

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Evans

DATE: 20 December 1973

FROM : DFChamberlain

SUBJECT: Administrative Policies for Hardship Posts

The attached paper addresses leave rights of unmarried employees at non-family posts. The question arises from complaints by single employees in Vietnam.

As a result of Congressional legislation married employees get two FVTs a tour. In the absence of a similar provision for single employees we have given them one mid-tour TDY to the U. S., as a guise for leave. There is a question as to the legality of this, whatever the equity of the practice.

This has been a continuing problem, and now faces us on Cambodia, where the policy is being adapted to local conditions. We feel it a proper time for a formal review by OGC and DDO, to ensure that Agency practice is legal.

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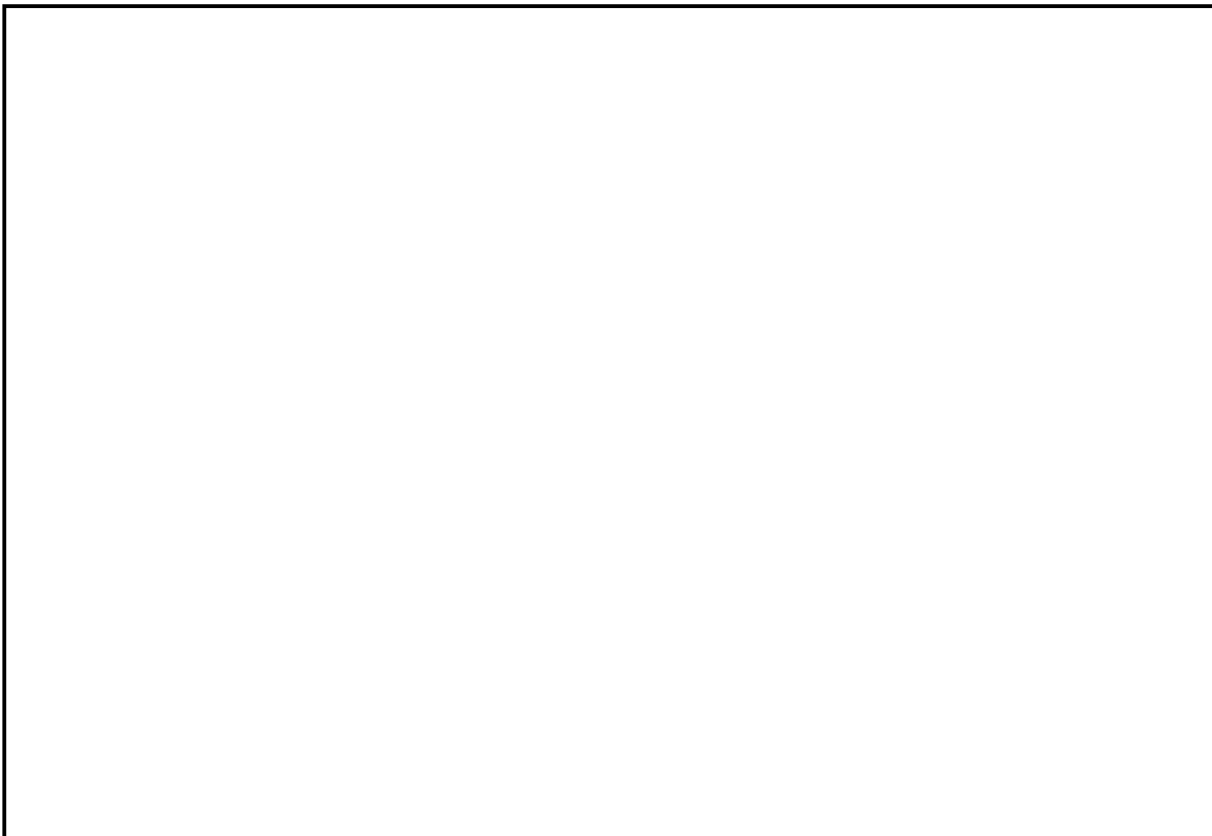
21 DEC 1973

MEMORANDUM FOR: Director of Central Intelligence  
FROM : Inspector General  
SUBJECT : Administrative Policies for Hardship Posts

Action Requested

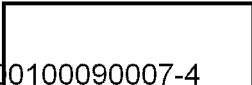
1. This memorandum contains a recommendation at paragraph 6 for your approval, to the effect that the DDO and OGC review Agency policy and practice for leave and related benefits allowed at non-family posts.

Background



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3. In March 1965 the Chief, FE Division established an administrative policy which included a mid-tour TDY to Headquarters for all personnel with dependents in the U.S. and one R&R trip for personnel without dependents. By 9 April the Agency policy had been changed to include mid-tour TDY for all personnel, married or single, and the annual leave restriction extended to 30 calendar days. Personnel who opted for mid-tour TDY were not eligible for any R&R travel.

4. In early October 1965 the Ambassador recommended increased and uniform benefits for all personnel serving in Vietnam. These recommendations did not include travel to the U.S. for single personnel and the Ambassador was not informed that we already extended this mid-tour privilege to single personnel. The Department did not approve the proposals submitted by the Ambassador and the Agency simply continued the policy of one mid-tour TDY for single personnel. Subsequently, the Mission established a new policy which included a family visitation program in accordance with recently enacted legislation. Under this program married employees were allowed two trips home during a tour of duty in Vietnam, for the purpose of visiting their families. Single personnel were not included in the Mission policy or in the legislation. Headquarters approved the adoption of the Mission family visitation program and authorized the Station to continue the mid-tour TDY policy for single employees. Instructions on the mid-tour TDY for single personnel emphasized that the practice was an Agency policy and should not be disclosed to other agencies, although it is not clear just what practice the other agencies did follow.

#### Staff Position

5. In summary, it was not feasible to have a uniform Agency policy because of the differing policies [redacted] organizations. With the exception of mid-tour TDY for single employees we have followed the established policies of [redacted] organizations. There are references in the administrative files on Vietnam to the use of TDY to "legalize" trips and to "other agencies" authorizing travel to the U.S. The Acting General Counsel has stated informally that our use of TDY orders to return single personnel to the U.S. at mid-tour as a subterfuge for leave could be illegal. Our administrative policies are now being adapted for use in Cambodia and presumably

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could be the basis for Agency policy at any non-family post. In view of this we feel it is important to establish the legal base for our policy.

Recommendation

6. It is recommended that a comprehensive study be undertaken by the DDO and OGC to establish the legal basis for Agency administrative policies covering leave and related benefits at non-family posts.

[Redacted Signature]

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Donald F. Chamberlain  
Inspector General

CONCUR: \_\_\_\_\_ DATE: \_\_\_\_\_  
Office of General Counsel

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

DISAPPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

Distribution:

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