Approved For Release 2003/06/12 : CIA-RDP80B01676R001300010022-5

SECRET

DDS 62-2178

62-6243

30 AUG 1962

MEMORANDUM FOR : Deputy Director (Intelligence)
Deputy Director (Plans)
Deputy Director (Research)
Deputy Director (Support)

SUBJECT : Agency Sponsorship of Training at Non-Government Facilities for Employees on Duty Less than One Year

1. You are hereby authorized, as my designee, to determine, in all cases of proposed training at non-Government facilities for employees under your jurisdiction who have had less than one year of current, continuous Federal service, whether such training is essential to intelligence activities. Certification that the training is essential to intelligence activities is required in order to waive a limitation imposed by the Government Employees Training Act. The authority granted herein may not be redelegated.

2. Affirmative determination by you that training at non-Government facilities proposed for an employee on duty less than one year is essential to intelligence activities will constitute necessary authorization for approval of the training by the Director of Training.

(Signed) Marshall S. Carter
Marshall S. Carter
Lieutenant General, USA
Acting Director of Central Intelligence

Distribution:
2 - Each Addressee
1 - [redacted] DCI
1 - DDCI
1 - ER
1 - DTR

25X1

ORIGINATOR: /s/ [redacted]
Director of Training

62
Date

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GROUP 1
Excluded from automatic downgrading and declassification

ER - File

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DDS 62-4177

Executive Registry
62-6243/1

MEMORANDUM FOR : Acting Director of Central Intelligence

THROUGH : Deputy Director (Support)

SUBJECT : Agency Sponsorship of Training at Non-Government Facilities for Employees on Duty Less than One Year

1. This memorandum suggests action on the part of the Acting Director of Central Intelligence. Such action is requested in Paragraph 4.

2. The Office of Scientific Intelligence has requested exemption from the requirement in the Government Employees Training Act that one year of Federal civilian service is necessary before the Agency may sponsor an employee's scientific and technical training at non-Government facilities (Tab A). Other Offices have also expressed need for waiver of this requirement.

3. At my request, the Office of the General Counsel reviewed the petition made by the Office of Scientific Intelligence. It is the General Counsel's opinion that training at non-Government facilities which is determined by the Director of Central Intelligence or his designee to be essential to intelligence activities may be authorized for civilian employees who have less than one year of current, continuous Federal service (Tab B).

4. To meet the Agency's critical training requirements through the waiver procedure, I recommend that you delegate to each Deputy Director the authority to determine whether such training of employees on duty less than a year is essential to intelligence activities. Affirmative determination by a Deputy Director as your designee will constitute authorization for my approval of the requested training.

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SUBJECT: Agency Sponsorship of Training at Non-Government Facilities for Employees on Duty Less than One Year

I have appended, for your signature, a memorandum to each of the Deputy Directors which will establish the authorization and approval mechanism (Tab C - 1, 2, 3, & 4).

25X1

MATTHEW BAIRD
Director of Training

CONCURRENCE:

25X1

Deputy Director (Support)

24 Aug 62
Date

Attachments: Tabs A, B, & C

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GROUP 1
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A

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1002

act DD/S 62-3900
OGC 62-1724

18 JUL 1962

MEMORANDUM FOR: Director of Training

THROUGH: Assistant to DD/I (Administration)

SUBJECT: Scientific and Technical Training for OSI Personnel On-Duty Less than One Year

1. During the past few months, it has been necessary for the Office of Scientific Intelligence to direct junior analysts on duty for less than one year to participate in external training at non-government facilities. In view of our continuing requirement for highly qualified scientific and technical personnel and the need to prepare our junior analysts to assume important responsibilities as soon as possible after entering-on-duty, the Office of Training is requested to exempt OSI personnel from the requirement of a minimum of one year of current, continuous, civilian service prior to their participation in non-government scientific and technical training.

2. The shortage of scientists and engineers experienced in fields related to high priority intelligence objectives has necessitated recruitment during the past two years of an increasing number of young college graduates with varying scientific and technical backgrounds for assignment in OSI. Upon entering-on-duty, these individuals are normally assigned to a division in accordance with priority office needs and to positions compatible with their backgrounds and career development interests. During their first year in OSI these people participate in selected OTR courses and Office orientations basic to their development as effective scientific intelligence officers, and in conjunction with their specific assignment and duties, participate in language, weapons orientation, and academic courses, on-the-job training, orientation visits to military and industrial facilities, and attend professional meetings and conferences.

3. The priority nature of the work projects with which our junior analysts, with little or no work experience, become involved soon after completion of their introductory Agency training necessitates immediate further development of each individual's scientific or technical specialty. Training programs conducive to the development of personnel engaged in assessment of foreign developments of particular

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SUBJECT: Scientific and Technical Training for OSI Personnel On-Duty Less than One Year

interest to this Office are not usually presented on a regular and frequent basis. Approval of our request for exemption of OSI personnel from the requirement of one year on-duty prior to participation in non-government courses, will permit us to take advantage of these sporadic training opportunities as they become available, and will enable us to better plan and extend the training of selected junior analysts by directing them to attend external courses even though they may not have been on-duty for one year.

[redacted] 25X1

Acting Assistant Director
Scientific Intelligence

RECOMMEND APPROVAL:

25X1 [redacted]

Assistant to DD/I (Administration)

7/23/62
Date

APPROVED:

Director of Training

Date

Distribution:
Orig. & 1 - Addressee
2 - OAD/SI
2 - DC/Staff/SI
2 - Plans/P&E

25X1 OSI:Staff:P&E [redacted] esy/5516 (13 Jul 62)

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Approved For Release 2003/06/12 : CIA-RDP80B01676R001300010022-5

B

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DDS 62-4000
OGC 62-1724(a)

13 AUG 1962

JAL

MEMORANDUM FOR: Deputy Director (Support)

SUBJECT: Scientific and Technical Training for OSI Personnel on Duty Less than One Year

REFERENCE: Memo to DD/S fr DTR dtd 27 July 62, same subject

1. You have requested our comments on the referenced memorandum, which, in referring to the request of the Office of Scientific Intelligence that certain of its personnel be exempted from the one-year-prior-service requirement, suggests that in view of the action taken by the Civil Service Commission in liberalizing its rules with respect to employee training an opinion of this Office dated 14 August 1959 might warrant reconsideration.

2. The Government Employees Training Act (5 U.S.C.A., section 2301 et seq.) provides:

> "No employee having less than one year of current, continuous civilian service in the Government shall be eligible for such training [at a non-Government facility] unless the head of his department determines, in accordance with regulations of the Commission, that such training for such employee is in the public interest." (section 2311(a)(2))

In our opinion of 14 August 1959 we advised the exemption granted to the Agency by Executive Order 10805 notwithstanding, the ultimate decision of hiring an economist to be placed directly in training at a non-Government institution was one to be made by the Director of Central Intelligence. We reaffirm that position here.

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3. As we understand the OSI's proposal, it seeks authority to assign selected scientific and technical personnel engaged in the assessment of foreign developments to non-Government training subsequent to their having entered on duty and having completed certain OTR courses and office orientation but prior to having fulfilled the one year of service requirement. To the extent that such personnel will have completed some portion of a year's service, we believe this case to be distinguishable from the one considered in our opinion of 14 August.

4. On the subject of waiver of limitations on training at non-Government facilities, the Commission regulation now reads:

> "Subject to other provisions of the Act and the regulations in this part, an employee having less than one year of current, continuous civilian service in the Government shall be eligible for training by, in, or through non-Government facilities upon a finding by the head of his department that postponement of the training until the employee has completed one year of current, continuous civilian service in the Government would be contrary to the public interest." (Federal Personnel Manual, Chapter T-1, section 39.305, dated 14 February 1962)

While the explanatory note to this regulation sets forth the caveat that it is not to be interpreted as authorizing unlimited waivers to circumvent the clearly-expressed intent of the Congress, it does specify as one type of training whose postponement might be contrary to the public interest: "Training essential to intelligence . . . activities." Thus, we believe, subject to a determination having been made by the DCI or his designee, that the training proposed is essential to intelligence activities, the OSI personnel selected may be assigned for non-Government training prior to having completed one year of current, continuous service. Of course, the Commission's issuance of 14 February in no way affects that provision of the Act which prohibits the assignment for training to obtain academic degrees.

5. Referenced memorandum and the OSI proposal are returned.

25X1

Assistant General Counsel

Attachments

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DTR-100
DDS 62-3804
OGC 62-1724

MEMORANDUM FOR: Deputy Director (Support)

SUBJECT : Scientific and Technical Training for OSI Personnel On-Duty Less than One Year

REFERENCE : Memo to DTR from AAD/SI dtd 18 July 1962, same subject

1. This memorandum contains a recommendation for DD/S action. Such recommendation is contained in Paragraph 7.

2. The Office of Scientific Intelligence, in referenced memorandum, has requested exemption for OSI personnel from the requirement of one year service prior to participation in non-government scientific and technical training. Approval of the request is recommended by the Assistant to the DD/I (Administration).

3. The Government Employees Training Act (PL 85-507) places certain limitations on training of employees through non-government facilities. Section 12(a)(2) states:

> "No employee having less than one year of current, continuous civilian service in the Government shall be eligible for such training unless the head of his department determines, in accordance with regulations of the Commission, that such training for such employee is in the public interest."

4. The Agency is exempted from Section 12 of the Act by Executive Order 10805. As was pointed out on 14 August 1959, however, by the Acting General Counsel (in response to an ORR proposal for a program of sponsored full-time graduate study for selected graduate students in Economics):

> ". . .the basis of the exemption to the Act which was sought by the Office of Training was for security and cover requirements of training necessary for the Agency to attain its operational objectives. We, therefore, feel that in order to comply with the spirit in which our exception to the Act was sought and obtained, the hiring of employees to be placed directly in non-governmental training should have at least a security or cover basis with probably an operational objective. There would appear to be serious

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Approved For Release 2003/06/12 : CIA-RDP80B01676R001300010022-5

SUBJECT: Scientific and Technical Training for OSI Personnel On-Duty Less than One Year

doubt about the existence of such a basis in connection with the hiring for immediate training of economists as intelligence analysts. Such being the case, we feel that the ultimate decision for the hiring proposed is one for the Director of Central Intelligence."

5. The above comments of the Acting General Counsel would appear to be applicable also to those junior analysts of the Office of Scientific Intelligence for whom a waiver of the one-year limitation is requested. However, since the time of the Counsel's opinion, the Civil Service Commission has exercised its discretion to waive certain restrictions and has caused to be published in the Federal Personnel Manual further authorizations to heads of each department to waive the limitations contained in Section 12(a)(2) of the Act.

6. In light of the general liberalizations of Section 12(a)(2) as now permitted by the Civil Service Commission (for which please see pages T-1-18 and T-1-19 of the Federal Personnel Manual as changed by Transmittal Sheets 629 and 659 and by Instruction 60, dated February 14, 1962), it is believed that reconsideration of the General Counsel's earlier comments may be warranted.

7. It is recommended that these papers be referred to the General Counsel for comment.

25X1

for MATTHEW BAIRD
Director of Training

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C

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CENTRAL INTELLIGENCE AGENCY

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OFFICE OF THE DEPUTY DIRECTOR

8/30/62

Ernie:

I have signed these — but want information as to what commitment we get from employee to continue in service for how long after getting outside training — like the military will pay for a Masters or Drs. study if you promise to stay on duty for — 2 years

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MEMORANDUM FOR: Gr. ~~Carter~~ OK

The Govt. Training Act calls for a 3 and 1 ratio for this type of training. Altho we are exempted from strict compliance, we have nevertheless followed it with few exceptions — senior defense colleges, Harvard, etc — where there is little risk.

OTR says the 3 for 1 ratio will be followed in ~~(DATE)~~ attached cases with signed statements.

FORM NO. 101 REPLACES FORM 10-101
1 AUG 54 WHICH MAY BE USED. (47)

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CENTRAL INTELLIGENCE AGENCY

OFFICIAL ROUTING SLIP

TO	NAME AND ADDRESS	DATE	INITIALS
1	Assistant to the DD/I (Admin)	7/23	
2	Director of Training		
3	Rm 1D0418 Hq		
4			
5			
6			

	ACTION		DIRECT REPLY		PREPARE REPLY
2	APPROVAL		DISPATCH		RECOMMENDATION
	COMMENT		FILE		RETURN
1	CONCURRENCE		INFORMATION		SIGNATURE

Remarks:

Matt:

Seems to me the need to get people qualified for the job in this period of personnel shortages is overriding.

Von

FOLD HERE TO RETURN TO SENDER

FROM: NAME, ADDRESS AND PHONE NO.	DATE
AAD/SI Rm 6F20 Hdqtrs	

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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Scientific and Technical Training for OSI Personnel On-Duty Less than One Year

FROM:

Director of Training
1-D-0418 Hdqrs.

NO.

DATE

TO: (Officer designation, room number, and building)	DATE RECEIVED	DATE FORWARDED	OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
1 A Deputy Director(Support) 7-D-16 Hdqrs.	30 July 62		HSL	
2.				
3. Office of General Counsel JSW				
4. RHL RJB				
5.				
6.				
7.				
8.				
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