MINUTES

CIA RETIREMENT BOARD MEETING

2:00 p.m., 28 March 1968

PRESENT:

25X1A9a [redacted] - Chairman
- DDP Member
- DDI Member
- DDI Member

25X1A9a [redacted] - DDS Member
- DDS Member

Mr. George C. Miller - Alternate DDS&T Member

25X1A9a [redacted] - Legal Adviser
- Technical Adviser
- Recording Secretary
- Executive Secretary

1. The minutes of the eighty-third meeting of the Board were reviewed and approved.

2. The Board reviewed 13 cases of employees who had been nominated for designation as participants in the System, 2 requests from participants for voluntary retirement, and 1 request from a participant for disability retirement. The Board took action as follows:

a. Recommended designation as participants of the following named employees who have completed 15 years of Agency service:

25X1A9a [redacted]

b. Recommended the following named employees with 5 or more years of Agency service for designation as participants in the System:

25X1A9a [redacted]

c. Recommended approval of the requests for voluntary retirement received from the following named participants:

25X1A9a [redacted] - 30 April 1968
- 30 June 1968

d. Recommended approval of the request for disability retirement received from the following participant:

25X1A9a [redacted] - Upon expiration of sick leave

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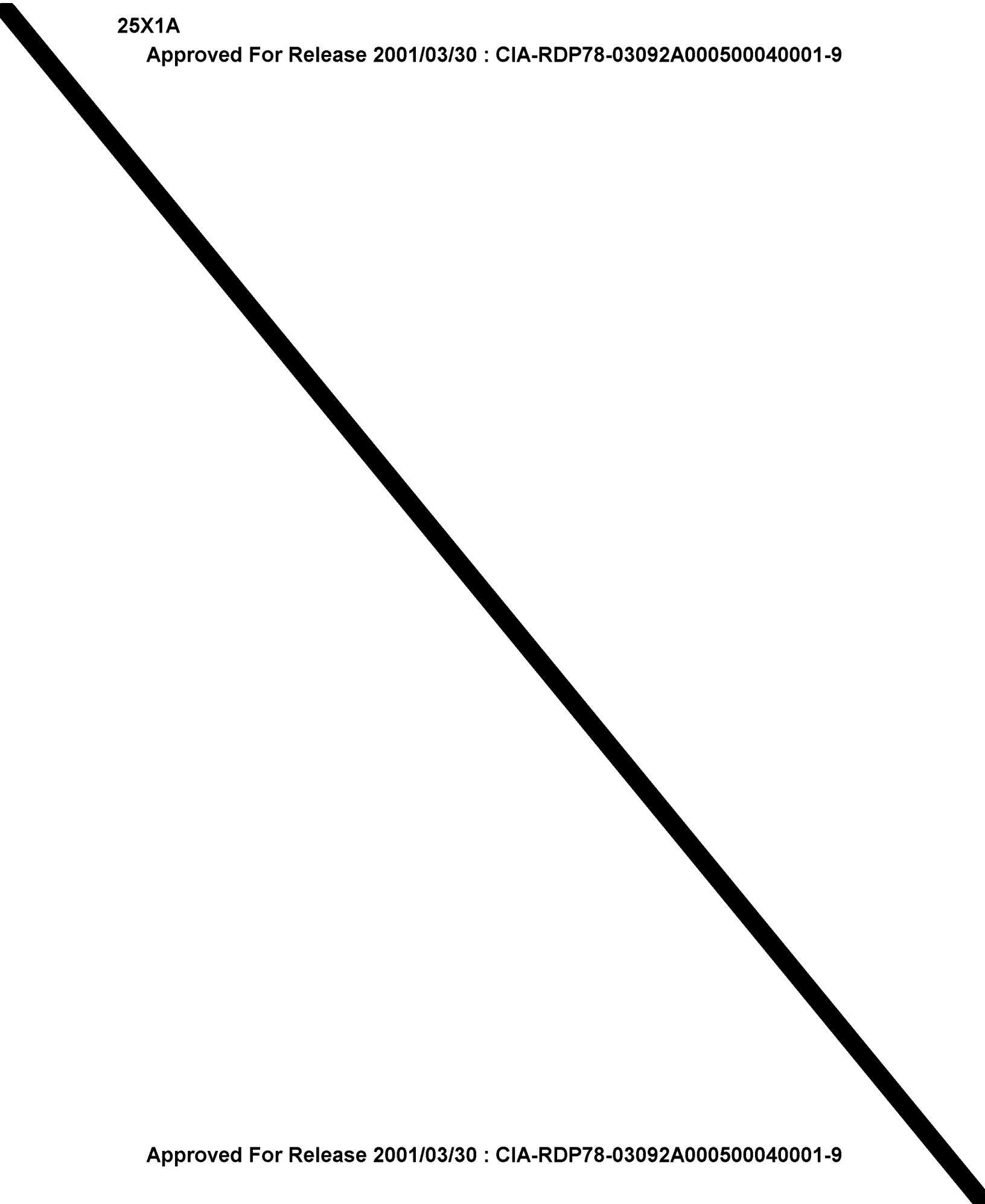

distinguishable from normal government employment. The Board concluded that [redacted] had performed more than 60 months of qualifying service in that in addition to her overseas qualifying service her entire career has been concerned predominately with the support of clandestine intelligence operations abroad and involved the performance of duties clearly distinguishable from normal government employment. The Board unanimously recommended that [redacted] be designated as a participant in the System with concurrent mandatory retirement. The Board, noting that [redacted] was 62 years of age, indicated that the general policy is to review with care any cases involving nomination for participation in the System that go beyond age 60 on the presumption there has been an attempt to evade the basic policy. The Board further stated that in the case of [redacted] it found no such evidence of evasion, and for this and other reasons, approved her designation.

7. The Board next considered 5 cases involving extension of scheduled retirement under the Civil Service Retirement System. The Board took action as follows:

a. [redacted] requested that her currently scheduled retirement date, 30 June 1968, be deferred until at least the middle part of January 1969 based on financial hardship. She stated that she was asking further that consideration be given to the postponement of her retirement date to January 1970. [redacted] became 60 years of age in January 1968 and has completed more than 33 years of Federal service. She was granted a six month extension by the DD/S&T from January 1968 to June 1968. The Director of Scientific Intelligence and the Deputy Director for Science and Technology stated that they have no grounds for recommending favorable consideration of the requested extension and further pointed out that they will have no real need for her services during the requested extension period. After a review of the case, during which it was noted that many of [redacted] financial problems will be overcome by the receipt of a lump sum leave payment in excess of $1,200.00, the Board unanimously recommended that the requested extension of service not be approved.

b. [redacted] (P) requested that his currently scheduled retirement date, 30 June 1969, be deferred until 30 October 1970. [redacted] (P) request was based on the fact that he had previously elected not to become a participant in the CIA Retirement System in order that he could continue to remain employed until age 62 and retirement short of that date would cause severe financial hardship. His retirement date was set for June 1969 at the time of the policy revision in May 1967 thereby reducing his employment by 16 months. The Chief, European Division and the Deputy Director for Plans recommended that the requested extension be approved since [redacted] (P) accepted in good faith to remain in the Civil Service System in order to establish a firm financial base for his retirement and further stated that he can be usefully continued in CS employment until October 1970. The Board unanimously recommended that [redacted] (P) retirement be deferred until 30 October 1970 based primarily on the fact that his original retirement date was October 1970 until the recent change in policy.

c. The Chairman next presented the cases of three employees, 25X1A9a [redacted] who were being recommended for extension of retirement in order that they might complete 12 years of Federal service to qualify to retain the post-retirement 25X1A9a health and life insurance benefits. [redacted] extension would be a further extension from 31 November 1968 until 30 September 1969, [redacted] from 25X1A9a 25X1A9a 31 July 1968 until 31 March 1969, and [redacted] from 30 June 1968 until 31 August 1969. These extensions were submitted together based on a request from the Executive Director-Comptroller. In each of these cases the office concerned recommended that the extension be approved and stated that these employees could be gainfully employed. The Board unanimously recommended that the extension of these employees until they have completed 12 years of Federal service be approved.

8. The Board next reviewed a memorandum which had been approved by the Deputy Director for Support and the Executive Director-Comptroller concerning the timing of requests for extension. This memorandum set forth the role to be played by the counselors of the Retirement Counseling and Placement Staff as the control point on requests for extension. Following a discussion of this memorandum the Executive Secretary informed the Board that he had received a call from the CSPS stating that they have several requests for extension from employees who are currently scheduled to retire in late 1969, 1970, and 1972 and would like to know whether the Board would consider them this far in advance. The Chairman suggested that the Board might say that requests for extension of service should normally be submitted not more than 18 months nor less than 12 months before the scheduled retirement date; however, the Board recognizes that exceptional circumstances may require earlier submission for the orderly planning of assignments and that later submissions will occasionally be necessary. After discussion of this matter, the Chairman stated that he would draft a memorandum that could be disseminated to each of the Career Services and present it to the Board at the next meeting.

25X1A9a 9. [redacted] made a motion that the case of [redacted] (P) 25X1A2e be taken up at the next meeting of the Board. The Board agreed to hold a special meeting on 4 April to consider this case.

10. The meeting adjourned at 4:20 p.m.

[redacted] 25X1A9a
Executive Secretary

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. . . . The 84th meeting of the CIA RETIREMENT BOARD convened at 2:00 p.m. on Thursday, 28 March 1968, in the OD/Pers Conference Room, with the following present:

25X1A9a [redacted]
Mr. George C. Miller, DDS&T Member
25X1A9a [redacted] DS Member
S Member
al Adviser
hnical Adviser
Executive Secretary
Recording Secretary

25X1A9a

25X1A9a [redacted] has asked to be relieved of his duties as a Board member and has suggested that Tom K. nominate another, replacing member. He specifically said he was going to suggest [redacted] 25X1A9a

25X1A9a [redacted]

Now, could we look at the minutes of the last meeting. Any additions or corrections, or any discussion desired on the Minutes? (No response.) Okay, we will accept the Minutes as presented.

We turn to the agenda for today. Item 2, Review of Cases, in which there are three categories. The first group involves five people with a 15 year election option.

25X1A9a [redacted] I move we offer them an election -- all of those under Category A.

25X1A9a [redacted] Second.

. . . This motion was then passed . . .

25X1A9a

[redacted] Group B, eight employees qualifying for designation.

25X1A9a [redacted] I move that we so designate.

[redacted]: Second.

. . . This motion was then passed . . .

SECRET

25X1A9a
25X1A9a [redacted] Category C, one application for voluntary retirement - [redacted]

25X1A9a [redacted] I move we accept this voluntary retirement.

25X1A9a [redacted] Second.

. . . This motion was then passed . . .

25X1A9a

25X1A9a [redacted] Now we have an additional item to add to this category. We have a belated application for voluntary retirement of [redacted] 25X1A9a [redacted] to retire on 30 April. He's in the Logistics Career Service -- age 59 -- has 35 years of Federal service, 15 years of Agency service. I presume he wants to meet the 1 May deadline.

[redacted]: This is a 55 and 30?

25X1A9a This is [redacted] 25X1A9a

We don't have any papers on him.

He is waiving his military retired pay to add that time to his creditable time.

25X1A9a [redacted] It's a request for retirement under the CIA System? What does it have to do with beating the 1 May deadline? Could it have something to do retroactively--

25X1A9a [redacted]n do we get our next increase, John?

Ours is geared to 1 April -- but under the new one it would be 1 May, that's right.

25X1A9a [redacted] Well, I'll tell you, I don't think it has anything to do with that, it's just that a home he has been building in North Carolina near Camp LeJeune is finished now, and he wants to move into it, is why he is retiring.

25X1A9a [redacted]: He's not far from being mandatory--

We have copies of his correspondence [redacted] to the Marine Corps Retired Pay Division waiving his military retired pay for the purpose of making his military service creditable under the Civil Service System. But if he were to die between now and 30 April, he would be--

[redacted] He waived it as of 30 April.

He has been a participant for some time.

25X1A9a

es. He was designated in January, 1966.

This is just a normal case.

ust a normal application.

I move we pass favorably on his request to retire.

MR. GEORGE MILLER: Second.

. . . This motion was then passed . . .

25X1A9a

[redacted] If I may, while we're taking routine cases I'd like to take up a belated disability retirement case. The individual's name is

25X1A9a

J[redacted]. The report from the Board of Medical Examiners recommends his application for disability retirement be approved -- it is considered unlikely he will be capable of resuming full-time duty for the foreseeable future. The Board of Medical Examiners says his disability is permanent.

Any discussion desired?

25X1A9a

[redacted] What kind of a [redacted] disability does he have?

Health.

How did he get it? We have no papers on this case either.

FOIAb6

[redacted]

FOIAb6

[redacted]

25X1A9a [redacted] Where did he work?

It says [redacted]s disability is not the result 25X1A9a

of wilful misconduct, etc., etc.

He's an employee of the Office of Communications, Harry?

25X1A9a [redacted] I don't know -- I haven't even gotten his name

yet.

It's [redacted] 25X1A9a

Is he a member of the CIA System?

Yes.

How old?

Born in 1933 -- 35 years old.

[redacted] Has anyone looked at this and for the

record said: We don't believe there is any possibility this could have been

service or employment caused?

25X1A9a [redacted] Unless we assume that the Medical Staff does this,

the answer would be no.

25X1A9a [redacted] Well, I for one recommend that it be in the record

that this had been looked at.

25X1A9a [redacted]: Maybe we ought to ask this question just as a

normal routine -- that ought to be put on all of these disability cases.

25X1A9a [redacted] I've said that several times, Mike, over the years --

and I think it's an SOP question.

25X1A9a [redacted] .... didn't you say all of these were

looked at from that point as a matter of course?

25X1A9a [redacted]: But the record doesn't show it.

I cannot believe for a minute that [redacted] -- 25X1A9a

knowing the nature of his job -- could possibly have BEC come into it.

25X1A9a [redacted] Are you proposing, John, that we ask the Medical

Examiners in every case to make a positive statement that they have reviewed the case--

25X1A9a [redacted] No, I didn't say that. I think there should be some showing in the record that we have at least looked at the possibility this is so and that reasonable judgment would indicate this is so remote it isn't even worth considering.

25X1A9a [redacted] Who is "we"?

I'm leaving it up for grabs who does it. It could be routinely done by [redacted] BSD but [redacted] it wouldn't overcome the Board's finding him disabled -- because what happens is he draws whichever is the better benefit. He can be a disability retiree not drawing the disability annuity but [redacted] drawing the BEC benefit instead.

25X1A9a [redacted] But the action of this Board is to approve his disability retirement.

25X1A9a [redacted] If on later examination we find that BEC retirement is better for him, he waives the annuity under the disability retirement--

25X1A9a [redacted]: He might be incapable of deciding that--

There is not much question about disability retirement for this man.

25X1A9a [redacted] That may well be, but there is a question of whether it's disability--

25X1A9a [redacted]: But it's not for this Board to decide whether he should have the right to opt for BEC or his regular annuity.

25X1A9a [redacted]: This Board has been asked will it recommend disability retirement.

25X1A9a [redacted] On the basis of the medical facts he is entitled to medical disability.

25X1A9a [redacted] I don't agree with you. BEC is not disability retirement. It may be a question of terminology here.

25X1A9a [redacted] Don't you first get a disability retirement?

[redacted] Not necessarily.

Maybe it's terminology. Technically this Board has been asked to recommend that this man be retired on disability. All I'm saying is that have we negated the idea that he may be entitled to BEC compensation -- which is not disability retirement. And we found one here a couple of months ago.

25X1A9a [redacted] In talking about that we went in and talked to Mr. Wattles and I got the impression that it would automatically be considered that a man would get what would be most advantageous to him. I think the point you make is it's not a matter of record that this in fact is, has been, or will be done. This is what you are raising?

25X1A9a [redacted] Indeed I am! Because I for one can't conscientiously sit here and say - fine, let's recommend him for retirement--

25X1A9a [redacted]: John, are you a member of the Board or are you our legal adviser--

25X1A9a [redacted] No, I'm trying to look at it for the man-- It's particularly important in a psychiatric case, because the man may not be compos mentis enough to protect his own interests. I'm just wondering who should look into this.

25X1A9a [redacted]: I'd be perfectly happy if Benefits & Services Division made the statement. I would be particularly unhappy if the Medical Division made it.

25X1A9a [redacted] Should we request as a routine procedure that the Director of Personnel or the Chief of BSD cause to be made a review to see whether there is any basis for--

[redacted] Prior to the case coming here.

25X1A9a [redacted]: I urgently recommend it.

[redacted] (continuing): -- any basis for BEC benefit. Make a positive or negative statement here?

25X1A9a [redacted] I strongly recommend that this be done. And in consultation with the Head of the Career Service or somebody who knows--

25X1A9a [redacted] Somebody who knows what the man has been doing. Yes, this is important. BSD can't do it. They will probably have to talk to the Career Service and to the Medical Staff to see if there is any likelihood of a case.

25X1A9a Could we make it a matter of record that the Board requests that in the case of [redacted] and all future disability retirement cases that the Office of Personnel cause to be made a review of the nature and circumstances of the individual's disability, in collaboration with the employing office and the Medical Staff, to determine whether or not there is any basis for BEC benefits in lieu of disability retirement. That will pick up this case and all future cases.

25X1A9a [redacted] May I ask another question, for education? So this man is 35 years old. Suppose it was determined that he was entitled to service-connected disability and was given 100%. He is 35 years old. Five years later, at age 40, the BEC reexamines his situation and his psychiatric difficulty has been overcome to such an extent that they consider him fully capable of earning a living. What happens? Does he stop getting anything?

25X1A9a [redacted] In my opinion -- and correct me, John -- because there is no requirement in our Retirement System for reexamination, once the disability is declared permanent that he would then file for disability [redacted] retirement--

25X1A9a [redacted] This is why I want to see this Board act on the man's disability retirement application regardless of what review is going to be made of BEC. It's not alternative actions.

25X1A9a [redacted] I thought we had approved his disability retirement. I thought we had approved it only subject to establishing no BEC.

25X1A9a [redacted]

either is or is not eligible for medical retirement. Our Medical Board says he is. That leaves little for us to do. Then, whether or not he has an entitlement to BEC benefits and prefers them to disability retirement benefits is his decision, or decision by people acting in his behalf.

25X1A9a [redacted] I guess we're getting very technical here. I don't know what we are voting on -- that he be retired for [redacted] physical disability--

25X1A9a [redacted] The action before the Board is that we approve [redacted] his disability retirement, but to plug up the question John has raised in this case and future cases we are asking that this case be reviewed -- even though we have approved it for disability retirement - that is irrelevant -- that this case be reviewed to see whether or not there is any basis for BEC benefits. And I see no problem.

25X1A9a [redacted]: And what is the answer to my question? Your question was BEC - not disability retirement.

25X1A9a [redacted] Alan said supposing the man qualifies for BEC benefits and BEC five years hence finds him fully cured -- we have found him to be permanently disabled -- the BEC benefits stop, and can he then claim disability retirement benefits -- and I said I thought the answer is yes.

25X1A9a [redacted] Yes.

[redacted]: Their finding has [redacted] nothing to do with [redacted] our finding.

25X1A9a [redacted] It's very complicated. He very probably would already have taken the lump sum payment from here--

25X1A9a [redacted] That is why it's important that he retire for disability.

[redacted]: We have many cases of people qualified for both benefits - disability and BEC, and they can take their choice - go back and forth from one to the other.

25X1A9a

[redacted]: But he can take BEC and get a refund of his contributions, can't he?

25X1A9a [redacted] Correct.

And if he has done that and later wants to come back--

To specifically answer your question, if BEC found him physically able to resume work they would cut him off and he would have to find another job. That is the specific answer to your question.

[redacted]s this a standard part of their procedure?

Yes.

[redacted]o review?

25X1A9a Yes. I forget the details--

[redacted]: Except they have administratively not done it after a man reaches some age - 55, or something like that.

But in theory they can do it at any time.

25X1A9a [redacted] There is no obligation for this Agency to re-hire him.

No.

Can I assume, then, we have approved this man's application for disability retirement and that we submit a specific request to Personnel that this case and future cases of disability be reviewed, always, with a view toward possible BEC benefits. Okay.

25X1A9a [redacted]: May I say one word before we start on agenda item 3? Because this may be pertinent to the Board members. First of all, Murray, I guess give or take -- I looked at this too late to verify all my figures,

25X9A2 but we have between [redacted] say, in the CIA Retirement System now. The statistical people in the Office of Personnel have made projections of how many people are going to retire -- in 1968 they estimated 71. Now I'm limiting this to those who count against our quota -- in other words, disability and discontinued service I have left out. Although they have estimated 71, there are 69 cases in

process right now as of the end of March. Now you might say - well, most people who want to retire in 1968 have probably submitted their papers already -- but we find that each two weeks this Board is picking up two, three, four, five people who were not previously qualified that we are qualifying and bringing in. So I think it's very safe to assume we are going beyond the 71 we estimated.

Now the point I want to make is that for the period 1970 to 1974 we are going to be over 100 a year, if these statistics are valid at all, in terms of mandatory and voluntary or optional retirement. So I think it brings into focus two problems. The first is it may not be too early to be thinking about raising the quota for the next five years. But secondly, I think it also gives us pause on just how many people do we keep bringing into this System knowing that we are going to begin exceeding this quota. And when we go to the Committee will they say - we would like to come in and audit the books. I don't know. I don't know if that would be a problem if they do. In terms of our over-liberalizing interpretation of qualifying service, by 1974, according to the projection, we will be retiring 148 people.

25X1A9a [redacted] But how many will that be for the first 10 years?

There is no carry over privilege.

Not (800) for 10 years--

I guess what I'm saying, I don't think this has been an ineffective system -- I think as many people as we contemplated are retiring, and then some, under this System.

25X1A9a [redacted] You're taking the five year period that ends July 1, 1974?

30 June 1974.

Your projection shows we're going to be over--

How close are we coming on the first 5 years--

In 1964 we didn't retire anybody; in 1965 it was only 40; in 1966, 44; and in 1967, 55 --

25X1A9a [redacted]: We have retired 148 . Now in 1968 we are going to exceed our projection. There's sort of an acceleration built in here now.

25X1A9a [redacted] ...(inaudible)...

[redacted] Did you project it on the basis of how many people are going to reach 60 in that period and apply a factor to allow for those who voluntarily retire earlier?

25X1A9a [redacted] Yes. There may be a slight double-backing when you do it on a five year basis. If you did it on 10 you would obviously be double-backing voluntaries and mandatories. But what is happending is the bulk of the voluntaries are less than 55. When you do this projection on a 5-year basis those who are voluntary are mandatory in a subsequent 5-year period. In other words, it's reasonably accurate -- it could swing 10%, very easily, I think, either way.

25X1A9a [redacted] Another way to look at it that there's no problem, the Director didn't have to consent if he didn't have the billets -- just turn the water off at the lower end of the age--

25X1A9a [redacted] John, as a matter of legislative tactics, if we had to go to Congress to have this quota of 400 increased would you go forward with a single, little, one sentence Bill, in effect, to achieve that purpose, or would it be one with many provisions--

25X1A9a [redacted] If we had an immediate need right now, for example, for this last 5th year, we would dump it into our existing Bill--

25X1A9a [redacted] The existing Bill could be killed for lots of reasons.

25X1A9a [redacted] I was going to explain tactics. And obviously, the way we've seen things go, almost with every Congress you're going to need to go in there for a Bill. Whether you get something from every Congress or not is immaterial, but you're going to have to go in there every year because of the changes in the general concept -- so you will always have a vehicle to go in and up the numbers if we need it.

25X1A9a [redacted]: Now I recognize we have lots of time, really. In other words, the second period ending in 1974, we could go through the first 2 years of that period, obviously -- because you're not held to 80 a year -- so you could get up to 200 in the first two years before you do this. But it just seems to me that as a concept we should recognize that we are going - it's easy to project the fact that we will exceed it during the second 5-year period.

25X1A9a [redacted]: I think one of the corollary points in the question you ask is should we tighten up on participants -- and I, for one, am against that. I don't think we should. I think we ought to take them as they come.

25X1A9a [redacted] In other words -- because it was you and Emmett that went through this legislative harangue -- you don't feel that fact that we are now in sort of excess of what we predicted we would have, that the danger of moving on up higher--

25X1A9a [redacted] Our total personnel is higher than we used as a base then.

25X1A9a [redacted] We are a long ways from our estimate. We said roughly a third of the employee body would be in the System, and we are quite a ways below that.

25X1A9a [redacted] Sometimes it's a quarter, sometimes a [redacted] third, but most of the time I thought it was a quarter.

25X1A9a [redacted] Another thing you can mention is the Federal government has liberalized the retirement provisions in the Civil Service and the attitudes of people in other systems [redacted] tend to reflect--

25X1A9a [redacted] If you came to a real bind you could defer a few people to January 1, 1975, and there is no quota, is there, after that date?

25X1A9a [redacted] No.

Let me rephrase my question before. You must be convinced, both of you -- Because when I [redacted] read the Act itself, it's pretty clear on two things: one, to me, says overseas, and the other says duty very obviously a departure from the normal type of Government employment --

and then the Regulation sort of takes that a step further in terms of interpretation -- but throughout it's clandestine services abroad. And we have chosen so far to say "service in support of" - so that takes you back to the United States. Is there no question in anyone's mind that we are on real firm ground with this?

25X1A9a [redacted] There is no question in my mind, Harry. In fact, I think we have been very conservative. Because in the whole background of this, while the thrust was overseas, as carefully pointed out time and time again all of the cases won't be in that principal thrust category, there will be some U.S. cases. And actually we have been very conservative on domestic qualifying service.

25X1A9a [redacted] In other words, you have no misgivings?

[redacted]: I don't. Let Emmett speak for himself. But I don't. [redacted] I have some misgivings about a couple of cases that have gone through.

25X1A9a [redacted]: I have more misgivings about some of the cases that didn't go through. That's the horse race, Harry.

25X1A9a [redacted]: I know my own conscience bothers me a bit -- I feel as though I vacillate - one week I'm all for "let's do it" --

25X1A9a [redacted] Would there be any prospect that in future years there will be one system for the whole Agency? If the Director wants to retire people at 60 one way to do it would be to have a system which embraced all employees and they all would retire at 60.

25X1A9a [redacted] That sort of turns our approach around 180 degrees, because our whole pitch was "something special" - and you can't make "something special" for the entire Agency.

25X1A9a [redacted] There is something to be said for one system for the whole Agency, though.

25X1A9a [redacted] I think we're [redacted] gradually getting to the point where there is nothing special to give to those people for whom we intended

something special, because, I think, of the liberalization of the Civil Service. I had some people sitting behind me this morning (at the Retirement Seminar) that said - "By God, if a young man came to me and asked me if [redacted] he should belong to the CIA System or the Civil Service, I would tell him stay out of the CIA System entirely."

25X1A9a [redacted] Why, Mike?

. . . Off the record discussion . . .

25X1A9a Let's now proceed with case No. 3, the nomination for participation based partially on domestic qualifying service - [redacted]

25X1A9a [redacted]: There is no indication here that the man's coming up for [redacted] retirement at this time was sort of made a condition of considering whether or not the domestic service [redacted] was qualifying.

25X1A9a [redacted] Of course, we know the exception to that, though, Paul, is where there was hazard and physical danger -- in that case we equated that to overseas service.

25X1A9a [redacted] This is a specific claiming of a period of service as being qualifying notwithstanding that it's in the U.S.

25X1A9a [redacted] Well, you're going to have to consider the precedent aspects of this one, too.

25X1A9a [redacted] Yes indeed.

[redacted]: What was the cover under which this man operated? do we know?

25X1A9a [redacted] It was [redacted] But the situation there
25X1C4a certainly was difficult -- it was a hardship assignment, if you will.

25X1A9a [redacted] It was certainly not normal Government service, I'll guarantee that.

25X1A9a [redacted] I don't have any difficulty finding this domestic

service qualifying if it is accompanied by a request for retirement.

25X1A9a [redacted] What has that got to do with it?

[redacted] Because that is the precedent that this Board has taken--

25X1A9a [redacted] Why?

[redacted] For a lot of reasons. Because we couldn't get around to defining--

25X1A9a [redacted] I don't buy that, Alan.

We started off by saying - "Gee, if we consider every one of these requests for a year here, two years there, of qualifying service -- and if we wait they may get legitimate overseas service and we won't have to face up to it -- but if a man is ready to retire we will look at his record in its entirety." Since then we have recognized the problem that the man who might have qualifying service might die, for example, and not be in the right system. So there is a serious question here which way we should go on this. As far as this particular case, we considered a Commo man not too long ago and gave him credit for the time he spent on this far from normal Government employment.

25X1A9a [redacted] e was up for retirement, wasn't he?

[redacted] ight.

25X1A [redacted] We had the case of the Security man who was not up for retirement, and in that case, you remember, there was hazard and

[redacted]

25X1A9a [redacted] We had the case of ..... who was

25X1A [redacted]

25X1A9a [redacted] We had a couple of cases where if there was a hazard connected with it we gave him that without the consideration of retirement. In all of the other cases we tried to bring them under 11(c) -- we didn't necessarily look for hazardous duty in those cases, and we looked for a request for retirement

simultaneously. But I think we have had two or three cases which were based on the function the man was performing, and he was not asking to be retired, and we allowed it.

25X1A9a [redacted] Well, in my opinion the [redacted] hazard is minimal here. This plane that they commuted on was the best kept plane probably in the whole United States because they had some very rare and expensive engineers of one of the major airplane manufacturers in the Nation, and they really took care of this bird.

25X1A9a [redacted] Do you have any trouble with it as being clearly distinguishable from normal Government employment?

25X1A9a [redacted] No, no problem at all.

25X1A [redacted] I agree 100% with Alan.

[redacted]

25X1A9a [redacted] How about the fact he lived away from his family five days a week?

25X1A9a [redacted] I could base it on what I just said and without any trouble give him qualifying duty.

25X1A9a [redacted] I think almost anyone who spent any time out there won't have any trouble with it.

25X1A9a [redacted] I have some difficulty reconciling the time he states in the record with the record on the profile. He says he was there from June 1955 -- that would be 55 months. According to the profile, he might have

25X1A been there longer -- it shows July 1955, [redacted] to March 1958.

25X1A9a [redacted] He only needs 23 months.

[redacted] But the Form 3100 is in agreement with his memo.

25X1A9a [redacted] Incidentally, although the man doesn't say he intends to retire soon, he was born in 1910, and therefore is 59 years of age and is bumping against our retirement age--

25X1A9a [redacted] In May of this year he will be 58. He has a couple of years to go.

25X1A9a [redacted] I think the conditions of service are somewhat similar to the case that Harry mentioned where a Commo man came back to a

25X1A6a similar [redacted] and we credited him with th[redacted] service in view of

25X1A the nature of his work.

25X1A9a [redacted] The thing that troubles me here, here is a man who is 58, and he, obviously, without this doesn't have enough overseas service--

25X1A9a [redacted]: And will not get it.

(Continuing): -- and he probably will not get it, or it's a question of must he take another two years to get it. I think it's significant that he get an answer ahead of time.

25X1A9a [redacted]: I do, too. I'm with you on that, Harry.

25X1A9a [redacted]: I move he be taken into the CIA Retirement System.

MR. GEORGE MILLER: Second.

25X1A9a [redacted]: On what basis?

25X1A9a [redacted] On the basis of the hardship--

25X1A9a [redacted] He is in the System now, isn't he?

25X1A9a [redacted] No. If he gets in he will have a vested right.

I move it on the basis of the nature of the duties he performed during those 25 or so months, in terms of hardship, isolation, security, conditions that were completely peculiar to this particular job.

25X1A9a [redacted] Would you add hazard to that?

Actually, Mike, I don't think anybody ever got hurt out there, [redacted] 25X1A

25X1A9a [redacted] isn't that anything to worry about?

25X1A

[redacted]

Again, the thing that bothers me -- and I hate to make these arbitrary rules for us to live with -- but I'd sure hate to get some of our young communicators who are 25, 28 years old, asking for qualifying service because they just finished a two-year tour there. And yet you see the problem for someone like this man, over 55, into the retirement planning zone, and the chance of his getting other qualifying service has been substantially reduced -- it seems worthy of consideration. But I'd hate to open it up to--

25X1A9a [redacted] It's either qualifying service or it isn't. You can't distinguish between the young guy--

25X1A9a [redacted] I still feel that our rule is a good one. When he gets to age 60 he is going to retire under the Agency's policy for Civil Service or he is going to retire mandatorily under the Act -- and if he retires under the CIA System he gets a little advantage -- and it will be at that time that you make the decision.

25X1A9a [redacted] I think that is being unfair to him.

[redacted]: It's unfair for three and three-quarters percent?

[redacted] Because I think we need to be consistent. And saying - well, let's wait a couple of years -- why?

25X1A9a [redacted]: Just as Harry said--

[redacted] I disagree with Harry.

[redacted] I made the point I think it's unfair in the case of this man at 58 not to know where he is going in the next few years--

25X1A9a [redacted] At age 60 he's out, Harry.

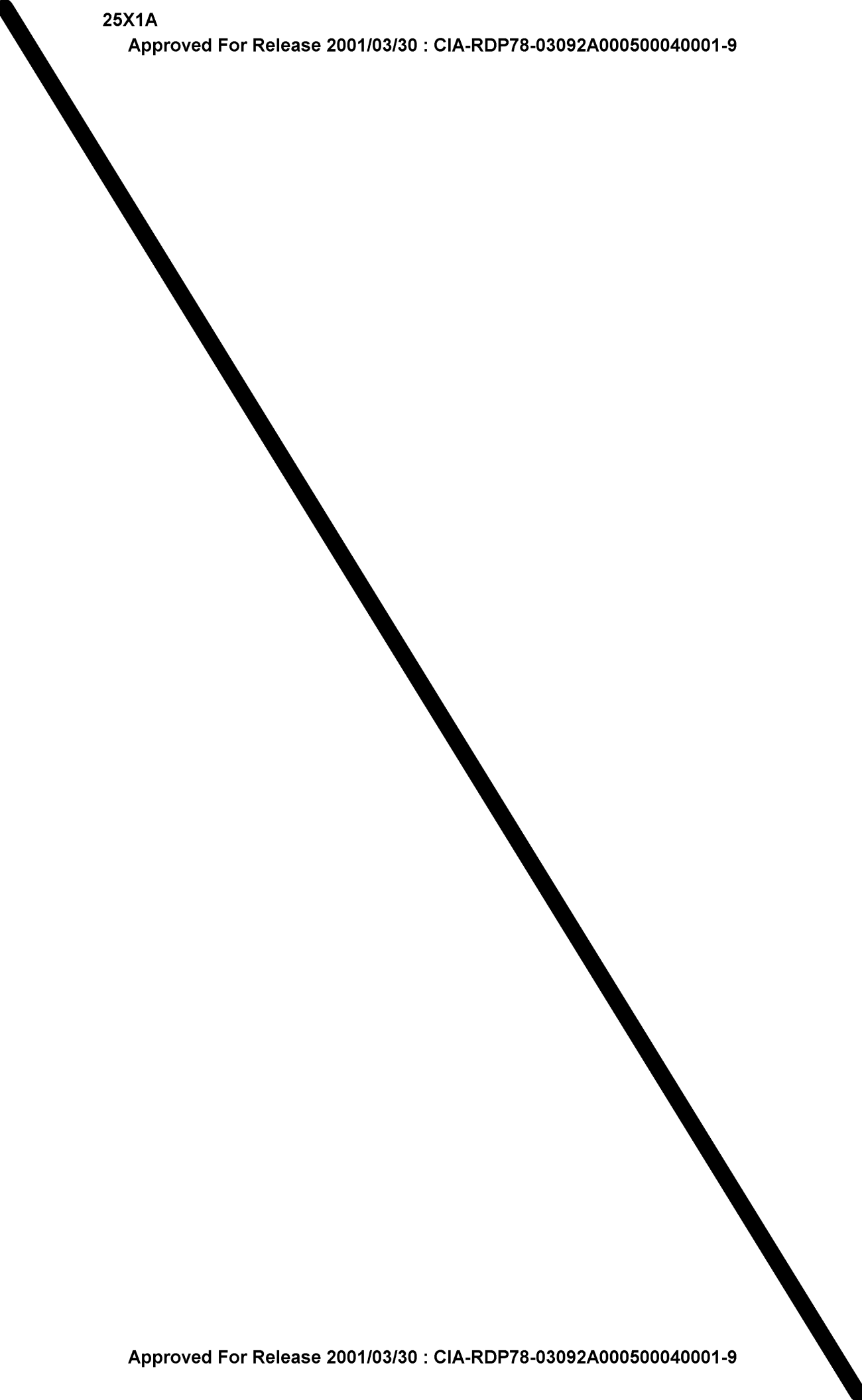
[redacted] That is true, but he doesn't know which way--

[redacted] doesn't have to.

[redacted] Doesn't know whether he is going to get three and three-quarters percent or not.

25X1A9a [redacted]: But he has earned it and I don't see any reasonable basis for stalling. 25X1A

[redacted]



25X1A9a [redacted] I suggest if we find this duty to be qualifying we make it a formal matter of record that all similar cases will be handled identically.

25X1A9a [redacted] I don't see how you can approve this one and not others like it.

25X1A9a [redacted] Harry, is this causing you a problem here?

No, I'm trying to rationalize in my mind how much of a workload would be imposed on us -- and I'm not talking just about this case, I'm talking about being asked to determine qualifying service at various stages of people's careers when we don't know yet that it's even essential that we sit in judgment. This is a sort of first rationale--

25X1A9a [redacted] If everyone agrees this is qualifying [redacted]
25X1A service it is no more difficult to figure out this than [redacted] service -- it just automatically is.

25X1A9a [redacted] Okay -- but then you are not saying qualifying service generally, you are saying this particular area only.

MR. GEORGE MILLER: As a precedent, you're surely setting that up.

25X1A9a [redacted] What about phrasing the Board action like this: In view of the imminent retirement -- "imminent" is an open-ended word --
25X1A9a in view of the imminent retirement of [redacted] the Board has reviewed his case and has found certain of his domestic service as qualifying for participation in the CIA Retirement and Disability System.

25X1A9a [redacted] That would take care of this case.

MR. GEORGE MILLER: Then when another case came up if the man wanted to do it when he was 35 years old his case wouldn't be considered, but if he was getting close to retirement it could be--

25X1A9a [redacted] But doesn't a man who has just been with the Agency 10 years have a right to come in and say: You have given me credit for four years of overseas service, and I feel that I did a tour of duty at headquarters

in a particular type of function which I believe under the Act is qualifying. Doesn't this Board therefore have to sit down and take a look at that man's case that comes before us?

25X1A9a [redacted]: We would say: What is your intent-- Many of these men may be 49 or 50 years of age. If they are in the System they would have the option of retiring at 50 -- and if they're not, they have no option until 55, at the earliest.

25X1A9a [redacted] All right, if a man says it's his intent-- But he may not want to tell you that. He may not have made up his mind. He has a right to have his case adjudicated.

25X1A9a [redacted]: I'm worried about the large mass of people-- We have sort of indicated anyone in DD/P who has been working in support of clandestine operations it could sort of be counted as qualifying service. Now what would keep people who wanted to clear the air for themselves -- whether or not they have other tours ahead of them -- to submit a paper at age 36 and say: For the last three years I have been sitting at a desk supporting overseas operations, and I would like to have this determined to be qualifying service. Are we going to listen to all of those at this time?

25X1A9a [redacted] I think we have to listen to anyone who presents his case. Now I don't think we want to encourage the kind you just talked about -- but I think the man has a right to adjudication.

25X1A9a [redacted] We shouldn't consider anyone under 50 years of age ....(inaudible).....

25X1A9a [redacted] I don't think it would stand up. According to the criteria, if you have 18 months of qualifying service you are eligible to come into the System with five years' service; with 36 months you are eligible to come in with 10 years' service. So you could have a man who was not yet 30 years old - or just 30 - with 18 months of service, who could ask for admission into the System, and you would have to consider his case -- and whether it was domestic or overseas, it wouldn't make any difference, it seems to me.

25X1A9a [redacted] There are a few people sitting in OC who have four-years-plus of qualifying service, and they have asked -- and can truly make a pretty good case that they have been working in support of clandestine operations. Do we say when you get closer to the wire, when you're ready to retire then you come forward and you say how about this six months? Once this gets around it seems to me all these people are going to be coming in and asking for a determination right then and there whether or not they have it. They have been redlined up to this point -- they have been redlined by their individual components on the basis they didn't serve overseas--

25X1A9a [redacted] What kind of service do [redacted] they think might be qualifying.

25X1A6a [redacted] Harry, don't think for one minute there aren't a hundred people standing in line to see how we rule on [redacted] That is what we are really dealing with.

25X1A9a [redacted] That is why we want to be sure we aren't just talking about certifying domestic [redacted] service. We are really saying anything outside the continental limits of the United States, [redacted] has now 25X1A6a been designated as qualifying service -- if we really want to do that -- and that wouldn't open up all these others. But we have [redacted], for example, 25X1A9a and he has been in charge of the whole covert collection program for us, and he needs six months, and he has been after me, and I say, "Wait until you are 25X1A9a ready to retire and we'll see." And [redacted] is another one who has been ..... in support of clandestine operations abroad, and will we give him the six months? They are all waiting until the point of retirement when we can really look at the thing in total. I'm concerned about the workload we will be imposing--

25X1A9a [redacted] I don't think it's a matter of workload. We can't base our decisions on whether it's going to be tough on the Board or not.

25X1A9a [redacted] Well, an unnecessary workload -- people who if they waited would have five years of honest to God [redacted] overseas service.

25X1A9a [redacted] Harry, the Act and the Regulation both call for the five, ten, and fifteen year review. Now it's possible that on the 10 year review you might find a fellow only (30) years of age and we say, "Sorry -- you can't stay in the System any longer because you have only 32 months of overseas service." Now a piece of paper must evidently leave the Office of Personnel or somebody telling him we are going to take him out of the System -- at least that is what we told the Congress we would do. Now, this fellow says: "Yes, but I did a tour at headquarters in what I think is qualifying duty." He has a paper that has told him, and all of the Bulletins we put out said to him: If you are turned down and you think you have been affected adversely, you have a right to appeal to the Board. I don't see how we can then tell them - "Sorry -- why don't you wait until you are about 50 or until you get another [redacted] tour overseas." We have to sit down and decide that question.

25X1A9a [redacted]: Okay, if you say we review them to see whether or not to put them out of the System, that is a fairly orderly system. What I'm afraid has happened is there is a fairly large body of people who were not brought into the System when we first got [redacted] started, we just redlined them because they didn't have five years. Didn't we tell all those people we were just looking at overseas service the first time around?

25X1A9a [redacted]: The Agency didn't tell them. Maybe [redacted] the Career Service components did.

25X1A9a [redacted]: Why couldn't the Career Service now at this
25X1A time say: The Board has reviewed service in [redacted] from the time of the 25X1A6a inception (March 1968?) [redacted] qualifying service. [redacted] om now they might hav [redacted] allation, and it might be an entirely different story--

25X1A9a [redacted]: A full tour? a normal type of tour?

25X1A9a [redacted] Are these dates the dates this man was there? Why not limit it to the dates this man was there?

25X1A9a [redacted] Because we are dealing with a type of service at this location during a span of time. The fact that he was there only part of that time--

25X1A9a [redacted] I don't mean if another case came along with somewhat different dates, if the conditions were the same-- We don't want to go too far in establishing a precedent--

25X1A9a [redacted]: We can review the past but we can't foresee the future.

25X1A9a [redacted] We are acting on the knowledge of some of the Board members [redacted] Why don't we just say service such as his is qualifying, and leave dates out of it -- and look at his case. 25X1A

25X1A9a [redacted] I thought the object of the exercise was to find that service [redacted] qualifying.

25X1A6a
25X1A9a [redacted] I didn't think of it in those terms. I just looked at the facts of this case.

25X1A9a [redacted] Of course, those will be the same facts-- Do you want to handle a single case and possibly do a disservice to other people who don't have sense enough to ask for this service?

25X1A9a [redacted] I'd have no trouble with what Emmett just read. The (dates) don't really bother me. I have

25X1A9a no trouble with yours (indicating [redacted]

25X1A9a [redacted] Does anybody need anymore discussion as to the nature of this service to make a decision?

25X1A9a [redacted] But we are not making a decision now that we will accept and review all requests for a determination of qualifying service at any time.

25X1A9a [redacted] We have always been hoping to do that. But that is not a part of this at all.

25X1A9a [redacted] It is unless you use Alan's words-- I'm sorry, but we're going to throw this area into the category of qualifying service--

25X1A9a [redacted] I'd like to just say we considered this case, looked at his overseas service, his domestic service, we have reviewed the facts presented, as well as testimony by members who have personal knowledge of conditions there at that time, and on the basis of the [redacted] record as a whole consider this man qualified for the System.

25X1A9a [redacted] I'm sorry, but aren't you kind of ducking the policy issue? Are we or are we not going to consider any request for determination that a given period of service, anywhere, is qualifying--

25X1A9a [redacted] But let's not decide now what our decision is going to be when the request comes up.

25X1A9a [redacted] I agree with the way you put it, Paul. I think we ought to dispose of this case on that basis. We on the Board are establishing somewhat of a precedent for ourselves in considering future cases.

25X1A9a [redacted] I think your suggestion is excellent, Paul. Okay, the consensus seems to [redacted] be we should handle this on an individual basis.

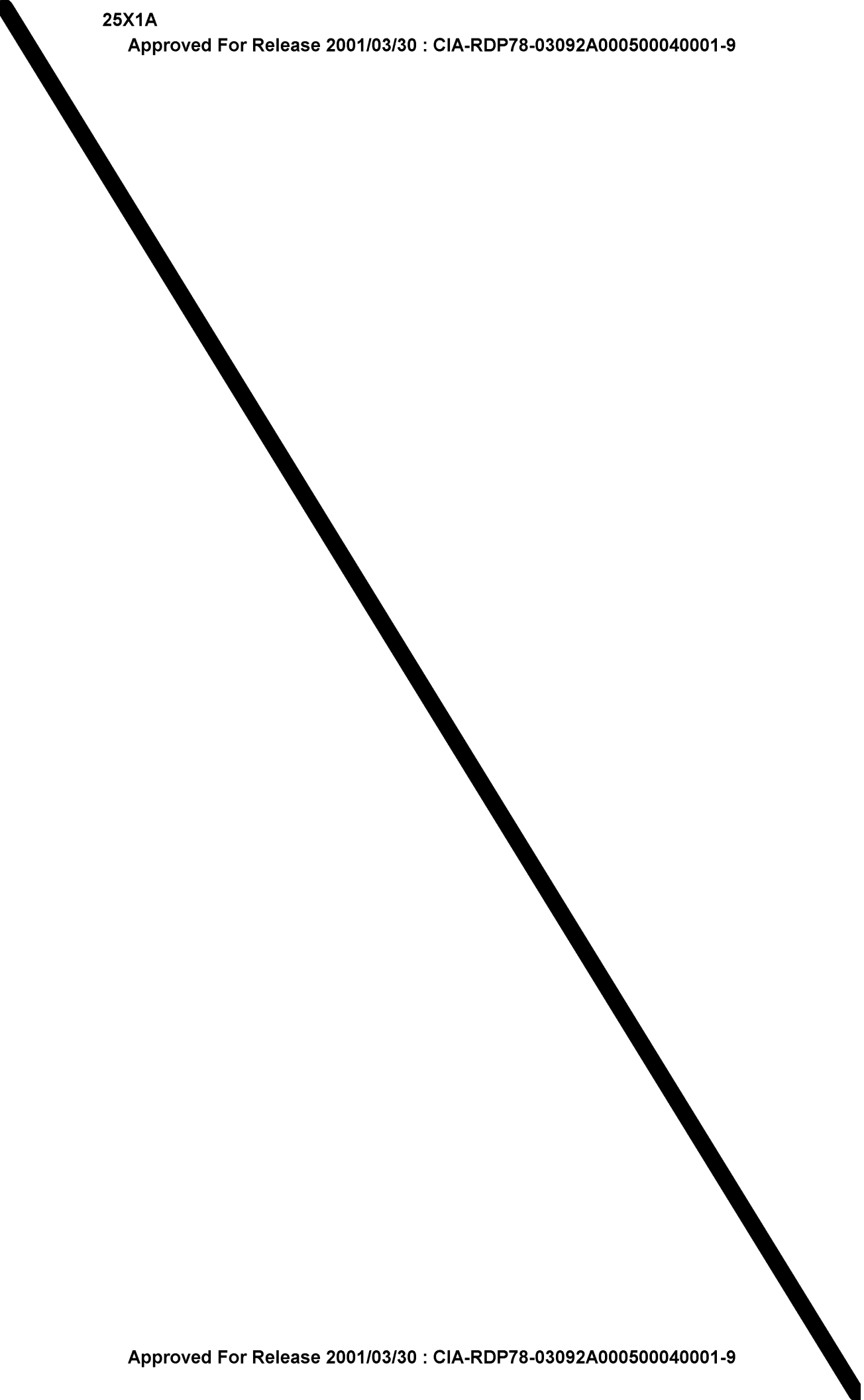
25X1A9a . . . [redacted] suggestion was then approved by the Board . . . .

25X1A9a
25X1A9a [redacted] The next case is [redacted] -- a total of 50 months and 29 days of verified qualifying service.

25X1A9a [redacted] I understand that between 1951 and 1954 he operated away from this building in town under a cover -- and I find no problem in seeing this as being [redacted] distinguishable from normal Government employment, and I move that we accept him [redacted] as a participant in the System.

25X1A9a [redacted] Second. Actually, this one goes a step further -- although again it isn't made clear -- he is going to retire.

25X1A9a [redacted] I can decide this case outside of the fact he is going to retire.



25X1A9a

[redacted] There were extenuating circumstances in this case. She was asked to stay on, and it was kind of indefinite--

25X1A9a [redacted] I talked with her employers [redacted] yesterday on ILLEGIB this, because it bothered me, because I felt the members of the Board would say she was seeking the better of two worlds at this point. I was particularly concerned over the fact that [redacted] had she appealed the [redacted] case in 1965 when she was told she could not be a participant in the System, and had won at that time, she would have had to mandatorily retire in 1966 -- and I felt that that question would be a question here. So I talked to her supervisors yesterday. They told me that she did not appeal simply because she was lacking only two months and a fraction, and she felt that within the two years she had she could get her two months. Subsequently they asked her to stay on because they were very short-handed. And it wasn't until January of this year that the reorganization in that office caught up with them and they arrived at the decision that they could not ask her to extend -- had she been in the System they could still have asked her to extend, I suppose -- but they decided at that point they had to get rid of some number of slots and they were sorry but they couldn't extend her. She felt all along she was going to be asked to extend, and that was the reason she didn't make any effort -- and she felt within the two and a half year period left to her before retiring that she could definitely get her two and a half months. So I was looking at it from the question of good faith on her part, and her supervisors told me there was every indication of that.

25X1A9a

[redacted] I think we might look at this case in conjunction 25X1A9a

25X1A9a with the [redacted] case. The Director, as you know, when [redacted] applied at age 62 for the CIA Retirement System, and for which he had met all the criteria, the decision was negative. But then looking to the equities of the

25X1A9a situation, in [redacted] case he specifically turned down the CIA Retirement System in favor of continued service under the Civil Service System, and then belatedly tried to get back - tried to get his cake, and he had already had it.

This case is distinctly different in two ways. One, from

the simple equities, she is only lacking two months and nine days. Another thing, there is no indication that on her part she really ducked the CIA System in order to remain in service for the additional time.

25X1A9a [redacted] May I add another thing to that? You will notice on her Biographic Profile that for a period of about eight months she was working with the T [redacted] from November 1958 to July 1959. She was working as an officer with the [redacted] boys during that time -- this was [redacted] for the [redacted] obtaining of codes -- and did a very excellent job -- and this would certainly be one of the functions she would never be able to talk about on the outside.

25X1A 25X1X4 25X1X4

25X1A9a [redacted] She was doing that herself?

25X1A9a [redacted] Not doing it [redacted] herself but she was involved in the operations, I understand. It wasn't the case of a stenographer sitting there doing typing.

25X1A9a [redacted] I heard you, Mike -- but a few months of sensitive work that one can't talk about, doesn't really add anything, in my opinion.

25X1A9a [redacted] I don't have any problem with this one. Why was it she didn't appeal the finding that she was not eligible?

25X1A9a [redacted] The story seems to be she fully expected at that time she would have little trouble getting the couple more months required.

25X1A9a [redacted] I move her acceptance.

[redacted] Second.

[redacted] I think I had a prior motion on the floor that contained this language about -- (Reading): The Retirement Board recommends the approval of [redacted] request to become a participant in the System and to retire on 30 April 1968. [redacted] With this action, however, the Board intends to adopt the policy henceforth of [redacted] considering any application of an individual who has passed his 60th birthday as an evasion of the

25X1A9a

statutory requirement for retirement at age 60 under the CIA Retirement Act.

25X1A9a [redacted] I don't favor that, because there still might be a case such as this one where we would not consider it an evasion to have had such a thing happen. And I don't see that we are benefitting anybody by going on the record -- and if we do go on the record on this point, I would rather see the two matters separated.

25X1A9a [redacted] I think the crucial question in this case and any other case we may get in the future is whether there is evidence of evasion or evidence there was no evasion. Now if you say any case hereafter, then we're shutting the door to other cases that are as meritorious as this one.

25X1A9a [redacted] It depends what you consider policy. [redacted] Policy is not law.

25X1A9a [redacted] But I'd modify your statement to say that where there is evidence of evasion--

25X1A9a [redacted] Who have we instructed and what guidance have we provided by going on the record with that statement? Who is going to be helped?

25X1A9a [redacted] We could do this. Instead of [redacted] making policy, Alan, say: The Board henceforth will adopt the attitude that cases involving continuation of service beyond age 60 will be viewed as evasion of the mandatory retirement provision in the absence of evidence to the contrary--

25X1A9a [redacted] Couldn't we get the same thought in here by saying we are approving this because after careful consideration it was determined that there was no intent [redacted] at evasion. This would convey the same sort of idea--

25X1A9a [redacted] Twist it around the other way, saying: The general policy of the Board is to review with care any cases that go beyond 60 on the presumption there has been an attempt to evade the basic policy. We have done so in this case and find no such evidence of evasion, and for this and other reasons approve it.

25X1A9a [redacted] I don't have any problem just as long as some note is taken that we took cognizance of this. Because as we open the door to [redacted] -- because if it depended on duty a [redacted] I wouldn't even raise the issue of 62, provided somebody wanted to stay on an additional two years. I think we ought to have some language in there to say we don't like this coming up at age 62 to get back into the System.

25X1A6a 25X1A6a 25X1A9a

25X1A9a [redacted] Is [redacted] language satisfactory to everyone? Do we have a motion to approve the case using Paul's language? Anybody so move?

25X1A9a [redacted] Excuse me -- what are you justifying this case on?

25X1A9a [redacted] The simple findings of the Clandestine Services Career Board.

25X1A9a [redacted] I sure don't want to say because she worked in

25X1C [redacted] As a matter of fact, the Director has been known to say he wasn't going to keep somebody from retiring because of a few weeks. You could do it almost on that basis. I realize we don't want to say two months or three months. So it's a lot of facts together--

25X1A9a [redacted]: On the basis of her entire record you found an additional two [redacted] months of qualifying service.

25X1A9a [redacted]: That is the basis on which I find it. Okay.

25X1A9a

The next case is [redacted], extension of (7) retirement date from June 30 1968 to January 31 1969 -- a little more than six months.

MR. GEORGE MILLER: I think the DDS&T position is pretty well stated here.

25X1A9a [redacted] I think it is, too. I'm informed she has already had one 6-month extension.

25X1A9a [redacted] The differente in annuity is not insignificant - $335.00.

25X1A8a [redacted] What is the 5-year letter status of this case? Is this a case where two years would cut off her notified--

25X1A9a [redacted]: No -- it will be 60 and 30.

If she could be kept gainfully employed, I personally would have no objection to her being continued for six more months provided she works with the Outplacement Office to try to find something. This girl has a number of debts, as I remember, and it looks like she is going to have to work for some time after she retires. Do we know if she has worked with the Outplacement Office to try to find something on the outside?

25X1A9a

MR. GEORGE MILLER: I talked with [redacted] about that and he said she apparently was making no particular effort.

25X1A9a [redacted] I fully expect another request for extension from her.

25X1A9a [redacted] She says in her memo: "I am asking further that consideration be given to the postponement of my retirement date to January 1970."

MR. GEORGE MILLER: I think a pertinent point here is the area in which she is working has been drastically reduced and is being further reduced -- and I believe that's the NIS type of reports.

25X1A9a [redacted] Well, her request just doesn't seem reasonable, that she wants to pay back all her debts and at the same time build up a substantial savings account for after retirement.

25X1A9a [redacted] She hasn't done so in the past 20 years-- She will have more than $1200 coming to her in a lump sum for her annual leave.

25X1A9a [redacted] I'd be inclined to follow the recommendation of Carl Duckett.

MR. GEORGE MILLER: I'd be inclined to vote against extension.

25X1A9a [redacted]: (Reading) "I am satisfied every attempt has been

made to make her aware of the implications of retirement and repayment to the Civil Service retirement fund. I would question that an extension of six months would materially resolve her problems." This was Carl Duckett's statement.

25X1A8a [redacted] I doubt if she would be any better off seven months hence. And she can solve a lot of her problems with this $1200.00.

25X1A9a [redacted] If we are going to recommend the extension not be approved I think it would be worthwhile to add, for the sake of those who review our action, that the Board observed that many of the financial problems she mentioned will be overcome by the receipt of some $1200 in a lump sum in terms of leave time.

25X1A9a [redacted] Could she at this point go back and pay into the Civil Service retirement--

25X1A9a [redacted] She would have to pay it in before retiring, but she could go to the Credit Union and borrow $500.00 and sign a power of attorney and the minute she gets her lump sum leave payment the loan will be paid off. I think she should be so advised, though, in case she doesn't know this.

Has anybody got a motion to make on this case?

MR. GEORGE MILLER: I move the extension not be granted.

25X1A9a [redacted] Second.

The extension is denied.

25X1A2e Case No. 7, [redacted] On Social Security benefits hasn't the age been lowered to 62?

25X1A9a [redacted] Only for women.

Men can take it at 62 with a reduction in the amount.

25X1A8a [redacted] Did this man receive a 5-year letter?

25X1A9a [redacted] Yes. This is a case where he has received two of them. This is the case of a man saying: I'd like to go back to my age 62 according to the first letter that you sent me -- and to deprive him of these 17 or 18 months here, is harmful to him, he says.

25X1A9a [redacted]: Oh, he's one of the fellows who at 57 was told he could go to 62. I was all set to vote against this man, but that changes my mind.

25X1A9a [redacted] Is he returning to his original age 62 date?

He has never left the 62 date, I guess.

Can they utilize his services?

25X1A9a [redacted]: They say so.

I notice [redacted]s memo is dated November, 1967. But what is said here still stands, I take it -- I mean, in view of the fact that we've got an overseas reduction and a lot of other problems. That memo was written in November of 1967.

[redacted] He is not affected by it.

25X1A9a Anybody wish to make a motion?

25X1A2e I move that [redacted] request for extension be approved.

[redacted]: Second.

. . . This motion was then passed . . .

25X1A9a

25X1A8a [redacted] Murray, there's the case of [redacted] which is parallel to this. Is that case coming up soon?

25X1A9a [redacted]: I haven't had any paper work on it.

25X1A8a [redacted] Oh, I thought we had submitted a request sometime ago.

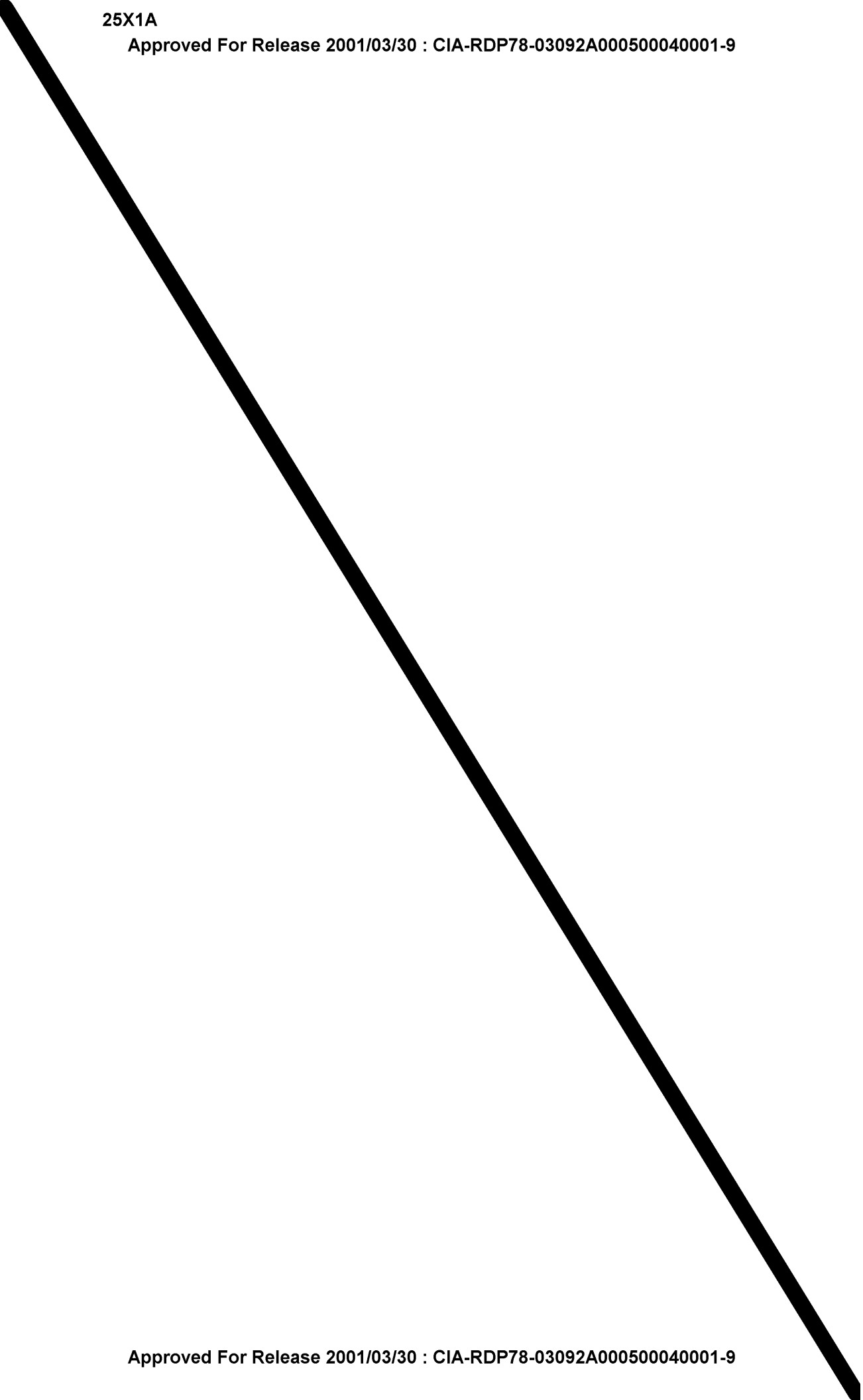
25X1A2e

25X1A9a [redacted] Could we indicate we granted [redacted]s extension because he had been previously advised he could go to 62.

25X1A9a [redacted] We could explain that consideration was given to--

Yes, I would think so.

I think that might be in explanation of why we added more than a year here.



25X1A9a

[redacted] is in the No. 2 category, in which there are about (135).

25X1A9a [redacted] I think [redacted] is one of very few, if not the only 25X1A9a

Estonian linguist.

25X1A9a [redacted] The last time we looked into this we found that no matter when this fellow leaves the Agency it will be a loss to the Agency.

25X1A9a [redacted] When the extension for [redacted] was 25X1A9a

approved in December 1967 it came back from the Executive Director, but perhaps we should send a memo in and lump these together rather than give all of these to him separately -- there are five of them -- two more to go.

25X1A9a [redacted] Each of their Services say they can use these people -- [redacted] and it's a very important benefit for these people to have.

25X1A9a [redacted] I move we extend these three, in keeping with the dates as set out here, in order for them to obtain their twelve years of service.

. . . This motion was then seconded and passed . . .

25X1A9a

[redacted] I was asked to firm up the instructions on the timing of requests for extension to make sure they got in early enough, etc., and when I attempted to do so I found that the instruction had already been worked up between Mr. Wattles, Director of Personnel, and the DD/S. I thought the Board ought to review it and see if the system seems sound, or if it needs to be supplemented, or perhaps needs wider distribution. I thought you better look at it first.

25X1A9a [redacted] I have one general comment. On a thing like this it seems to me that more and more some of these things are slipping out of the supervision of the line supervisors, and it seems to me that [redacted] 25X1A9a staff ought not to get into the act until a case has been referred to them by the Directorate in charge giving them a tentative or a fixed date for retirement.

25X1A9a [redacted] I thought [redacted] staff was mostly 25X1A9a triggered by the individual going to them.

25X1A9a [redacted] Paul, I had sort of the same reaction -- but isn't all we are saying here, command has a chance long before this to request an extension or decide not to request an extension -- and this is just a safety measure, that if they got to their last year and nothing has been done they will get in touch with you to be sure you have no intention of doing anything--

25X1A9a [redacted]: Take paragraph 3.d. -- who is going to decide whether or not the guy is going to be in a position to request an extension. There are going to be consultations between [redacted] staff and the individual 25X1A9a as to what his retirement is going to be or what he thinks it ought to be. It seems to me this puts that staff in the chain of command.

25X1A9a [redacted] In the sense the Retirement Staff can talk with people in the years before their retirement, and some guy might say - "Well, I've got a problem - I can't afford to retire" -- and it may be a matter [redacted] of getting another job, for example -- this is bound to come out in personal consultation. It seems to me in paragraphs d. and e. all they are going to do is if the request isn't under way or hasn't come in, they're just going to alert command that they have a problem.

25X1A9a [redacted]: It says if they have not learned from the office responsible of an intent to submit a request for extension then they will initiate a review [redacted] with the office.

25X1A9a [redacted] They're not going to interfere. They're not going to promote anything. They're just going to alert the office.

25X1A9a [redacted] This is the same thing that [redacted]
25X1A9a expressed some concern about at our last meeting. I think it's going to very clearly imply--

25X1A9a [redacted]: When the man comes in every year (to RCPS) he should be able to say - "I've already talked with my boss and he says he's going to request an extension for me" or "he isn't going to do this." That ends the retirement counselor's problem. But if the man says, "We haven't really discussed it but I'd like to have an extension" then the man gets in touch

with you and you confirm whether or not you intend to do it. It's only to keep it from coming up six months before he's ready to retire, and to be sure that it's settled a year before.

25X1A9a [redacted] It says, "RCPS will serve as the control point on requests for extensions." That is where it expresses who is boss here -- and perhaps that was not intended, and maybe it won't work that way, but in fact I had two other people read this and they came to the same conclusion I did.

25X1A9a [redacted] I think this might [redacted] happen, Paul -- as I read paragraph e., they do talk about a joint review -- I think we might learn from the employee that he has real problems that he may be reluctant to discuss

25X1A9a or has failed to surface with his employing office -- so [redacted] s able, then, to say - "This guy has a tough problem" --

25X1A9a [redacted] I thought this staff (RCPS) was primarily to make the landing soft once it had been determined when the man was leaving -- this was essentially to help him get ready. But as far as when to do it, and how valuable he was to his Service, that they weren't going to get into that kind of discussion with the employee.

25X1A9a [redacted] The purpose is to condition the employee to get him thinking about it and acting on it early in the game. And the counseling period can cover as much as five years - by invitation. There are lots of things that can come up during that time.

25X1A9a [redacted] Again, Paul, if in counseling the man before that last year the fellow says - "I've got young kids, and I don't really want to retire" - then all the counseling staff could do is say - "You better talk to your Career Service" - or "You better initiate action in your Career Service." What we are trying to stop from happening - and what has happened an awful lot - is that three months ahead of time, or six months ahead of time the component gets compassionate and says - "All right, we will honor this man's request."

25X1A9a [redacted] Also, there have been cases where the employee gets an implied statement or feeling from his immediate supervisor

that - "Well, yes, maybe we can work something out" -- it hasn't gotten up to the command level -- and he goes in to see the counselor and says - "Well, I understand I'm going to get an extension."

25X1A9a [redacted] If you have a good career management system within a component, the Retirement Staff should never have to do anything about this -- it should all have been talked over with the man and he should know exactly where he stands.

25X1A9a [redacted] I received a call from the Clandestine Services Personnel Office informing me that they have five requests for extensions from people who are scheduled to retire in April and June 1969, and August 1972, and they're wondering what they should do - whether to send them to the Board -- would the Board entertain them this far in advance? or should they tell the employees that it's too early?

25X1A9a [redacted] Well, it is too early. Does this memo of Wattles' cover this point at all?

25X1A9a [redacted] In the DD/S we have - not a rigid policy but we have encouraged all the Career Services to submit their requests no earlier than one year in advance.

25X1A9a [redacted] Most of these people were affected by the recent change in policy. I don't know about the one in 1972, but all the others went back--

25X1A9a [redacted] I'm not sure that it isn't a Directorate problem-- Whether they want to submit them or not-- Whether they are that clear that ... (inaudible) ... They might have some management reason that might be valid -- maybe they want to plan on sending them overseas for three years.

25X1A9a [redacted] But if the Career Service did submit them, the Board would entertain them?

25X1A9a [redacted]: Well, in the DD/S there are a lot of people that don't have high grades and they're probably going to have to continue to work,

and we felt that by giving them a guarantee for two years this should work to their own advantage, because they ought to be out looking for a job.

25X1A9a [redacted] That is the second part of this thing -- do it one year in advance and don't ask for more than one year at a time. That's the DD/S. Now I don't know how you feel about it, Emmett. There could be cases where for planning purposes a decision is needed two years ahead of time.

25X1A9a [redacted] The grades here are 6, two 7's, a 9 and a 12. [redacted] I think the DD/P probably has a different problem -- if it's a man they would like to send overseas, that's a different problem.

25X1A9a [redacted] Well, why wouldn't something like this be desirable -- at least so we can answer telephone calls. It seems to me from all the advice and guidance we've gotten from topside regarding the Agency's manpower situation, that we do not desire to consider requests more than 12 to 15 months before scheduled retirement date, that we would like requests to be received 12 months ahead of time so that the individual still has some planning time, and beyond that we recognize there will be special circumstances wherein earlier requests may be necessary in order to schedule possible overseas tours, which will necessarily come in earlier than that. What more can you do?

25X1A9a [redacted] I was wondering -- it seems to me it's not a matter of the calendar so much as getting them before the Board as soon as it is known that an extension will have to be considered--

25X1A9a [redacted] As soon as it is known?

25X1A6a [redacted] -- because as far as management is concerned -- and I've talked to some of these managers -- they say, "Look, how can I plan? I'll bring in a guy from [redacted] how can I plan rotation two or three years in advance? - which you must do at some of these places." So they're asking for more than a few months.

25X1A9a [redacted] But how can the Agency plan what its manpower

requirements are going to be three years in advance?

25X1A9a [redacted] Not three years in advance -- but if you have a case where you know they are not going to have 12 years of service, and that we're going to grant it, and the situation is not going to change, why not consider it two years in advance?

25X1A9a [redacted] Well, Emmett's phraseology said we recognize that there would be [redacted] special cases which would require different handling--

25X1A9a [redacted] But I would disagree with your statement, Paul, that the situation is not going to change, because we don't know what contractions this Agency might be forced to carry out.

25X1A9a [redacted] Murray, wasn't the last one you mentioned for 1972? That's four years in advance. It seems to me you have to put some sort of a limit on it, otherwise it might get ridiculous -- some people might come in at age 50. But one year in advance seems to be cutting it too fine--

25X1A9a [redacted] I think in the case of the one year that we nevertheless have to hear and consider a man who may come in only a week before he is going to retire and say, "I want to extend" -- we can't say, "No, you're too late."

25X1A9a [redacted] I think the way that Emmett worded it, gives flexibility.

25X1A9a [redacted] The two they have in April and June 1969 should be submitted -- and maybe the October one should.

25X1A9a [redacted]: Why not say this: Requests for extension of service should normally be submitted not more than 18 months nor less than 12 months before scheduled retirement date. The Board recognizes that exceptional circumstances may require earlier submission for the orderly planning of assignments and that later submissions will occasionally be necessary.

Now, how do you want to distribute that? to each Career Service?

25X1A9a [redacted] I think all of the Career Services should follow the same guideline.

25X1A9a [redacted] Yes, that's the point here. The guideline the CS is following now is they have to apply to the CS nine months before -- because, you remember, that was the policy--

25X1A9a [redacted] The original deadline was they have to be in Col. White's hands six months ahead of time for an extension.

25X1A9a [redacted]: Have we ever issued any guidelines on how much advance notice we need for a voluntary retirement?

25X1A9a [redacted]: No. That would be useful. We had one fellow that came in on Monday and said "I'm leaving Friday" -- and he was a Division Chief!

25X1A9a [redacted] Nothing we can issue is going to keep that kind of a case from coming up.

25X1A9a [redacted]: If I could just submit one more little change in that phraseology about exceptional circumstances. I would think maybe say exceptional circumstances could make it desirable from both managements and the employee's viewpoint -- desirability -- because I can't think of any situation where you're going to have a "must" --

25X1A9a [redacted] I don't think I used the word "must". Point out that it's both from management's and the employee's viewpoint. Encourage managers to think about this too.

25X1A9a [redacted] I'll try to draft up something that can be disseminated to each of the Career Services. I'd like you to see it at the next meeting, before we actually go out with it.

This proposal in Bob Wattles' memo was approved by Col. White, so this is the procedure unless we wish to object to it. Are there any compelling objections to this procedure?

25X1A9a [redacted] I'd like to show this to [redacted] first, 25X1A9a

25X1A9a

because if he's going to replace [redacted] on the Board, I'd like to have him see this.

25X1A9a [redacted] I would only urge, don't view this with suspicion -- because I honestly think its sole intent is to be a checkpoint which would alert the office concerned. Nothing else. They're not going to negotiate--

25X1A9a [redacted] I wasn't sure this clarified [redacted]
25X1A9a concern.

I want to thank the members for their agreement to a change of day for our meetings so I could participate.

25X1A9a [redacted]: Paul would be unable otherwise to attend our meetings for some 10 weeks or so. And I found several people actually preferred to meet on Thursdays. Why don't we try it on Thursdays and see what comes up. Is Thursday a bad day for anyone?

25X1A9a [redacted] I prefer Tuesday to Thursday -- but it doesn't make that much difference.

25X1A9a [redacted] You prefer Thursday, don't you, Alan?

[redacted]: I have a Board meeting nearly every Tuesday at 3:00 o'clock, and one Tuesday a month I'm always out all day.

[redacted] All right.

25X1A9a I make a motion we take up the [redacted]
25X1A9a case at our next meeting. We've been at it here for two hours. And this is a complicated case.

25X1A9a [redacted] They want him to retire 30 April.

This is the case of [redacted] 25X1A9a
This is a discontinued service case.

[redacted] Why don't they just fire him?

25X1A9a He won't get retirement.

He is 47 with 25 years of service--

[redacted]: On the [redacted] basis of 25 years' service and

discontinuing his function.

25X1A9a [redacted] (Continuing): -- and it seems to me a very appropriate case of a man who is not able to take a particular assignment and that we use this way of getting rid of him without a complete loss of annuity to him.

25X1A9a [redacted] What is your question, John?

[redacted] This case is a lot more complicated than meets the eye. I have a great deal of trouble with this question of not [redacted] being able to take an assignment. Five out of the 10 years he hasn't done a lick of work.

25X1A9a [redacted] That is what bothers me.

[redacted] I know it's late, but I want to look into it some more -- because this case has been in and out of our office for a number of years.

25X1A9a [redacted] We could hold a meeting next week to consider this case.

25X1A9a [redacted] I didn't know that it was coming up today.

[redacted] On the surface this looks like a real good management out.

25X1A9a [redacted] What are the alternatives for management? You could fire the man for cause, or you could terminate him because he hasn't a job. In the one case he would be eligible for a [redacted] discontinued service annuity, and in the other case he wouldn't.

25X1A9a [redacted] That's right.

[redacted] So why is it complicated?

[redacted] Just want to make sure -- at least decide as far as my own conscience that we are looking at it in the right way.

25X1A9a [redacted] Is your point that we should be looking to see whether he should be fired for cause?

25X1A9a [redacted] No.

25X1A9a [redacted] Well, then, if his service is discontinued for any reason, he automatically is eligible for an annuity if he has 25 years of creditable service.

25X1A9a [redacted] It's involuntary retirement under the CIA System and it's discontinued service under the Civil Service. It's 50/20, or any age with 25 years of [redacted] service.

25X1A9a [redacted] He couldn't have discontinued service -- I mean, he is qualified for involuntary retirement under the CIA System.

25X1A9a [redacted] Under the Act [redacted] itself it's at any age if he has 25 years of Government service?

25X1A9a [redacted] If this is not a "for cause" case. I don't see any problem here.

25X1A9a [redacted] You would almost have to kick him out of the CIA System before you could give him a discontinued service --

25X1A9a [redacted] He isn't in the [redacted] CIA System -- that's part of the problem -- unable to accept an assignment in Saigon, which he was offered. That bothers the hell out of me.

25X1A9a M[redacted] He does have qualifying service if this General Counsel's memo-

M[redacted] I'd rather have a special meeting. I'm a half hour late for a retirement party right now.

25X1A9a [redacted] What additional information do we want for a special meeting?

25X1A9a [redacted] Apparently [redacted] wants to do some 25X1A9a homework.

25X1A9a [redacted] And I'd like to study this some more before we discuss it.

25X1A9a [redacted] Are we making the point he doesn't meet the six qualifications for being a participant in the CIA System?

25X1A9a [redacted] I'm not satisfied that he is qualified, in view

of the record here, because of inconsistencies. It says he was offered an assignment but was unable to accept it -- I don't know what that means -- and I was under the impression we would like to have people go to Saigon, particularly a man with these technical qualifications.

25X1A9a [redacted] There is a question on whether his service is valid, is that it? (Reading from OGC memo dtd 18 March 1968) "...it is our opinion that that period of time from 17 February 1949 until 9 October 1951 should be creditable for satisfying the 25 year minimum period for involuntary retirement under the age of 50 but may not be utilized in computing the annuity he is to receive, in that this was non military time for which no contribution was made to any Federal retirement system."

25X1A9a [redacted] It has nothing to do with qualifying service-- He had service but it didn't entitle him to an annuity. How come we don't have a fact sheet with how much annuity he's going to get, and all this business? This just seemed to me awfully short notice to bring in a case like this.

25X1A9a [redacted]: I just got it two or three days ago. [redacted]t looks [redacted] like the tougher the case, the less time we have to consider it.

25X1A9a [redacted]: When do you want to schedule the meeting?

25X1A9a [redacted] A week from today?

25X1A9a [redacted] A week from today.

I suspect we are going to easily find qualifying service in view of the staff agent status from October 1955 to September 1961 -- which is six years -- followed by career agent status. He appears to have 67 months of qualifying service. I would think that would be the governing consideration.

25X1A9a [redacted] I'd like to see what the impact of his retirement would mean under both systems, in view of the fact that some of this service doesn't count.

25X1A9a [redacted] It's discontinued service under the Civil Service?

25X1A9a [redacted] It would have to be under Civil Service for a discontinued service annuity.

25X1A9a [redacted] That is what you call it under Civil Service - "discontinued service"? And if he were a participant in the CIA System we would call it involuntary retirement?

25X1A9a [redacted] Yes. At any age. Now, what are the criteria or requirements under Civil Service?

25X1A9a [redacted] The same -- 50/20, or 25 years, any age -- 25 years of service, regardless of age, or 20 years of service at age 50.

25X1A9a [redacted] But the annuity is reduced considerably at that age.

25X1A9a [redacted] We will have those comparative annuities at the next meeting, a week from today. And maybe we can dig up some more information about what he was doing as a staff agent and career agent, and was it domestic service, overseas service, etc.

25X1A9a [redacted] Mike, are you going to look into this case at all?

Yes, I will, now.

And I'll look into it from my standpoint -- I want to know about this Saigon assignment.

. . . . The meeting adjourned at 4:20 p.m. . . . .

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2		4/4	
3	DD/Pers/SP		
4			
5	[redacted]		
6			

25X1A9a

25X1A9a

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	APPROVAL		DISPATCH		RECOMMENDATION
	COMMENT		FILE		RETURN
	CONCURRENCE		INFORMATION		SIGNATURE

Remarks:

Attached is the last half of the transcript of the Retirement Board Mtg on 28 Mar.

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25X1A9a

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