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89TH CONGRESS
2D SESSION

H. R. 16306

IN THE SENATE OF THE UNITED STATES

OCTOBER 4, 1966

Read twice and referred to the Committee on Armed Services

AN ACT

To amend the Central Intelligence Agency Act of 1949, as amended, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 TITLE I

4 SEC. 101. This title may be cited as the "Central In-
5 telligence Agency Act Amendments of 1966".

6 SEC. 102. The Central Intelligence Agency Act of
7 1949, 63 Stat. 208, as amended (50 U.S.C. 403 a through
8 j), is further amended as follows:

9 (a) Section 3 of the Act (50 U.S.C. 403c) is amend-
10 ed by striking subsections (a) and (b) and substituting the
11 following:

II

1 “(a) In the performance of its functions, the Agency
2 is authorized to exercise the authorities contained in sections
3 2301; 2302 (2) and (3); 2303 (b) and (c); 2304 (a)
4 (1), (2), (3), (4), (5), (6), (10), (12), (15),
5 and (17); 2305; 2306; 2307; and 2312 of title 10,
6 United States Code.

7 “(b) In the exercise of the authorities granted in sub-
8 section (a) of this section, the term ‘Agency head’ shall
9 mean the Director, the Deputy Director, or the Executive
10 Director.”

11 (b) Subsection 3 (d) of the Act (50 U.S.C. 403c) is
12 amended by deleting the words “section 2 (c) and section
13 5 (a) of the Armed Services Procurement Act of 1947”
14 from the first sentence and substituting therefor, “section
15 2304 (a) and section 2307 of title 10, United States Code.”
16 Section 3 (d) is further amended by deleting the words
17 “section 2 (c) by section 4 or by section 5 (a) of the Armed
18 Services Procurement Act of 1947” from the second sen-
19 tence and substituting therefor, “section 2304 (a), by sec-
20 tion 2306 or by section 2307 of title 10, United States
21 Code.”

22 **SEC. 103.** Section 4 of the Central Intelligence Agency
23 Act (50 U.S.C. 403e) is amended by inserting the word
24 and comma “abroad,” after the word “assigned” in the first

1 sentence, and by striking the last word of the sentence
2 “shall”, and inserting in lieu thereof the word “may”.

3 SEC. 104. Section 4 of the Central Intelligence Agency
4 Act (50 U.S.C. 403e) is amended by adding the following
5 new paragraph:

6 “(1) (G) pay the travel expenses of officers and
7 employees of the Agency and members of their families,
8 while serving at posts specifically designated by the Di-
9 rector for purposes of this paragraph, for rest and recu-
10 peration to other locations abroad having different en-
11 vironmental conditions than those at the post at which
12 such officers and employees are serving, provided that
13 such travel expenses shall be limited to the cost for each
14 officer or employee and members of his family of one
15 round trip during any continuous two-year tour unbroken
16 by home leave and two round trips during any continu-
17 ous three-year tour unbroken by home leave;”.

18 SEC. 105. Section 4 of the Central Intelligence Agency
19 Act (50 U.S.C. 403e) is amended by adding the following
20 new paragraph:

21 “(1) (H) pay the travel expenses of members of
22 the family accompanying, preceding, or following an
23 officer or employee if, while he is en route to his post of

1 assignment, he is ordered temporarily for orientation and
2 training or is given other temporary duty.”

3 SEC. 106. Section 4 (3) (A) of the Central Intelligence
4 Agency Act (50 U.S.C. 403e) is amended to read as
5 follows:

6 “(3) (A) order to any of the several States of the
7 United States of America (including the District of
8 Columbia, the Commonwealth of Puerto Rico, and any
9 territory or possession of the United States) on leave of
10 absence authorized in section 203 (f) of the Annual and
11 Sick Leave Act of 1951, as amended, each officer or
12 employee of the Agency who was a resident of the
13 United States (as described above) at the time of em-
14 ployment, upon completion of three years’ continuous
15 service abroad or as soon as possible thereafter, or may
16 so order after completion of eighteen months’ such
17 service without regard to the limitation contained in
18 section 203 (f) of the Annual and Sick Leave Act of
19 1951, as amended.”.

20 SEC. 107. Section 4 (5) of the Central Intelligence
21 Agency Act (50 U.S.C. 403e) is amended by striking sub-
22 sections (A) and (C) and inserting in lieu thereof the fol-
23 lowing new paragraphs (A) and (C) :

24 “(A) in the event an officer or employee of the
25 Agency, or one of his dependents, requires medical

1 care, for illness or injury not the result of vicious habits,
2 intemperance, or misconduct, while on assignment
3 abroad in a locality where there is no qualified person
4 or facility to provide such care, pay the travel expenses
5 of such officer, employee, or dependent by whatever
6 means deemed appropriate by the Agency, including
7 the furnishing of transportation, and without regard to
8 the Standardized Government Travel Regulations and
9 section 10 of the Act of March 3, 1933, as amended
10 (60 Stat. 808; 5 U.S.C. 73b), to the nearest locality
11 where suitable medical care can be obtained and on his
12 recovery pay for the travel expenses of his return to
13 his post of duty. If any such person is too ill to travel
14 unattended, or in the case of a dependent too young
15 to travel alone, the Agency may also pay the round-
16 trip travel expenses of an attendant or attendants;”

17 “(C) (i) in the event of illness or injury requiring
18 hospitalization or similar treatment incurred by an offi-
19 cer or employee of the Agency while on assignment
20 abroad, not the result of vicious habits, intemperance, or
21 misconduct on his part, pay for the cost of treatment
22 of such illness or injury;

23 “(ii) in the event a dependent of an officer or em-
24 ployee of the Agency who is assigned abroad, incurs an
25 illness or injury while such dependent is located abroad,

1 which requires hospitalization or similar treatment, and
2 which is not the result of vicious habits, intemperance,
3 or misconduct on his part, pay for that portion of the cost
4 of treatment of each such illness or injury that exceeds
5 \$35 up to a maximum limitation of one hundred and
6 twenty days of treatment for each such illness or injury,
7 except that such maximum limitation shall not apply
8 whenever the Agency, on the basis of professional medi-
9 cal advice, shall determine that such illness or injury
10 clearly is caused by the fact that such dependent is or
11 has been located abroad;”.

12 SEC. 108. Section 4 of the Central Intelligence Agency
13 Act (50 U.S.C. 403e) is amended by adding the following
14 new paragraph:

15 “(8) provide appropriate orientation and language
16 training to members of family of officers and employees
17 of the Agency in anticipation of the assignment abroad
18 of such officers and employees, or while abroad.”.

19 SEC. 109. Section 5 of the Central Intelligence Agency
20 Act (50 U.S.C. 403f) is amended by adding the following
21 new paragraph:

22 “(f) Appoint advisory committees and employ,
23 notwithstanding any other provisions of law, part-time
24 advisory personnel necessary to carry out the functions

1 of the Agency. Persons holding other offices or posi-
2 tions under the United States for which they receive
3 compensation, while serving as members of such com-
4 mittees, shall receive no additional compensation for such
5 service. Other members of such committees and part-
6 time advisory personnel so employed may serve with-
7 out compensation or may receive compensation at rates
8 determined by the Director, not to exceed \$100 per day,
9 for the assignment or position.”.

10 SEC. 110. Section 5 of the Central Intelligence Agency
11 Act (50 U.S.C. 403f) is amended by adding the following
12 new paragraph:

13 “(g) Upon the termination of the assignment of
14 an employee appointed from another Government agency
15 without a break in service for duty with the Agency
16 for a specific period of time agreed upon by both agen-
17 cies, such person will be entitled to reemployment in
18 such other Government agency in the position occupied
19 at the time of assignment, or in a position of comparable
20 salary, or, at the volition of the other Government
21 agency, to a position of higher salary. Upon reem-
22 ployment, the employee shall receive the within-grade
23 salary advancements and other salary adjustments he
24 would have been entitled to receive had he remained

1 in the position in which he was employed prior to
2 assignment to the Agency.”.

3 SEC. 111. Section 5 of the Central Intelligence Agency
4 Act (50 U.S.C. 403f) is amended by adding the following
5 new paragraph:

6 “(h) Settle and pay, whenever the Director de-
7 termines that payment will further purposes of this
8 Act, without regard to any other provisions of law and
9 under such regulations as the Director may prescribe,
10 in an amount not exceeding \$10,000, any claim against
11 the United States for loss of or damage to real or per-
12 sonal property (including loss of occupancy or use
13 thereof), belonging to, or for personal injury or death
14 of, any person not a citizen or resident of the United
15 States, where such claim arises abroad out of the act or
16 omission of any Agency employee or out of the act or
17 omission of any person acting on behalf of the Agency
18 but only if such claim is presented in writing to the
19 Agency activity involved within one year after it ac-
20 crues.”.

21 TITLE II

22 SEC. 201. This title may be cited as the “Central In-
23 telligence Agency Retirement Act Amendments of 1966.”

24 SEC. 202. The Central Intelligence Agency Retirement
25 Act of 1964 for Certain Employees (78 Stat. 1043; 50

1 U.S.C. 403 note) is amended by striking subsection 204
2 (b) (3) and inserting the following in lieu thereof:

3 “(3) ‘Child’, for the purposes of sections 221 and 232
4 of this Act, means an unmarried child, including (i) an
5 adopted child, and (ii) a stepchild or recognized natural
6 child who lived with the participant in a regular parent-child
7 relationship, under the age of eighteen years, or such un-
8 married child regardless of age who because of physical or
9 mental disability incurred before age eighteen is incapable
10 of self-support, or such unmarried child between eighteen and
11 twenty-two years of age who is a student regularly pursuing
12 a full-time course of study or training in residence in a high
13 school, trade school, technical or vocational institute, junior
14 college, college, university, or comparable recognized educa-
15 tional institution. A child whose twenty-second birthday
16 occurs prior to July 1 or after August 31 of any calendar
17 year, and while he is regularly pursuing such a course of
18 study or training, shall be deemed for the purposes of this
19 paragraph and section 221 (e) of this Act to have attained
20 the age of twenty-two on the first day of July following such
21 birthday. A child who is a student shall not be deemed to
22 have ceased to be a student during any interim between
23 school years if the interim does not exceed five months and
24 if he shows to the satisfaction of the Director that he has a

1 bona fide intention of continuing to pursue a course of study
2 or training in the same or different school during the school
3 semester (or other period into which the school year is
4 divided) immediately following the interim. The term
5 'child', for purposes of section 241, shall include an adopted
6 child and a natural child, but shall not include a stepchild.”.

7 SEC. 203. Section 221 (b) of the Central Intelligence
8 Agency Retirement Act (50 U.S.C. 403 note) is amended
9 by deleting the words “or remarriage” from the first sen-
10 tence, and section 232 (b) is amended by deleting the words
11 “or remarriage” from the second sentence.

12 SEC. 204. Section 221 (e) of the Central Intelligence
13 Agency Retirement Act (50 U.S.C. 403 note) is amended
14 to read as follows:

15 “(e) The commencing date of an annuity payable to
16 a child under paragraph (c) or (d) of this section, or (c)
17 or (d) of section 232, shall be deemed to be the day after
18 the annuitant or participant dies, with payment beginning
19 on that day or beginning or resuming on the first day of
20 the month in which the child later becomes or again be-
21 comes a student as described in section 204 (b) (3), pro-
22 vided the lump-sum credit, if paid, is returned to the fund.
23 Such annuity shall terminate on the last day of the month
24 before (1) the child's attaining age eighteen unless he is
25 then a student as described or incapable of self-support,

1 (2) his becoming capable of self-support after attaining age
2 eighteen unless he is then such a student, (3) his attain-
3 ing age twenty-two if he is then such a student and not
4 incapable of self-support, (4) his ceasing to be such a stu-
5 dent after attaining age eighteen unless he is then incapable
6 of self-support, (5) his marriage, or (6) his death, which-
7 ever first occurs.”.

8 SEC. 205. Section 221 of the Central Intelligence
9 Agency Retirement Act (50 U.S.C. 403 note) is amended
10 by deleting the last two sentences of subsection (f), and
11 adding the following new paragraphs (g) and (h) :

12 “(g) Except as otherwise provided, the annuity of a
13 participant shall commence on the day after separation from
14 the service, or on the day after salary ceases and the par-
15 ticipant meets the service and the age or disability require-
16 ments for title thereto. The annuity of a participant under
17 section 234 shall commence on the day after the occurrence
18 of the event on which payment thereof is based. An an-
19 nuity otherwise payable from the fund allowed on or after
20 date of enactment of this provision shall commence on the
21 day after the occurrence of the event on which payment
22 thereof is based.

23 “(h) An annuity payable from the fund on or after date
24 of enactment of this provision shall terminate (1) in the
25 case of a retired participant, on the day death or any other

1 terminating event occurs, or (2) in the case of a survivor,
2 on the last day of the month before death or any other ter-
3 minating event occurs.”.

4 SEC. 206. Section 252 of the Central Intelligence
5 Agency Retirement Act (50 U.S.C. 403 note) is amended
6 by deleting subsection (c) (1) ; renumbering subsections (c)
7 (2) and (c) (3) to read (c) (3) and (c) (4) ; and insert-
8 ing the following new subsections (c) (1) and (c) (2) :

9 “(c) (1) If an officer or employee under some other
10 Government retirement system becomes a participant in the
11 system by direct transfer, the Government’s contributions
12 under such retirement system on behalf of the officer or
13 employee shall be transferred to the fund and such officer
14 or employee’s total contributions and deposits, including in-
15 terest accrued thereon, except voluntary contributions, shall
16 be transferred to his credit in the fund effective as of the date
17 such officer or employee becomes a participant in the system.
18 Each such officer or employee shall be deemed to consent
19 to the transfer of such funds and such transfer shall be a
20 complete discharge and acquittance of all claims and demands
21 against the other Government retirement fund on account of
22 service rendered prior to becoming a participant in the
23 system.

24 “(c) (2) If a participant in the system becomes an em-
25 ployee under another Government retirement system by

1 direct transfer to employment covered by such system, the
2 Government's contributions to the fund on his behalf may be
3 transferred to the fund of the other system and his total con-
4 tributions and deposits, including interest accrued thereon,
5 except voluntary contributions, may be transferred to his
6 credit in the fund of such other retirement system at the re-
7 quest of the officer or employee effective as of the date he
8 becomes eligible to participate in such other retirement sys-
9 tem. Each such officer or employee in requesting such trans-
10 fer shall be deemed to consent to the transfer of such funds
11 and such transfer shall be a complete discharge and acquit-
12 tance of all claims and demands against the fund on account
13 of service rendered prior to his becoming eligible for partici-
14 pation in such other system."

15 SEC. 207. Section 273 of the Central Intelligence
16 Agency Retirement Act (50 U.S.C. 403 note) is amend-
17 ed by deleting subsection (a) ; renumbering subsection (b)
18 to read (c) ; and inserting the following new subsections (a)
19 and (b) :

20 "(a) Notwithstanding any other provision of law, any
21 annuitant who has retired under this Act and who is re-
22 employed in the Federal Government service in any ap-
23 pointive position either on a part-time or full-time basis
24 shall be entitled to receive the salary of the position in
25 which he is serving plus so much of his annuity payable

1 under this Act which when combined with such salary does
2 not exceed during any calendar year the basic salary such
3 officer or employee was entitled to receive on the date of
4 his retirement from the Agency. Any such reemployed
5 officer or employee who receives salary during any calendar
6 year in excess of the maximum amount which he may be
7 entitled to receive under this paragraph shall be entitled to
8 such salary in lieu of benefits hereunder.

9 “(b) When any such annuitant is reemployed, he shall
10 notify the Director of Central Intelligence of such reemploy-
11 ment and shall provide all pertinent information relating
12 thereto.”.

13 SEC. 208. Section 291 of the Central Intelligence
14 Agency Retirement Act (50 U.S.C. 403 note) is amended
15 to read as follows:

16 “SEC. 291. (a) On the basis of determinations made
17 by the Director pertaining to per centum change in the price
18 index, the following adjustments shall be made:

19 “(1) Effective the first day of the third month
20 which begins after the date of enactment of this amend-
21 ment each annuity payable from the fund which has
22 a commencing date not later than such effective date
23 shall be increased by (a) the per centum rise in the
24 price index, adjusted to the nearest one-tenth of 1 per
25 centum, determined by the Director on the basis of the

1 annual average price index for calendar year 1962 and
2 the price index for the month latest published on date
3 of enactment of this amendment, plus (b) $1\frac{1}{2}$ per
4 centum. The month used in determining the increase
5 based on the per centum rise in the price index under
6 this subsection shall be the base month for determining
7 the per centum change in the price index until the next
8 succeeding increase occurs.

9 “(2) Each month after the first increase under
10 this section, the Director shall determine the per centum
11 change in the price index. Effective the first day of
12 the third month which begins after the price index shall
13 have equaled a rise of at least 3 per centum for three
14 consecutive months over the price index for the base
15 month, each annuity payable from the fund which has
16 a commencing date not later than such effective date
17 shall be increased by the per centum rise in the price
18 index (calculated on the highest level of the price index
19 during the three consecutive months) adjusted to the
20 nearest one-tenth of 1 per centum.

21 “(b) Eligibility for an annuity increase under this sec-
22 tion shall be governed by the commencing date of each
23 annuity payable from the fund as of the effective date of
24 an increase, except as follows:

25 “(1) Effective from its commencing date, an an-

1 nuity payable from the fund to an annuitant's survivor
2 (other than a child entitled under section 221 (c)),
3 which annuity commences the day after annuitant's death
4 and after the effective date of the first increase under this
5 section, shall be increased by the total per centum in-
6 crease the annuitant was receiving under this section
7 at death.

8 “(2) For purposes of computing an annuity which
9 commences after the effective date of the first increase
10 under this section to a child under section 221 (c) , the
11 items \$600, \$720, \$1,800, and \$2,160 appearing in sec-
12 tion 221 (c) shall be increased by the total per centum
13 increase allowed and in force under this section for em-
14 ployee annuities, and, in the case of a deceased annui-
15 tant, the items 40 per centum and 50 per centum appear-
16 ing in section 221 (c) shall be increased by the total
17 per centum increase allowed and in force under this
18 section to the annuitant at death.

19 “(c) The term ‘price index’ shall mean the Consumer
20 Price Index (all items—United States city average) pub-
21 lished monthly by the Bureau of Labor Statistics. The term
22 ‘base month’ shall mean the month for which the price index
23 showed a per centum rise forming the basis for a cost-of-
24 living annuity increase.

25 “(d) No increase in annuity provided by this section

1 shall be computed on any additional annuity purchased at
2 retirement by voluntary contributions.

3 “(e) The monthly installment of annuity after adjust-
4 ment under this section shall be fixed at the nearest dollar,
5 except that such installment shall after adjustment reflect an
6 increase of at least one dollar.”

7 TITLE III—MISCELLANEOUS

8 SEC. 301. Section 102 (b) of the Federal Employees Pay
9 Act of 1945, as amended (5 U.S.C. 902 (b)), relating to
10 exemption from coverage under the Act, is amended by strik-
11 ing out “and” immediately preceding “(7)” therein and
12 by inserting before the period at the end thereof “; and (8)
13 officers and employees of the Central Intelligence Agency.”.

Passed the House of Representatives October 3, 1966.

Attest: RALPH R. ROBERTS,
Clerk.

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