

Approved For Release 2011/02/28 : CIA-RDP89-00066R000300060007-9

MAY 14 1986

RETIREMENT LEGISLATION ISSUE
SIDE-BY-SIDE
CIA ADMINISTRATION OF
RETIREMENT SYSTEMS AS
THEY APPLY TO CIA PERSONNEL

Senate Legislative Counsel/HPSCI/SSCI T. IV Draft

and

HPO&CSC Draft

Approved For Release 2011/02/28 : CIA-RDP89-00066R000300060007-9

ADMINISTRATIVE PROVISIONS

[346]

Sec. 305. (a)(1) Notwithstanding any provision of chapter 84 of title 5, United States Code, the Director may, to the extent considered appropriate by the Director--

(j)(1) Notwithstanding any other provision of this chapter, the Director of Central Intelligence shall, in a manner consistent with the administration of this chapter by the Office--

(A) administer the provisions of such chapter with respect to officers and employees of the Central Intelligence Agency; and

(A) determine entitlement to benefits under this chapter based on the service of employees of the Central Intelligence Agency;

(B) perform the functions and duties (including authorizing and directing disbursements from the Civil Service Retirement and Disability Fund and from the Thrift Savings Fund, but not including investing sums in the Thrift Savings Fund) which would otherwise be performed with respect to such officers and employees by the Director of the Office of Personnel Management or the Executive Director of the Federal Retirement Thrift Investment Board under such chapter.

(B) maintain records relating to the service of such employees;

(C) compute benefits under this chapter based on the service of such employees;

(D) collect deposits to the Fund made by such employees, their spouses, and their former spouses; and

(E) perform such other functions under this chapter as the Director of Central Intelligence, with the concurrence of the Director of the Office of Personnel Management, determines to be appropriate.

SLC/HPSCI/SCT

Approved For Release 2011/02/28 : CIA-RDP89-00066R000300060007-9 FPO & CS

5

"(2) The Director, in consultation with the Executive Director of the Federal Retirement Thrift Investment Board, may--

"(A) maintain exclusive records relating to elections, contributions, and accounts under the Thrift Savings Plan provided in subchapter III of chapter 84 of title 5, United States Code, in the case of officers and employees of the Agency;

"(B) provide for investments under the Thrift Savings Plan to be made and accounted for by such Executive Director in aggregate amounts for such officers and employees; and

"(C) make the necessary disbursements from, and the necessary allocations of earnings, losses, and charges to, individual accounts of such officers and employees under the Thrift Savings Plan.

"(b) The Executive Director of the Federal Retirement Thrift Investment Board may not exercise authority under chapter 84 of title 5, United States Code, in the case of officers and employees of the Agency to the extent that the Director exercises authority provided in subsection (a).

S.L.C./H.P.S.C.I./S.S.C.T.

Approved For Release 2011/02/28 : CIA-RDP89-00066R000300060007-9

1170 E.C.S

4

((c) The Director of the Office of Personnel Management

and the Executive Director of the Federal Retirement Thrift Investment Board shall furnish such information and services to the Director of Central Intelligence as the Director of Central Intelligence determines necessary to carry out this section.

((d)(1) Section 201(c) of this Act shall apply in the administration of chapter 84 of title 5, United States Code.

((2) Notwithstanding paragraph (1), section 8451(e) of title 5, United States Code, shall apply with respect to officers and employees of the Agency who are not participants in the Central Intelligence Agency Retirement and Disability System and are not designated under section 302(a) of this Act.

((2) The Director of the Office of Personnel Management may furnish such information and services to the Director of Central Intelligence as the Director of Central Intelligence requests to carry out paragraph (1).

SLC/HTSCI/SSCI

Approved For Release 2011/02/28 : CIA-RDP89-00066R000300060007-9

HTPO E CS

5

, 8461 (h)(1)

“(e) Sections [8439(b)] and [8474(c)(4)] of title 5, United States Code, shall be applied with respect to information relating to officers and employees of the Agency in a manner that protects intelligence sources, methods, and activities.

“REGULATIONS

“Sec. 326. (a) The Director, in consultation with the Director of the Office of Personnel Management and the Executive Director of the Federal Retirement Thrift Investment Board, shall prescribe in regulations appropriate procedures to carry out this title.

“(b) The regulations shall include procedures for (1) the Director of the Office of Personnel Management to inspect and audit disbursements from the Civil Service Retirement and Disability Fund, and (2) the Executive Director of the Federal Retirement Thrift Investment Board to inspect and audit disbursements from the Thrift Savings Fund.

“(c) The Director shall submit the regulations prescribed under subsection (a) to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives before the regulations take effect.

SLC/HFSCI/SCI

Approved For Release 2011/02/28 : CIA-RDP89-00066R000300060007-9

HFPOECS

6

SEC. 406. ADMINISTRATION OF THE CIVIL SERVICE RETIREMENT AND
DISABILITY SYSTEM FOR EMPLOYEES OF THE CENTRAL
INTELLIGENCE AGENCY.

Section 8347 of title 5, United States Code, is amended
by adding at the end thereof the following new subsection
(n):

“(n)(1) Notwithstanding any other provision of this
subchapter, the Director of Central Intelligence may, to the
extent considered appropriate by such Director--

“(A) administer the provisions of this subchapter
with respect to officers and employees of the Central
Intelligence Agency; and

“(B) perform the functions and duties (including
authorizing and directing disbursements from the Civil
Service Retirement and Disability Fund) which would
otherwise be performed with respect to such officers and
employees by the Office of Personnel Management or the
Director of such Office under this subchapter.

(i) AMENDMENT TO SECTION 8347.--Section 8347 of title 5,
United States Code, is amended by adding at the end thereof
the following:

“(n)(1) Notwithstanding any other provision of this
subchapter, the Director of Central Intelligence shall, in a
manner consistent with the administration of this subchapter
by the Office--

“(A) determine entitlement to benefits under this
subchapter based on the service of employees of the
Central Intelligence Agency;

“(B) maintain records relating to the service of
such employees;

“(C) compute benefits under this subchapter based on
the service of such employees;

“(D) collect deposits to the Fund made by such
employees, their spouses, and their former spouses; and

“(E) perform such other functions under this
subchapter as the Director of Central Intelligence, with
the concurrence of the Director of the Office of
Personnel Management, determines to be appropriate.

HPO & CS

7

“(2) The Director of the Office of Personnel Management may not exercise authority under this subchapter in the case of officers and employees of the Central Intelligence Agency, to the extent that the Director of Central Intelligence exercises authority provided in paragraph (1) of this subsection.

“(3) The Director of the Office of Personnel Management shall furnish such information and services to the Director of Central Intelligence as the Director of Central Intelligence determines necessary to carry out paragraph (1) of this subsection.

“(4)(A) The Director of Central Intelligence, in consultation with the Director of the Office of Personnel Management, shall prescribe in regulations appropriate procedures to carry out this subsection.

“(B) The regulations shall provide procedures for the Director of the Office of Personnel Management to inspect and audit disbursements from the Civil Service Retirement and Disability Fund.

“(2) The Director of the Office of Personnel Management may furnish such information and services to the Director of Central Intelligence as the Director of Central Intelligence requests to carry out paragraph (1) of this subsection.”

“(C) The Director of Central Intelligence shall submit the regulations prescribed under subparagraph (A) of this paragraph to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives before the regulations take effect.

“(5)(A) Section 221(c) of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees shall apply in the administration of this subchapter under this subsection.

“(B) Notwithstanding subparagraph (A) of this paragraph, section 8347(d) of this title shall apply with respect to officers and employees of the Central Intelligence Agency who are participants in the Civil Service Retirement and Disability System.”.