFFICE OF GENERAL COUNSEL	FROM:	
<p style="text-align: right;">5 January 1955 84/1</p> <p>Mr. Rhodes of Pennsylvania</p> <p>A bill to amend section 6 of the Act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees.</p> <p>Distribution:</p> <ul style="list-style-type: none"> 1 - DD/A - <input type="checkbox"/> Feb. 1 - Personnel 1 - Security 1 - OSA Notebook 1 - OSA Clipping 		
DATE OF COMMENTS	SIGNATURE AND TITLE	EXTENSION

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STATINTL

~~SECRET~~

LRH
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6LP

[Handwritten initials]

Journal

Office of Legislative Counsel

Monday - 29 November 1954

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1. The Washington Sunday Star carried a story which included the text of an alleged proposed executive order requiring government agencies to recognize and deal with employee unions. The alleged text was somewhat similar to the provisions of the so-called "Little Wagner Act", which has been introduced into several of the last Congresses although failing of final passage. As the "Little Wagner Act" currently before the Congress contains specific exemptions for CIA and the FBI, and the proposed executive order does not, I checked with the Bureau of the Budget to learn its status and to indicate CIA's desire to comment on any firm draft. Mr. Jones' office said that they knew nothing of the proposed executive order and it had not cleared through their office. I then checked with Mr. Winslow, of the White House Staff, who stated that at one time there had been some discussion as to whether such an order for policy statement should be issued, and that it may have proceeded as far as discussion with a few agencies for reaction. Somebody has then leaked an alleged draft either to curry favor with the newspaper man, or employee organizations, or in an attempt to force the administration's hand. Mr. Winslow stated that the leak had been of such interest to the employee organizations that it appeared that it might be necessary for the President to at least issue a policy statement. He stated that John Macy, Executive Director of the Civil Service Commission, was considering the problem at the present time and that CIA might check with him. I informed Mr. Reynolds, AD/Personnel, of these developments, and suggested that he might wish to check with Mr. Macy at the Civil Service Commission to make certain that any possible policy statement which was issued would not be so broad as to affect CIA in view of the security problems inherent in our personnel relations. Mr. Reynolds said he would discuss the matter with his deputy to determine whether it was advisable to make any inquiry at this point.

Executive Registry
2-6266

26 February 1952

Memorandum for: DD/Administration

From: Legislative Counsel

Subject: Proposed legislation with respect to the recognition of organizations of Federal employees.

1. Problem: To determine whether CIA should testify before the House Committee on Post Office & Civil Service on proposed legislation with respect to the recognition of organizations of Federal employees.

2. Facts bearing on the problem: For at least the last two sessions of Congress legislation has been introduced which would serve to recognize the right of representatives of national organizations representing a majority of the employees of a department or agency to present grievances on behalf of their members without any restraint or interference. The present proposed legislation (see H. R. 554 attached) also provides that at the request of representatives of employee organizations administrative officers of an agency shall confer with such representatives on matters of policy affecting working conditions, safety, in-service training, labor-management cooperation, methods of adjusting grievances, appeals, granting of leave, promotions, demotions, rates of pay, and reduction in force. These representatives are also authorized to solicit membership and collect fees or dues.

On 13 September 1951 the Director forwarded to the Chairmen of the House and Senate Committees on Post Office & Civil Service an identical letter requesting, for stated reasons, that the Committees exempt us from the provisions of any such legislation as they might pass in this field.

On 25 February 1952 Mr. Belen, of the staff of the House Committee on Post Office & Civil Service, called Legislative Counsel to inform him that hearings on the legislation would be held on 28 and 29 February, and offered CIA an opportunity to testify regarding its position.

- 2 -

Legislative Counsel has discussed the matter with Mr. Jones, Assistant Director of the Bureau of the Budget for Legislative Reference, and Mr. Winslow, Assistant Executive Director of the Civil Service Commission, who handles these matters for the Commission and formerly did so for the Bureau of the Budget. Mr. Winslow informed Legislative Counsel that Mr. Ramspeck, Chairman of the Civil Service Commission, would represent the Government's position on the Rhodes bill and that his prepared statement already included a request for exemption of CIA from this legislation. Mr. Winslow felt that there was no need for CIA to appear unless it desired to do so or the Committee specifically demanded an appearance.

3. Discussion: It is always considered preferable if CIA can avoid a public appearance before a Congressional committee. This is especially true in the present case where the very ticklish subject of labor unions and organizations is at stake. It would appear that the CIA position is clearly noted in its letter of 13 September 1951 to the Committee and will be protected by the testimony of the Chairman of the Civil Service Commission.

4. Conclusions:

a. It is mandatory for CIA to secure an exemption from this proposed legislation;

b. This exemption should be secured through the letter previously filed and the testimony of the Chairman of the Civil Service Commission and not through a public appearance by a CIA witness.

5. Action recommended: It is recommended that Legislative Counsel inform the House Post Office & Civil Service Committee that it does not wish to make a public appearance in connection with this legislation, but merely reiterates the position it took in its letter to the Chairman of the Committee dated 13 September 1951. It is also recommended that Legislative Counsel make certain that Mr. Winslow, of the Civil Service Commission has any additional unclassified arguments he may need to brief Chairman Ramspeck for his appearance.

STATINTL



Walter L. Pforzheimer
Legislative Counsel

Annexes:

H.R. 554

Cy of ltr. to Chairman of House Committee on Post Office & Civil Service from DCI, dated 13 September 1951.

Concurrences:

AD/Personnel and the CIA Security Officer concurred in the original CIA letter of 13 September 1951. On 25 February Mr. Acting AD/Personnel, and Col. Hansen, Assistant to the Director, orally concurred in the position set forth in this paper, Col. Hansen with special reference to the inadvisability of a public appearance in a controversial matter of this nature.

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STATINTL



Action by approving authority:

Date 27 Feb 52

Approved (~~disapproved~~), exceptions, if any. *With the understanding that Col. Baird will contact Mr. Ramspeck and obtain his personal assurance that our interests will be protected.*

STATINTL

Asst. Deputy Director/Administration

2-2366

OLIN D. JOHNSTON, S. C., CHAIRMAN
KENNETH MCKELLAR, TENN.
MATTHEW M. NEELY, W. VA.
JOHN O. PASTORE, R. I.
MIKE MONRONEY, OKLA.
GEORGE E. SMATHERS, FLA.
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JOHN MARSHALL BUTLER, MD.
JAMES H. DUFF, PA.
WALLACE F. BENNETT, UTAH

J. AUSTIN LATIMER, CHIEF CLERK
H. W. BRAWLEY, STAFF DIRECTOR

United States Senate

COMMITTEE ON POST OFFICE
AND CIVIL SERVICE

18 September 1951

Mr. Walter B. Smith, Director
Central Intelligence Agency
Washington 25, D. C.

Dear Mr. Smith:

I have your letter of September 13 with reference to S. 408 and S. 563, bills on which hearings were begun today and will be concluded on Wednesday, September 19.

These bills were referred to the Subcommittee on Postal Service which subcommittee is conducting these hearings.

Therefore, I am forwarding your statement to Senator Underwood so that the same may be made a part of the record of these hearings and given consideration.

With kindest regards, I am

Sincerely yours,

Olin D. Johnston
Chairman
Post Office and
Civil Service Committee

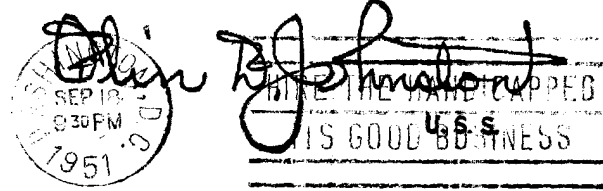
ODJ/S

Declassified in Part - Sanitized Copy Approved for Release 2012/04/19 : CIA-RDP59-00224A000200390001-1

United States Senate

COMMITTEE ON
POST OFFICE AND CIVIL SERVICE

FREE



Mr. Walter B. Smith, Director
Central Intelligence Agency
Washington, 25, D. C.

Declassified in Part - Sanitized Copy Approved for Release 2012/04/19 : CIA-RDP59-00224A000200390001-1

UNCLASSIFIED RESTRICTED CONFIDENTIAL SECRET
 (SENDER WILL CIRCLE CLASSIFICATION TOP AND BOTTOM)

CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP

TO		INITIALS	DATE
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FROM		INITIALS	DATE
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REMARKS:

SECRET CONFIDENTIAL RESTRICTED UNCLASSIFIED

13 Sept. 1951

The Honorable Tom Murray
Chairman
Committee on Post Office & Civil Service
U. S. House of Representatives
Washington 25, D. C.

Dear Mr. Chairman:

I have been informed that your Committee has scheduled hearings on H. R. 554 and H. R. 571, which are bills to amend section 6 of the Act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees. For reasons set forth below, it is requested that the Central Intelligence Agency be specifically exempted from the provisions of these bills.

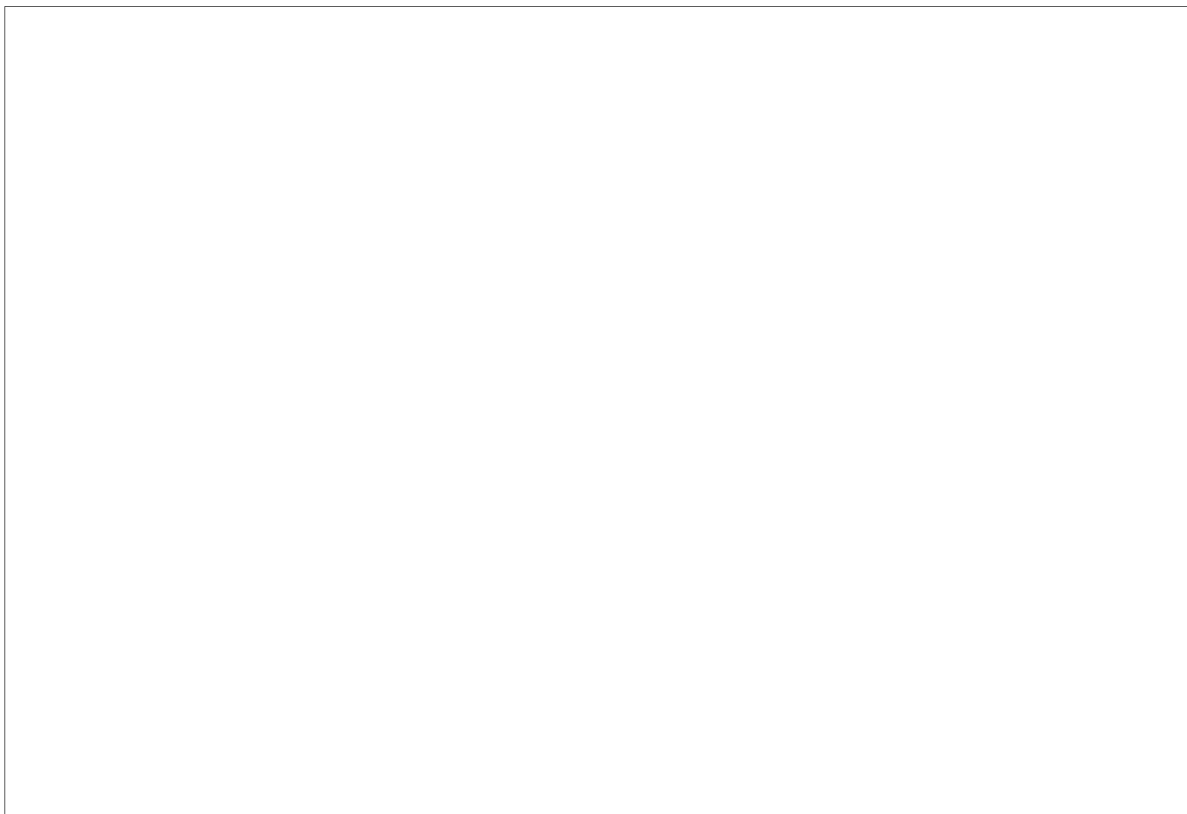
I wish to state that our request for exemption is in no way based on any "anti-union" beliefs in this Agency. On the contrary, our administrative instructions specifically provide that our employees have the right to join any organizations or association of employees, the policies of which are not in conflict with their oath of office. Our instructions further provide that in exercising this right our employees will be free from any and all restraint, interference, or coercion on the part of administrative or supervisory personnel.

It should be pointed out that the Central Intelligence Agency was established to coordinate the foreign intelligence activities of the United States. The Agency has no police or law-enforcement powers, or internal security functions.



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The nature of an intelligence organization, the need for its complete objectivity, and the security considerations essential to its operations, are self-evident. I am sure the Committee will appreciate the problems which might be created by the proposed legislation.

In the light of the above, and in view of the nature of the work of the Central Intelligence Agency, I respectfully request that your Committee exempt us from the provisions of H. R. 554 and H. R. 571. This request has the approval of the Bureau of the Budget, and they have no objection to its presentation to the Congress.

Sincerely,

(Signed)

Walter B. Smith
Director

OGC/WLP:blc
Distribution:

Orig. & cy addressee - *Handcarried by OIG Leg. Counsel 14 Oct '57*
Admin. files - 1 Signer - 2 I&S - 1 Management - 1
Comptroller - 1 Mr. Pforzheimer - 2 ✓

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13 Sept. 1951

The Honorable Olin D. Johnston
Chairman
Committee on Post Office & Civil Service
United States Senate
Washington 25, D. C.

Dear Mr. Chairman:

I have been informed that your Committee has scheduled hearings on S. 408 and S. 563, which are bills to amend section 6 of the Act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees. For reasons set forth below, it is requested that the Central Intelligence Agency be specifically exempted from the provisions of these bills.

I wish to state that our request for exemption is in no way based on any "anti-union" beliefs in this Agency. On the contrary, our administrative instructions specifically provide that our employees have the right to join any organizations or association of employees, the policies of which are not in conflict with their oath of office. Our instructions further provide that in exercising this right our employees will be free from any and all restraint, interference, or coercion on the part of administrative or supervisory personnel.

It should be pointed out that the Central Intelligence Agency was established to coordinate the foreign intelligence activities of the United States. The Agency has no police or law-enforcement powers, or internal security functions.

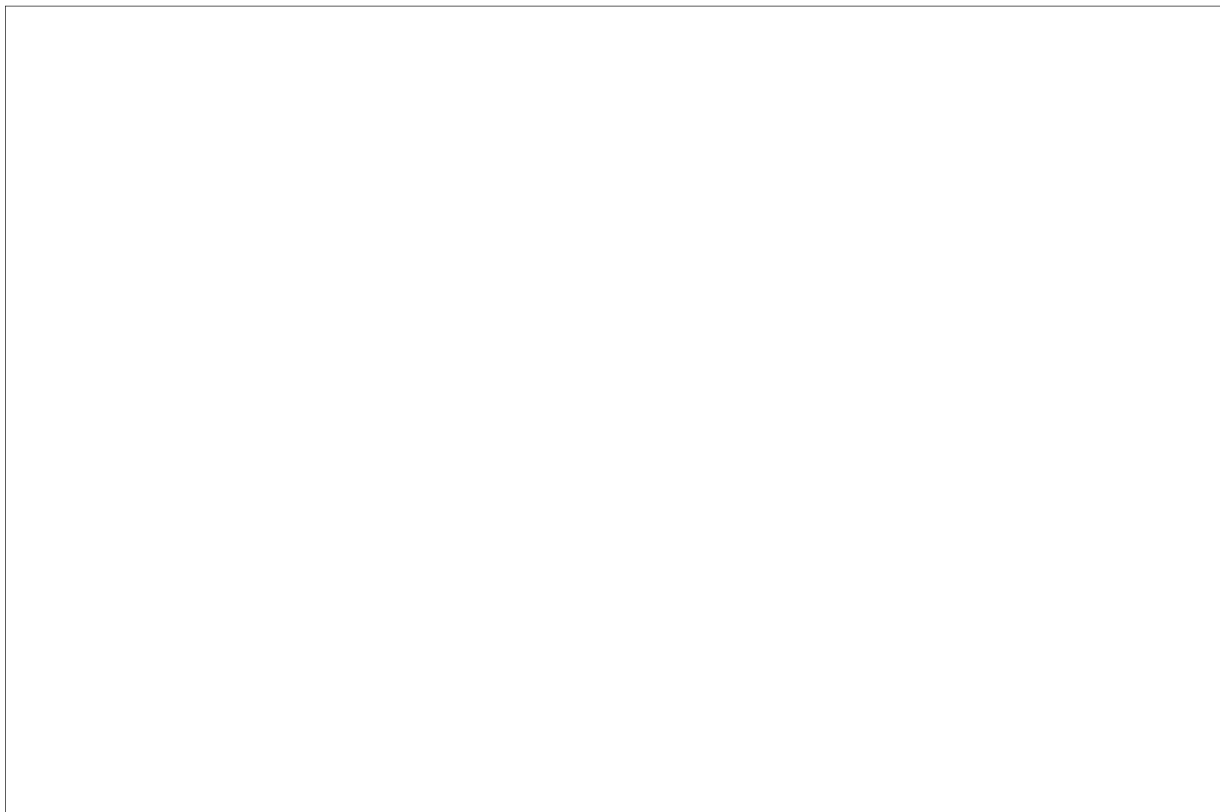
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- 2 -



The nature of an intelligence organization, the need for its complete objectivity, and the security considerations essential to its operations, are self-evident. I am sure the Committee will appreciate the problems which might be created by the proposed legislation.

In the light of the above, and in view of the nature of the work of the Central Intelligence Agency, I respectfully request that your Committee exempt us from the provisions of S. 408 and S. 563. This request has the approval of the Bureau of the Budget, and they have no objection to its presentation to the Congress.

Sincerely,

Walter B. Smith
Director

OGC/WLP:blc

Distribution:

Orig. & cy addressee - *handcarried by O/D Legis. Counsel 14 Sept. 51*
Admin. files - 1 Signer - 2 I&S - 1 Management - 1
Comptroller - 1 Mr. Hforzheimer - 2 ✓

UNCLASSIFIED RESTRICTED CONFIDENTIAL SECRET
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CENTRAL INTELLIGENCE AGENCY
 OFFICIAL ROUTING SLIP

ER-2-2055

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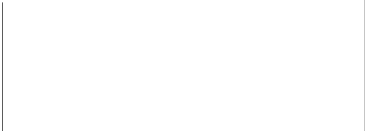
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REMARKS:

SECRET CONFIDENTIAL RESTRICTED UNCLASSIFIED

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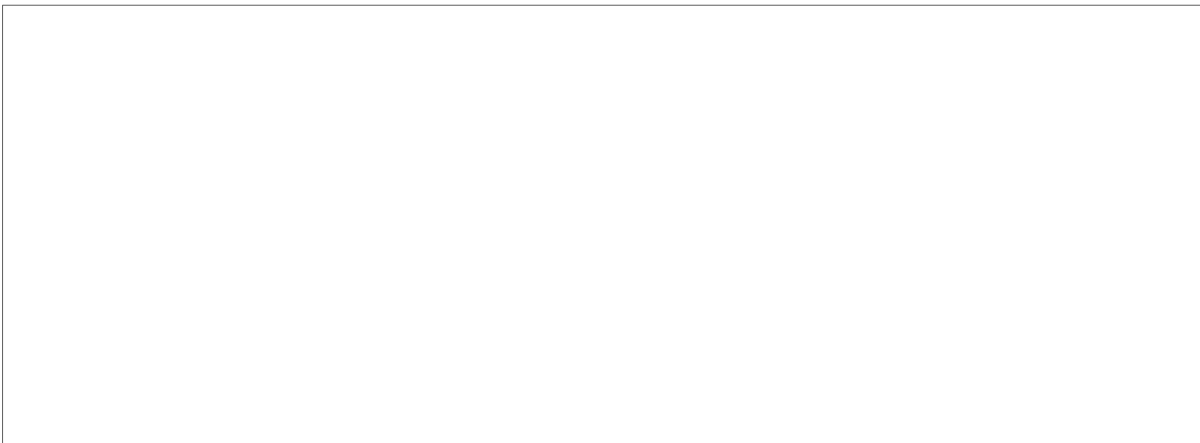


Draft
7 September 1951

The Honorable
The Director of the
Bureau of the Budget
Bureau of the Budget
Washington 25, D. C.

Dear Mr. Lawton:

It is my understanding that both the House and Senate Committees on Post Office and Civil Service are presently considering legislation to amend section 6 of the Act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees (S. 408, S. 563, H.R. 554 and H.R. 571). We have had an official request from the House Committee for a report on our views on H.R. 554 and H.R. 571.



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When similar legislation was considered by the House Post Office and Civil Service Committee in the 81st Congress, we requested the Committee to exempt CIA from the legislation in

- 2 -

letters forwarded to the Committee, with the approval of the Bureau of the Budget, on 20 June 1950 and 2 August 1950.

In response to the House Committee's ~~xx~~ present request, we wish to have the approval of the Bureau of the Budget to forward the attached letter to them, and also to forward an identical letter to the Senate Committee.

Sincerely yours,

Walter Reid Wolf
Deputy Director
Administration

25 July 1950

The Honorable
The Director of the
Bureau of the Budget
Bureau of the Budget
Washington 25, D. C.

Dear Mr. Lawton:

I am in receipt of a letter, dated 17 July 1950, from the Honorable Tom Murray, Chairman of the House Committee on Post Office and Civil Service, requesting this Agency's comments on H. R. 3384; A Bill to amend Section 6 of the Act of August 24, 1912, as amended, with respect to suspensions of employees of the United States.

OGC

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I am attaching herewith a draft reply to Chairman Murray's letter which I would like to transmit to him.

With your approval, we have already voiced our opposition to language similar to Section 2 of H. R. 3384, in our comments to H. R. 3702.

Your approval of the attached draft is requested.

Sincerely,

signed

E. F. Hillenkoetter
Rear Admiral, USN
Director of Central Intelligence

WLPforzheimer:amk
Central Records
Signer
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*Personnel
Budget*

C o p y

House of Representatives, U. S.
Committee on
Post Office and Civil Service
Washington, D. C.

July 17, 1950

ER 1-1471

Rear Admiral R. H. Hillenkoetter
Director of Central Intelligence
Central Intelligence Agency
Washington 25, D. C.

Dear Admiral Hillenkoetter:

On July 14, a subcommittee of the House Post Office and Civil Service Committee approved H. R. 3384, as amended in accordance with the enclosed Committee print. The language approved by the subcommittee is in italics.

It will be appreciated if you will advise me as to your agency's views with respect to H. R. 3384, as amended, as soon as it is convenient.

Sincerely yours,

signed

Tom Murray, Chairman

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encl.

Draft - 24 July 1950

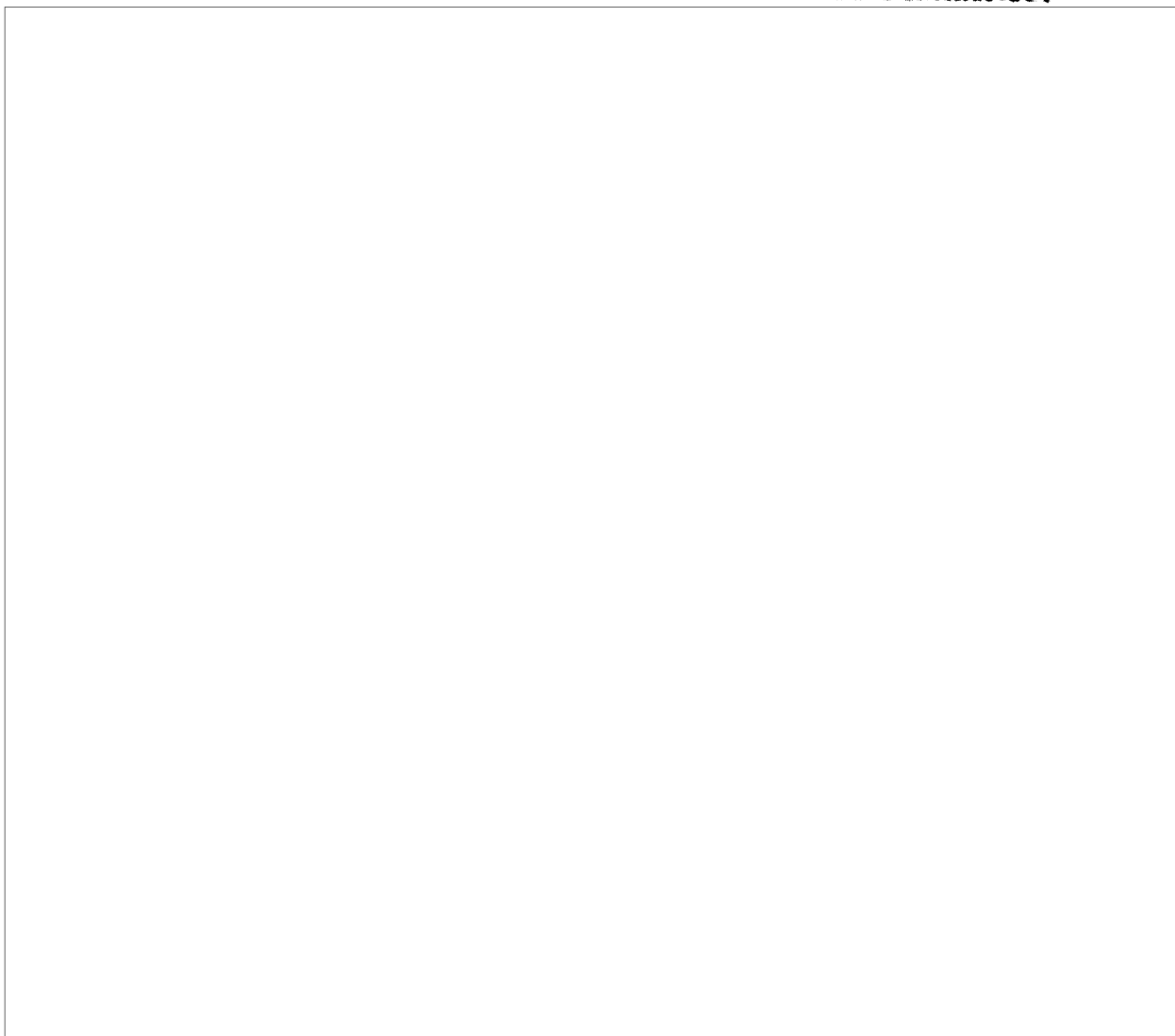
**The Honorable Tom Murray
Chairman
House Post Office and Civil Service Committee
U. S. House of Representatives
Washington, D. C.**

Dear Mr. Chairman:

FOIAB5

**This is to acknowledge receipt of your letter of 17 July 1950,
requesting our comments on H. R. 3384 as approved by the Sub-
committee of the House Post Office and Civil Service Committee.**

OGC



- 2 -

Section 2 of H. R. 3384 contains substantially the same provision as is presently before your committee in H. R. 3702. Our position on the latter bill was set forth in my letter to you of 20 June 1950, a copy of which is attached.

With kindest regards, I am

Sincerely,

R. H. Hillenkoetter
Rear Admiral, USN
Director of Central Intelligence

[COMMITTEE PRINT]

JULY 15, 1950

Union Calendar No.

81ST CONGRESS
2^D SESSION

H. R. 3384

[Report No.]

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 1949

Mr. MURRAY of Tennessee introduced the following bill; which was referred to the Committee on Post Office and Civil Service

JULY , 1950

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend section 6 of the Act of August 24, 1912, as amended, with respect to suspensions of employees of the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 ~~That the second sentence of subsection (a) of section 6~~
4 ~~of the Act of August 24, 1912, as amended, is hereby~~
5 ~~amended by inserting after the words "suspension without~~
6 ~~pay" the words "for more than thirty days".~~

7 *That section 6 (a) of the Act of August 24, 1912, as*

J. 69762

1 amended (5 U. S. C., sec. 652 (a)), is hereby amended
2 to read as follows:

3 “SEC. 6. (a) (1) Except as provided in paragraph
4 (2) of this subsection, no person in the classified civil service
5 of the United States shall be removed or suspended without
6 pay therefrom except for such cause as will promote the
7 efficiency of such service and for reasons given in writing.
8 Any person whose removal or suspension without pay is
9 sought shall (1) have notice of the same and of any charges
10 preferred against him; (2) be furnished with a copy of such
11 charges; (3) be allowed a reasonable time for filing a written
12 answer to such charges, with affidavits; and (4) be furnished
13 at the earliest practicable date with a written decision on
14 such answer. No examination of witnesses nor any trial or
15 hearing shall be required except in the discretion of the
16 officer or employee directing the removal or suspension with-
17 out pay. Copies of the charges, the notice of hearing, the
18 answer, the reasons for removal or suspension without pay,
19 and the order of removal or suspension without pay shall
20 be made a part of the records of the proper department or
21 agency, as shall also the reasons for reduction in grade or
22 compensation; and copies of the same shall be furnished,
23 upon request, to the person affected and to the Civil Service
24 Commission. This paragraph shall apply to a person within

1 *the purview of section 14 of the Veterans' Preference Act*
2 *of 1944, as amended, only if he so elects.*

3 “(2) *In an emergency situation in which the responsible*
4 *supervisory official determines that an employee is endanger-*
5 *ing the lives of other employees or the property of the United*
6 *States, or is physically unfit for the performance of duty,*
7 *such employee may be suspended without pay for not more*
8 *than thirty days without regard to paragraph (1): Pro-*
9 *vided, That not later than two working days after such*
10 *suspension, the employee shall be furnished with a copy*
11 *of the charges upon which the suspension was based, and*
12 *thereafter shall be entitled to all the benefits of this section*
13 *in the same manner and to the same extent as if his suspen-*
14 *sion had been sought under paragraph (1).”*

15 *SEC. 2. Section 6 of the Act of August 24, 1912, as*
16 *amended (5 U. S. C., sec. 652), is hereby amended by add-*
17 *ing at the end thereof a new subsection to read as follows:*

18 “(e) *Administrative officers shall, at the request of*
19 *officers or representatives of Federal employee organizations*
20 *and in accordance with regulations promulgated by the head*
21 *of the department or agency concerned, after consultation*
22 *with such organizations, confer, either in person or through*
23 *duly designated representatives, with such officers or repre-*
24 *sentatives on matters of policy affecting working conditions,*

1 *safety, in-service training, labor-management cooperation,*
2 *methods of adjusting grievances, appeals, granting of leave,*
3 *promotions, demotions, rates of pay, and reduction in force;*
4 *and shall recognize the right of such officers or representa-*
5 *tives to solicit membership and collect fees or dues outside*
6 *of regular working hours, and carry on any other lawful*
7 *activity, without intimidation, coercion, interference, or*
8 *reprisal."*

Amend the title so as to read: "A bill to amend section 6 of the Act of August 24, 1912, as amended, with respect to suspensions of employees of the United States and to provide for the recognition of Federal employee organizations."

[COMMITTEE PRINT]

JULY 15, 1950

Union Calendar No.

81st CONGRESS
2d Session

H. R. 3384

[Report No.]

A BILL

To amend section 6 of the Act of August 24,
1912, as amended, with respect to suspen-
sions of employees of the United States.

By Mr. MURRAY of Tennessee

MARCH 9, 1949

Referred to the Committee on Post Office and Civil
Service

JULY , 1950

Reported with amendments, committed to the Com-
mittee of the Whole House on the State of the
Union, and ordered to be printed

Page Denied

Next 3 Page(s) In Document Denied

16 June 1954

The Honorable
The Director of the
Bureau of the Budget
Bureau of the Budget
Washington 25, D. C.

Dear Mr. Lawton:

There is attached herewith a copy of a letter which I would like to transmit to the Chairman of the House Post Office & Civil Service Committee. This letter sets forth our desire for exemption from H. R. 1723, a bill to amend section 6 of the Act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees.

It is my understanding that hearings will be held on this bill on Wednesday, 21 June and I hope that it will be possible for us to present this request to the Committee prior to the hearings.

With kindest regards, I am

Sincerely,

J. H. Millenswetter
Rear Admiral, USN
Director of Central Intelligence

WLPforzheimer:blc
Central Records
Signer
Budget Officer
Chief, I&SS
Return to Pforzheimer

Return to Director

16 June 1955

The Honorable
The Director of the
Bureau of the Budget
Bureau of the Budget
Washington 25 D. C.

Dear Mr. Lawton:

There is attached herewith a copy of a letter which I would like to transmit to the Chairman of the House Post Office & Civil Service Committee. This letter sets forth our desire for exemption from H. R. 1742, a bill to amend section 6 of the Act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees.

It is my understanding that hearings will be held on this bill on Wednesday, 21 June, and I hope that it will be possible for us to present this request to the Committee prior to the hearings.

With kindest regards, I am

Sincerely,

J. H. Williamson
Deputy Director, OIA
Director of Central Intelligence

WLPforzheimer:blc
Central Records
Signer
Budget Officer
Chief, I&SS
Return to Pforzheimer

BEST COPY

Available

Office Memorandum • UNITED STATES GOVERNMENT

TO : The Executive

DATE: 9 June 1950

FROM : The Assistant General Counsel

SUBJECT: H. R. 3702, A Bill to amend section 6 of the Act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees.

1. H. R. 3702, introduced in March 1949 by Congressman Rhodes, provides for the rights of representatives of certain postal employees' unions and organizations to act for their Federal employees in negotiations with the various departments and agencies of the Government.

2. Under date of 27 April 1949, with the approval of the Bureau of the Budget, the United States Civil Service Commission made essentially a favorable report on H. R. 3702, and recommended that it be expanded to all unions of Federal employees.

3. Under date of 4 April 1950, Harry Mitchell, as Chairman of the Civil Service Commission, wrote to the House Post Office and Civil Service Committee recommending the attached revision of the Rhodes bill.

4. Mr. George Moore, Chief Clerk of the House Civil Service Committee, states that he expects the Committee to take up the legislation during the week of 12 June, and that in his opinion the legislation will be reported out of the Committee favorably. He does not believe it will pass the Congress in this Session however. He suggests that we do not appear to testify, but submit our objections to this legislation in writing to the Committee.

STATINTL

Walter L. Pforzheimer

Be it enacted, &c...That under regulations promulgated by each department or agency provision will be made for officers or representatives of employee organizations to confer periodically, either in person or through duly designated representatives, with officers or representatives of the department or agency on matters of policy affecting working conditions, safety, in-service training, labor-management cooperation, methods of adjusting grievances, appeals, granting of leave, promotions, demotions, rates of pay and reduction in force, and to recognize the right of such officers or representatives to solicit membership, collect fees or dues, or carry on any other lawful activity, without intimidation, coercion, interference, or reprisal.

81ST CONGRESS
1ST SESSION

H. R. 3702

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 1949

Mr. RHODES introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To amend section 6 of the Act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 6 of the Act of August 24, 1912 (U. S. C.,
4 1946 edition, title 5, sec. 652), as amended, is hereby
5 amended by adding a new subsection to read as follows:
6 “(e) (1) The right of officers or representatives of
7 organizations enumerated in section (c) of this Act, to pre-
8 sent grievances in behalf of their members without restraint,
9 coercion, interference, intimidation or reprisal is recognized
10 and any violation of such right on the part of an administra-

1 tive official shall be cause for his suspension or removal or
2 such other punitive action as the head of the department or
3 agency may deem advisable.

4 “(2) Administrative officers shall at the request of
5 officers or representatives of the employees organizations
6 enumerated in section (c) of this Act confer, either in person
7 or through duly designated representatives, with such officers
8 or representatives on matters of policy affecting working
9 conditions, safety, in-service training, labor-management
10 cooperation, methods of adjusting grievances, appeals, grant-
11 ing of leave, promotions, demotions, rates of pay and reduc-
12 tion in force, and shall recognize the right of such officers
13 or representative to solicit membership, collect fees or dues,
14 or carry on any other lawful activity, without intimidation,
15 coercion, interference, or reprisal.”

81st CONGRESS
1st Session

H. R. 3702

A BILL

To amend section 6 of the Act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees.

By Mr. RHODES

MARCH 22, 1949

Referred to the Committee on Post Office and Civil Service

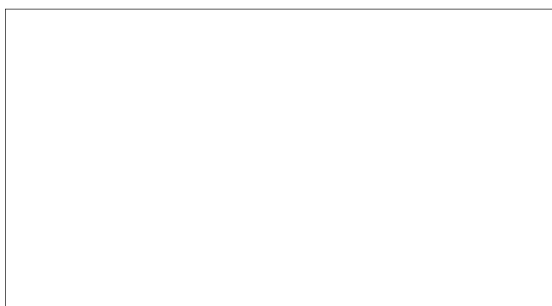
9 June 1950

Excerpts from meeting held 9 June 1950 at 2:00 -- 2nd Floor Conference Room, Administration Building.

SUBJECT: H.R. 3702, A Bill to amend section 6 of the Act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees.

STATINTL

PRESENT:



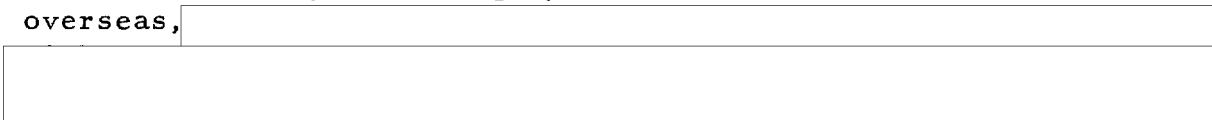
Walter L. Pforzheimer

- 1. Working Conditions.

STATINTL

STATINTL

Many of our employees are in inaccessible localities -- overseas,



Certain physical security arrangements in effect for the protection of the Agency's integrity, and we would not want to have to argue the whys and wherefores of these arrangements. The penalties invoked because of security regulations are not ideal working conditions. There is no compromise of security with this Agency. There are many complaints from ~~EX~~ FBID because of the night shifts; however, other agencies have round-the-clock service.

There are
Union people could rightfully demand locations of overseas stations. / Some locations where a man can't take his wife and family.

It would be possible for the union to attempt to void contractual relationships or demand that certain things be written into agent contracts regarding places of work and conditions of work which would nullify our direction of operations which is mandatory in intelligence work.

- 2 -

2. Safety.

Intelligence, by its very nature is a hazardous operation. We could not jeopardize security because of safety even at the cost of a life.

(Warehouse fire).

3. In-service training.

If anyone knows what training is going on they have a good idea of what the programs are.

We don't always promote or train for in-service promotions as security demands exceptions. (The career management program is doing this sort of work).

The union representative charged with doing this sort of work will have to know the number of personnel, installations, equipment, locations, nature of work, etc. He would have to know what is going on to discuss working conditions, safety, in-service training, etc.

CIA does not permit any organizations within the Agency -- sports, dances or otherwise, as it is bad to form such an organization because of security. CIA does not want any assembly of CIA personnel.

It was suggested that we shouldn't go into too much detail regarding CIA, as this Committee doesn't know much of our operations.

~~Mr. Wessling felt that~~ If this law does not contravene or repeal the ~~legislative~~ authority we now have by law, we shouldn't step in to ask for an exemption. If we can get by with it without exception, we shouldn't ask for it.

STATINTL

Mr. felt there was no harm in ~~xxxx~~ requesting specific exemption for CIA, and that we should be prepared to fight for it.

If promotions and the like depend on adherence to the union's, then you are going to have to follow a union's policy line.

1. Working conditions.
2. Safety.
3. In service training.
4. Labor management cooperation.
5. Methods of adjusting grievances.
6. Appeals.
7. Granting of leave.
8. Promotions.
9. Demotions.
10. Rate of pay.
11. Reduction in force.

Mr. Karsten: In your statement, you say that it might be well to exempt the Central Intelligence Agency. I do not find any such exemption in this draft you have proposed. Do you recommend that that be further changed to include that?

Mr. Ramspeck: I would say yes, speaking only for myself. I think if this substitute were adopted, it would be as important as it would be if you proposed to report one of the bills which are before the Committee. I am frank to say to you, Mr. Chairman, that I do not know too much about the Central Intelligence Agency. I have the impression that it is a very secret operation and it ought not to be placed under any such legislation as this.

Mr. Karsten: In your substitute, then, you would recommend a further change to exempt their activities?

Mr. Ramspeck: I think it would be well to do that, because they have an operation which I guess is a necessity under the present world conditions but it is something quite different from anything we have ever had until recently.

Mr. Karsten: That is borne out by a letter which I have just been handed from Admiral Hillenkoetter, in which he asks that that agency be exempted.

Mr. Ramspeck: I would say "yes" to the question, that we put in this proposal an exemption for them.

Mar 6, 1952