

100-100000 [initials] Reg.

OLC 78-1444/5

22 May 1978

MEMORANDUM FOR: See Distribution

STAT FROM :
Assistant Legislative Counsel

SUBJECT : Special Retirement and Training Legislation

REFERENCE : Memorandum to the DCI from DDA, Dated 19 April 1978,
Same Subject

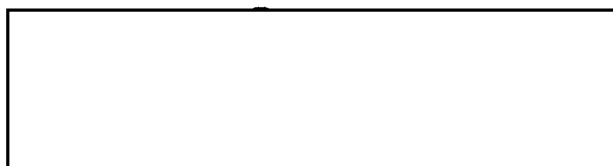
1. As noted in the reference memorandum (copy attached), the Director has approved our studying the matter of seeking special legislation that would authorize the DCI to provide training for Agency personnel whose association with the CIA is to be terminated. OLC has drafted language that could be proposed in the Congress to achieve this purpose (attached with reference memorandum).

2. In order to prepare this proposal for action at the appropriate time and in the proper form, it is necessary that we make sure the language is legally sufficient and that we have the requisite material to support and explain it. With this in mind, it is requested that your office review the proposed training language and provide your comments thereon. Just a few of the issues that come to mind which such review and comment should include are the following:

- a. What would be the cost of such a program?
- b. Is there some idea of the number of persons who might be eligible for such training?
- c. Would there be any security problems, both in terms of the status of employees receiving such training (e.g. would they be considered "employees" for purposes of cover, security agreements, etc.) and in terms of access to Agency facilities and information during the period employees would be receiving the training?
- d. Is it feasible to attempt to distinguish, among employees to be terminated who would be eligible for such training, those who, because of the "un-marketability" of their skills, would receive the training?

- e. Or, as the converse of the preceding question, as a practical matter, would all employees, except those terminated for reasons that reflect unfavorably on their performance, who are terminated receive the training?
- f. Is it reasonable to provide that only employees who would not qualify for immediate retirement benefits be eligible for the training (note: the similar provision regarding training for air traffic controller, 5 U.S.C. section 338, is not limited to controllers not eligible for immediate retirement)?
- g. Would any of those employees terminated in the recent DDO reduction have been eligible for such training, had the authority been available?
- h. Could such proposal be given some form of retro-active applicability, and if so, should it be so provided?

3. This proposal is included in the Agency's position paper on Title IV (CIA) of S. 2525, the intelligence charter legislation, but OLC also is studying the possibility of sending the proposal forward in another form. Thank you.



Assistant Legislative Counsel

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Attachment

Distribution:

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