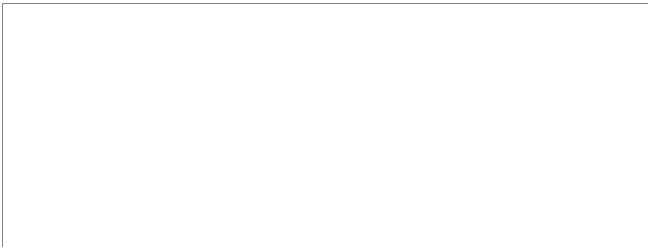


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. . . The 165th meeting of the CIA RETIREMENT

Board convened at 2:00 p.m. on Thursday, 24 September 1971, with the following present:

Mr. Harry B. Fisher, Chairman



25X1

or

25X1

MR. FISHER: Is [redacted] in bad shape because of this change

in Thursday? I mean, is this the wrong Thursday for him?

25X1

[redacted] He didn't indicate anything to me.

MR. FISHER: Well, aren't we on the other Thursday, now?

Maybe we'll be able to shift back again.

Our first item on the Agenda is the review of those employees who have completed more than 15 years of Agency service and meet the criteria for designation as participants. We have about seven there. I'm sure you have all had a chance to review them. I'd like a motion.

25X1

[redacted] Recommend approval.

. . . Motion was then seconded and passed . . .

MR. FISHER: And then we have a group of 31 employees who have now completed more than five years of Agency service and meet the criteria for designation as participants and I would like a vote on those.

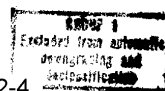
25X1

[redacted] I'd like to point out on number 30 -- he'll be 60 in April 1977. He'll never have a 15th anniversary review ^{AND} based on his current tour -- he'll have 57 months. I called TSD and they're not sure whether he'll be extended to get that other three months or not.

25X1

MR. FISHER: He's in [redacted]

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25X1

[redacted]

I just want the Board to be aware.

I think what he is really saying is that here is a man who will never reach the 15th year anniversary and never be put out.

25X1

[redacted]

Should I perform a special review on this guy?

25X1

MR. FISHER: What basis would we have for putting him out?

[redacted]

I don't know.

25X1

[redacted]

How long is this tour going?

Until August of 1972, [redacted] ten months and 33 days [redacted] approximately. I talked to TSD personnel.

25X1

[redacted]

Here is a man who would be mandatorily retired.

He would have time for another tour, but at his age -- most likely not.

MR. FISHER: It isn't that I have all that much trouble with it.

For him to retire he will not have the five years and, yet, it won't even be a factor. I'm just sort of taken with this predicament.

25X1

[redacted]

I can set him up for a special review - say

in ten years.

25X1

[redacted]

Extend him before he gets back here.

Get the 60 months out of the way.

: He would need to stay until 9 November 1972.

25X1

MR. FISHER: Are you going to call [redacted] (Speaking to 25X1

[redacted] nodded, yes.) It's said -- well, suppose I don't extend, what will happen? I'm afraid the answer will be then he'll retire without it. I don't have a very good argument for why he should be extended.

25X1

[redacted]

There might be something else for qualifying service.

: This lack of time is because he didn't come onboard here until he was 46, 45 years old.

MR. FISHER: Something is wrong here.

25X1

[redacted]

If he doesn't have the qualifying service he can't

retire.

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25X1 [] That's why the 15-year review. We say, since
 [] that's vesting time, if you don't have your time in you go out and if you
 vested a right you can retire at age 60 without 60 months.

25X1 [] Something is wrong. The System didn't contemplate
 this kind of a deal.

MR. FISHER: Again, we don't have too many -- obviously he
 was 46 years old when he started with us, but there are others. When he
 hits his ten-year point in another two years, he's still alright.

25X1 [] His 15th anniversary date would be January,
 1978, which is nine months after his 60th birthday.

25X1 [] Maybe in these cases there ought to be a ten-year
 review.

25X1 [] There will be as soon as the new regulation
 is published.

MR. FISHER: Yes, but he'd make it on a ten-year review. All
 he needs is three years.

25X1 [] All he needs is 36 months and he'll have the time.

25X1 [] Move his review for staying in the System back
 to ten years.

MR. FISHER: We need some sort of modification here to take
 care of this. We'll be in touch with (WDC) ^{OGC} to take a look at this. It seems
 like a loophole that we hadn't considered. In the meantime, it might ease
 everything if he does extend. Extending him until November may be a
 problem. Do we have his bio here?

25X1 [] No bio in there.

25X1 MR. FISHER: We'll take a look at this later. Will you give
 me a call on how you make out on this? []

25X1 Now, we have a recommendation for involuntary retirement of
 [] 45 years old, 25 years of Federal service, 22 with the
 Agency, and 93 months of qualifying service. That's certainly okay to me.

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[] Recommend approval. 25X1
: On what basis?

MR. FISHER: This is a voluntary, involuntary under the CIA System. 25X1

[] He's volunteered to be involuntary.

MR. FISHER: I understand that it is, and yet we have to play the game. There is no other way. 25X1

[] I have four volunteers: []

25X1 for 1 October; [] 31 December; [] for
25X1 25 October; and [] for 30 October. They are all fully qualified.
25X1

MR. FISHER: These are all fully, straight volunteers.

25X1 [] Recommend approval.

. . . This motion was then seconded and passed . . . 25X1

MR. FISHER: The first other case is a request for extension of retirement under Civil Service by [] He would like a one-year extension from October 1971 to October of 1972. This is the second request on his part. He was previously extended from October 1970 to October 1971. And I think Clandestine Service has wisely voted against this one. I think we'd be very reluctant to go back with another "unable to replace" after two years of knowing this.

25X1 [] The last one says (CIA) (CIS) said there was no operational justification for extending the last time, so it was on compassionate grounds, only, the last time.

25X1 [] Yes. This is the reverse of the usual route. It is in that paragraph three of Bob Wattles' letter of 20 October 1970.

MR. FISHER: In other words, the first time they went the compassionate route completely, and now they have dropped the compassionate and are going on operational need. It's a question of how far we go in our letter to the Director indicating this. But it would seem to me that since the

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DDP has voted against it, since they have had well over two years to plan on his replacement -- I see no point in hitting the fact that last year they said they didn't need him on operational grounds. The Board recommends disapproval. I think that's the motion you made, Charles.

25X1

[Redacted]

Yes.

Second.

. . . This motion was then passed . . .

MR. FISHER: Let me leave the tough one here for last. Go on to five and clean them up.

25X1

[Redacted]

Skip three and four?

25X1

[Large Redacted Area]

25X1

[Redacted]

Second. I noted he will hit mandatory retirement

in January anyway - two months after.

. . . This motion was then passed . . .

MR. FISHER: Again, let me skip number four a minute.

Now, we have a request for extension of retirement under the CIA

25X1

Retirement System by [Redacted], GS-9 in DDP. [Redacted] did 25X1

you have anything in particular to say on this one? I felt that for a five month extension this one didn't sound --

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25X1 Within the Fiscal Year.

MR. FISHER: She'll be out by 30 June 1972 anyway. Apparently, it's quite legitimate that she's been -- her granddaughters lived with her and she's been supporting them and had a very difficult time financially and is just coming out of the woods. Five months sounded reasonable to me.

25X1 Approved.
 Second.

. . . This motion was then passed . . .

MR. FISHER: We then have a request for extension of retirement date under the CIA System from 9 July 1972 until 31 December 1972 by

25X1 GS-14 in DDP. I think first of all the argument of lump sum annual leave becomes a little ridiculous when you start pushing for it in July. If we did this there would just be no end and they could start in January now and say that he would like to go to the end of the year. We can't start a pattern of extending people ^{that much} for lump sum annual leave.

25X1 Is there an administrative or legal nature to postpone the payment of lump sum annual leave to a subsequent year?

MR. FISHER: Yes.

25X1 Could he have this done?

MR. FISHER: No, not indefinitely. and I discussed this with Les Bush, not in an effort to extend people, but rather to deny them on the basis we can do this administratively. You don't have to hang on for a couple of more months. Les said we could do this through the end of October. He can defer administratively for November and December so that you get your check after the first of the year. You would never get it, really, if you retired in December. You would never get it in December. Most people don't seem to understand that two weeks after you leave you get your previous two weeks pay and then two weeks after that you get your lump sum. But Les did indicate October 31, but beyond that he can't.

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25X1 Beyond that you are really playing -- and IRS could get very much upset. You could lose -- in application you could defer this and defer that, but you are wilfully trying to avoid a payment that should be made in a calendar year.

25X1 MR. FISHER: You're falsifying this thing.

If he gets a low tax the following year he can amend his 1971 return. If he gets a low income in 1972 he can amend his income return on 1971 and lower his tax bracket.

MR. FISHER: It's a good point that so many people think of it the other way. It seems to be more the approach -- if you have a good year in the stock market then you can do some income averaging. But the same thing is true if you have a very low one.

25X1 Can you delay payment of the 1971 tax or do you have to go ahead and pay the 1971 tax?

25X1 If, in a subsequent year, your income is subsequently lower you can, through a very complicated formula - it's Schedule G, I think - take into account your tax return for the previous four years which will result, if the figures are good enough, if the drop in your income is enough, in a lower tax bite for this year than you otherwise would have had. For four years.

MR. FISHER: You don't have to go back and file an amendment. The formula, itself, leads you to a lower tax payment because of that. An automatic credit for the high years, in other words. A lot of it is done for you, really.

25X1 Four years takes a lot of advantage out of it because you have three high years and one low year.

25X1 But you might have two successive low years.

25X1 If you continue having no income you can do it for several years.

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MR. FISHER: It's another great advantage of the fact that your first year and a half or so you don't get your annuity because -- well, anyway, to answer your question, [] - no, not from July.

25X1

25X1

[] Would it be feasible for the Agency to adopt by regulation a practice whereby to pay --

MR. FISHER: Les Bush has gone into this in some depth with IRS and it's negative.

25X1

[] I remember the office of ^{CG} has spoken of this. It would be an improper practice.

Conf. Genl.

MR. FISHER: I won't give this as gospel, but [] and I were just talking about this -- back in 1969, I guess, the pay raise came in July and people retired in June. And the question was raised at what rate do they get their lump sum annual leave which is paid in July. And the ^{CG} interpretation was you can give it at the higher rate because in a sense you are continuing on duty in a leave status and that's what this lump sum annual leave contemplates, really, and it sort of gave you a new look at the thing. So, in a sense it's a continuation of your employment and should follow successively the weeks in which you leave. That's what you're really getting so you would have no basis for jumping from July and having a blank period and then pick up. If you had a pay raise in January you would be paying that at the higher rate. It gets a little hairy. If we extend somebody from October to January, do we pay them?

25X1

25X1

[] You have the six percent - right.

MR. FISHER: Other than that I guess we have become a little hardened to the son who has to go to college. There go all of us. I just don't feel that that's terribly unusual.

25X1

[] It would be after his retirement in any case.

MR. FISHER: He's reaching a bit when he says "give me more time to determine where I'll retire." He has 18 months anyway in terms of an

extension when he can travel and ship his household effects. So I don't see that that particularly is a valid argument. I'm ready for a motion.

25X1

Recommend disapproval.

MR. FISHER: Unanimous.

. . . This motion ^{was} then passed . . .

MR. FISHER: And then we get to a request for extension of retirement date under the Civil Service System from July 1972 to July 1973. This is a Wage Board packer - actually Forman-Packer - as you have all read, the Director of Logistics makes a strong plea on an operational basis citing the fact that he has six vacancies now, and I must admit as a sidelight, it's hard for me to reconcile this with all the unemployment in the area. I don't understand that we should have so much trouble when there are people who are ready to work.

Is he too old for outside work? 25X1

MR. FISHER: which is packing and crating to Government specifications, and finding just that sort of thing is, I don't think, that easy.

25X1

The office would have difficulty replacing him.

MR. FISHER: This is Civil Service and here is a Wage Board type and a strong operational need. I certainly endorse and I know Bob Wattles says okay. But this should be the last one. I think we should use that language -- no further request for extension. I think it's always helpful to the man getting it to take him off the kick that, "I'll wait a little while and request another extension." I don't know -- how do you all feel about it?

25X1

Go for a year with no further extensions.

25X1

MR. FISHER: We have a motion.

One question, Harry, I don't know whether we'll be faced with a cut by that time -- I just wonder if you said in it, in concrete terms, end of July.

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MR. FISHER: That's probably not a bad point.

25X1 [redacted] These people count just like anybody else.

MR. FISHER: That's a good point. Make it 30 June 1973.

25X1

[redacted] I'll amend my motion.

I wonder about restricting ourselves.

MR. FISHER: We have been careful. Well, of course, his Directorate is saying this, too. Again, I'm not satisfied that we can't find packers and craters and promote somebody up along the line. We're not saying as Wattles says, "No further request should be submitted nor will one be approved." I don't think anybody can say that but the Director. I don't think we can speak for him. But we certainly can indicate that we expect no further requests and we have done that on a large number of cases.

25X1

[redacted] Yes, I realize that we have and I realize the pertinence of it in the case of Intelligence Officers under the Retirement System. But for this type of person it seems like we are just hurting ourselves in that we shouldn't really do it. We should leave the door open -- that if we want to do it for the interests of the Agency next year, why, we should so leave the door open.

MR. FISHER: Well, I certainly appreciate your argument. Again, I'm saying the Directorate, itself, has said this and I still think Wage Board packer or crater or not, there is soundness to the philosophy that people leave at 60 and leave room for young people to come along. Believe me, we have had cases worded this way where the fellow came in, nevertheless, and was approved. But I think it's good psychologically for the man to begin planning -- that this is the end of the line. If they really want it, they will request it for him. The next request shouldn't be the man's - it should be the office's if they want it. I think that's the distinction. Do we have a second [redacted] then?

. . . The above motion was then passed . . .

MR. FISHER: (Referring to the above motion.) Let's reword that to the end of the Fiscal Year - 30 June 1973.

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25X1 [] I don't think Wattles was saying, "will not be requested or approved by the Director." I think - "not be approved or requested by me."

MR. FISHER: We can't put that in there because that would apply -- I suppose we could change the wording. We normally put that right on [] what the Director will say and then he signs, subject to the understanding there will be no further request. And I wouldn't want to put him in a position to say a year ahead of time, "I won't approve it."

. . . . End of discussion on above motinn

25X1 MR. FISHER: Well, the only reason [] bothers me is that I wish he could have fudged more on the dates. Our qualification coding is way out.

25X1 [] You mean []

25X1 MR. FISHER: I'm sorry, [] case number four. Now, when you look at his qualifications here - your biographic profile - the dates are so very different. He came back to Headquarters in November from [] and, of course, you have May. On the previous one he left in June and you have he left in July. I wonder if there is a prayer of our ever getting current on these things so that they are accurate.

25X1 [] This comes from the folder, Harry.

MR. FISHER: I know. Can't we, in the new system, get to the actual dates?

25X1 [] When a guy comes back and goes on home leave he can still be riding that field slot.

25X1 [] These come from the machines, of course, being processed.

MR. FISHER: It seems to have no relation. There's been a lot of talk but I guess we'll never get that until we get the arrival notices and departure notices.

25X1 [] You could do it from then, forward, but going back is a problem.

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MR. FISHER: I am thinking of those who stand -- well, you're quite sure to the best of your ability you've gotten the right dates?

25X1

[redacted] Yes.

MR. FISHER: I don't know if you will react to this this way but I find months --

25X1

[redacted] I think on this it's talking about assignment whereas you are talking about service overseas.

MR. FISHER: You mean on the profile? Oh, I realize that. I'm only saying isn't there some way that the System can print out this information so that we don't have to research everyone. And I guess we'll never get it until we get to the arrival notices and departure notices.

25X1

(Quiet discussion between [redacted] and Mr. Fisher discussing the arrival and departure notices of employees concerning discrepancies in dates.)

MR. FISHER: To the best of your -- you don't feel there is any possible leeway in this? No additional time?

25X1

[redacted] Not enough to make 60 months.

MR. FISHER: You have pretty good documentation on this case?

25X1

[redacted] Yes.

MR. FISHER: So that leaves him, unfortunately, needing almost four months.

25X1

[redacted] Ten weeks, isn't it?

MR. FISHER: No, he's only had 56 months and five days.

What I say -- if there is a month's swing here, someday -- well, let's be looking -- sometimes I think you have cases where you're not all that precise on it, but here you feel you have it all.

25X1

[redacted] Maybe we should recheck this.

25X1

[redacted]: He departed [redacted] 13 October - home leave.

25X1

MR. FISHER: Well, now, departed [redacted] 13 October 1953.

25X1

Well, you have 1 October.

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25X1 [] And you have 1 October. That's a couple of weeks right there. You are trying to reduce the number of months he needs for qualifying service - domestic qualifying service.

MR. FISHER: We can find it here -- he's (closest). That's firm. So now we are up to 18 days here.

25X1 [] We had that 13 May, 1959.
also
25X1 He's [] had no TDY's whatsoever.

[] This one is talking about a retirement next June.
No hurry on this one.

MR. FISHER: 13 July 1956 is right?

25X1 [] Yes.

MR. FISHER: So it's --

25X1 [] When did he depart?
13 May.
Two weeks.

MR. FISHER: Well, we are down to three months and 12 days. I don't know. This case strikes me as a fellow who had a fairly routine career here at Headquarters with a couple of isolated incidents which add up to a month each. And I imagine he's pushing a little bit on that. But I find it so hard to give him credit for the handling of correspondence on very sensitive cases. Would you like to take it back and do some more work on it, []

25X1 []
25X1 [] There seems to be some confusion on the exact time we are talking about.

MR. FISHER: What do you think constitutes qualifying service? We give him a full month, which includes planning before and after.

25X1 [] First, he talks about operational meetings under clandestine circumstances in the Washington area.

MR. FISHER: And he says, using his own words, that's another month. Again, if he had said seven weeks --

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25X1 [] You said there was no TDY anywhere.

[] I think this maybe worth a little more research on that time. I thought for the little time involved his operational activity more than justified the times he's asking.

MR. FISHER: I sense that same sort of thing, but we can't. Ultimately here, we have got to show the time. I don't know how we do it with the facts as he has presented them.

25X1 [] I agree.

[] I thought it was thin, but I felt it was in here somewhere if presented right.

25X1 [] If we can find something else to add to it and make it a little stronger than this, this would help.

25X1 MR. FISHER: Well, I'm very mindful of the [] case, for example. It's not the same. Now, [] obviously it's not. But during this 12, 14 years he had a couple of instances where he went out to do some recruiting.

25X1 [] Your're saying four months and I thought we were talking about four and a half months and it comes out three months and I am not sure about the amount of time we are talking about.

MR. FISHER: There is no rush on here. Maybe we can be a little more precise on the amount of time that [] he spent on these things and probably he did some TDY. If he's got his passports, tell him to check his arrival and departure times. We are certainly ready to reach! Passports weren't sometimes quite the same as the information we had. Maybe we can table this one then until the next meeting.

25X1 [] All right.

MR. FISHER: Well, that's a pretty fast one for us. Any other items that anyone would like to bring up? Okay.

. . . The meeting adjourned at 2:45 p.m. . . .

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