

26 June 1958

MEMORANDUM FOR: Director of Training

SUBJECT : Comments regarding H. R. 6001

p. 25, sec. Repeal and amendment of existing employee training laws.
20 (b)(2)

COMMENT: Section 4 of the Central Intelligence Agency Act of 1949 is repealed. This states

"(a) Any officer or employee of the Agency may be assigned or detailed for special instruction, research, or training, at or with domestic or foreign public or private institutions; trade, labor, agricultural, or scientific associations; courses or training programs under the National Military Establishment; or commercial firms.

(b) The Agency shall, under such regulations as the Director may prescribe, pay the tuition and other expenses of officers and employees of the Agency assigned or detailed in accordance with provisions of subsection (a) of this section, in addition to the pay and allowances to which such officers and employees may be otherwise entitled."

By repeal of this authority, CIA is placed under all provisions of H. R. 6001.

p. 3, sec. It should be noted that the United States Civil Service Commission
2 (4) shall be responsible and have the authority for the promotion and

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coordination of such programs and training operations under H. R. 6001.

p. 5, Sec. Notes the exclusion from this act of the Foreign Service of the
4 (a)(2) United States.

p. 6, Sec. The President is authorized, in the public interest, to designate any
4 (6)(b)(1) department or part thereof, or any employee or employees therein, as
excepted from this act or any provision of this act. It should be
noted, however, that this authority set aside for the President does
not apply to the Central Intelligence Agency or other departments or
agencies listed under Section 20 of H. R. 6001 which previously had
training laws now repealed by this act.

p. 7, Sec. DEPARTMENTAL REVIEWS OF TRAINING NEEDS. This section of the act
5 requires that heads of departments shall complete a review of the
training requirements and needs of each department within a ninety-
day period after the enactment of the act and once each three years
thereafter.

COMMENT: Tri-annual review of training needs would appear to be out
of phase with the normal budget cycle.

p. 7, Sec. States that the Commission, after considering the needs and require-
6 (a) ments for training the employees of each department, shall prescribe
regulations designed to insure maximum uniformity in training programs
and plans of the departments, and to provide necessary information
with respect to the general conduct of the training activities of

each department, and the interchange among the departments of information concerning such training and such other matters as the Commission deems appropriate or as may be necessary to carry out the provisions of this act.

COMMENT: Implementation of the provisions by the Civil Service Commission would, of necessity, impinge upon security considerations essential to the operations of the Central Intelligence Agency. Further, Section 6 (b)(1) and (2) prescribe that the Commission will establish general policies governing the selection of non-government facilities for training purposes and authorize training of employees in such non-government facilities only after determining by the head of the department concerned that adequate training is not available in or through a government facility.

COMMENT: This section does not take into account the flexibility required by the Central Intelligence Agency in its selection of non-government facilities on grounds of security, experience, which would indicate the comparative effectiveness of training programs conducted by non-government facilities in contrast to certain available government facilities, and may prove to be an unacceptable limiting factor in terms of the needs of this agency.

p. 10, Sec. 6 (c). States that from time to time, and in accordance with this act, the Commission may revise, supplement, or abolish its regulations prescribed and may prescribe additional regulations.

COMMENT: This would be an absolute bar to future control of any Agency training program and subjected to future determinations by the Commission or the administration.

p. 12, Sec. GENERAL PROVISIONS OF PROGRAMS OF TRAINING THROUGH GOVERNMENT
8

FACILITIES. This section provides for training insofar as practicable, by, in, and through those government facilities which are under the jurisdiction or control of such departments. Paragraph (2) specifies that agreements will be made among departments for the utilization of their programs to the extent necessary and appropriate.

COMMENT: Clarification is necessary as to by whom the determination will be made as to the necessity or appropriateness of such exchange by the departments.

p. 17, Sec. States that the number of man-years of training by, in, and through
12 (a)(1) non-government facilities for each department in any fiscal year shall not exceed 1 per cent of the total number of man-years of civilian employment...

The factor of 1 per centum of the total number of man-years of civilian employment as reflected in the budget estimates of the Central Intelligence Agency, if used as the criteria for training in or through non-government facilities, would appear to violate the present policy of the Central Intelligence Agency regarding disclosure of its authorized civilian strength.

p. 17, Sec. This provision may be restrictive in terms of certain language programs,
12 (a)(3) for example, Japanese or Chinese, which for proficiency must extend beyond a year's instruction.

p. 18, Sec. States that the Commission is authorized, in its discretion, to
12 (b)(a) waive, with respect to any department or employee, any or all of the restrictions covered by subsection (a) of this section, upon recommendation of the head of the department concerned if the Commission determines this to be contrary to the public interest.

COMMENT: It should be noted that the authority granted the Commission to make exceptions for certain departments of employees of these departments is limited to subsection (a) pertaining to the limitations on the training of employees through non-government facilities and not to the provisions of the entire bill.

p. 20, Sec. REVIEW BY COMMISSION OF PROGRAMS OF TRAINING THROUGH NON-GOVERNMENT
15. FACILITIES. This section provides that the Commission shall review at such times and to such extent as it deems necessary, the operations, activities, and related transactions of each department in connection with the plans of such department for the training of its employees by, in, and through non-government facilities.

COMMENT: It would appear that the authority under this provision might seriously impinge on certain classified activities of the Central Intelligence Agency which are protected by other legislation.

p. 21, Sec. COLLECTION OF TRAINING INFORMATION BY COMMISSION.
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COMMENT: The comments pertaining to Section 15 are considered equally applicable to the authority granted the Commission under this section of the law.

p. 21, Sec. Under Reports proposes that each department shall prepare and submit
18 (a)
to the Commission, at such times and in such forms as the Commission shall prescribe, reports on the programs and plans of each department. Subsection (a)(4) also authorizes the submission of such other information as the department or the Commission deems appropriate. The security factors would make this request unreasonable.

GENERAL CONCLUSIONS

The enactment of H. R. 6001 would have the following effect on the Central Intelligence Agency:

1. It would establish a precedent by placing the training activities of the Agency under the Civil Service Commission for matters of coordination, which would be a direct infringement on the existing special authorities of the Director of Central Intelligence as provided by the CIA Act of 1949.

2. It would place the Central Intelligence Agency in a comparable status with other agencies and departments of the Government, specifically with regard to provision of information concerning its training activities. This would constitute an unacceptable point of vulnerability from a security standpoint.

3. It would impose certain restrictions and limitations on the scope and methods now available to CIA for training which could, under changing administrations, have a serious effect upon the total training effort of the Agency.