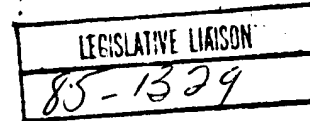


Congress of the United States

House of Representatives

COMMITTEE ON POST OFFICE AND CIVIL SERVICE



Washington, D.C., April 26, 1985

Mr. Magee

Referred to: _____

Supplemental Retirement April 25

Testimony given by you before the committee appears in the attached pages. Please furnish any information which was requested and return, AS SOON AS POSSIBLE, for the use of the members of the committee.

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GPO : 1985 - 44-494(n)

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676 Mr. FORD. Thank you very much. Mr. Magee.

677

678 STATEMENT OF ROBERT W. MAGEE

679

680 Mr. MAGEE. Mr. Chairman, my name is Robert Magee. I am
681 the Director of Personnel at the Central Intelligence
682 Agency. I want to thank you for the opportunity to appear
683 before this committee, to discuss the retirement systems at
684 the Central Intelligence Agency. It is an issue which is
685 vital to the continued health of the nation's professional
686 intelligence service.

687 The United States is a world power. Developments anywhere
688 in the world, and indeed now in outer space, can affect the
689 national security of the United States. It is the mission
690 of the Central Intelligence Agency to understand these
691 developments, and provide our nation's leaders with the
692 advance knowledge so critical to successful foreign policy.

693 The intelligence responsibility is continually expanding.
694 In its early days Central Intelligence dealt primarily with
695 the threat to the United States from our principal
696 antagonists in the world. While this threat has remained
697 our principal concern, new issues constantly arise which
698 demand intelligence attention, technology transfer, economic
699 and financial stability of foreign governments, world
700 petroleum production, narcotics, terrorism, the explosion of

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701 developments in the technical and scientific field are just
702 some of the issues which today require daily intelligence
703 vigilance.

704 The United States is indeed a world power, and its
705 citizens expect the nation to have a world-class
706 professional intelligence service. I am pleased, Mr.
707 Chairman, to say to you today that this nation does have a
708 world-class intelligence service, and that the leaders of
709 this nation are the best informed individuals in the world.

710 Recognizing that CIA's job is different from the rest of
711 the government, Congress historically has supported agency
712 efforts to recruit and retain career oriented employees
713 dedicated to the mission of the agency, and responsive to the
714 demands that security must place on their professional and
715 personal lives. Such a career service now exists.
716 Attrition rates are among the lowest in the government and
717 attest to a very healthy career organization. It exists
718 because successive Congresses and administrations were
719 sensitive to the needs of the people who spend their
720 professional lives in intelligence.

721 In recognition of the unique mission of Central
722 Intelligence, Congress has provided the Director with
723 special authorities with respect to personnel. These
724 authorities have no counterpart in the Federal Government.
725 Consequently, CIA employees are statutorily excluded from

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726 tenure and from the protection and benefits derived by
727 status under civ. laws, rules and regulations. This is as
728 it must be, since the Director must have full and final
729 authority to say when and where an employee will serve, at
730 what duties and for how long.

731 To understand the role played by retirement in the CIA
732 personnel system, it is first necessary to have an
733 understanding of the process which recruits and retains a CIA
734 employee, a process which in some ways is similar to other
735 organizations but which in the aggregate is unique in the
736 United States Government. We have the most rigorous pre-
737 employment screen process in the United States. Nowhere
738 else is each applicant subject to such scrutiny.

739 A typical applicant first takes an eight-hour agency
740 unique exam developed by the Office of Strategic Service
741 during World War II, and modified since then by the best
742 minds in the fields of education and psychology. This test
743 provides insights into an applicant's intellectual
744 capability, temperament, work attitudes, vocational
745 interests, writing skills, psychological profile. Those who
746 do well on the test, who have demonstrated high achievement
747 either in their academic or professional careers, and who
748 have several favorable personal interviews, are placed into
749 our medical and security clearance procedure.

750 Employment by the Central Intelligence Agency carries with

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751 it extraordinary health risks. These risks are inherent
752 both in the geographic and sociopolitical environment in
753 which employees are liable for assignment. The stresses
754 involved in highly classified work and overseas environment
755 requires us to have an extraordinarily detailed clinical and
756 psychiatric screening for all applicants. We require not
757 only the applicants themselves pass this medical exam, but
758 for those in the overseas career track, dependents must be
759 similarly cleared.

760 Our security and suitability screening is extremely
761 detailed. Every employee from the most senior to the most
762 junior is investigated by our own security staff in a
763 process that covers the last 15 years of an applicant's
764 life. Again, dependent factors can be disqualifying. When
765 all of the data are accumulated, we have a very thorough
766 understanding of the applicant's entire life style. These
767 data are validated during a polygraph interview given to all
768 applicants.

769 At the end of the three-year trial period, the medical
770 security process I just described is repeated, with the
771 added ingredient of work performance. Did the applicant in
772 fact measure up to our estimate.

773 It is gratifying to note, Mr. Chairman, that 99 percent of
774 our employees successfully complete this trial period.

775 It is rather not surprising that we must consider a large

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776 number of applicants to find the precious few who meet these
777 demanding standards. Despite enormous difficulties, we have
778 attracted analysts, attorneys, doctors, case officers,
779 engineers, scientists and physicists of the highest caliber.
780 Meeting our recruitment requirements, however, remains one
781 of our principal priorities. It is a never-ending struggle
782 which can only get more difficult as we continue to compete
783 in the marketplace with U.S. industry.

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784 RPTS BOYUM

785 DCMN SPRADLING

786 [10:15 a.m.]

787

788 Entering on duty, the CIA employee becomes a part of a
789 world which is generally isolated, nomadic, idealistic,
790 secretive, and increasingly dangerous. In addition to those
791 personal constraints, common to the few in government who
792 hold clearance at the CIA level, our employees must endure
793 even more severe conditions. Every five years they are
794 subject to a full security investigation and he has no job
795 tenure, they may not travel abroad, publish articles, marry
796 a non-U.S. citizen, attend international conferences either
797 without advance Agency approval. They can receive no public
798 recognition for their professional achievements but on the
799 contrary must suffer in silence innumerable calumnies.

800 Dominating all other considerations, however, is the
801 single heaviest burden of all, cover. Cover, the term for
802 concealing the fact that we are in fact employed by Central
803 Intelligence.

804

805

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833

→ Recognizing this in the past several years the government

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834 has improved immeasurably its intelligence capabilities. It
835 would be extremely unwise to threaten this achievement by
836 severely reducing our ability to recruit and retain the
837 caliber of individuals we historically attracted.


838 The Director of Central Intelligence must have the
839 authority to move the right people into the right place at
840 the right time. This requires a corps of personnel who are
841 prepared to go anywhere in the world as the national
842 interest requires. Ultimately it also means we must move
843 people into retirement so that we can prepare the next
844 generation of intelligence officials.


845 The mandatory retirement provision in the Central
846 Intelligence Agency Retirement and Disability System is an
847 important management tool which has worked well and which
848 should be retained in any new legislation. We find, for
849 example, that after age 50, nearly 50 percent of our
850 employees are not eligible for full service medical
851 clearance. We we to include those who could not travel due
852 to family medical constraints, these figures would be more
853 ~~startling.~~ stark,


854 In addition to the purely clinical health hazards involved
855 in worldwide service, Agency personal are confronted with
856 psychological stressed which over the long haul extract^s a
857 health toll just as great. In addition to the subtle
858 factors of cultural translocation and family disruption,


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
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859 there are not infrequently high traumatic events. Scores of
860 employees have been in foreign prisons, sometimes for years
861 or otherwise harrassed when their agency affiliation became
862 known. 

863  Employees and their families confront the more diffuse
864 crisis associated with civil disorder, terrorism and other
865 local circumstances which are not even remotely comparable
866 to the life of the typical American suburban setting in
867 which our employees would otherwise have remained.

868 One must also appreciate what the current worldwide
869 epidemic of terrorism means in trying to manage an
870 organization whose employees must daily confront this
871 reality and who because of their agency affiliation are
872 particularly vulnerable. 

873  In the last few years, there have been thousands of
874 terrorist incidents, nearly a third of which have been
875 targeted against Americans. Regrettably the end to this
876 scourge is not in sight. Indeed it is one of this Agency's
877 most pressing responsibilities to help negate this menace.
878 To do it, we need a young and vigorous work force medically
879 and psychologically able to handle the stress and
880 sufficiently courageous to accept the obvious dangers
881 involved.

882 Several security considerations unique to our
883  professional ~~but~~ buttress further our need for a flowthrough

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884 personnel system, allowing for early retirement.

885 Prolonged service in operational environments increases
886 the risk of identification of our operatives to hostile
887 intelligence, internal security or terrorist organizations.

888 ← Anonymity is a critical ingredient for a successful
889 intelligence officer ←

890 Personal security inevitably erodes with time and new
891 operatives must constantly be put into the system to
892 maintain balance in the personnel structure as older, more
893 exposed individuals must be allowed to retire. ~~It~~ Ironically
894 some of the retirement proposals currently being discussed
895 would cause our older employees who should leave, to stay,
896 and our younger employees who should stay, to leave.

897 Our officer corps is recruited generally from the recent
898 college graduate pool, roughly the 20-25 year old age group.

899 While it is to the government's disadvantage to keep these
900 people for 40 years for the reason previously stated, it is
901 equally disadvantaged ^{our} from a security standpoint to
902 encourage them to leave our service in less than the 20 to
903 30 years without adequate retirement.

904 Agency employees have access to highly classified
905 information from the beginning of their employment. We have
906 long recognized the inherent security risks of a short-term
907 transient work force. Given the extraordinary sensitivity
908 of our mission, we must have a career track which retains

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909 staff for a full career but promises them the early
910 opportunity to retire with financial security.

911 Therefore, continuation of eligibility for retirement with
912 full benefits at age 50 is essential.

913 Employment at CIA means work overseas whether qualified
914 for our Central Intelligence Agency Retirement and

915 *Disability System* which I refer to as CIARDS, or not. Only

916 percent of CIA employees currently serving overseas have

917 qualified for CIARDS, The remaining percent are covered

918 under the Civil Service Retirement System.

919 Unlike members of the Foreign Service, all of whom are

920 eligible for the early retirement benefits from the moment

921 they begin their career, CIA employees must earn their way

922 into CIARDS by serving five years overseas. Given our

923 policy of rotating people to and from the field, it takes

924 time for employees to earn those five years. Obviously some

925 never do, which explained ^S why ^{IN} of this overseas-oriented

926 *organization* staff only a very small percentage is in CIARDS.

927 percent of our Civil Service retirees population

928 in the past five years has overseas duty with the Agency.

929 There are thousands of CIA employees who serve abroad but

930 are not qualified for CIARDS. Nearly percent of the

931 Agency bear the lifelong burden fo cover. I want to stress

932 that cover is carried into retirement ←

933 A majority of those under cover are not qualified for

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934 CIARDS.

935 Overseas service is becoming more dangerous for all
936 Americans, but especially for employees of the CIA. The
937 mortality figures for our people are grim. Since the early
STAT 938 1950s, of the nearly [] Agency employees who have died
939 serving abroad, less than 30 percent were in CIARDS. We
STAT 940 have [] Gold Stars in our entry foyer honoring our
941 colleagues who died from hostile action or whose *while*
942 *participation* in highly dangerous Agency activities, only
943 ten were in CIARDS.

944 Of the two most senior CIA officers slain in hostile
945 action overseas, one was the director of a headquarters
946 analytical office.

947 ^C CIA is a single, indivisible agency with a single culture
948 and ethic. At present there is an esprit de corps among all
949 our employees, an agency-wide team approach, a general state
950 of mind that timeliness is critical, accuracy is imperative,
951 absorption with the task at hand must take priority over
952 personal distractions. Advancing years *o.f. brings* lessening of work
953 vigor and enthusiasm. The larger the proportion of older
954 employees, the greater the debilitating effect on the tenor
955 at the Agency.

956 A healthy career organization now exists. Fundamental to
957 this health has been the successful policy which recognizes
958 burnout as a reality, and allows our employees to retire

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959 early and with dignity.

960 The special overseas mission of CIA justifies continuation
961 of eligibility for retirement with full benefits at age 50
962 for the employees in CIARDS.

963 This is as it should be. However, the special
964 requirements and mission of CIA involve all of our employees
965 in a number of ways unique in the government. This
966 legislatively mandated status for CIA impacts on all of our
967 people and is the basis for a personnel system different
968 from any other in government.

969 Any changes in the current retirement system will have to
970 be very carefully considered to ensure that potential
971 repercussions are fully understood. We are confident that
972 working in close consultation with our oversight committees
973 we can achieve our mutual goals.

974 Thank you for your attention, Mr. Chairman.

975 Mr. FORD. Thank you.

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976 Mr. FORD. Mr. Cohen, am I able to assume that your
977 statement has been cleared by the Administration?

978 Mr. COHEN. Yes, sir, it has.

979 Mr. FORD. Then first on the record, I am surprised at the
980 bottom of page 2 you suggest that any supplemental plan must
981 provide for both Foreign Service and Civil Service employee,
982 additional payments to bring the period between retirement
983 and commencement of social security benefits at age 62.

984 I raised that early today, you might not yet have been
985 here, because nobody has ever mentioned it advocating the
986 changes in the system. Do you have anything in mind with
987 respect to what we should use as a pattern to do that?

988 Mr. COHEN. No, sir, not right now. We would like to see
989 what comes out of the Civil Service changes and then we
990 would adapt ours to be as compatible as possible with it for
991 the Foreign Service or request something different if we
992 found that compatibility was not possible.

993 Mr. FORD. I would ask both of you gentlemen, but in light
994 of what you both said here this morning, what would be the
995 expected impact if we were to go forward with the so-called
996 budget compromise that is coming at us from the Senate side
997 working out with the White House which has the 5 percent per
998 year reduction in the annuity phasing in up to the age 65.

999 What would a 5 percent per year reduction under the age of
1000 65 do to your personnel? What would be the effect roughly

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1001 in generalizing it on the quality and makup of your
1002 personnel picture?

1003 Mr. MAGEE. This is the 5 percent reduction for retirement
1004 under age 65, Mr. Chairman?

1005 Mr. FORD. Per year.

1006 Mr. MAGEE. Two things would happen. First of all, we
1007 would lose the 40 year old group. We would have a serious
1008 loss I think in the 35 to 40 year old group, and we would
1009 have, secondly, those people who really should retire, in
1010 their interests as well as ours, simply could not afford to
1011 retire at half annuity and would stay.

1012 In my statement I alluded to that when I said those who
1013 in effect should stay, would leave, those who should leave,
1014 will stay.

1015 Mr. FORD. I gather that from your previous remarks that
1016 having people leave in their 40s is not generally looked at
1017 as a wise thing in your agency?

1018 Mr. MAGEE. At forty?

1019 Mr. FORD. Mainly because of the cost to have people leave
1020 unless they are indeed fixed so that they have an income to
1021 take care of them the rest of their life. You would rather
1022 not see them floating around out there.

1023 Mr. MAGEE. I didn't mean to imply that. As I was saying
1024 it the suggestion occurred to me they would not have enough
1025 money ^{by the way} was a security risk--no, sir, that is not the intent.

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1026 We like to keep our people for a full career. If you have
1027 a highly transient force you have--

1028 Mr. FORD. I have always been under the impression that
1029 you people fashioned golden parachutes whenever you had to.

1030 Mr. MAGEE. Sorry, sir?

1031 Mr. FORD. I had always been under the impression that you
1032 people fashioned appropriate golden parachutes whenever it
1033 was necessary.

1034 Mr. MAGEE. I wish--sorry, sir, regrettably that impressio
1035 is not correct I am afraid?

1036 Mr. FORD. Most of the mystery writers always describe it
1037 that way.

1038 Mr. MAGEE. Regrettably that is not accurate.

1039 Mr. FORD. Like every other profession it is never as well
1040 paid or as much fun as the writers describe it.

1041 Now, the GAO has told us that the average Foreign Service
1042 Officer retires at 55 with 27 years and you corrected that
1043 by saying if you take into account the entire work force,
1044 not just those classified as "'Foreign Service Officers'",
1045 the service time extends itself to 32-and-a-third years. I
1046 assume that that is primarily office personnel, not
1047 administrative?

1048 Mr. COHEN. The people who tend to stay longer in their
1049 career are what we call administrative and clerical support
1050 personnel, the secretaries, communicators, and engineers and

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1051 so on, the nurses. These are the people we would like to
1052 keep in whereas on our officer side we like to have very
1053 severe competition for promotion and to be able to
1054 mandatorily retire those who are less competitive and will
1055 not make the senior ranks and give them an opportunity to
1056 get out any time after age 50.

1057 Mr. FORD. And the average CIA officer retires at 52.8
1058 years with 29.3 years of service, according to the GAO.

1059 Mr. MAGEE. Yes, sir, those are our figures.

1060 Under the CIA Retirement and Disability System, yes.

1061 Mr. FORD. What kind of trend, if any, do you detect in
1062 the relation of those two figures in the last four or five
1063 years?

1064 Mr. MAGEE. It has been fairly constant. I think those
1065 are--the gentleman said I think they were fiscal year 1983.

1066 Mr. FORD. Right.

1067 Mr. MAGEE. The 1984 figure is right around ^{53.} ~~three~~. Our
1068 average retirement age has remained very constant since
1069 1984.

1070 Mr. FORD. Mr. Cohen?

1071 Mr. COHEN. Ours is more or less remaining the same. Our
1072 senior officers have not been retiring voluntarily in the
1073 last few years because when the pay cap was lifted, they had
1074 a financial incentive to stay in in order to get a higher
1075 high-3 average. But in the last two years we have really

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1076 started to enforce our mandatory retirement system, our
1077 upper-out system.

1078 As I mentioned in my remarks, we asked 35 senior officers
1079 to leave last year and this number will be increasing each
1080 year from now on.

1081 Mr. FORD. I have to tell you, Mr. Cohen, that every place
1082 I have been in the last three years outside the country, one
1083 of the first questions I get from your Foreign Service
1084 Officers is what is going to happen to our pension? Should
1085 I leave the Service now before it is messed up?

1086 I cannot tell you how many people I have run into who
1087 asked the question should I get out before the rules are
1088 changed? I have had Ambassadors tell me it is a problem for
1089 them because their professionals and their mission are
1090 concerned.

1091 Have you seen any evidence of people jumping out ahead of
1092 Stockman and me?

1093 Mr. COHEN. They are not jumping yet but we have the same
1094 reaction you do, every time we go abroad to discuss issues,
1095 this is the one issue that everyone wants to discuss and we
1096 constantly get telegrams and phone calls, please let us know
1097 in advance when the 5 percent penalty for every year under
1098 age 60 will go into effect so we can retire right away.

1099 Mr. FORD. I have had the impression because it comes up
1100 so frequently with me, that the four years of our dogfight

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1101 here with the constant repetition of the threat and
1102 withdrawal of the threat, has eroded the confidence of
1103 people out there who are reaching the age where they are
1104 starting to think ten or fifteen years down the road about
1105 what will happen to them and their families, and our
1106 commitment to them.

1107 I cannot believe that that promotes the best performance
1108 out of those people or provokes the greatest sense of
1109 loyalty.

1110 Mr. COHEN. They are clearly worried.

1111 Mr. FORD. I hope we can get this somehow behind us, at
1112 least get a moratorium on talking about the pension for a
1113 few years.

1114 Mr. COHEN. I would agree.

1115 Mr. FORD. I don't think there has ever been any period of
1116 time since pensions came into existence where we have had
1117 this long, strung out discussion going on with all the
1118 uncertainty engendered with the bad information and the
1119 spread of the bad information far outweighs the publicity
1120 given the good information, of course, and there is just
1121 really no way to estimate what it does to people.

1122 I find it difficult when people say on the one hand the
1123 main reason people work for the Federal Government is
1124 because of the overgenerous pension system, that they then
1125 by the same token don't understand how important that

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1126 pension system may in fact be, if not as important as they
1127 say, but at least significantly important as the morale
1128 factor in getting efficiency out of the Federal work force.

1129 Let me ask you both kind of a general question about
1130 structuring the systems for your special groups. There are
1131 really two ways that you put together a retirement plan. In
1132 the old fashioned way, you set aside money in some kind of
1133 investments, and depending on the performance of those
1134 investments you have resources at the time that you get
1135 ready to retire.

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1136 DCMN GLASSNAP

1137

1138 Second is to set up a system where you guarantee a fixed
1139 benefit, defined benefit at the time of retirement under a
1140 formula that would let an employer or you know at any given
1141 time what its performance will be at any time in the future.

1142 Under the first approach, the benefit isn't known until you
1143 reach mandatory retirement or retirement age and see what
1144 has happened. Under the other, you have the continuing
1145 security of or reasonable assurance, at least in the past,
1146 that there is a certainty of performance of the system.

1147 Which of those two approaches is most appropriate for your
1148 kind of special populations, or would a combination of the
1149 two be an improvement on the present structure?

1150 Mr. COHEN. Well, speaking for the Foreign Service, sir, I
1151 would say that the defined benefit, the predictable benefit,
1152 is extremely important for people who are coming in knowing
1153 that their chances of not going beyond age 50 in the
1154 Service, for whatever reason, burnout, mandatory retirement,
1155 inability to serve overseas, noncompetitiveness, it seems to
1156 me this predictable benefit is something that is important
1157 to them to go in and say, "Well, if I have to get out at
1158 age 50, 51 or 52, I know what my cushion will be. I use
1159 that as a basis for starting an alternate career."

1160 The undefined system would make it harder for us to

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1161 attract the people we want.

1162 Mr. MAGEE. Yes, sir, the economic ^{IM}ponderables of what is
1163 ahead of us, in the defined contribution system, ~~it~~ is scary
1164 to the employees. They understand it.

1165 Mr. FORD. Maybe we ought to make it optional and, say,
1166 wait to see what the people do, so you find out what you
1167 know about the future of our economy.

1168 Mr. MAGEE. When you see them all going, something is
1169 wrong.

1170 To answer an earlier question, we have experienced an

1171 ^{increase} uptake in retirements beyond our projections. I have looked

1172 into it, and ^{even though all the various proposals} even though all the things that are being discussed

1173 ^{all contain grandfather clauses, there is skepticism} talked about, I find people who are eligible to retire will

1174 be exempt from it, "It won't affect you." What I have

1175 found, in talking to people, ^{they say!} is, yes, you say ^{that} that, but I

1176 don't know if that is what will happen. We show them what is

1177 written, and we say, "You are clear, you don't have to go,

1178 no matter what happens, it won't affect you." The

1179 credibility is just not there.

1180 Mr. FORD. That is understandable.

1181 Now, we have actually been looking at what has happened

1182 out in the private sector. They have left us behind in this

1183 pension business a long time ago, not only in the private

1184 sector, but other kinds of public employers such as states,

1185 particularly at the colleges and universities and

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1186 institutions operated by the states.

1187 But one of the things that the tax law has made extremely
1188 popular is thrift plans as a supplement to retirement, they
1189 are being used throughout industries as an inducement to
1190 keep the kind of people that, Mr. Magee, you were talking
1191 about. You say to a person, you want to get that extra 10
1192 years out of them, 'Look, we will match some of your money,
1193 you put it aside on top of your pension, it is tax
1194 deductible now, and it is free money to you, in effect, and
1195 you pay some taxes some day on it, but at a reduced rate.'
1196 That becomes the reason not to leave, of course.

1197 Senator Stevens and I, it is no great secret, would like
1198 to find a variation on that to add to, as a supplement to
1199 making it possible for Federal managers to use that sort of
1200 inducement, and for in fact flexibility in those areas where
1201 we do have retention problems.

1202 We have you gentlemen here, Justice was here, NASA,
1203 National Institutes of Health, all agencies with highly
1204 trained people and people who are very much in demand on the
1205 outside and are leaning to that because their best people
1206 are being lured away for good and right reasons after they
1207 have had a lot of government training and experience.

1208 NASA has a revolving door going on down there, and every
1209 time you talk to somebody, you are talking to a new manager.

1210 But the closest thing we have seen coming at us from the

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1211 other way was Mr. Devine came in here, that at first looked
1212 like he was talking about this, then he said, instead of the
1213 defined benefit plan we would adopt a defined contribution
1214 plan. The money would be deposited with the Treasury at a
1215 fixed rate of interest and go into an account. In other
1216 words, we would place the whole system in kind of a fancy
1217 savings account with the government deciding where the
1218 savings would be invested.

1219 When I asked him, would you like us to adopt your plan but
1220 let the employee decide where the investment was going to go
1221 within limits, of course, as private employers do, he said
1222 he would recommend that a bill like that be vetoed because
1223 he wouldn't want employees to have the economic power of
1224 that potential investment to use against, I think he said,
1225 the W.R. Grace Company or something--why the employees ought
1226 to be mad at W.R. Grace, I don't know. But we didn't get
1227 very far with that.

1228 There are a lot of members of this committee who are
1229 genuinely interested in using the device of some sort of a
1230 thrift plan on top of the defined benefit plan. That
1231 probably would not be of very much interest to people in
1232 their first 10 or 15 years in service, but as they get close
1233 to the time of deciding whether they should go do something
1234 else or continue in serving out their time, it becomes
1235 rather significant because it provides an inducement for

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1236 them to eschew the choice of greener pasture on the outside.

1237 Would you think that kind of an option--I am asking you in
1238 the dark because we don't know what we can work out and what
1239 matching would be involved and how generous or ungenerous it
1240 would be, but we know it would be tax free--would that be a
1241 useful and valuable kind of adjunct to your system for your
1242 purposes?

1243 Mr. COHEN. Mr. Chairman, I find that when I go around the
1244 world talking to people, there is a general interest in
1245 this. They are really intrigued by this thrift plan, and I
1246 think you will find the President of the American Foreign
1247 Services Association, who will testify after me, will
1248 probably reflect this as well.

1249 One cautionary note, some of our people, especially the
1250 support people, tend to remain at the lower end of the
1251 salary scale throughout their careers, and they may have
1252 certain difficulty in setting aside money for the thrift
1253 plan. So they would require a definite defined benefits
1254 plan at all times. We wouldn't want to see that eliminated.

1255 But building on that, a thrift plan with a defined
1256 contributions element might view--most people would probably
1257 be interested and favorably interested in the Foreign
1258 Service.

1259 Mr. FORD. As a matter of fact, I was out of the country
1260 recently, and I was with people who were talking to

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1261 Americans about investing in thrift plans, and a number of
1262 your people are participating. However, we are not helping
1263 them in any way. They are doing it with whatever resources
1264 they have of their own, because it is a concern. That tells
1265 me, of course, that if it--if they are concerned enough to
1266 cut into their spendable income and start making plans on
1267 that basis, that it might be something that we ought to be
1268 associated with, and it would be a beneficial personnel tool
1269 for us if we were to encourage and assist in those
1270 circumstances.

1271 Apparently, from the people I talked to throughout the
1272 world, as a matter of fact, your people are going at this
1273 with a remarkable amount of acceptance.

1274 Mr. COHEN. That is right.

1275 Mr. FORD. There are several investment security companies
1276 that are pretty sound, that they would obviously trust by
1277 reputation, that are now traveling around the world talking
1278 to your people, not only your people, but the other
1279 Americans who are overseas working for the government and
1280 working for private enterprise, particularly now since we
1281 have extended the tax exempt status for the American
1282 civilian working overseas on repatriated dollars. They are
1283 looking for ways to do something about that.

1284 But private enterprise has jumped into this with a
1285 vengeance. We found that in the first few years, after

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1286 401(c) was adopted, that virtually all the Fortune 500
1287 companies made some variation, a thrift plan available as an
1288 add-on to the pension system for them.

1289 If you have some thoughts about what kind of a system
1290 would make sense to your people, don't hesitate to let us
1291 feed that into the multitude of other brilliant suggestions
1292 we will have. We are interested in finding a way to do that
1293 and also finding more flexibility overall in the system, not
1294 just thinking of thrift plans, but it strikes me that we are
1295 the only major employer in the United States that treats
1296 everybody literally, from our most highly trained
1297 sophisticated, over-educated people to our least-trained,
1298 least-sophisticated lower paid people, exactly the same when
1299 we talk about assembling a pension for them, and no one else
1300 does that, because it doesn't make sense.

1301 We do it that way because, as we have frequently done
1302 things, we have always done it that way. Ted Stevens and I
1303 think it might be time that we can break away from that
1304 pattern of doing it just because we have always done it. If
1305 you see a way in which we can provide for some flexibility
1306 for the type of personnel needs that you have without
1307 disrupting the rest of the system, by all means share them
1308 with us.

1309 Mr. COHEN. Thank you.

1310 Mr. MAGEE. Thank you.

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1311 Mr. FORD. Thank you very much for your cooperation here
1312 today by your appearance.

APR 24 1985

MEMORANDUM FOR: Director of Legislative Liaison

FROM: Robert W. Magee
Director of Personnel

SUBJECT: Intelligence Authorization Act for FY 1986
Retirement Credit for Service at Unhealthful
Overseas Posts

1. This memorandum is provided in response to your request for additional information to support inclusion of "extra credit for service at unhealthful posts" in the Intelligence Authorization Act for Fiscal Year 1986.

2. I understand that the Office of Management and Budget is not prepared to support the inclusion of the extra retirement credit provision for participants in the Civil Service Retirement System (CSRS). We recommend no differentiation between CIARDS and CSRS participants at our overseas locations. This is not a problem limited to the Central Intelligence Agency. We believe the fundamental issue here is one of fairness to all Government employees regardless of retirement system.

3. The issue concerns the infinitesimal number of Government employees serving abroad who are sufficiently senior in rank to be adversely affected by the existence of the pay cap. The Foreign Service has addressed this problem by allowing the extra retirement credit for those few senior officials involved. Fairness would dictate that any Government employee, regardless of parent organization, should be treated equitably. All such employees in the few hardship posts concerned suffer identical problems: health, terrorism, crime rate, inconvenience, etc. The United States Government must not condone a system in which some of the people in this environment are given one benefit while fellow sufferers are denied them. The numbers involved are so small as to be insignificant in any budget calculation. The State Department's experience indicates that about one percent of those serving at unhealthful posts have elected to defer receipt of post differential in lieu of retirement costs. Applying that experience

have no hard statistics at hand, we doubt that the other overseas civilian agencies would have a number that would exceed State and CIA experience.

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STAT 4. Given such a low number, it would be extremely unfair to codify such an inequity.



/ Robert W. Magee