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Adm - 12.1 notices

18 DEC 1968

MEMORANDUM FOR: Executive Director-Comptroller
Deputy Director for Science and Technology
Deputy Director for Plans
Deputy Director for Intelligence
Inspector General
General Counsel

SUBJECT : Extension of [REDACTED]

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For your information, we have been asked to extend the 1 January 1969 expiration date of subject notices for the following reasons:

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a. [REDACTED] Employment after Retirement Age. The notices cover three subjects, retirement, special appointment considerations, and contract personnel. The first of these subjects was incorporated in permanent regulations in October [REDACTED]; the second is covered by [REDACTED] and [REDACTED] now in coordination; the third will be included in one of the contract personnel regulations or handbooks which are being held in abeyance pending completion and analysis of an inventory of contract personnel by the Manpower Control Officer, O/PPB. Extension of the notices is necessary until action is complete to replace them with permanent regulations.

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b. [REDACTED] Travel to the Florida Area. Continued hijacking incidents make it desirable to retain, at least temporarily, the guidance provided in this notice.

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[REDACTED]

Chief, Support Services Staff

cc: SSA-DDS
O/P
O/S

Attachments:

- 1. [REDACTED]
- 2. [REDACTED]
- 3. [REDACTED]

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This Notice Expires 1 January 1969

PERSONNEL

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EMPLOYMENT AFTER RETIREMENT AGE

1. GENERAL

- a. Upon retirement, employees are expected to sever active connections with the Agency. There will be instances, however, in which continuation in service is necessary or clearly in the best interests of the Agency.
- b. There are four ways in which the services of an employee may be continued after reaching retirement age:
 - (1) His appointment may be extended upon approval of the Director [REDACTED]
 - (2) The employee after retirement may be reemployed with or without a break in service by an appointment of specified duration [REDACTED] or by recall by the Director [REDACTED]
 - (3) The employee's staff status may be converted to that of contract employee prior to retirement. Such conversion will usually continue normal employee benefits such as retirement, FEGLI, and health benefits during the term of the contract.
 - (4) The employee, after retirement, may be rehired as a contract employee, independent contractor, or consultant.

2. POLICY

a. CONTINUATION IN SERVICE BEYOND RETIREMENT AGE

- (1) An employee may be extended in service as a staff employee (1b(1) above) or may be converted to contract-employee status to perform staff-type duties (1b(3) above) only when the individual has skills and knowledge required by the Agency not available in other personnel on a timely basis. Requests shall be explained and attested to by the Operating Official concerned and shall require the approval of the Director. Extensions shall be for a stipulated term, usually not more than one year unless renewed.

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- (2) In instances where there are personal circumstances which clearly substantiate that retirement will constitute an extraordinary personal hardship and it is established that the individual can be fully employed, the employee may be retained in service with the approval of the Director. Requests should be submitted at the earliest possible date to the Director of Personnel.

b. REAPPOINTMENTS

Persons who have optionally retired earlier than Agency retirement age may be reappointed if there is a requirement for their particular skills and knowledge not available among on-duty personnel on a timely basis. Such reappointment will be for a stipulated term not to exceed the date of attainment of Agency retirement age. Continuation in service thereafter shall be in accordance with 1b(1), (2), or (3) above.

c. ORIGINAL APPOINTMENTS

Persons beyond Agency retirement age will not be originally appointed without the approval of the Director. Such approval will only be granted where the individual possesses rare and outstanding qualifications which the Agency requires.

d. CONTRACTUAL EMPLOYMENT OF ANNUITANTS

- (1) No contract employee shall perform staff-type duties. Such duties are defined as employee duties performed in Agency facilities, using classified Agency materials and performed pursuant to instructions and supervision of staff employees, unless positions requiring such duties have been provided for in approved projects or have otherwise been exempted from ceiling and other staff manpower controls. With this exclusion, annuitants, whether retired from this Agency or any other agency of the Government, may be hired and used in any appropriate contractual capacity for which there is a requirement and for which they are preeminently qualified. The Director of Personnel shall monitor all contract employee assignments with respect to appropriateness of duties to be performed.
- (2) Contracts of employment with annuitants will normally be written for a term of one year and contain a 30-day termination clause. Renewals will be based on and justified by evidence of continuing need and by demonstrated effectiveness of the annuitant. Requests for renewal will so attest and be approved by the Operating Official concerned.

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3. COMPENSATION PRINCIPLES AND GUIDELINES
- a. EMPLOYEES EXTENDED IN SERVICE

The classification of the position to be occupied shall dictate the grade of an employee extended in service beyond retirement age. If the grade of the position is lower than that of the employee, his grade will be adjusted in accordance with the provisions of the Classification Act of 1949, as amended.

- b. CONTRACTUAL EMPLOYMENT OF ANNUITANTS

- (1) The classification of staff positions, particularly in the upper grades, is preponderantly based upon managerial, organizational, and supervisory responsibilities. Since contract employees may not perform staff-type duties, these elements of position classification will not normally be present to an equivalent degree in the contractual position, although the latter may have its own similar responsibilities. Accordingly, the gross contractual salary of a reemployed annuitant will normally be lower than that held as a staff employee.

- (2) The grade of the job to be performed by a reemployed annuitant will be established by normal position classification procedures. If the grade is in excess of GS-15, the approval of the Director of Central Intelligence is required. The salary to be paid for any grade so established shall be negotiated with due regard to the special qualifications of the individual relative to the requirements of the assignment and the effort required of the individual. In no case may the salary exceed that of the step closest to 90 percent of the current salary of the individual's grade and step at time of retirement.

- c. Under present law when a civilian Government employee, retired for longevity, is rehired as an employee, his annuity usually continues but his gross contractual salary is reduced by the amount of the annuity received. A reemployed annuitant may not receive a combination of salary payments and annuity payments which exceed the gross contractual salary of the duties he performs during the period of his reemployment.

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d. ANNUITANTS ENGAGED AS INDEPENDENT CONTRACTORS

- (1) The contractual fee paid an annuitant under an independent contractor agreement will be determined by the nature and value of the services to be rendered except that the individual's retirement annuity plus the contractual fees paid him during the contract year normally may not exceed 90 percent of the current salary of the grade and step held by the annuitant at the time of his retirement.
- (2) Unless there is a clear and overriding operational justification, no housing expense, cost-of-living expense, or other payments in the nature of benefits and perquisites commonly accorded employees shall be authorized.
- (3) Operational expenses must be specifically authorized in advance by the appropriate authority.
- (4) The contract shall include a clause stating that on request of the Government the individual shall submit to a medical evaluation by a mutually agreed upon physician.
- (5) The independent contractor must not, in fact, be used as an employee.
- (6) An Agency official shall be designated as responsible for monitoring the performance of each independent contractor and to attest annually that the terms of the contract have been met and that full value has been received. Instances of unsatisfactory performance or insufficient value received shall be corrected promptly.

FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:

R. L. BANNERMAN
Deputy Director
for Support

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SECURITY

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TRAVEL TO THE FLORIDA AREA

1. Numerous incidents in recent months have involved the hijacking of commercial aircraft to Cuba. Flights to or from Miami and other cities have been diverted to Havana. Passengers and crew on such hijacked aircraft have been required to disembark, to identify themselves with some form of documentation, to be photographed, and have been questioned concerning their occupations and their reactions to national and international situations. Some passengers have been detained in Havana overnight which permits further investigation into their identity. Should such incidents continue, Agency personnel may obviously be involved.

2. There is no way all risks can be avoided but there are reasonable precautions which must be taken. All personnel should be aware of the risks involved in utilizing commercial aircraft to and from the general Florida area. Serious consideration should be given to utilizing surface transportation unless time is of sufficient importance to outweigh the risk factors involved with commercial flights.

3. No classified documents are to be carried by personnel traveling to the Florida area by commercial air. Courier means for the transport of such documents via Agency controlled aircraft can be arranged by contacting the Chief of Dispatch and Pouch Section, RID, Room GB-28, ██████████. In accordance with the provisions of HR 10-7c (8) (c) (1), all personnel utilizing commercial flights to Florida are warned not to carry personal documentation or items (i. e., address books, telephone numbers, or notes) which could result in research leading to identification as an Agency employee.

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4. The Deputy Director for Plans will issue supplementary instructions pertaining to the air travel of Clandestine Services personnel.

OFFICIAL TRAVEL

5. There are limited scheduled flights on Agency controlled planes to the Florida area which if possible should be used for official air travel. The

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Chief of Support, WH Division, Room 3D3102, [REDACTED] is designated as the coordinating point for such travel as well as for official air travel to Latin America. In those cases where Agency flights or surface transportation cannot be used for official travel to the Florida area, personnel must contact the Central Processing Branch, Office of Personnel, Room 1D70, Extension 6891, for appropriate guidance and assistance.

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PERSONAL TRAVEL

6. All personnel planning to travel on personal business or pleasure, by commercial air, to the Florida or Caribbean area should discuss the travel with their supervisor. Such factors as cover, the degree of access to classified information, and clearances held by the employee should be taken into consideration. Each supervisor will be responsible for notifying the Employees Activities Branch, Office of Security, Room 3E-54, [REDACTED] of the proposed travel and for referring the employees to this Branch if additional guidance is required.

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FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:

R. L. BANNERMAN
Deputy Director
for Support

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