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USIA FOREIGN SERVICE PERSONNEL SYSTEM

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HEARING

BEFORE THE

AD HOC SUBCOMMITTEE ON A FOREIGN
SERVICE INFORMATION OFFICER CORPS

OF THE

COMMITTEE ON FOREIGN RELATIONS

UNITED STATES SENATE

NINETIETH CONGRESS

FIRST SESSION

ON

S. 633 and S. 2002

BILLS TO PROMOTE THE FOREIGN POLICY OF THE
UNITED STATES BY STRENGTHENING AND IMPROVING
THE FOREIGN SERVICE PERSONNEL SYSTEM OF THE
U.S. INFORMATION AGENCY THROUGH ESTABLISHMENT
OF A FOREIGN SERVICE INFORMATION OFFICER CORPS

SEPTEMBER 28, 1967

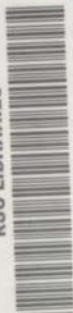


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S. 633 AND S. 2002
TO CREATE A CAREER PERSONNEL SYSTEM FOR THE
U.S. INFORMATION AGENCY

THURSDAY, SEPTEMBER 28, 1967

UNITED STATES SENATE,
AD HOC SUBCOMMITTEE ON A FOREIGN SERVICE
INFORMATION OFFICER CORPS,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m., in room 4221, New Senate Office Building, Senator Claiborne Pell presiding.

Present: Senator Pell.

Senator PELL. The Ad Hoc Subcommittee on a Foreign Service Information Officer Corps is in open session.

The chairman of the full Committee on Foreign Relations has appointed a special subcommittee to consider S. 633 and S. 2002, which would authorize a career personnel system for the foreign service personnel of the U.S. Information Agency. I was asked to serve as chairman.

(S. 633 and S. 2002 follow:)

[S. 633, 90th Cong., 1st sess.]

A BILL To promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the United States Information Agency through establishment of a Foreign Service Information Officer Corps

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a category of officers of the United States Information Agency (hereinafter referred to as "the Agency") to be known as Foreign Service information officers.

STATEMENT OF POLICY

SEC. 2. It is the sense of the Congress that the establishment of a permanent career service for officers of the Agency who serve our country throughout the world in a vital function of the foreign relations of the United States is essential to enable the Director of the United States Information Agency (hereinafter referred to as "the Director") to carry out effectively the foreign affairs responsibilities assigned to the Agency.

STATEMENT OF PURPOSES

SEC. 3. The Congress of the United States hereby declares that the purposes of this Act are—

(a) to provide a statutory basis necessary for a worldwide career officer personnel system designed to meet the continuing needs of both the Agency and those qualified citizens who shall serve as Foreign Service information officers in this vital foreign affairs activity;

(b) to give the Director the full range of personnel authority necessary to establish and administer the Foreign Service Information Officer Corps;

(c) to regularize the personnel system of the Agency by establishing a career service in which qualified Foreign Service information officers may be recruited, be trained, and serve;

(d) to assure maximum efficiency and flexibility in the utilization of the talents of Foreign Service information officers; and

(e) to accord Foreign Service information officers the same rights and prerequisites and to subject them to the same stringent judgment of performance as Foreign Service officers employed under the provisions of the Foreign Service Act of 1946, as amended.

AUTHORITY OF THE DIRECTOR

SEC. 4. Foreign Service information officers shall be under the direction and authority of the Director of the Agency. Authority available to the Secretary of State with respect to Foreign Service officers shall be available on the same basis to the Director of the Agency with respect to Foreign Service information officers, except as provided in section 11 of this Act.

AUTHORITY OF THE PRESIDENT

SEC. 5. The President shall from time to time prescribe broad policies and regulations with respect to the general administration of the Foreign Service officer system and the Foreign Service information officer personnel system and shall assure that the two systems are compatible with and, to the extent practicable, similar to each other.

APPOINTMENT AND ASSIGNMENT

SEC. 6. Subject to section 4, Foreign Service information officers shall be appointed and assigned at classes and salaries, and in accordance with requirements and procedures, which correspond to those classes, salaries, requirements, and procedures prescribed by sections 412, 413, 421, 422, 431, 432, 441, 500 through 502, 511, 512, 514 through 520, 571 through 575, and 578 of the Foreign Service Act of 1946, as amended.

PROMOTION

SEC. 7. Foreign Service information officers shall be promoted in accordance with the provisions of sections 621 through 623, and 626 of the Foreign Service Act of 1946, as amended, and shall receive within-class salary increases in accordance with section 625 of such Act.

SEPARATION AND RETIREMENT

SEC. 8. Foreign Service information officers shall be separated and retired in accordance with sections 631 through 637 of the Foreign Service Act of 1946, as amended.

PARTICIPATION IN THE FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

SEC. 9. Foreign Service information officers shall be participants in and entitled to the benefits of the Foreign Service retirement and disability system under title VIII of the Foreign Service Act of 1946, as amended, on the same basis as Foreign Service officers. And such Foreign Service information officer who becomes a participant in such system shall make contributions to the Foreign Service retirement and disability fund on the same basis as Foreign Service officers.

OTHER APPLICABLE PROVISIONS OF LAW

SEC. 10. All other provisions of the Foreign Service Act of 1946, as amended, or of any other law, which apply to Foreign Service officers and are not referred to above, shall be applicable to Foreign Service information officers.

COMMISSIONING AND ASSIGNMENT AS DIPLOMATIC AND CONSULAR OFFICERS

SEC. 11. (a) The Secretary of State may, upon request of the Director, recommend to the President that Foreign Service information officers be commissioned as diplomatic or consular officers, or both, in accordance with section 512 of the Foreign Service Act of 1946, as amended.

(b) The Secretary of State may, upon request of the Director, assign Foreign Service information officers, commissioned as diplomatic or consular officers, to serve under such commissions in accordance with sections 512 and 514 of the Foreign Service Act of 1946, as amended.

BOARD OF THE FOREIGN SERVICE AND THE BOARD OF EXAMINERS FOR THE FOREIGN SERVICE

SEC. 12. The functions of the Board of the Foreign Service and the Board of Examiners for the Foreign Service, established by the President pursuant to Reorganization Plan Numbered 4 of 1965, exercised with respect to Foreign Service officers shall be exercised with respect to Foreign Service information officers.

INTERPRETATION AND CONSTRUCTION

SEC. 13. For the purposes of this Act the term "Foreign Service officer" when used in the Foreign Service Act of 1946, as amended, or in any other provision of law shall be construed to mean "Foreign Service information officer" and the term "Secretary of State" when used with respect to authorities applicable to Foreign Service officers shall be construed to mean the Director of the United States Information Agency with respect to Foreign Service information officers.

VETERANS' PREFERENCE

SEC. 14. Notwithstanding any other provision of this Act and the last sentence of section 3320 of title 5 of the United States Code, section 3320 (except the last sentence thereof) of such title, relating to veterans' preference, shall be applicable to applicants for appointment and persons appointed as, Foreign Service information officers pursuant to this Act in like manner as such sections are applicable to applicants for, and persons appointed in, the competitive service.

[S. 2002, 90th Cong., 1st sess.]

A BILL To promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the United States Information Agency through establishment of a Foreign Service Information Officer Corps

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a category of officers of the United States Information Agency (hereinafter referred to as "the Agency") to be known as Foreign Service Information Officers.

STATEMENT OF POLICY

SEC. 2. It is the sense of the Congress that the establishment of a permanent career service for officers of the Agency who serve our country throughout the world in a vital function of the foreign relations of the United States is essential to enable the Director of the United States Information Agency (hereinafter referred to as "the Director") to carry out effectively such functions and responsibilities assigned to the Agency.

STATEMENT OF PURPOSES

SEC. 3. The Congress of the United States hereby declares that the purposes of this Act are—

(a) to provide a statutory basis necessary for a worldwide career officer personnel system designed to meet the continuing needs of both the Agency and those qualified citizens who shall serve as Foreign Service information officers in this vital activity;

(b) to give the Director the full range of personnel authority necessary to establish and administer the Foreign Service Information Officer Corps;

(c) to regularize the personnel system of the Agency by establishing a career service in which qualified Foreign Service information officers may be recruited, trained, and serve;

(d) to assure maximum efficiency and flexibility in the utilization of the talents of Foreign Service information officers; and

(e) to accord Foreign Service information officers the same rights and perquisites and to subject them to the same stringent judgment of performance as Foreign Service officers employed under the provisions of the Foreign Service Act of 1946, as amended.

AUTHORITY OF THE DIRECTOR

SEC. 4. Foreign Service information officers shall be under the direction and authority of the Director of the Agency. Authority available to the Secretary of State with respect to Foreign Service officers shall be available on the same basis to the Director of the Agency with respect to Foreign Service Information Officers, except as provided in section 11 of this Act.

POLICIES AND REGULATIONS

SEC. 5. The Foreign Service information officer personnel system shall be compatible with the Foreign Service officer personnel system. Toward this end, the Director with respect to the Foreign Service information officer personnel system and the Secretary of State with respect to the Foreign Service officer personnel system, after consultation with such officials as the President may determine, shall promulgate policies and regulations governing such systems. Both systems shall be administered, to the extent practicable, in conformity with general policies and regulations of the Federal Government issued in accordance with law¹.

APPOINTMENT AND ASSIGNMENT

SEC. 6. (a) Subject to section 4, Foreign Service information officers shall be appointed and assigned at classes and salaries, and in accordance with requirements and procedures, which correspond to those classes, salaries, requirements, and procedures, except with regard to career ambassadors, prescribed by sections 412, 413, 421, 422, 431(c), 432, 441, 500, 501(b), 502(b), 511, 514 through 520, 571 through 575, and 578 of the Foreign Service Act of 1946, as amended.

(b) The President shall, by and with the advice and consent of the Senate, appoint Career Ministers for Information.

(c) The Secretary of State may upon request of the Director furnish the President with the names of Foreign Service information officers qualified for appointment to the class of Career Minister for Information, together with pertinent information about such officers, but no person shall be appointed into the class of Career Minister for Information who has not been appointed to serve in an Embassy as a Minister for Public Affairs or appointed or assigned to serve in a position which, in the opinion of the Director, is of comparable importance. A list of such positions shall from time to time be published by the Director.

(d) The per annum salary of a Career Minister for Information shall be the same as that provided by section 412 of the Foreign Service Act of 1946, as amended, or the class of Career Minister.

PROMOTION

SEC. 7. Foreign Service information officers shall be promoted in accordance with the provisions of sections 621 through 623, and 626 of the Foreign Service Act of 1946, as amended, and shall receive within-class salary increases in accordance with section 625 of such Act.

SEPARATION AND RETIREMENT

SEC. 8. Foreign Service information officers shall be separated and retired in accordance with sections 631 through 637 of the Foreign Service Act of 1947, as amended.

PARTICIPATION IN THE FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

SEC. 9. (a) Foreign Service information officers shall be participants in and entitled to the benefits of the Foreign Service retirement and disability system under title VIII of the Foreign Service Act of 1946, as amended, on the same basis as Foreign Service officers. And such Foreign Service information officer who becomes a participant in such system shall make contributions to the Foreign Service retirement and disability fund on the same basis as Foreign Service officers.

(b) In accordance with such regulations as the President may prescribe, any Foreign Service staff officer or employee appointed by the Agency who has completed at least ten years of continuous service, exclusive of military service, in the Foreign Service of the Agency shall become a participant in the Foreign Service retirement and disability system and shall make a special contribution to the Foreign Service retirement and disability fund in accordance with the provisions of section 852 of the Foreign Service Act of 1946, as amended.

(c) Any such officer or employee who, under the provisions of paragraph (b) of this section, becomes a participant in the Foreign Service retirement and disability system, shall be mandatorily retired for age during the first year after the effective date of that paragraph if he attains age sixty-four or if he is over age sixty-four; during the second year at age sixty-three; during the third year at age sixty-two; during the fourth year at age sixty-one, and thereafter at age sixty.

(d) Any officer or employee who becomes a participant in the Foreign Service retirement and disability system under the provisions of paragraph (b) of this section who is age fifty-seven or over on the effective date of that paragraph, may retire voluntarily at any time before mandatory retirement under paragraph (c) of this section and receive retirement benefits under section 821 of the Foreign Service Act of 1946, as amended.

(e) The provisions of paragraph (b) of this section becomes effective on the first day of the first month which begins more than one year after the date of enactment of this Act, except that any Foreign Service staff officer or employee, who at the time this Act becomes effective meets the requirements for participation in the Foreign Service retirement and disability system, may elect to become a participant in the system before the mandatory provisions become effective. Such Foreign Service staff officers and employees shall become participants effective on the first day of the second month following the date of their application for earlier participation.

OTHER APPLICABLE PROVISIONS OF LAW

SEC. 10. All other provisions of the Foreign Service Act of 1946, as amended, or of any other law, which apply to Foreign Service officers and are not referred to above, shall be applicable to Foreign Service information officers.

COMMISSIONING AND ASSIGNMENT AS DIPLOMATIC AND CONSULAR OFFICERS

SEC. 11. (a) The Secretary of State may, upon request of the Director, recommend to the President that Foreign Service information officers be commissioned as diplomatic or consular officers, or both, in accordance with section 512 of the Foreign Service Act of 1946, as amended.

(b) The Secretary of State may, upon request of the Director, assign Foreign Service information officers, commissioned as diplomatic or consular officers, to serve under such commissions in accordance with sections 512 and 514 of the Foreign Service Act of 1946, as amended.

INTERPRETATION AND CONSTRUCTION

SEC. 12. For the purposes of this Act, the term "Foreign Service officer" when used in the Foreign Service Act of 1946, as amended, or in any other provision of law shall be construed to mean "Foreign Service information officer" and the term "Secretary of State" when used with respect to authorities applicable to Foreign Service officers shall be construed to mean the Director of the United States Information Agency with respect to Foreign Service information officers.

Senator PELL. The U.S. Information Agency performs a vital function in the conduct of foreign policy by creating greater understanding in foreign lands for our Nation, its people, and our Government's policies. The dedicated men and women of the USIA who bear the responsibility for carrying out our Government's information and cultural programs play a major role in the conduct of foreign policy, working in close partnership with Foreign Service officers of the Department of State.

USIA PROFESSIONALS NOT PART OF CAREER FOREIGN SERVICE

However, the professional personnel of USIA are neither a part of the career Foreign Service nor the Civil Service. As Foreign Service Reserve officers—a personnel category intended for filling temporary needs in the Foreign Service, they are, in effect, permanent temporary employees—truly out in limbo, careerwise. It is only through Con-

gress' approval of a rider on the annual USIA appropriation bill that the more senior employees are able to continue serving their country, since, by law, reserve officer appointments are limited to a maximum of 10 years.

In the 89th Congress the President proposed to bring the career officers of the Agency into the permanent Foreign Service as regular Foreign Service officers. Although the Committee on Foreign Relations did not approve the President's nominations of these officers, it recognized the need for congressional action to solve USIA's personnel dilemma and urged consideration by the next Congress of specific legislative proposals to remedy the situation.

AUTHORIZING LEGISLATION INTRODUCED

Late in the last session of Congress I introduced legislation which would authorize creation of a foreign service information officer personnel category for the USIA, comparable to the Foreign Service officer corps in the Department of State. I reintroduced the bill early this session as S. 633. Later, the executive branch submitted to Congress draft legislation almost identical to S. 633. This proposal was introduced by the Chairman of the committee in response to the Administration's request, as S. 2002.

This is the first meeting of the subcommittee appointed to consider these bills. We will receive testimony this morning from both executive branch and public witnesses. Full consideration will be given to all points of view expressed here today. I hope that it will be possible to act expeditiously on this legislation with a view to ending, as quickly as possible, the confusion and uncertainty which has afflicted the personnel structure of the USIA.

At this point, I request unanimous consent to have inserted in the record that portion of the Foreign Relations Committee's report calling on the Administration for some form of recommendation for action in the future. I also wish to insert in the record a letter that we received this morning from Foy Kohler, president of the American Foreign Service Association, concerning this legislation, and endorsing it.

There are also sundry other items that will be inserted in the record at this point.

(The material referred to follows:)

[From Senate Report No. 1656 on S. 3247, a bill to increase annuities payable from the Foreign Service retirement and disability fund, Sept. 26, 1966]

Section 7. Appointment of Foreign Service Reserve officers

This section amends the U.S. Information and Educational Exchange Act of 1948 by authorizing appointments or assignments of unlimited duration for Foreign Service Reserve officers serving with the U.S. Information Agency. Career USIA officers now receive unlimited appointments as Foreign Service Reserve officers, although there is no statutory basis for this practice since Reserve appointments cannot exceed a total of 10 years because of a limitation in section 522 of the Foreign Service Act. Their tenure beyond 10 years depends on a rider each year in the appropriation act for the Agency. About 50 USIA officers have already reached the 10-year limit.

Last year the President nominated 760 of the career officers of the Agency as Foreign Service officers, under the lateral entry provisions of the Foreign Service Act. Although the nominations were approved by this committee, they were not acted on by the Senate. A revised list of 697 nominations was submitted by the President this session but the committee has not approved the list.

The committee recognizes that its action in removing the time limitation on Reserve officer appointments in the USIA is only a stopgap measure. The committee expects the executive branch to give further study to the problem and that it will submit specific legislative proposals for consideration in the next Congress.

AMERICAN FOREIGN SERVICE ASSOCIATION,
Washington, D.C., September 27, 1967.

Hon. J. W. FULBRIGHT,
U.S. Senate.

DEAR SENATOR FULBRIGHT: As President of the American Foreign Service Association, representing more than 7,000 foreign service employees of the Department of State, AID and USIA, I wish to endorse and support the legislative proposals, now pending before the Senate Foreign Relations Committee, to establish a career Foreign Service Information Officer Corps in USIA. I am joined in this endorsement by the Board of Directors of the Association.

The information and cultural activities of our Government today are an inseparable part of the conduct of our foreign relations abroad. Employees of USIA who carry on these activities work closely with Foreign Service officers of the Department at the same locations in a common effort to further our national interests. Recognition of these employees as career personnel is, in my opinion and that of the Board, long past due.

Two bills to achieve this purpose are pending before the Committee—S-2002 introduced on request from the Executive Branch and S-633 introduced by Senator Pell of Rhode Island. The two bills have the same purpose; i.e. to establish a career Foreign Service Information Officer Corps for the professional foreign service officer personnel of the U.S. Information Agency modeled after the Foreign Service Officer Corps of the Department of State. The Board of the Association and I endorse the principle of a career service for USIA and urge enactment of the proposed legislation.

The new legislation places Foreign Service Information officers under the Foreign Service Retirement and Disability System. Foreign Service Staff personnel of USIA with 10 years continuous service in the foreign service of USIA would also become participants in the Foreign Service Retirement System under the same conditions as Staff personnel of State Department were covered in 1961. The Board of the Association and I believe that coverage of these career employees of USIA under the Foreign Service Retirement System is especially important.

It is our strong conviction that enactment of this legislation will strengthen and improve the Foreign Service of the United States.

Sincerely,

FOY D. KOHLER,
President.

[From "A Framework for Foreign Affairs Personnel Management," a chapter in the Report of the Committee on Foreign Affairs Personnel (Herter Report), December 1962]

CAREER PERSONNEL SYSTEMS FOR FOREIGN INFORMATION AND DEVELOPMENT PROGRAMS

RECOMMENDATION 4

A career foreign service, to be known as the Foreign Information Service, should be provided for the permanent professional personnel in overseas informational and cultural activities.

In 1953, under the President's Reorganization Plan No. 8, the United States Information Agency (USIA) was established as an independent agency outside the Department of State but subject to its foreign policy guidance. This organizational arrangement has proved to be the stablest in the history of overseas informational and cultural programs, the earliest of which began before World War II. For several years after the war, these programs were administered within the Department of State. The mission of the Agency, "to promote the better understanding of the United States among the peoples of the world and to strengthen cooperative international relations," is pursued through a variety of activities. These include, among others, radio broadcasts through the Voice of America

production and provision overseas of motion pictures, publications and press releases, television films and tapes, and operation of information centers, libraries, and cultural centers. The Agency also administers cultural relations and educational exchange programs abroad in behalf of the State Department, which directs these activities in Washington. The Agency operates in about 100 countries overseas—virtually all except those behind the Iron Curtain—as the United States Information Service (USIS); these overseas offices are integral parts of the diplomatic and consular posts; their director in each country is a public affairs officer who is part of the ambassador's "country team."

USIA employs about 11,000 people, of whom the great majority (8,300) are in the Agency's foreign service. Only about 1,600 of these are United States citizens. Its civil service, largely in Washington, numbers some 2,600 employees.*

The Agency's foreign service is administered under the provisions of the Foreign Service Act of 1946 relevant to the Reserve, Staff, and local employees. It does not directly employ any Foreign Service Officers, although a few work for the Agency on detail from the State Department. Since 1955, the Agency has sought, without success, legislative authority to establish a career service comparable to that of the Foreign Service Officers Corps. Failing this, the Agency has moved as far as it could administratively by establishing a "Career Reserve Officer Corps," which now includes about 800 officers, modeled on the Foreign Service Officers Corps. Each of its members has successfully undergone a qualifying in-service or entry examination. The Agency regularly recruits junior officer candidates and gives them examinations like those for the Foreign Service and on the same days. Its promotion system and many other personnel practices are like those of the Foreign Service Officers, and representatives of the Foreign Service serve on USIA personnel boards and panels.

In certain important respects, however, the career reserve system differs from the career system of the Foreign Service. For example, under present legislative authorization, the Agency cannot employ Reserve officers beyond a ten-year maximum unless it is given annually a special Congressional authorization for a one-year extension in its appropriation bill. Failure to obtain extensions would do irreparable damage to the program, and continued existence of such limitation is not conducive to the building of a secure and stable service. Likewise, the Agency lacks authority to select-out low-performance officers; its foreign service personnel are under the Civil Service rather than the Foreign Service retirement system; and the ceiling on the advancement of highly qualified senior officers is lower than that of Foreign Service Officers, since they are not eligible for promotion above class 1. In spite of these handicaps, USIA has developed a sound personnel system, and the officer corps includes many with long experience in the Agency and its predecessors.

There can now be no question that the information and cultural programs are an enduring and organic tool of American foreign policy. The Committee believes that it is in the national interest to authorize a career system comparable to that of the Foreign Service Officer Corps for the professional personnel in overseas information and cultural activities. Inasmuch as the career reserve officers now in the Agency have already satisfied standards comparable to those required of Foreign Service Officers, this step could be taken quite easily by simple conversion of the career reserve to full career status.

[From the 22d Report of the U.S. Advisory Commission on Information, Jan. 26, 1967.]

RECOMMENDATIONS TO CONGRESS

A Statutory USIA Foreign Service

Successive directors and this Commission have pleaded with the Congress for legislation which would provide foreign service officers of USIA with a career service. The collapse of proposed legislation in the 89th Congress has led to further deterioration of morale among those who serve the interests of their country abroad.

The argument in favor is well known by the Congress and need not be repeated here. The men and women of the foreign service cannot and should not be expected to lobby in their own behalf. They are no one's particular constituency and are completely dependent on the good will, wisdom and judgment of the Congress for their support.

*Data as of June 30, 1962.

It is the foreign service public affairs officers, cultural affairs officers, information officers, librarians, labor information officers, student affairs grantees, radio and television and motion picture officers who talk with editors, writers and commentators, who counsel with, guide and advise exchange students, professors and scholars, who arrange for and publicize the artistic and musical extravaganzas, who provide foreign parliamentarians and appointed officials with reliable information about U.S. policies and intentions, who speak to foreign audiences, who create exhibits, lend books, show motion pictures or place television and radio programs on local stations, who talk to labor groups and enter into dialogues with students about the United States. They represent the United States, not with foreign offices and prime ministers, but with people from every walk of life who have prejudices as well as curiosity about the United States.

Such representatives of the United States need a Congressionally sanctioned career system. The Commission urgently recommends that Congress make every effort to grant them one.

[From the Commission on Organization of the Executive Branch of the Government, (Hoover Commission)²
Task Force Report on Personnel and Civil Service, February 1955]

PERSONNEL ENGAGED IN ADMINISTRATION OF FOREIGN AFFAIRS FUNCTIONS

The problem of foreign affairs personnel is not limited to the Foreign Service and the Department of State. The Defense Department, the United States Information Agency, and the Foreign Operations Administration have large numbers of employees overseas who not only conduct operations vital to the United States, but who also, in their personal conduct, represent the United States to citizens of foreign countries. The need for a systematic personnel program and a merit system covering these employees is clear. In many ways, it is more urgent than reform of the Foreign Service. As was recommended in the preceding sections, these positions ought to be brought within the classified service or within a special merit system.

Senator PELL. It is now a particular pleasure to hear our first witness who has done a fine job in his responsibility as Director of the U.S. Information Agency. We welcome a personal friend, Mr. Leonard Marks.

STATEMENT OF LEONARD H. MARKS, DIRECTOR, U.S. INFORMATION AGENCY; ACCOMPANIED BY RICHARD M. SCHMIDT, JR., GENERAL COUNSEL; AND LIONEL S. MOSLEY, ASSISTANT DIRECTOR, OFFICE OF PERSONNEL AND TRAINING

Mr. MARKS. Thank you, Senator.

I know I express the appreciation of my colleagues for the recognition which you have given to the vital task they are performing at home and abroad and for the leadership which you have demonstrated in introducing this legislation and in carrying out the intent of the Foreign Relations Committee in seeing that substantive legislation will be considered at this session.

I have a formal statement which I ask permission to insert in the record.

Senator PELL. It will be inserted in full in the record.

Mr. MARKS. Senator, as you have recognized, this matter now before you and the committee is not a new question. Since 1953, when the U.S. Information Agency was created by Reorganization Plan No. 8, it has been recognized that legislation should be adopted affording the personnel of the Agency permanent status. Periodically various plans have been considered. Efforts have been made by study commissions to resolve the problem, but today, 14 years later, the

employees of this Agency engaged in foreign service work are still without status.

As you have pointed out, they work in foreign countries side by side with their colleagues in the Department of State. They perform vital functions, they are subjected to the same hardships, they have immense responsibilities in carrying out the mission which this Government, this Congress, has entrusted to them, and yet they do not have the status, the privileges which the Department of State affords to its Foreign Service corps.

PROPOSED LEGISLATION WOULD EQUALIZE SYSTEMS

Now, the bills which are before you today would rectify that and place them on a comparable basis.

You have before you two bills, one which you introduced, S. 633, and one which was introduced by the Chairman at the request of the Agency and the executive departments, S. 2002. The differences between them are not very significant. I favor the language of S. 2002, because it was carefully worked out in the executive branch and has been agreed to by all interested departments and agencies.

Now, we could go into a detailed discussion of each provision, and I would be glad to answer questions on that, but I don't think any useful purpose would be served by an intensive examination at this time.

At the last session of Congress when the Foreign Relations Committee considered this subject, a stopgap measure was introduced, and instructions were issued to give further study to the Agency foreign personnel problem. You now have that opportunity, and I hope that this is the last chapter in a long story on solving this problem.

PROPOSED FOREIGN SERVICE INFORMATION CORPS

In essence, both bills establish a foreign service category of officers to be known as Foreign Service Information officers under the direction and authority of the Director of the USIA. In administering this Foreign Service Information officer corps the bill directs me to follow the same provisions of the Foreign Service Act that apply to appointment, promotion, retirement, and all other provisions of the Foreign Service Act which regulate the Foreign Service officer corps of the Department of State.

The result would be a career corps of FSIOs similar to FSOs. While Foreign Service Information officers are required to meet the same high standards of selection and retention as Foreign Service officers, they will, of course, be selected, trained and developed specifically as information and cultural officers.

No new jobs will be created by virtue of this legislation. No increases in salary will be required by this legislation. No promotions will be brought about by this legislation.

RECOGNITION OF CAREER EMPLOYEES

In my previous testimony before this committee, I compared the results of this legislation to pinning a lapel button on a person who has performed a meritorious service. It is an act of recognition to men and women who are serving their country.

The detailed provisions are before you. In my formal statement, I have analyzed them. I want to conclude this portion of my statement by telling you that as I travel around the world visiting our posts and meeting with our officers, I am constantly faced with one question: "Why is it after 14 years the U.S. Government has not recognized us as career employees? Why does the U.S. Government insist on treating us as second-class employees in comparison with our Foreign Service officer associates?"

I can't answer that question except to say that the Congress has considered the problem, and I have every assurance that Congress will resolve the problem.

You have had presented to you endorsements of this legislation by each of the agencies affected. You have just put into the record a letter by the president of the Association of Foreign Service personnel. I believe that you can have any number of ambassadors, high ranking officers, come in and support this legislation. They have personally told me of their interest in seeing that this result will be obtained.

I have no other statements to make, but I will be glad to answer any questions that you have.

Senator PELL. Thank you very much, Mr. Marks.

(The complete statement of Mr. Marks and other U.S.I.A. material follow:)

U.S. INFORMATION AGENCY

STATEMENT IN SUPPORT OF PERSONNEL LEGISLATION FOR USIA

Mr. Chairman, Members of the Subcommittee, I am pleased to have this opportunity to testify concerning S-2002 and S-633. These two bills have the same basic purpose; namely, to establish a Career Foreign Service Information Officer Corps for the professional foreign service officer personnel of the U.S. Information Agency closely paralleling the Foreign Service Officer Corps of the Department of State. The two bills are identical in most respects and my remarks are equally applicable to both except where the bills are in conflict. Where differences exist between the two bills, I favor the language of S-2002 because it was carefully worked out in the Executive Branch and has been agreed to by all interested Departments and Agencies.

The Foreign Relations Committee is aware of the serious personnel problem which has confronted USIA since its establishment in 1953. The problem, simply stated, is that USIA is functioning without a career officer system for its professional foreign service officers.

ALTERNATIVES FOR SOLVING THE PROBLEM

The Committee has considered several alternatives for solving this problem. During the last Congress the Committee considered nominations of our officers as Foreign Service officers. The Committee approved these nominations during the first session but did not act on the nominations during the last session. In the closing days of the last session the Committee approved what it called a "stop gap" measure to authorize appointment of Agency Foreign Service Reserve personnel without regard to the present ten-year statutory limitation on tenure. The Senate passed this measure but due to shortage of time it was not acted upon by the House.

I appreciate this effort on the part of the Senate to deal with our problem even on a stop-gap basis. In reporting out that measure the Committee stated that it expected the Executive Branch to give further study to Agency Foreign Service personnel needs and to submit specific legislative proposals for consideration in this Congress.

EXECUTIVE BRANCH PROPOSALS

S-2002 is a bill developed by the Executive Branch in response to your request. It incorporates most of the provisions contained in S-633. This Executive Branch proposal has the support of the Civil Service Commission, the Bureau of the Budget, the Department of State, and, of course, USIA.

In essence, both bills establish a foreign service category of officers to be known as Foreign Service Information Officers under the direction and authority of the Director of USIA. In administering this Foreign Service Information Officer Corps the bill requires the Director to follow the same provisions of the Foreign Service Act that apply to appointment, promotion, retirement, selection out and separation for cause of Foreign Service officers. The result will be a career corps of Foreign Service Information officers similar to Foreign Service officers. While Foreign Service Information officers will be required to meet the same high standards of selection and retention as Foreign Service officers, they will, of course, be selected, trained and developed specifically as information and cultural officers.

Specific provisions have been included in Section 5 of S-2002 to assure that policies and regulations of the two officer systems are compatible. We intend to work closely and continuously with the Department of State to achieve compatibility between the Foreign Service Information Officer Corps and the Foreign Service Officer Corps of the Department.

APPLICABILITY OF FOREIGN SERVICE ACT

The various requirements and procedures of the Foreign Service Act relating to appointment and assignment of Foreign Service officers, including appointment by the President with the advice and consent of the Senate, will, under Section 6, be applicable to Foreign Service Information Officers. Section 6 of S-2002 also provides for appointment of exceptional officers as career ministers for information. Again, such appointments will be by the President after confirmation by the Senate.

Sections 7 and 8 require that provisions of the Foreign Service Act for promotion, separation and retirement of Foreign Service officers will also apply to Foreign Service Information officers.

Under the provisions of Section 9 of S-2002 Foreign Service Information officers will be covered under the Foreign Service Retirement and Disability System. This section also provides that Foreign Service staff employees of USIA will become participants in the Foreign Service Retirement and Disability System after completion of ten years continuous service in the foreign service of USIA. This action is consistent with the action of the Department of State in 1961 when staff employees of the Department were placed under the Foreign Service Retirement and Disability System.

Section 10 requires that all other provisions of law which apply to Foreign Service officers will be applicable to Foreign Service Information officers.

Section 11 establishes procedures for commissioning of Foreign Service Information officers as diplomatic and consular officers.

Section 12 defines and interprets certain terminology to assure accurate construction of the language of the bill in the future.

An additional Section 13, not included in either S-2002 or S-633, has been proposed by the Agency, a copy of which is before each member of the Committee. This is a technical section which would by operation of law convert those few Agency junior Foreign Service officers appointed under an agreement between the Secretary of State and the Director of USIA to Agency Foreign Service Information officers at the same classes without further appointment formality.

Gentlemen, in these few paragraphs I have summarized the provisions of this proposal. The enactment of this bill is important to the Agency and its foreign service personnel.

INTEGRAL PART OF FOREIGN SERVICE

As I have travelled around the world examining the effectiveness of our posts overseas I am constantly faced with difficult questions from my staff. Such questions as: "Why is it that after fourteen years the U.S. Government has not recognized us as career employees?" "Why does the U.S. Government insist on treating us as "second class" employees in comparison with our Foreign Service officer associates?"

Gentlemen, I find these questions impossible to answer. I frankly am embarrassed by my inability to give an answer.

These officers work as an integral part of our diplomatic and consular establishments throughout the world under identical circumstances to those of Foreign Service officers. They have met high standards of examination and selection. They have been promoted under the same demanding requirements as Foreign

Service officers. They work with the same dedication. They are devoting a substantial part of their lives to a career of service with the U.S. Government. Why then, should they not have the recognition and standing of career status equivalent to that given to officers of the Department of State? It is my firm conviction that the proposed personnel authority, so long overdue, is in the best interest of the Government, the Foreign Service, and the officers concerned.

ADDITIONAL EMPLOYMENT NOT AUTHORIZED IN BILL

I wish to make clear that the Bill does not authorize additional employment. I would hope that one of the results of enactment of the bill would be increased efficiency and economy as a result of selection and promotion of highly qualified officers, separation of the marginal and inefficient and improvement in the esprit de corps of the professional officers of the Agency. They will work at the same salaries, receive the same allowances and continue with the same leave, travel and other monetary conditions of employment they now have. There will be no change in those aspects of their employment. The change is one of career status. At present they are employed as reserve officers under an administrative system with statutory time limits on their periods of employment. If this bill is enacted they will become members of a statutory career officer system based on the same competitive principles of merit that now apply to Foreign Service officers of the Department.

The proposal covers only those USIA employees who choose the Foreign Service as their career and does not affect the status, tenure, or other rights of the Agency's Civil Service employees. The Agency will retain its present authorities under the Foreign Service Act and Reorganization Plan No. 8 to employ Foreign Service Reserve officers for limited periods, Foreign Service Staff personnel and Foreign Service Locals.

Finally, the enactment of this legislation would satisfy the recommendations of the various study groups which have surveyed the personnel needs of USIA and also fulfills the objectives of the President that USIA professional officers "be given the same rights and prerequisites and be subject to the same stringent judgment of performance as personnel already in the Foreign Service."

I appreciate this opportunity to explain the bill and seek your cooperation and assistance in providing the career merit service for our officers necessary to meet the needs of our critical interests abroad. I cannot stress too strongly the urgent need for this legislation.

U.S. INFORMATION AGENCY

PROPOSED FOREIGN SERVICE PERSONNEL SYSTEM OF THE U.S. INFORMATION AGENCY

When the U.S. Information Agency was established by Reorganization Plan No. 8 in 1953 the Director was given Foreign Service personnel authorities under the Foreign Service Act limited to Reserve officers, Staff personnel and local employees. Authorities relating to Foreign Service officers were withheld with the result that the Agency has operated for fourteen years with an incomplete Foreign Service personnel system.

The Administration's legislative proposal is designed to correct this deficiency and complete the personnel authorities of the Agency.

Objective

The objective of the proposed legislation is to establish a career category of officers in USIA equivalent to Foreign Service officers of the Department of State, selected and trained specifically for world-wide duty in information and cultural work.

Composition

If the proposed personnel legislation is enacted the Foreign Service personnel structure of USIA will be parallel to that of the Department of State. After enactment the Agency will have the following categories of Foreign Service personnel.

1. *Foreign Service Information Officers.*—a professional service of the officer level comparable to the Foreign Service Officer Corps of the Department of State. These officers will be subject to all provisions of law which apply to Foreign Service officers and will be subject to policies and regulations which are, to the

extent practicable, compatible with those which apply to Foreign Service officers. These officers will be selected, assigned, promoted, retained and separated under the same principles of competitive merit that apply to Foreign Service officers.

2. *Foreign Service Reserve Officers.*—Professional officers appointed for limited periods who will return to careers outside the Foreign Service after completing an assignment overseas with the Agency and professional officers qualified for the Foreign Service Information Officer Corps who will serve as Reserve officers until they meet eligibility requirements for Foreign Service Information Officer appointment. The Agency retains authority for the Foreign Service Reserve under Reorganization Plan No. 8 and related executive orders.

3. *Foreign Service Staff Corps.*—A group of clerical, secretarial, and administrative assistant personnel and of specialists and technicians generally appointed on a permanent basis. Authority to make limited appointments will continue. This Bill makes no change in the Agency's authority to appoint Staff personnel.

4. *Foreign Service Local Employees.*—Citizens of other countries appointed by the Agency for service abroad in accordance with provisions of the Foreign Service Act. This Bill makes no change in the Agency's authority to appoint Foreign Service locals.

Appointment by the President

Appointments of Foreign Service Information officers will be made by the President, with the advice and consent of the Senate.

World-wide service requirement

Foreign Service Information officers will be required to serve at such posts and in such positions as determined by the Agency to meet the needs of the program.

Initial entry into the Foreign Service Information Officer Corps

Initial appointments to the Foreign Service Information Officer Corps will be made from Foreign Service personnel already on the rolls of the Agency. Initial appointments to the Foreign Service Information Officer Corps will be made as follows:

1. *Appointments from the Career Reserve.*—At present the Agency has 822 Career Reserve officers who have passed all examinations and requirements for Foreign Service Information officer appointments. Most of these Career Reserve officers will be nominated for Foreign Service Information officer appointment. Some are not eligible for nomination because of age or other technical requirements. After the initial appointment of qualified Career Reserve officers as Foreign Service Information officers the Career Reserve will be abolished. Career Reserve officers not nominated will continue as Reserve officers and retained or terminated in accordance with laws and regulations applicable to such officers.

2. *Appointment of Junior Foreign Service officers.*—Beginning in 1965 Agency junior career officers have been appointed as Foreign Service officers under an agreement between the Secretary of State and the Director of USIA. At present 108 junior officers hold Foreign Service officer appointments. These 108 Agency junior Foreign Service officers will be transferred to the Foreign Service Information Officer Corps under the provisions of an Agency proposed amendment to be included as Section 13 of the Bill.

Future entry into the Foreign Service Information Officer Corps

When these initial Foreign Service Information officer appointments are made future appointments to the Foreign Service Information Officer Corps will be made in accordance with the requirements of Sections 516 and 517 of the Foreign Service Act. Candidates will be examined by the Board of Examiners for the Foreign Service under the same procedures, standards and requirements that apply to Foreign Service officer appointment. Lateral entry candidates will be drawn from the following:

1. *Lateral entry under Section 517 from the Foreign Service Reserve and Foreign Service Staff.*—Those Agency Reserve and Staff personnel who meet age, citizenship, and other requirements; who have satisfactory performance records; who have the types of background needed and are suited to a world-wide information program and who meet standards and pass examinations equivalent to those required for appointment as Foreign Service officers of the Department will be nominated for Foreign Service Information officer appointment.

2. *Appointment of Agency Civil Service Personnel.*—Civil Service employees will not be required to enter the Foreign Service. However, Civil Service employees who desire to join the Foreign Service and who are qualified and meet requirements may apply for Foreign Service Information officer examination and appointment. They will be subject to the same requirements, standards and examination processes as those established for appointments from the Agency Reserve and Staff Corps.

3. *Appointments from Outside the Agency.*—Appointments to classes 1 through 7 will be on the basis of standards and examinations equivalent to those required by the Department of State for appointment as a Foreign Service officer classes 1 through 7. Candidates with needed qualifications, who are not eligible for appointment as Foreign Service Information officers, will be appointed as Reserve officers for qualifying service overseas until requirements are met.

4. *Appointment of Junior officers at classes 7 and 8 under Section 516.*—The Agency will continue its joint examination program with the Department of State in examining and selecting for appointment a steady flow of junior Foreign Service Information officers of classes 7 and 8.

Pay, allowances and benefits

Classes and salary ranges of Foreign Service Information officers will be identical to those provided for Foreign Service officers except that the legislation will not authorize appointments to the class of Career Ambassador. These classes and salaries are identical with those of Reserve officers and initial appointees to the Foreign Service Information officer Corps will not receive any adjustment in salary. Allowances and benefits provided for Foreign Service officers will also apply to Foreign Service Information officers. They are the same for Reserve officers and initial appointees will not receive any adjustments in allowances and benefits as a result of this legislation. No change in the present allowance system and no additional monetary benefits are proposed in this legislation.

Assignment and use of Foreign Service Information officers

Foreign Service Information officers will be used primarily in the overseas operations of the Agency. They will also be used in the domestic service on a rotating basis. The assignment of Foreign Service Information officers to domestic positions for regular tours of duty will be accomplished through a system of assignment utilizing the experience and abilities of the individual.

EXPLANATION OF PROPOSED BILL (S. 2002)

General

The proposed legislation is designed to provide the statutory basis for a career foreign service personnel system for the U.S. Information Agency. It provides authority for an officer category to be known as Foreign Service information officers paralleling the Foreign Service Officer Corps of the Department of State. In general, the proposed legislation will place the foreign service of the Agency on a basis equivalent with that of the Department of State and subject to the same statutory requirements and limitations.

The legislative proposals, if enacted into law, will meet a need that has existed since 1953 when the Agency was established by Reorganization Plan No. 8. At that time the President recognized that the limited personnel authorities granted to the new Agency under Reorganization Plan No. 8 and implementing executive orders were not adequate. In his message to the Congress transmitting the Reorganization Plan, the President said:

"While these [personnel] arrangements will enable the new Agency to function with reasonable effectiveness from the outset, I do not consider them permanently suitable."

Under Reorganization Plan No. 8 and related executive orders, the foreign service personnel authorities of the Agency were limited to those pertaining to Foreign Service Reserve officers, Foreign Service Staff officers and employees, and alien clerks and employees. The Agency was not given the authorities necessary to establish and operate a permanent career foreign service officer personnel system. The present proposal will for the first time give the Agency statutory authority for a career personnel system for its professional officers in the foreign service.

Such proposals are consistent with recommendations of the Herter Committee, the Advisory Commission on Information, and various other study groups that USIA career officers be given the same rights and perquisites and be subjected

to the same stringent judgment of performance as personnel already in the Foreign Service.

Section 1

This section establishes a foreign service category of officers of the United States Information Agency to be known as Foreign Service information officers.

Section 2

In this section the Congress recognizes the need to complete the personnel system of the Agency, as described in the general explanation above, to enable the Director of USIA to do his job effectively.

Section 3

This section states the basic purposes of the bill; namely, to provide the statutory framework for a worldwide career officer personnel system in USIA, to give the Director the authorities necessary to establish and operate it, to regularize and complete the inadequate system under which the Agency has operated for thirteen years, to assure efficiency and flexibility in the use of this category of officers, and to accord Foreign Service information officers the same rights and perquisites and to require the same standard of performance as apply to Foreign Service officers.

The proposal will not increase employment or positions in USIA. The proposed corps of officers will be created initially by appointment of Foreign Service Reserve officers already employed by the Agency who satisfy the requirements for appointment.

The proposal does not affect the status and rights of Civil Service employees of the Agency.

Section 4

The Director of USIA will have control of the Foreign Service information officer corps in the same way that the Foreign Service officer corps is under the direction and authority of the Secretary of State. To accomplish such control this section makes available to the Director with respect to Foreign Service information officers the same range of authority available to the Secretary of State with respect to Foreign Service officers, except as provided in Section 11 which reserves to the Secretary authority regarding Diplomatic and Consular Commissions and Titles.

The Director retains, of course, the authority made available to him by the President with respect to Foreign Service Reserve officers, Foreign Service Staff officers and employees, and alien clerks and employees, under executive orders implementing Reorganization Plan No. 8.

The proposal in no way impinges upon the authority of the Secretary of State to administer the Foreign Service officer system.

Section 5

Foreign Service information officers will work with Foreign Service officers at the same posts under identical conditions throughout the world. Although employed by two separate agencies this section will assure the coordination of these two career officer systems and the uniformity and compatibility desired by the Congress and the Executive Branch.

Section 6

Subsection (a) makes applicable to Foreign Service information officers the sections of the Foreign Service Act of 1946, as amended, which apply to appointment and assignment of Foreign Service officers, except those relating to appointment of Foreign Service officers as career ambassadors and career ministers. Appointment will be by the President, by and with the advice and consent of the Senate. Appointees must satisfy requirements and pass examinations required by the Act.

Junior officers will be appointed at class 7 or 8 in accordance with Section 516 of the Foreign Service Act. Written, oral, physical and other examinations comparable to Foreign Service officer class 8 examination will be required. The Agency desires to provide a continuing source of highly qualified young officers for the Foreign Service Information Officer Corps through appointments at the entrance class.

Subsections (b), (c) and (d) provide for appointment of Foreign Service information officers as Career Ministers for Information. Appointments will be by the President, by and with the advice and consent of the Senate. To qualify, Foreign Service information officers must have served in an Embassy as a Minister for Public Affairs or in a position of comparable importance.

The Secretary of State at the request of the Director may furnish the President the names of Foreign Service information officers qualified for appointment to the Class of Career Minister for Information. Officers appointed as Career Ministers for Information will receive the same salary as that provided by Section 412 of the Foreign Service Act of 1946, as amended, for Foreign Service officers appointed to the Class of Career Minister.

Section 7

This section makes applicable to Foreign Service information officers the sections of the Foreign Service Act which provide for promotion of and within class increases for Foreign Service officers. Promotion will be by appointment to a higher class by the President, by and with the advice and consent of the Senate.

Section 8

This section makes applicable to Foreign Service information officers the sections of the Foreign Service Act which provide for retirement, selection-out, and separation for cause of Foreign Service officers.

Section 9

Subsection (a) makes Foreign Service information officers participants in and beneficiaries of the Foreign Service Retirement and Disability System which is administered by the Secretary of State under Title VIII of the Foreign Service Act on the same basis as Foreign Service officers. It is not intended to establish a separate retirement and disability system or to maintain a separate retirement fund for Foreign Service information officers.

Subsection (b) provides for the participation in the Foreign Service Retirement and Disability System of Agency Staff officers and employees who have completed or who will hereafter complete ten years of continuous service in the Foreign Service of USIA. At the present time Agency Staff personnel, regardless of length of service, are covered by the Civil Service Retirement Act. Beginning in 1961, Staff personnel of the Department with ten years of continuous service in the Foreign Service of the Department have been covered by the Foreign Service Retirement and Disability System. This difference in treatment of Staff personnel of the two agencies should be removed when Agency career Foreign Service information officers become participants in the Foreign Service Retirement and Disability System.

Subsection (c) provides for the gradual retirement over a four-year period of Agency Staff personnel who are above the mandatory retirement age at the time they become participants in the system. This gradual transition is identical to that provided when State Department Staff personnel were brought into the System in 1961 and is necessary to provide an orderly transition for older employees upon transfer to another retirement system.

Subsection (d) is another transitional provision to permit Staff personnel who are age 57 or more on the effective date of this section to retire voluntarily. Without this provision some employees would not be eligible to retire voluntarily before they reach mandatory retirement age.

Subsection (e) provides that subsection (b) will be effective the first day of the first month which begins more than one year after the date of the enactment. Also, under this subsection an eligible Staff employee may elect to become a participant before the mandatory requirement of subsection (b) becomes effective.

Section 10

This section assures that the legal framework for establishment and administration of the Foreign Service Information Officer Corps is complete by making applicable other provisions of the Foreign Service Act or any other law which apply to Foreign Service officers.

Section 11

This section provides that the Director, when he considers it necessary to carry out the Agency's functions, may request the Secretary of State to recommend to the President that Foreign Service information officers be commissioned to serve in a diplomatic or consular capacity. In this way, the Secretary of State retains responsibility for commissioning Agency personnel and for their assignment under such commissions in diplomatic or consular capacities. The Director retains authority over the assignment and transfer of Foreign Service information officers in other than diplomatic or consular capacities.

Section 12

The bill creates the legal framework for the establishment and operation of the Foreign Service Information Officer Corps by making applicable to such officers provisions of the Foreign Service Act and other laws which apply to Foreign Service officers. The wording of those provisions is in terms of the "Secretary of State" and "Foreign Service officers." This section makes clear that when those provisions are used with respect to this newly established category of Foreign Service information officers the provisions are to be construed in terms of the "Director of USIA" and "Foreign Service information officers."

RESUME OF SECTIONS OF THE FOREIGN SERVICE ACT SPECIFICALLY MADE APPLICABLE
TO FSIO'S

The bill to establish a category of officers of the USIA to be known as FSIOs incorporate by reference specified provisions of law applicable to FSOs of the Department of State.

There is included herein a brief resume of each such referenced section keyed to the section of the bill in which the reference is contained.

SECTION 1 THROUGH 5 OF BILL

None.

SECTION 6 OF BILL

Section 412

Establishes ten classes of Foreign Service officers and salary levels. Under the proposed bill, there will be nine classes of FSIOs because the class of career ambassador is not included.

Section 413

Authorizes initial appointment in a class commensurate with experience; establishes the basic salary for FSIOs on initial appointments.

Section 421

Authorizes FSIOs to act as charge d'affaires ad interim, and receive additional compensation therefor.

Section 422

Authorizes FSIOs to receive added compensation during temporary periods while in charge of a Consulate General or Consulate.

Section 431(c)

Pertains to salaries of an FSIO who may be appointed chief of mission by the President with Senate confirmation.

Section 432

Establishes effective dates for salary purposes under various circumstances including recess appointments, promotion, etc.

Section 441

Authorizes the Director to classify positions.

Section 500

Establishes a policy that FSIOs have, to the extent practicable, knowledge of the language of their country of assignment.

Section 501(b)

Authorizes the assignment of FSIOs to serve as Charge d'affaires and in other diplomatic capacities.

Section 502(b)

Establishes requirements and procedures for recommendations of FSIOs as Chief of Mission.

Section 511

Provides for appointment by the President with Senate confirmation.

Section 514

Authorizes assignments and transfers as interests of the Agency require.

Section 515

Establishes a minimum citizenship period for appointment.

Section 516

Establishes requirements and procedures for appointment to classes 7 and 8 on the basis of comprehensive examinations.

Section 517

Provides for lateral entry of qualified individuals on the basis of comprehensive examinations.

Section 518

Pertains to qualifications for appointment of FSOs as career minister and career ambassador. Similar qualifications are established by Section 6(c) of the proposed bill for appointment of FSIOs as Career Ministers for Information. No provision is made in the proposed bill for appointment of FSIOs as career ambassadors.

Section 519

Pertains to retirement of former ambassadors and ministers.

Section 520

Establishes procedures for the recall or reemployment of FSIOs who have been separated from the Service.

Section 571

Establishes requirements and procedures for assignment to any Government agency or international organization.

Section 572

Requires each officer to spend a minimum of three years in the United States out of 15 years of service.

Section 573

Authorizes assignment for consultation or instruction.

Section 574

Authorizes assignment to trade, labor, agricultural or other conferences.

Section 575

Authorizes assignment to foreign governments.

Section 578

Establishes foreign language knowledge prerequisite to foreign assignment.

SECTION 7 OF THE BILL

Section 621

Provides for promotion on the basis of merit by the President with Senate confirmation.

Section 622

Authorizes establishment of minimum periods in grade for promotion and standards of performance for promotion.

Section 623

Provides for establishment of selection boards to evaluate officers and make recommendation for promotion.

Section 625

Establishes within-class salary levels and standards for receiving within-class increases.

Section 626

Provides that functional and geographical specialization should not inhibit advancement.

SECTION 8 OF BILL

Section 631

Provides for retirement at age 65 of Foreign Service officers who are career ambassadors or career ministers. FSIOs appointed as Career Ministers for Information will retire at age 65 under the proposed bill. Appointment of FSIOs as career ambassadors is not provided for in the proposed bill.

Section 632

Provides for retirement at age 60.

Section 633

Provides for selection-out of officers who are not promoted within a time period specified by regulations or who do not maintain the required standard of performance.

Section 634

Provides retirement benefits for officers who are selected out.

Section 635

Authorizes separation of officers while in probationary status.

Section 636

Authorizes voluntary retirement at age 50 with 20 years of service with the consent of the Agency head.

Section 637

Establishes requirements and procedures for separation on account of unsatisfactory performance of duties or for such other cause as will promote the efficiency of the Service.

SECTION 9 OF BILL

Title VIII

Established the Foreign Service Retirement and Disability System.

Section 852

Authorizes contributions for and credit of prior Government service for participation in the Foreign Service Retirement and Disability System.

Section 821

Provides for computation of annuities under the Foreign Service Retirement and Disability System.

SECTION 11 OF BILL

Section 512

Authorizes diplomatic and consular commissions.

Section 514

Authorizes assignment of officers commissioned as diplomatic or consular officers as the interests of the Agency require.

PLANS FOR APPOINTMENT TO THE FOREIGN SERVICE INFORMATION OFFICER CORPS

The Agency has a total of 930 career type officers (822 Career Reserve officers and 108 Junior Foreign Service officers) who have met all standards and requirements for Foreign Service Information officer appointment. The Agency plans to ask the President to nominate most of the 822 Career Reserve officers for appointment as Foreign Service Information officers. The number would, of course, be reduced somewhat to exclude those who may now be ineligible for such reasons as age, and other technical reasons. The 108 Junior Foreign Service officers already have Presidential appointments as Foreign Service officers and Section 13 of the proposed legislation will transfer them to the Foreign Service Information Officer Corps at the same classes and salaries without further Senate confirmation or Presidential appointment.

Applications of other Agency Foreign Service and Civil Service personnel who can qualify under Section 517 of the Foreign Service Act will be processed individually through the Board of Examiners for the Foreign Service and nominated after meeting all requirements of the Act for appointment. Supplementary lists containing names of such nominees will be submitted from time to time.

Appointment in the future of Junior officers as FSIOs in classes 7 and 8 would be in accordance with Section 516 of the Act. Candidates will take the same or equivalent examinations to those required of Junior Foreign Service officers of the Department of State. Future candidates would be appointed by the President as Foreign Service Information officers of class 7 or 8, after Senate confirmation.

U.S. INFORMATION AGENCY

THE FOREIGN SERVICE CAREER RESERVE

Pending the enactment of legislation the Agency has done as much as possible to manage its officer personnel as nearly in accordance with the requirements of the Foreign Service Officer System of the Department of State as can be achieved by administrative action under existing personnel authorities. The Agency has established an officer category by administrative action known as the Foreign Service Career Reserve Officer Corps. The same concepts, procedures and standards set forth in the current legislative proposal were followed in the establishment of the Career Reserve. Candidates for the Career Reserve Officer Corps were required to meet standards and pass examinations (written, oral, physical, and others) equivalent to those required for Foreign Service Officers.

Establishment of the Career Reserve began in 1958 when Ambassador George V. Allen, then Director of USIA, and Ambassador Loy Henderson, then Deputy Under Secretary of State for Administration, decided USIA should identify officers of the Agency who were qualified to be career officers, in the Foreign Service. Director Allen, in announcing the Career Reserve Officer Corps in October 1958, stated it would be "administered as nearly like the FSO Corps of the Department of State as is administratively possible." The sole purpose in establishing the Career Officer Program was to qualify the Agency's professional officers for FSO-type status. The legislative proposal for a Foreign Service Information Officer Corps requires the application of the same legal requirements, the same examination requirements, the same procedures and the same standards and criteria as apply to FSOs. This principle of following FSO requirements was essential because the Agency could not in 1958 forecast the ultimate status of its personnel. The only logical thing to do was to design the Career Reserve system so that those officers could be moved into the Agency's statutory system, if ever enacted, on the same basis as Foreign Service Officers and/or into the FSO Corps if that occasion ever arose. With this basic objective in mind, the State Department has been a full partner in establishing the Career Reserve from the beginning.

Every requirement of the Foreign Service Act for Foreign Service Officer appointment and every State Department policy, procedure, administrative requirement and regulation involving FSO personnel management has been scrupulously observed.

A Joint Board with equal representation from State and the Agency was established with the same responsibilities and functions as the Board of Foreign Service of the Department under the Foreign Service Act. This Joint Board reviewed every significant regulation, policy, procedure, standard and requirement for the Career Reserve.

A Joint Board of Examiners was similarly established with the same functions and responsibilities as the State Department Board of Examiners for the Foreign Service.

The lateral entry examination for appointment to the Career Reserve was as stringent if not more so than that required under the Foreign Service Act by the Department of State for appointment to the FSO Corps. Standards, criteria and eligibility requirements have been the same wherever possible and in some instances have been more stringent.

The Agency has considered for examination and appointment only officers who have served with the Agency three years (four years for those under age 31) and, in addition, has required that all candidates serve two years overseas with the Agency before appointment.

All examination panels which evaluated the written examination, the oral examination and made the total evaluation had equal representation from the State Department. All State members of examining panels or the Career Reserve were fully accredited deputy examiners of the State Department Board of Examiners for the Foreign Service and thoroughly familiar with State Department standards and requirements.

All Executive Secretaries of the Agency's Joint Board of Examiners were Foreign Service Officers on loan from the State Department and each was specially selected and nominated by the State Department for this position.

In addition to examination by joint examining panels, the qualifications of each and every lateral entry candidate and the results of each examination were reviewed by the full Joint Board of Examiners at regular meetings.

The nominations of each and every successful lateral entry candidate for Career Reserve appointment was processed through the Agency's Joint Board, which was the equivalent of State's Board of Foreign Service, to give it an opportunity to monitor the selections and the examination process.

The Director personally approved each and every appointment.

During 1960, 1961, 1962 and 1963, candidates in the junior officer program of Foreign Service Career Reserve took written examinations identical with those of State Department candidates in the General Ability, English Expression and General Background sections. In addition the USIA candidates took a Public Affairs section. Beginning in 1964, candidates for both agencies took a written examination identical in all parts (the Department also offers specialized options for certain candidates). Successful candidates for USIA undergo the same oral examination and other reviews by a total examination panel before approval for appointment. Beginning in 1965 these junior officers have been appointed as Foreign Service Officers of class 7 or 8.

Junior officers appointed before 1965 are Career Reserve Officers but met the same requirements as those subsequently appointed as FSO. Both these groups of junior officers are qualified and eligible for Foreign Service Information Officer appointment.

All Promotion Panels for the Career Reserve have had equal representation from State.

When the agreement between the Secretary of State and the Director of USIA was signed in 1964 for appointment of Agency officers as Foreign Service Officers, lateral entry examinations for the Career Reserve were suspended. If the nominations of Agency officers as Foreign Service officers had been approved, lateral entry of Agency officers would have been into the FSO corps. The nomination list was not approved and the Agency was unable to proceed with plans for lateral entry exams for FSO appointments. Lateral entry exams for the Career Reserve have not been resumed pending the outcome of the legislative proposal for a Foreign Service Information Officer Corps.

FOREIGN SERVICE CAREER RESERVE LATERAL EXAMINATION PROCESS

Written Examination.—Essays were required on one of five specific topics in each of the fields of Arts and Culture; Society and Economics; Foreign Policy (General); and Foreign Policy (Communism). Outline of a country program paper were also required.

Oral Examination.—An examination of approximately one and one-half hours was administered by a panel consisting of one senior officer from the Department of State and one from the Agency. The Deputy Examiners had complete files on the candidate, including his performance record as an Agency employee, and appraisals of the candidate by individuals (usually three to five) who worked with or otherwise knew the candidate.

Evaluation of the Written Examination.—A panel of two senior officers, one from State and one from USIA, analyzed and prepared a written report on the candidate's written examination.

Total Evaluation of the Candidate's Record.—A total evaluation panel of two senior officers, one representative from the State Department and one from the Agency, reviewed the candidate's complete file, including the reports on the oral and written examinations, and verifications of security and medical clearances, and made a recommendation to the Joint Board of Examiners.

Certification of the Candidate.—The Joint Board of Examiners in periodic full meetings reviewed carefully the results of each step in the selection process, and certified to the Director of Personnel candidates it considered eligible for appointment as Foreign Service Career Reserve Officers. Such certifications were referred to the Joint Board and final recommendations for appointment were personally reviewed by the Director, who concurred or disapproved.

Results of Lateral Entry Examinations.—First world-wide lateral entry program, 1960—total number of applicants, 827; passed, 666. World-wide program, 1961—total number of applicants, 186; passed, 102. Continuing lateral entry program July, 1961—June 1964 candidates examined 56; passed, 31.

Senator PELL. There are a few questions I would like to ask here, and there will be other supplemental questions of a more detailed nature that I hope we might submit to you and you would respond for the record. The record for this purpose will be kept open for a period of two weeks to give you ample opportunity to answer them in detail.

COORDINATION BETWEEN TWO PERSONNEL SYSTEMS

What assurance do we have that there will be full coordination between the Foreign Service personnel system of USIA and that of the Department of State?

For instance, what roles will the Board of Foreign Service and the Board of Examiners for the Foreign Service play in the personnel system?

Mr. MARKS. They will have identical roles with both agencies. The regulations of the Board of Examiners will apply in all respects equally to both agencies.

Senator PELL. Incidentally, in connection with these questions and answers, if you wish to supplement them please feel at perfect liberty to do so for the record.

If a separate career system is authorized for USIA, is there any likelihood that the executive branch will in the near future ask for similar personnel systems for the overseas personnel of AID? I think this is probably an improper question to direct at you, but I still wonder if you have any thoughts on this.

Mr. MARKS. I am not able to speak for AID.

Senator PELL. I will have to direct that question to Mr. Rimestad.

Mr. MARKS. It will have to go to the Director of that agency.

EFFECT OF ABSENCE OF PERSONNEL CAREER SYSTEM

Senator PELL. Has the Congress' failure to approve a personnel career system for USIA had any noticeable effect on your ability to recruit able talent or has it, in addition, had any effect, deleterious effect, on the morale of our present career-type officers that might show up in a high resignation rate as compared with the resignation rate of the Foreign Service?

Mr. MARKS. Senator, the answer to both parts of that question is "Yes;" it has had that effect. But I want to compliment our officers in remaining loyal. We have not had a high resignation rate because I have given my personal assurance that this legislation would be diligently prosecuted. I have reported to them on the very sincere efforts which you and other Members of the Senate have, and the House, have shown in trying to attain this legislation.

It has been difficult to recruit young men into the service when you cannot offer them a definite assurance that their status will be the same as their colleagues who go into the Department of State.

Nevertheless, we have been fairly successful in bringing young men in. I doubt that we will be able to keep them.

Now, our junior officers do take the Foreign Service examination and to that extent they can come in as Foreign Service officers. But we will not be able to have a corps of experienced competent personnel unless we take this step.

Senator PELL. Right.

As you know, under the bill that the Administration sent up, and I think it was an omission that I made and, therefore, would accept, the young men who have come in as Foreign Service officers would, if our legislation is passed, then come into the Foreign Service Information Officer Corps.

COSTS OF PROPOSED PERSONNEL RETIREMENT SYSTEM

In connection with the costs, which are always of very real interest to the Congress in any piece of legislation, what would be the costs, if any, for implementing the proposed personnel system? What effect will passage of this legislation have on the Foreign Service retirement system?

Mr. MARKS. There will be no immediate out-of-pocket costs as a result of the enactment of this legislation.

However, when the employees of the Agency's Foreign Service are transferred to the Foreign Service retirement system they will become eligible to receive benefits comparable in all respects to what State Department officers have under the Foreign Service retirement system.

We have calculated that for the estimated number of employees who will be transferred over the first three years, in a period of 75 years, the value of the added retirement benefits will be approximately \$16,300,000. This is the only additional cost to the Government. This was worked out with the Treasury Department on an actuarial basis.

Senator PELL. This is a cumulative total?

Mr. MARKS. Over 75 years. On an average annually the cost would be about \$220,000 in increased benefits.

Senator PELL. \$220,000 in increased benefits on an overall basis?

Mr. MARKS. That is right.

Senator PELL. Right.

COSTS IF FOREIGN SERVICE STAFF PERSONNEL ARE OMITTED

Now, this is a more technical question, but I am wondering about it. This is the problem of the Foreign Service staff officers and their inclusion in the system. The bill that I introduced in section 9 did not cover the Foreign Service staff. The bill the Administration introduced under subparagraphs (b), (c) under the latter subparagraphs, (b), (c), (d), and (e) of section 9 do cover the Foreign Service staff. If my provision was passed and not the Administration's, what would be the cost to the Government?

Mr. MARKS. We do not have a separate calculation for that, but we will be glad to supply it.

Senator PELL. Would that be supplied for the record? In other words, if section 9 in S. 633 were used instead of section 9 of S. 2002 what would be the cost to the Government on an annual basis over a 75 year haul? I think mathematically it might be easier to figure on 100 years because then you could use the digits more easily.

Mr. MARKS. Yes.

(The information referred to above follows:)

COST OF INCLUDING AGENCY STAFF PERSONNEL IN THE FOREIGN SERVICE RETIREMENT SYSTEM

Subsections 9(b), (c), (d), and (e) of S-2002 provide for participation in the Foreign Service Retirement and Disability System of Agency staff employees who have ten years of continuous service in the Foreign Service of USIA. Beginning in 1961, Staff personnel of the Department of State with ten years of continuous service in the Foreign Service of the Department have been covered by the Foreign Service Retirement and Disability System. It is important that this difference in the treatment of Staff personnel of the two Agencies be removed when Agency career Foreign Service Information Officers become participants in the Foreign Service Retirement and Disability System.

For the estimated number of Agency Staff employees who will be transferred to the Foreign Service Retirement System during the first three years after enactment of the proposed legislation, the value of the added retirement benefits is estimated at \$2,200,000. These added benefits will be paid out over some 75 years during the lifetime of these employees and the last of their survivors. The annual average of the increased benefits for these Staff employees would be about \$30,000.

The cost of these increased retirement benefits to be paid out over some 75 years is the only added cost to the Government of placing these Staff employees under Foreign Service Retirement.

Source: U.S. Information Agency.

HIGHEST RANK TO BE CAREER MINISTER

Senator PELL. There are a couple of other points here of difference between the two bills on which I was interested in your thinking. Section 5 is one that I understand has been worked out in collaboration with the Department of State, and I must say as long as you two agree on it, it would seem to me to make perfect sense.

Section 6, I understand you accept the idea that the highest rank that would be attained under this system would be under normal circumstances a career minister, not ambassador?

Mr. MARKS. That is right.

Senator PELL. That is agreeable to the Agency?

Mr. MARKS. That is right, sir.

Senator PELL. Right.

APPLICATION OF VETERANS PREFERENCE PROVISION

Now on veterans preference, section 14 of S. 633, there may be some confusion as to the way that section is written. What it means is that the veterans preference would apply only, and we would amend the language accordingly, to candidates for the Information Agency, not afterward. The veterans preference would be a factor. The fact that a man had been a veteran for several years would be taken into consideration when a man enters the service. This is a matter of fact probably in any case, because obviously it is an advantage for a man to serve his Government in uniform. He has learned certain habits of discipline, and it would stand him in good stead.

I wonder what your reason was for not liking the veterans preference provision?

Mr. MARKS. Senator, this bill was modeled after the existing requirements and provisions of the Foreign Service legislation affecting the Department of State. I don't believe it would be proper to have a different provision on veterans' preference in this legislation than for the Foreign Service organization.

If there is to be a change it should be in the Veterans Preference Act. I am informed that veterans' preference has never in the past applied to appointees subject to Presidential appointment and confirmation by the Senate. If there is to be a change, and I take no position on it, it should apply across the board.

Senator PELL. But in fact all that veterans preference means and I am not getting into the Post Office where it gives you five points or 10 points if disabled, but when all factors are considered equal, the fact a man has been a veteran is taken as an additional factor in his favor. This is the case anyway in my mind usually when a man is up for consideration. Therefore, perhaps it would not be a bad idea if it was taken into account in the Foreign Service as well. I do not have responsibility for that, and that is why I wanted to push it here.

OBJECTION TO INCLUSION OF VETERANS PREFERENCE PROVISION

From a substantive viewpoint do you have any objection to it, from the standpoint of the administration of the Agency?

Mr. MARKS. We weigh all factors and, as you point out, if a man has served his country when you evaluate his past performance and estimate his potential you give very high regard for his previous service to his government, and I think very favorably of any recognition given to a man who has done a tour of duty with the military and has earned his laurels.

The only point that we make in S. 2002 is that we don't want to insert a new requirement that the Foreign Service and the rest of the Government does not presently have. But I share your feelings that a man's prior performance is of great value in estimating his abilities and his potential.

Senator PELL. Let us say in our judgment we disagree and go ahead and put it in, leave it in on the basis of admission. What difficulties would that make for you in the operation of the U.S. Information Agency?

Mr. MARKS. If it is one of several factors to be considered, such as education, language proficiency, and other characteristics for the job then I don't see any insuperable obstacle. If it is a definite requirement for which an objective statement has to be made and a test enforced it can create serious problems in administration.

Senator PELL. That is right. But under the present terms of the veterans preference law that is not the case. When you read the law it just means all other factors being equal the veteran gets the preference. So what I gather your view is it would be redundant because it is taken into account anyway, but if we did put it in, you would be able to, I won't say live with it, but while you wouldn't like it, it would not radically change any procedures you presently have.

Mr. MARKS. Senator, what we were trying to do is to have in all respects a system compatible with the FSO system and that is why our position is if a change takes place it ought to be for all appointments made with Senate confirmation so there are no differences between FSO's and FSIO's.

Senator PELL. I would like to see this change come to the FSO's too, but I don't have jurisdiction over that personnel system at this point.

Thank you.

DIFFERENCES IN PROVISIONS OF TWO BILLS

Mr. MARKS. Senator, incidentally on your analysis of each of the sections we have prepared a statement analyzing the differences between S. 633 and S. 2002 and we think it would be helpful and I would like to have it inserted in the record.

Senator PELL. It will be inserted in the record at this point. I read it before the meeting and I thought it was an excellent statement and covered the subject very well indeed.

(The statement referred to above follows:)

U.S. INFORMATION AGENCY—DIFFERENCES BETWEEN S-2002 AND S-633

The Administration's proposal (S-2002) and the bill introduced by Senator Pell (S-633) are identical in most respects. The purpose is the same; namely, to establish a career Foreign Service Information Officer Corps for the professional foreign service officer personnel of the U.S. Information Agency closely paralleling the Foreign Service Officer Corps of the Department of State.

The differences in the text of the two Bills are explained below, Section by Section:

Section 1—Enactment Clause

No difference between the two Bills.

Section 2—Statement of Policy

The only difference is a slight difference in wording in the next to the last line of this Section. S-633 reads ". . . to carry out effectively the foreign affairs responsibilities . . ." and S-2002 reads ". . . to carry out effectively such functions and responsibilities . . ." The difference is best described as editorial and does not affect the substance.

Section 3—Statement of Purposes

The only differences in Section 3 of the two Bills are two slight changes in wording. The words "foreign affairs" used in the last line of Subsection 3(a) of S-633 have been omitted from Subsection 3(a) of S-2002. Also the word "be" used in the last line of Subsection 3(c) has been dropped from Subsection 3(c) of S-2002. These editorial changes have no effect on the substance of Section 3.

Section 4—Authority of the Director

No difference between the two Bills.

Section 5—Policies and Regulations

This Section of S-2002 has been completely rewritten to require that the Foreign Service Information Officer and Foreign Service Officer Systems shall be compatible and to place responsibility for promulgating policies and regulations with the Secretary of State for the Foreign Service Officer System and the Director of USIA for the Foreign Service Information Officer System, after consultation with such officials as the President may determine. Section 5 of S-633 would have placed this responsibility directly in the President.

Section 6—Appointment and assignment

Section 6(a) of S-2002 is identical with Section 6 of S-633 except that several specific references to the Foreign Service Act have been changed. The reference to Section 431 in Section 6 of S-633 has been changed to 431(c) because Subsections (a) and (b) of Section 431 of the Foreign Service Act deal with Chiefs of Mission and are not applicable to Foreign Service Information officers. The reference to "500 through 502" of S-633 has been changed to "500, 501(b), 502(b)". Section 501(a) of the Foreign Service Act deals with the authority of the President to appoint Chiefs of Mission and is not necessary for the legislative purpose of S-2002. Section 502(a) of the Foreign Service Act deals with the authority of the Secretary of State to recommend Foreign Service officers for appointment by the President as career ambassadors and career ministers and sets forth certain requirements for such appointments. S-2002 does not provide for appointment of Foreign Service Information officers as career ambassadors and Subsections (b), (c), and (d) of Section 6 of S-2002 have been added to provide for

appointment of Foreign Service Information officers as Career Ministers for Information. The reference to Section 512 of the Foreign Service Act contained in Section 6 of S-633 has been dropped from S-2002 because this Section of the Foreign Service Act is specifically covered by Section 11 of both Bills.

Subsections (b), (c), and (d) of Section 6 of S-2002 have been added and have no counterpart in S-633. The effect of these additions is to provide for appointment of Foreign Service Information officers as Career Ministers for Information under procedures identical to those required by Section 502(a) of the Foreign Service Act for appointment of Foreign Service officers as career ministers and at the same salary. S-2002 does not provide for appointment of Foreign Service Information officers as career ambassadors.

Section 7—Promotion

No difference between the two Bills.

Section 8—Separation and Retirement

No difference between the two Bills.

Section 9—Participation in the Foreign Service Retirement and Disability System

Section 9(a) of S-2002 is identical to Section 9 of S-633 and provides for coverage of Foreign Service Information officers under the Foreign Service Retirement and Disability System. Subsections (b), (c), (d), and (e) of Section 9 of S-2002 have been added and have no counterparts in S-633. These Subsections of Section 9 of S-2002 provide for coverage of Agency Foreign Service Staff personnel, with 10 years continuous service in the foreign service of USIA, under the Foreign Service Retirement System under conditions identical to those which placed Staff personnel of the Department of State under the Foreign Service Retirement System in 1961.

Section 10—Other applicable provisions of law

No differences between the two Bills.

Section 11—Commissioning and assignment as diplomatic and consular officers

No differences between the two Bills.

Section 12—Interpretation and construction

Section 12 of S-2002 is the same as Section 13 of S-633. Section 12 of S-633 is not included in S-2002 for the reason explained below:

Section 13—Transfer of Agency Foreign Service officers to Foreign Service Information officer status

Section 13 is a new Section proposed by the Agency as an addition to S-2002 and has no counterpart in S-633. This new Section 13 provides for automatic transfer to the FSIO corps of Agency junior officers who have already been confirmed by the Senate and appointed by the President as Agency Foreign Service officers.

Section 13 of S-633 is identical to Section 12 of S-2002 as explained above.

Sections of S-633 not included in S-2002

Section 12—Board of the Foreign Service and the Board of Examiners for the Foreign Service

This Section of S-633 which outlined the functions of these two boards with respect to Foreign Service Information officers is not included in S-2002 because Reorganization Plan No. 4 of 1965 eliminated the statutory provision for these two boards and assigned the functions to the President of the United States. The boards were reestablished by Executive Order 11264 effective January 1, 1966. With this legislative history it would be inappropriate to assign responsibilities by law to Boards established by Presidential directive. If the legislation is passed a revision of Executive Order 11264 will be necessary to reflect the functions of the two boards with respect to Foreign Service Information officers.

Section 14—Veterans preference

This Section of S-633 is not included in S-2002 because veterans preference laws exclude Presidential appointees subject to Senate confirmation. Foreign Service Information officers will be Presidential appointees with Senate confirmation and should not be subject to special requirements that do not apply to other such appointees.

Mr. MARKS. Also I would like to insert in the record a proposed amendment to S. 633 and S. 2002 which would provide for the transfer of the Agency Foreign Service officers to the FSIO Corps without further appointment and confirmation. These would be the junior officers who have already had such Presidential appointment and Senate confirmation.

Senator PELL. Right, this was the point that was covered in section—

Mr. MARKS. 13.

Senator PELL. 13 of your—

Mr. MARKS. It would be section 15 of S. 633.

Senator PELL. Fine.

It is an excellent amendment and certainly my view is that it should be accepted and incorporated in the bill.

(The proposed amendment and explanation follow:)

PROPOSED AMENDMENT TO S. 2002

A BILL To promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the United States Information Agency through establishment of a Foreign Service Information Officer Corps

TRANSFER OF AGENCY FOREIGN SERVICE OFFICERS TO FOREIGN SERVICE INFORMATION OFFICER STATUS

SEC. 13. Agency Foreign Service Officers on active service on the effective date of this Act shall, by virtue of this Act, be transferred from the classes in which they are serving on such date to the comparable salaries and classes of Foreign Service Information Officers established by this Act. Service in the former class shall be considered as constituting service in the new class for the purposes of determining (1) eligibility for promotion, in accordance with the provisions of Section 622, (2) liability for separation, in accordance with the provisions of Section 633, (3) continuation of probationary status pursuant to Section 635, and (4) credit for time served toward in-class promotion in accordance with Section 625.

PROPOSED AMENDMENT TO S. 633

A BILL To promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the United States Information Agency through establishment of a Foreign Service Information Officer Corps

TRANSFER OF AGENCY FOREIGN SERVICE OFFICERS TO FOREIGN SERVICE INFORMATION OFFICER STATUS

Sec. 15. Agency Foreign Service Officers on active service on the effective date of this Act shall, by virtue of this Act, be transferred from the classes in which they are serving on such date to the comparable salaries and classes of Foreign Service Information Officers established by this Act. Service in the former class shall be considered as constituting service in the new class for the purposes of determining (1) eligibility for promotion, in accordance with the provisions of Section 622, (2) liability for separation, in accordance with the provisions of Section 633, (3) continuation of probationary status pursuant to Section 635, and (4) credit for time served toward in-class promotion in accordance with Section 625.

Section 15 (Section 15)

This section is an interim provision intended to facilitate the transfer of Agency Foreign Service Officers to the Foreign Service Information category without further requirement for confirmation and appointment. The Agency has 35 Foreign Service Officers in Class 8, 50 in Class 7 and 5 in Class 6. This section would have no effect on Foreign Service Officers of the Department of State detailed to the Agency.

Since the Foreign Service Information Officer salary structure is based on that of the Foreign Service Officer Corps, no adjustment in salary will occur. Also, time in class as a Foreign Service Officer will be creditable for promotion purposes as a Foreign Service Information Officer pursuant to Section 622 and 625 of the Foreign Service Act and for liability for selection out under Section 633. Probationary status would continue for Foreign Service Information Officers in classes 7 and 8.

PRESENT AND PROPOSED SELECTION-OUT SYSTEMS

Senator PELL. How does the USIA now terminate the services of officers whose performance do not measure up to normal standards? How would the selection-out process work under the new system, and what would be the protections that would be offered to prevent arbitrary and capricious actions against said officer?

Mr. MARKS. I have the Director of Personnel, Lionel Mosley, Senator, and I would like to ask permission to have him answer that since he will be able to give you more details than I.

Senator PELL. Right, I think, as a matter of record I think, we ought to have Mr. Schmidt's full name and address put in.

Mr. MARKS. Mr. Richard Schmidt is General Counsel, accompanying me, and Mr. Lionel Mosley is Director of Personnel who is also with me.

Senator PELL. Thank you, Mr. Mosley.

Mr. MOSLEY. Under our present system, of course, we have no selection-out authority and today any separation for failure of an officer would have to be approached by preparing charges and separating a person for cause under the Foreign Service regulations except in the case of limited reserve officers who have no permanent status. Of course, those commissions could be picked up.

Now, under this proposed legislation we would have exactly the same provisions as the State Department has today. The selection-out procedure would be carried out in a manner fully compatible with the State Department rules. If you want a detailed rundown on how this selection-out system works you might prefer to get that explanation from the Department witness when he speaks. But we would follow, we envision following, exactly the same system, exactly the same policy as the Department of State.

Senator PELL. Right.

USE OF DEVELOPMENT APPRAISAL REPORTS

Along the same line, the Committee on Foreign Relations in the past has received complaints concerning the use of the development appraisal report to evaluate personnel in the Foreign Service. What use is made of these reports by the USIA and will any changes be made if this new system, whether it is my bill or the changes you suggested, be adopted?

Mr. MOSLEY. The development appraisal report is a document which is not meant to judge current performance on the job, but rather to give a comprehensive statement of potential, and a description of an individual which would be useful in evaluating his future assignability, his total usefulness to the Service. Last year the Department and USIA together evaluated the development appraisal system which had been in effect for about a year and it was jointly agreed

that we should go to a disclosure policy, which was done this year. Development appraisals which have been made out on officers during the past year will be available for any officer who chooses to see it. So I think that amendment in the regulations should satisfy most of the concern that had been registered about the confidentiality of the report. I think it is a very useful document. Selection boards and others in the placement business have found it a useful document. After this year's experience with it we will take another look and see what the result is. This is something that could always be changed if we find that it is not performing the service that we had intended for it to perform. But we use it in exactly the same way as the State Department does.

Senator PELL. Is the individual officer allowed to see it?

Mr. MOSLEY. He can see it on request. Any officer who chooses to look at it while he is in Washington can ask to see his file and it will be made available to him.

Senator PELL. Can he see his whole file?

Mr. MOSLEY. Yes, he can see all of the performance evaluation part of his file back to a point, I think it goes back to the midfifties, a point beyond which you can't go because there was a law which prohibited it at that time.

Senator PELL. Right.

EFFECT OF PROPOSED LEGISLATION ON NUMBERS OF PERSONNEL

Assuming that Agency requirements remain the same, are there any prospects there will be more Foreign Service Information officers than there are now Foreign Service Reserve officers?

Mr. MARKS. I do not anticipate that, Senator.

Senator PELL. You do not?

Mr. MARKS. This legislation will have no effect on the numbers of personnel. It would merely give them status.

FOREIGN LANGUAGE PROFICIENCIES OF USIA OFFICERS

Senator PELL. As you may recall I was horrified a couple of years ago at the lack of language ability of the cross section of officers who came up to the Foreign Relations Committee for blanketing in. I wonder if you could submit for the record the present language proficiencies of your USIA people, and also, take your time about it, but also insert in the record the number of officers, the percentage of officers, who are in posts who speak the language of the country to which they are assigned.

Mr. MARKS. Senator, I too was concerned about that when I entered into this position two years ago and I want to report to you the current status and we will supply to you a detailed statement. At the present time 83 percent of the Agency's career reserve officers have a useful knowledge of one or more foreign languages. The comparable figure for the Department of State is 90 percent.

At the present time we have more officers in language training than at any other time in the history of the Agency and we have them in the hard languages, languages like Lao and Thai, Korean, in addition to the more popular languages of Spanish and French.

I have also placed a requirement for language proficiency in certain grades for promotion, either you learn the language or you don't get promoted. So we are already striving to attain a hundred percent. I don't think it will ever be possible to have a hundred percent proficiency because you employ a man for his abilities. Our educational system in the past has not necessarily stressed languages. We are now doing it in secondary schools and colleges, ultimately we may be able to attain it, but I would rather have the leeway. I think we have made great progress.

STATUS OF RADIO OFFICERS

Senator PELL. Another question along this line: As I understand it, the radio officer is not necessarily going to be a Foreign Service career officer?

Mr. MARKS. On the contrary.

(The following supplementary answer was supplied:)

We have two general types of radio people. We have a group of engineers who operate and maintain our radio relay stations. These highly skilled technicians would remain in the staff corps and would not become Foreign Service Information Officers. We also have professional information officers who use radio as a means of communication with foreign audiences and these professional program officers would be eligible for Foreign Service Information Officer appointment.

Senator PELL. I recognize there is no need for him to learn a foreign language. But the generalists who will become FSIO's, I would be grateful if you would submit for the record the percentage of those presently assigned abroad who know the language of the country to which they are assigned.

Mr. MARKS. We have that information which will be inserted in the record.

Senator PELL. Thank you very much.

(The information referred to follows:)

LANGUAGE PROFICIENCY OF USIA CAREER RESERVE OFFICERS

The Agency has 822 Career Reserve Officers. 688 or 83.7% have a useful knowledge of one or more foreign languages. A list showing the number of Career Reserve Officers who have a useful knowledge of the languages used in the Foreign Service is attached.

As required by Section 578 of the Foreign Service Act, the Agency has designated officer positions which should be filled by an officer with a useful knowledge of the language of the country of assignment. 42% of these language designated positions are currently filled by Career Reserve Officers. 72.4% of these Career Reserve Officers have a useful knowledge of the language of the country of assignment.

The Agency is giving increased priority to language training for its officer personnel. During Fiscal Year 1967, 218 Agency employees were registered for full-time language training in a total of 28 languages. In addition 68 employees were enrolled for part-time language training.

Number of career reserve officers with useful knowledge of languages used in the foreign service

Language	Number of career reserve officers with useful knowledge
Arabic.....	20
Bengali.....	1
Bulgarian.....	2
Burmese.....	4
Chinese.....	34
Czech.....	6
Danish.....	10
Dutch.....	2
Finnish.....	4
French.....	298
German.....	84
Greek.....	9
Hindi.....	12
Hungarian.....	10
Indonesian.....	11
Italian.....	81
Japanese.....	28
Korean.....	6
Lao.....	2
Malay.....	10
Norwegian.....	8
Persian.....	9
Polish.....	49
Portuguese.....	7
Rumanian.....	25
Russian.....	24
Serbo-Croatian.....	207
Spanish.....	3
Swahili.....	9
Swedish.....	24
Thai.....	11
Turkish.....	9
Urdu.....	15
Vietnamese.....	

Source: USIA.

Senator PELL. We have some more technical questions that we will submit to you to put in the record so as to build up a good record. My hope is we can have some success in getting legislation through.

Mr. MARKS. We share that hope with you, Senator.

Senator PELL. Thank you very much, Mr. Marks. It is very nice of you and Mr. Schmidt and Mr. Mosley to come up here.

Mr. MARKS. Thank you.

SUPPLEMENTARY QUESTIONS AND ANSWERS

(The questions and answers referred to follow:)

U.S. INFORMATION AGENCY,
Washington, October 6, 1967.

HON. CLAIBORNE PELL,
Chairman, Ad Hoc Subcommittee on Foreign Service Information Officer Corps.

DEAR SENATOR PELL: Enclosed are answers to the list of questions you sent to the Director with your letter of September 29. On behalf of the Director, I want to thank you for the opportunity to supply this information for the hearing record on S. 633 and S. 2002.

Sincerely,

RICHARD M. SCHMIDT, Jr.,
General Counsel.

Enclosure: As stated.

1. Was any attempt made by the executive branch to provide for a career personnel system for the professional officers of USIA prior to the 1964 decision to bring them into the Foreign Service Officer Corps? If not, why not?

The Executive Branch has worked continuously since 1953 to provide a career personnel system for the professional officers of USIA.

When the U.S. Information Agency was established on August 1, 1953, by Reorganization Plan No. 8 of 1953, the President authorized the Director to exercise, in relation to the functions transferred, the statutory authorities available to the Secretary of State with respect to Foreign Service Reserve officers, Foreign Service Staff personnel, and Foreign Service local employees. Authority was not given to appoint Foreign Service officers.

The President recognized that the personnel authority granted to the Agency was not adequate. In the message transmitting Reorganization Plan No. 8 to Congress, he said:

"While these arrangements [to provide a personnel system for the Agency] will enable the new Agency to function with reasonable effectiveness from the outset, I do not consider them permanently suitable."

The Agency submitted legislative proposals for the establishment of an officer corps to the 84th Congress. Hearings were held by a subcommittee of the Senate Foreign Relations Committee in July 1955 on S-2410, introduced July 5, 1955, by Senators Smith, Fulbright and Mundt, but no further action was taken that session by either the House or the Senate. Additional hearings were held by the subcommittee on the proposed legislation in the second session of the 84th Congress. The personnel proposals were then included with certain additional amendments as S. 3638 introduced by Senators Smith and Mundt on April 16, 1956. The Senate passed S. 3638 on May 10, 1956, but no action was taken by the House.

The Agency submitted revised proposals for an officer corps in the early days of the 85th Congress. A subcommittee of the House Foreign Affairs Committee held hearings on the proposals in February and March of 1957. Following the hearings, a bill, H.R. 8081, was introduced on June 11, 1957. No further action was taken by the Committee in that session.

The Agency also submitted legislative proposals to the 86th Congress. These proposals were included in Senate bill S. 1008 introduced by Senator Fulbright on February 9, 1959. No action on the bill was taken by either the Senate or the House.

The Agency prepared legislative proposals for submission to the 87th Congress which were substantially the same as those submitted to the 86th Congress (S. 1008). The proposals had not been submitted when in August 1961 the Committee on Foreign Affairs Personnel (The Herter Committee) was established to study the personnel needs of the Department of State, USIA and AID. The proposals were shelved pending the outcome of that study and no legislative proposals were submitted to the 87th Congress.

The Herter Committee completed its work and published its report with a total of 43 recommendations in December 1962. One of the basic recommendations was for a family of compatible foreign affairs services including a Foreign Information Service for USIA which would have provided, among other things, for career status for its professional Foreign Service officers. Review and decision on the Herter Committee recommendations were not completed in time to submit legislative proposals to the 88th Congress.

Deliberations on the recommendations of the Herter Committee led to the decision to meet the Agency's need for career status for its professional foreign service officers through appointment as Foreign Service officers. An agreement for

appointment of Agency officers as Foreign Service officers was signed by the Secretary of State and the Director of USIA in September 1964. The agreement provided for appointment of Agency officers as Foreign Service officers and spelled out the relationships between the Department and USIA for their employment by the Agency. A rigorous review process of all Agency Career Reserve officers by joint State Department and USIA panels followed. On April 13, 1965 President Johnson sent a group of 760 nominations to the Senate for confirmation. The Senate Foreign Relations Committee held hearings on April 27 and May 18, 1965 and reported the nominations favorably on June 14, 1965. The nominations were not brought to a vote and were returned to the President at the close of the first session in accordance with Senate rules.

President Johnson resubmitted the nomination list (reduced to 723 officers) on January 14, 1966. The Committee held hearings on the nomination list (which by that time was reduced to 697 names) and the Hays Bill (HR 6277) on April 19, 21 and 28, 1966. The nomination list was not approved but the Committee recognized the Agency's problem and reported what it called a "stop gap" measure to authorize appointment of Agency Foreign Service Reserve personnel without regard to the statutory limitations on tenure (S-3247). The Senate passed the measure but it was not acted upon by the House. In reporting out that measure the Committee stated that it expected the Executive Branch to give further study to Agency foreign service personnel needs and to submit specific legislative proposals for consideration in the 90th Congress.

In the meantime Senator Pell introduced a Bill S-3730 on August 16, 1966 and a revised version S-3907 on October 13, 1966. These Bills would have established a career Foreign Service Information Officer Corps for USIA career type Foreign Service officers. No action was taken on those Bills during the 89th Congress.

In response to the request of the Senate Foreign Relations Committee contained in its report (S-3247) issued during the second session of the 89th Congress, the Agency submitted an Executive Branch legislative proposal to the Congress on June 16, 1967. The proposal was introduced in the Senate by Senator Fulbright "on request" as S-2002 on June 23, 1967.

Senator Pell reintroduced his Bill (S-633) to provide a career officer corps for USIA on January 24, 1967. The two Bills have the same purpose and are substantially alike in their major provisions.

The Administration's Bill (S-2002), if enacted, will provide the statutory framework for a world-wide career officer personnel system in USIA, give the Director the authorities necessary to establish and operate it, regularize and complete the inadequate system under which the Agency has operated for fourteen years, assure efficiency and flexibility in the use of this category of officers and accord Foreign Service Information officers the same rights and perquisites and require the same standards of performance as applied to Foreign Service officers. The legislation will authorize the President to appoint Foreign Service Information officers as career ministers for information after they have served in an Embassy as a minister for public affairs or in a position of comparable importance. The legislation also provides for coverage of Agency Staff personnel under the Foreign Service Retirement and Disability System upon completion of ten years continuous service in the Foreign Service of USIA. The proposal will not increase employment or positions in USIA and does not affect the status and rights of Civil Service employees of the Agency.

In the meantime, the Agency has done as much as possible to manage its officer personnel as nearly in accordance with the requirements of the Foreign Service Officer System of the Department of State as can be achieved by administrative action under existing personnel authorities. The Agency has established an officer category by administrative action known as the Foreign Service Career Reserve Officer Corps. The same concepts, procedures and standards set forth in the current legislative proposal were followed in the establishment of the Career Reserve. Candidates for the Career Reserve Officer Corps were required to meet standards and pass examinations (written, oral, physical, and others) equivalent to those required for Foreign Service Officers.

Establishment of the Career Reserve began in 1958 when Ambassador George V. Allen, then Director of USIA, and Ambassador Loy Henderson, then Deputy Under Secretary of State for Administration, decided USIA should identify officers of the Agency who were qualified to be career officers in the Foreign Service. Director Allen, in announcing the Career Reserve Officer Corps in October 1958, stated it would be "administered as nearly like the FSO Corps of

the Department of State as is administratively possible." The sole purpose in establishing the Career Reserve Officer Program was to qualify the Agency's professional officers for FSO-type status. With this basic objective in mind, the State Department has been a full partner in establishing the Career Reserve from the beginning.

As can be seen from this statement the Agency has done all it can by administrative action to manage professional officers of its Foreign Service under the same career principles and standards of merit that apply to the Foreign Service Officer Corps. The Executive Branch has made a series of attempts to secure legislation to establish a career officer corps by law. The legislative proposals now under consideration would finally, after some 14 years, provide the Agency with the statutory authority to complete its Foreign Service personnel system and enable the Agency to manage its professional officers under the same legal framework that applies to Foreign Service Officers of the Department of State.

2. To what extent is there now an interchange of personnel between USIA and the Department of State?

Both USIA and the Department of State have recognized the value of systematic interchange of personnel and have encouraged rotational assignments between the agencies. Thus, Foreign Service Officers selected for assignment to USIA receive some exposure to public affairs work and USIA officers assigned to the Department gain experience in a Foreign Service function other than public affairs. As part of their training, junior officers of the Department are rotated into public affairs work at USIS field posts and junior officers of USIA are rotated into one or more of the several Embassy functions.

There are now 62 USIA officers on assignment to the Department of State and 30 Foreign Service Officers of the Department of State on loan to USIA. Among the positions filled by USIA officers are: Deputy Assistant Secretary, Bureau of Near Eastern and South Asian Affairs, Deputy Assistant Secretary for Educational and Cultural Affairs, Deputy Chief of Mission, Taipei, Deputy Chief of Mission, Nicosia, and Consul General, Florence. Among the positions filled by State Department Foreign Service Officers are Assistant Director (Soviet Union and Eastern Europe), Deputy Public Affairs Officer, Berlin, Public Affairs Officer, San Jose, Cultural Affairs Officer, Moscow and Cultural Affairs Officer, Mexico City.

What machinery exists to insure coordination between USIA and the Department of State on foreign policy objectives

The Agency Director attends regular staff meetings of the Secretary of State and is a member of the Senior Interdepartmental Group (SIG), chaired by the Under Secretary of State.

The Deputy Director (Policy and Research) supervises continuing liaison with the Office of the Deputy Under Secretary for Political Affairs, the Policy Planning Council, the Bureau of Public Affairs, the Bureau of Educational and Cultural Affairs, and the various other functional and geographic bureaus of the Department of State.

The Assistant Directors of USIA for the geographic regions are members of the Interdepartmental Regional Groups (IRG) and maintain direct liaison with their counterpart Geographic Bureaus in the Department of State. Other elements in the Agency work closely with their counterparts in the Department.

USIA's overseas staff operates the Department's Exchange of Persons Programs abroad, and assists in the Department's Cultural Exchange Program, including the handling of overseas arrangements for the Cultural Presentations Program.

The Department of State provides foreign policy guidance to USIA's Office of Policy and Research on a daily basis. This is accomplished through close and continuing contact between USIA personnel and State Department personnel. USIA's Policy Guidance Staff visit each of the Department's geographic and functional bureaus on a daily basis, and attend daily sessions of the Bureau of Public Affairs, at which the Department spokesman is briefed by State Department Public Affairs Advisers.

Communications between the Department and U.S. missions abroad are available immediately to appropriate personnel of USIA, so that U.S. Government policies are known to USIA as they evolve.

Overseas the USIA Public Affairs Officer, who heads the information and cultural affairs section of the Embassy, serves on the Country Team and acts as the Ambassador's principal adviser in the field of public affairs.

Functional specialists in USIA's office of Policy and Research work closely with Department counterparts. These include officers specializing in labor, economics, cultural affairs, national security affairs, science and technology, women's activities, and business and commercial affairs.

3. What effect, if any, has the Committee's refusal to approve the wholesale transfer of USIA officers to the Foreign Service Officer Corps had on recruiting of professional personnel for the Agency? Do you think that creation of a career personnel category will attract more and better qualified applicants?

It is not possible to determine the exact effect on recruitment that may have resulted from the Committee's refusal to approve the USIA nomination list. USIA has been able to attract an adequate number of competent people to meet its staffing needs, primarily because candidates find the Agency's work and the importance of its program interesting and challenging. The question of tenure does constantly arise in our recruiting efforts and it is difficult to say whether we have lost exceptional candidates who choose not to apply because of a lack of a career system.

It is likewise difficult to say that the creation of a career personnel system will attract more and better qualified candidates. The Agency expects that it would. One of the results of a career officer system will be the orderly retirement of older officers and the retirement or separation of officers who do not demonstrate the capacity to achieve promotion within a reasonable period or who are consistently rated in the bottom reaches of their classes. This will provide more opportunity for a constant intake of young competent talent. Knowledge of the existence of a vigorous career system would inevitably attract more and better qualified applicants. If the Agency does not have these authorities there is a danger the system will become stagnated. The whole process of promotion and advancement to which recruitment, training, and assignment of younger people are geared will be blocked. This situation can become discouraging to the most vigorous and productive officers who find themselves stalemated. They will eventually leave the service or never be persuaded to enter it in the first place.

In summary, while the Agency cannot yet document any dramatic effect on recruitment, it is likely that if a career system is rejected USIA will sooner or later find that its officer corps is bogged down and the Agency will no longer be able to maintain a vigorous and competent Foreign Service by attracting a continuing flow of competent recruits.

4. What benefits do Foreign Service Officers receive—other than participation in the Foreign Service Retirement system—that USIA officers do not receive now?

Foreign Service Officers do not receive any monetary benefits that USIA officers do not receive now, other than participation in the Foreign Service Retirement System. However, Foreign Service Officers do have advantages which cannot be measured in money that USIA officers do not have. They have statutory assurance of career employment while USIA officers have only an administrative makeshift system of employment subject to annual extensions beyond specific limitations on appointments set by law. Foreign Service Officers have the satisfaction which comes from being a member of a recognized service established by law on the principles of merit. Foreign Service Officers have been recognized as career officers of the U.S. Government, both at home and in the foreign countries where they work. They have Presidential appointments with Senate confirmation. They have a career system designed to keep the way open for advancement and growth of competent officers. These and other advantages give Foreign Service Officers a status and standing as career officers in the Foreign Service of the United States. USIA officers who have chosen similar careers and serve at the same locations with the same degree of dedication and sacrifice should have the same status and standing which comes with recognition as career officers of the Foreign Service.

More important is the fact that the Department of State has significant advantages over USIA in the management of its career officer personnel. The Department has available the legal framework for maintaining and assuring a strong, vigorous and effective Foreign Service Officer Corps while USIA does not have this ability under its present system. The Foreign Service Retirement System provides for the orderly retirement of older officers as well as for those who have been consistently rated at the bottom reaches of their classes or who have failed to demonstrate the capacity to achieve promotion within a specified time. This system makes possible the more rapid advancement of the more able officers.

In summary, the justification for USIA legislation should not be looked at solely in terms of personal benefits to its officers. It is more important to weight the significant advantages to the U.S. Government and USIA from the standpoint of assuring a vigorous and competent foreign service.

5. *Other than a possible improvement in retirement benefits, will passage of this legislation give any additional monetary benefits to USIA officers?*

This legislation will not give any additional monetary benefits to USIA officers. At the present time professional officers for the Agency's foreign service are appointed as Reserve officers under authority provided by the Foreign Service Act. Section 526 of that Act provides that:

"A Reserve officer shall, except as otherwise provided in regulations which the Secretary may prescribe, receive all the allowances, privileges, and benefits which Foreign Service Officers are entitled to receive in accordance with the provisions of title IX."

Under the proposed legislation existing provisions of law applicable to Foreign Service officers will apply to Foreign Service Information officers. Thus, if Agency Reserve officers are appointed as Foreign Service Information officers, they will continue to work at the same salaries, receive the same allowances, and continue with the same leave, travel, medical and other monetary conditions of employment they now have as Reserve officers. There will be no change in these aspects of their employment.

Upon appointment as Foreign Service Information officers these officers of USIA will become participants in the Foreign Service Retirement and Disability System instead of the Civil Service Retirement System. For some officers the transfer from one system to the other may have advantages. Others may feel it has disadvantages. Officers who retire will receive a slightly more favorable formula in computing their annuities (3¾% more of their "high 5" average salary). They, however, will weigh this advantage against a mandatory retirement age of 60 which some view as a disadvantage.

In weighing the personal gain or loss of the retirement conversion to the officers themselves it is important not to overlook the advantages gained by the Government. The primary purpose of a retirement system is to help improve the quality of the staff through an orderly and humane system of removing the superannuated, the incapacitated and those who for other reasons have become unable after years of service to perform effectively. The Foreign Service Retirement System is better geared to accomplish that purpose in a worldwide foreign service than is the Civil Service System.

In summary, officers who become Foreign Service Information officers will not gain financially in salary, allowances or other monetary benefits. Coverage under the Foreign Service Retirement System will be welcomed by most officers. These officers will gain a career status they do not now enjoy. They will become members of a carefully selected corps of officers with tenure and an opportunity to compete on their merits for admission, advancement and retention in a highly competitive officer corps with high standards of excellence—a service in which they can take justifiable personal pride.

6. *Is it contemplated that all USIA Reserve Officers will be made Foreign Service Information Officers?*

All USIA Reserve Officers will not be made Foreign Service Information Officers.

The Agency currently has two types of Reserve Officers—Career Reserve and Limited Reserve. Career Reserve Officers have passed all examinations and have met all the requirements of the Foreign Service Act and the proposed legislation for appointment as Foreign Service Information Officers. If the legislation is enacted most of the Agency's Career Reserve Officers will be nominated for appointment as Foreign Service Information Officers. The Agency's Limited Reserve Officers have not been examined for Foreign Service Information Officer appointment. If the legislation is passed the Agency plans to announce a continuing lateral entry examination program under section 517 of the Foreign Service Act. The examinations will be conducted by the Board of Examiners for the Foreign Service following the same procedures and applying the same standards and requirements that apply to lateral appointment to the FSO Corps. Only those Limited Reserve Officers who qualify through this lateral entry examination process will be nominated for appointment as Foreign Service Information Officers. Supplementary lists of nominees will be submitted to the Senate from time to time in the future for confirmation.

The Agency will continue to have Reserve Officers on limited appointments after the Foreign Service Information Officer Corps is established. Some professional officers will be recruited for one or two tours from private employment with no thought of joining the Agency for a career. After completing their assign-

ments they will return to their private careers. Others will be hired as Reserve Officers for trial periods before qualifying for appointment to the Foreign Service Information Officer Corps. The Agency, therefore, will continue to have some Reserve Officers and not all will be appointed as Foreign Service Information Officers.

7. How many additional participants will there be in the Foreign Service Retirement System when the provisions of S. 633 become effective? Under S. 2002?

If the retirement provisions of S. 633 are enacted, which do not provide for coverage of Agency Staff personnel with ten years of continuous service in the Agency's foreign service, it is estimated that during the first three years a total of 1000 Agency officers will become participants in the Foreign Service Retirement System.

If the retirement provisions of S. 2002 are enacted, which provide for coverage of Staff personnel with ten years of service, it is estimated that during the first three years a total of 1155 Agency employees will become participants in the Foreign Service Retirement System.

8. What voice, if any, does the USIA now have in the Board of the Foreign Service? What role will the Board play in the proposed system?

Executive Order 11264 of December 31, 1965, which established the Board of the Foreign Service and the Board of Examiners for the Foreign Service under authority vested in the President by Reorganization Plan No. 4 of 1965 provides that USIA shall have one official as a member of the Board of the Foreign Service. This Agency membership on the Board of the Foreign Service gives the Agency ample opportunity to voice its view on personnel policies affecting the administration of the Foreign Service. The Agency also has a member on the Board of Examiners for the Foreign Service.

The proposed legislation requires that the Secretary and the Director promulgate policies and regulations for the Foreign Service Information Officer and Foreign Service Officer Corps which are compatible. The Board of the Foreign Service will be used as a means for achieving compatibility. With the advice and counsel of the Board of the Foreign Service, the Secretary and the Director will be responsible for issuing compatible policies and regulations for their respective services. The Board of the Foreign Service will generally serve the same purposes for Foreign Service Information officers that it serves for Foreign Service officers of the Department.

The Board of Examiners for the Foreign Service will conduct examinations for the Agency for lateral appointments of Foreign Service Information officers under Section 517 and for junior level appointments at classes 7 and 8 under Section 516 under the same standards and procedures that are followed for examination and appointment of Foreign Service officers.

9. How many USIA officers have served beyond the 10 year maximum for Reserve Officer appointments?

There are 68 USIA officers who have served beyond the 10 year maximum for Reserve Officer appointments. The number of officers who are passing the ten-year maximum for Reserve appointments will build up rapidly during the next four years. During calendar years 1968, 1969, 1970, and 1971 the number will increase by 20, 19, 523, and 166 for each year, respectively. The large increase in 1970 is due to the fact that the first group of Career Reserve Officers was appointed in July 1960.

The only authority the Agency has for retaining Reserve officers after ten years is the authority contained in its annual appropriation acts to extend appointments which expire for one additional year. This tenuous authority is a weak foundation for attempting to build a competent career service.

The proposed legislation would remove the uncertainty with respect to tenure for these officers. They deserve a more stable personnel system established by legislation similar to that available to employees engaged in other continuing governmental functions.

10. What percentage of USIA's officer personnel serve abroad at a given time compared with the division between domestic and foreign service for Foreign Service Officers?

The Agency currently has 382 positions in the United States filled by Foreign Service employees (11.5% of the total of 3315 Agency positions in the United States). The 382 Foreign Service employees assigned to positions in the United States represents 16.9% of the Agency's total foreign service. By comparison, the Department of State has 36.7% of its Foreign Service Officer Corps assigned to the United States.

The Agency, as a matter of policy, returns Foreign Service employees to the United States for assignment after seven to ten years overseas. Employees are brought to the United States for an assignment earlier if operational needs or individual circumstances require. They are also brought in earlier for training and career development, as appropriate.

The rotation of Foreign Service employees to the United States for assignment is an important feature of the Agency's personnel and staffing program. Foreign Service employees are needed to fill positions which require recent overseas experience for effective performance and to fill a portion of positions in organizational units where it is highly desirable to have the Foreign Service viewpoint represented. It is also important to rotate Foreign Service employees to the United States on a planned basis to expose them to American life and to give them a current knowledge of the Washington organization and Agency policies and objectives. Foreign Service employees obviously cannot be exiled to careers spent entirely outside the United States. Assignments to the United States also provide opportunities for training and career development.

The establishment of the Foreign Service Information Officer Corps will in no way affect this established plan for use of Foreign Service employees in the United States. The Agency will continue to use Civil Service employees in the bulk of positions in the United States. If the proposed legislation is enacted, the Agency's Foreign Service will be changed only by shifting career type officers from reserve appointments into the Foreign Service Information Officer Corps. That change will not alter the Agency's established process for planned assignment of Foreign Service employees to positions in the United States.

11. How does the number of USIA employees today compare with the number employed five years ago? The number of Career Reserve Officers?

The following chart compares the number of USIA employees and number of career reserve officers in July 1962 and July 1967:

	July 1962	July 1967
Number of USIA employees.....	10,932	11,939
Number of Career Reserve Officers.....	799	822

12. How does this proposal differ from the approach of H.R. 6277 of the last Congress?

The purpose of H.R. 6277, considered by the last Congress, was to establish a single personnel system for both the domestic and overseas operations of the major foreign affairs agencies. Under the provisions of that bill Civil Service employees of the Department, USIA and AID would have had the opportunity to transfer to the Foreign Service into a new category of personnel; namely, as Foreign Affairs officers or into a Foreign Service Staff Corps depending on their backgrounds and interests.

There is nothing in the proposed USIA legislation to compare with H.R. 6277. The USIA proposal will have no effect whatsoever on the Civil Service employees of the Agency.

It is important to note that H.R. 6277 did not include any provisions for covering the professional officers of the Agency's foreign service. The testimony presented at the time clearly shows that the Executive Branch regarded H.R. 6277 and the list nominating USIA officers for Foreign Service Officer appointment as two separate, but complementary, proposals. Even if Congress had enacted H.R. 6277 the Executive Branch still planned a career Foreign Service Officer Corps for professional officers in the Agency's foreign service. The current proposal is an alternative to the appointment of these officers as Foreign Service Officers which was not approved by the Senate Foreign Relations Committee last session. This proposed legislation was submitted to the Congress as requested by the Committee last year when the USIA nomination list was rejected.

13. Is there any evidence that the threat of "selection-out" in later years keeps able prospective applicants from applying for the foreign service?

USIA does not have "selection-out" authority at the present time and is unable to say what effect the threat of selection-out in later years may have on prospective applicants for the Agency's foreign service.

USIA has had one area of experience, however, which reveals the general attitude of its foreign service employees toward selection-out. When the Career

Reserve was established by administrative action the Agency made crystal clear that the Agency planned to seek career officer legislation including Foreign Service retirement coverage and selection-out authority. Application for examination and appointment to the Career Reserve was strictly on a voluntary basis with full knowledge of the future prospect of selection-out authority. Practically all eligible Agency foreign service employees voluntarily applied for the Career Reserve examination indicating they accepted the selection-out concept as an established feature of a Foreign Service Career Officer Corps.

Similarly, candidates for Foreign Service Officer appointment in the State Department know about the competitive nature of the service and welcome the challenge and the opportunity that this offers. The existence of selection-out procedures in the Foreign Service Officer Corps has not handicapped the Department in attracting able applicants for Foreign Service Officer appointment.

The selection-out concept is well established and well known in the Foreign Service. The fact is that officer personnel who have confidence in their abilities welcome the competition it involves and the opportunity for advancement it assures. The officers who fear selection-out tend to be those who lack this confidence in their abilities and tend to be the weaker officers in the system. Those officers would, of course, prefer a system which gives them protection and security regardless of quality of performance.

The Agency believes selection-out will strengthen its foreign service. If the Foreign Service Information Officer Corps is to be maintained at a high quality level selection-out authority is needed to make way for a constant flow of young, vigorous talent into the system and for advancement and progress of the most productive officers.

14. Are all personnel who apply for foreign service officer positions, which are subject to the "selection-out" process, made aware of how the system works before they accept appointment?

Individuals who are interested in applying for appointment as Foreign Service Officers are made aware of how the "selection-out" process works. Selection-out is discussed in recruitment literature and by officers of the College Relations Staff who address students interested in a foreign service career. In addition, the selection-out program is explained during the orientation of all junior officers.

15. How does the percentage of USIA career reserve officers who are veterans compare with the percentage of veterans in the civil service generally? What percentage of foreign service officers are veterans?

Of the 822 career reserve officers, 517 or 63%, are veterans. When compared with the figure of 51% of veterans in government-wide service, the percentage of veterans among career reserve officers is notably higher. In the State Department, 52% of Foreign Service Officers are veterans.

Senator PELL. Our next witness will be Deputy Under Secretary for Administration Rimestad of the Department of State.

Mr. Rimestad, maybe you would introduce your colleagues and then proceed as you will. I see you have a short statement which I would like to hear.

STATEMENT OF IDAR RIMESTAD, DEPUTY UNDER SECRETARY FOR ADMINISTRATION, DEPARTMENT OF STATE; ACCOMPANIED BY JAMES E. HOOFNAGLE, DEPUTY DIRECTOR GENERAL OF THE FOREIGN SERVICE; AND J. EDWARD LYERLY, DEPUTY LEGAL ADVISER

Mr. RIMESTAD. Mr. Hoofnagle, Deputy Director General of the Foreign Service on my left, and on my right is Ed Lyerly from the Legal Adviser's office.

Mr. Chairman, I am very pleased to be here today and I welcome the opportunity to present the views of the Department of State in support of legislation which would provide the basis for a career

service for officers of the U.S. Information Agency. The proposed career service for these officers would be similar to and compatible with the career service now provided for Foreign Service officers of the Department of State. It is unfortunate that officers of the U.S. Information Agency still have the status of reserve officers and that their continued tenure after 10 years of service is dependent on an annual extension of the appointment authority by the Congress.

The Department has consistently supported efforts by the Agency to secure career status for its officer personnel. The last effort in this direction was a proposal submitted to the 89th Congress that some 700 USIA "career" officers who had been carefully screened be appointed as Foreign Service officers. This proposal met with disfavor in the Foreign Relations Committee. The Senate, however, continued to give serious consideration to the need for a more effective personnel system for USIA officers. A bill, S. 3907, to provide a separate career service for Foreign Service information officers was introduced by you, Senator Pell, but was not acted on prior to adjournment. Another bill, S. 3247, which included a provision for appointments of unlimited duration for USIA reserve officers was passed by the Senate but not acted upon in the House.

SOUND USIA CAREER SYSTEM SUPPORTED

In pursuance of the objective incorporated in S. 3907, a proposed bill has now been prepared by the executive branch and submitted to the 90th Congress for consideration. It was introduced in the Senate by request by the distinguished Chairman of the Foreign Relations Committee and is before you now as S. 2002. Although the differences are not great between your bill and S. 2002, the Department supports the enactment of S. 2002 in the belief that it will provide the basis for a sound career system. It is highly important to the Secretary of State and to our chiefs of mission abroad that officers responsible for the development and implementation of informational and cultural programs possess the level of competence and effectiveness required for this important aspect of foreign service work.

Such activities now constitute an integral part of our diplomatic and consular activities. Foreign Service information officers normally work at the same location as Foreign Service officers and are faced with the same environmental conditions and difficulties. We believe it important, therefore, that they be provided with a career system which is identical in all essential aspects to the career system provided for Foreign Service officers of the Department.

S. 2002 should contribute to the attainment of this objective by authorizing the Director of the U.S. Information Agency to develop and administer a career service for USIA officers which extends to them essentially all the provisions of the Foreign Service Act of 1946, as amended. The Department concurs in these provisions, including the provision that the Foreign Service information officer and the Foreign Service officer career systems shall be compatible. Enactment of this bill would serve to strengthen the close relationship which now exists between the two agencies on personnel matters.

I appreciate the opportunity which you have afforded me to present the Department's views in support of this legislation. I trust that your inquiry into its provisions will persuade you of its merits and of the need for its early enactment.

Senator PELL. Thank you very much indeed for this statement of support of which I am most appreciative.

AID OFFICERS AND THE CAREER SYSTEM

I would like to first direct to you this query concerning the possibility of AID or the Peace Corps or some other groups coming in under this system. To the best of your knowledge, if this bill comes through, are there any present plans in being to incorporate AID into a similar provision?

Mr. RIMESTAD. No, there are not. We have no plans to draft such legislation or to establish a career system for AID officers.

Senator PELL. Right. To the best of your knowledge within the Administration there are no present plans?

Mr. RIMESTAD. Within the Administration to my knowledge, we have given no thought along this line.

Senator PELL. Right. Thank you.

JUSTIFICATION FOR SELECTION-OUT PROCEDURE

I wonder if you would be good enough to insert a detailed statement in the record concerning the basic justification for the selection-out procedure?

Mr. RIMESTAD. I would be very happy to do that. I would prefer to submit it for the record because we can go into considerably more detail.

Senator PELL. Right.

(The information referred to above follows:)

SELECTION-OUT

Section 633 of the Foreign Service Act of 1946, as amended, provides that:

"(a) The Secretary shall prescribe regulations concerning—

"(1) the maximum period during which any Foreign Service officer below the class of career minister shall be permitted to remain in class without promotion; and

"(2) the standard of performance which any such officer must maintain to remain in the Service.

"(b) Any Foreign Service officer below the class of career minister who does not receive a promotion to a higher class within the specified period or who fails to meet the standard of performance required of officers of his class shall be retired from the Service and receive benefits in accordance with the provisions of section 634."

The criteria for separation established in the Department's regulations pursuant to the authority quoted above are as follows:

a. *Maximum Time-in-Class*

Regulations governing the maximum period during which a Foreign Service officer is permitted to remain in class without promotion have been amended, effective June 30, 1968. The current maximum periods and the maximum periods that will be effective commencing June 30, 1968, are as follows:

Class	Current period (years)	Commencing June 30, 1968 (years)
1.....	15	12
2 and 3.....	12	10
4 and 5.....	10	8
6 and 7.....	10	4

b. Competitive In-Class Ratings by Selection Boards

Any Foreign Service officer in Classes 1 through 7 is subject to consideration for selection-out when:

(1) He has been ranked once in the lowest 10 percent of his class and once in the lowest 5 percent of his class while in the same class, provided that one such ranking must be by the current Selection Board, or

(2) He has been ranked in the lowest 10 percent of his class by the current Selection Board and any two prior Selection Boards while in the same class.

We believe this aspect of the Foreign Service system is in the best interests of the Government. It better ensures that the more able career officers can advance and, in advancing, remain in the Service, unimpeded by those relatively few employees whose performance, on a comparative basis, places them consistently in the bottom reaches of their class or competitive group. A somewhat higher than normal rate of attrition is needed in a career foreign affairs service to attract and retain the best available talent.

This type of separation is not to be confused with dismissal for cause. The Foreign Service Act provides specific procedures to be followed in cases of employees charged with unsatisfactory performance of duty, misconduct or such other cause as will promote the efficiency of the Service.

The Selection Boards, which recommend officers for promotion and rank those in the bottom percentages of their classes, do as objective and impartial a job as is humanly possible. No Board has knowledge of, or access to previous Boards' rankings. Consequently, a Board does not know whether its low ranking of an officer makes him subject to selection out consideration. No member can serve for two successive years on a Selection Board. The Boards are typically composed of five to seven individuals of established reputation drawn from within the Service, from other Government agencies and from the public-at-large, including organized labor. The judgments of a Selection Board are based on a review of an officer's entire record with major emphasis on the most recent 5 years. Typically this means a record consisting of numerous evaluation reports prepared by rating supervisors along with separate and impartial reports prepared by Foreign Service Inspectors. Reports of rating officers, moreover, are reviewed by a higher-level reviewing officer whose independent judgment and comments become a part of the record.

Those officers who are subject to selection-out consideration under the criteria for relative class ranking receive a careful and exacting administrative review before a decision is made that they should, in fact, be selected out. Their entire file is carefully examined and summarized before the case is presented to a three-man panel chaired by the Deputy Under Secretary for Administration.

In some cases an officer is selected out of the Corps but retained in another category in the Service. Some are "saved" and continue as Foreign Service officers. In other instances, it is necessary to conclude on the basis of cumulative evidence that the officer should pursue a career elsewhere.

Officers ranked in the low "zone" are informed of this fact. Consequently, they have at least one to two years in which to improve their standing. This frequently occurs. Any officer can submit information bearing on his record at any time, even after he has been informed that he is to be selected out. This information is carefully considered. However, there is presumptive evidence that an officer who is placed in the lowest reaches of his class by two or more impartial Selection Boards fails to meet the high performance standards expected of Foreign Service officers. The administrative review is designed to ensure that, where justified, officers be given another chance, that they be offered a transfer to another personnel category, or that some action other than forced immediate retirement is taken. Viewed in this light, a formal appeal from multiple judgments of the comparative performance of officers in a given class becomes somewhat meaningless.

Many officers selected out have rendered satisfactory service. However, in the competition they were unable to compete successfully with their fellow officers. Judged by very high standards to begin with, some officers have demonstrated weaknesses which characterize their performance records as barely adequate though not necessarily unsatisfactory. Many of the officers selected out obtain jobs elsewhere in the Federal service and in the private sector. The Department provides placement assistance in this regard.

The FSO Corps takes pride in the competitive promotion system with its attendant selection out risk. The system involves a type of competition which encourages officers to add to their professional capabilities. It thereby raises

rather than lowers professional standards. Selection out has not hampered recruitment of able young people or lateral entry at higher levels; nor has it inhibited on the job initiative, independent judgment and expression of views.
Source: Department of State.

DESCRIPTION OF DEVELOPMENT APPRAISAL REPORT

Senator PELL. At this point I would like to insert in the record a letter we received dated last April 13 from Mr. John Steeves, Acting Deputy Under Secretary of State for Administration concerning the development appraisal report and describing it.

(The letter referred to above follows:)

DEPARTMENT OF STATE,
Washington, D.C., April 13, 1967.

HON. WILLIAM J. FULBRIGHT,
Chairman, Senate Foreign Relations Committee,
United States Senate.

DEAR MR. CHAIRMAN: A member of the Senate Foreign Relations Committee staff has suggested that I give you a brief explanation of the Development Appraisal Report which is used for evaluating the potential of our Foreign Service, Foreign Service Staff and Civil Service officers.

When the Herter Committee completed its review of the Department's personnel policies in 1962, it recommended the adoption of two separate efficiency rating forms—one to evaluate performance and general qualifications for service, the other to appraise potential and promotion capabilities. In accordance with this recommendation a joint task force was established in 1963 composed of representatives of State, USIA and AID to review in detail the efficiency rating system.

As the result of the work of this task force the three Agencies adopted in 1965 two forms—a Performance Rating Report and the Development Appraisal Report (DAR). Both of these reports are completed on each officer by his supervisor on an annual basis. Copies of the two forms are enclosed with this letter as well as pertinent sections of the Uniform State/USIA Regulations.

The subordinate employee signs and receives a copy of the Performance Rating Report to ensure that he is fully aware of the strengths and weaknesses of his performance for that period. It was decided by State and USIA that the Development Appraisal Report should not be disclosed to the employee unless and until a step was taken that was intended to lead to an adverse personnel action for which the officer was not otherwise entitled by law or regulation to an opportunity to reply to specific charges. The supervisor, however, was encouraged to discuss with the subordinate matters covered in this report and counselling officers in the Department draw heavily on the Development Appraisal Report in counselling officers on their record and career futures. AID, while using the same two forms, has provided for disclosure of the Development Appraisal Report, upon request in Washington, when the rating and rated officers are separated by transfer.

The Development Appraisal Report has proven to be a valuable tool for the Department in the appraisal and assignment of its officers. The combination of the two forms gives us more complete information on an officer than we have had heretofore.

In a further effort to improve the system, however, State and USIA recently reviewed the forms and decided to provide for direct disclosure to the individual officer of the full contents of the Development Appraisal Report. It is expected that the results of this decision will be shortly communicated in a specific instruction which will permit any officer, on written request while in Washington, to see his Development Appraisal Report. This action is being taken to ensure that each officer is fully aware of his career potential as well as his previous performance record.

I trust these comments on our efficiency rating system will be helpful to you. I shall, of course, be pleased to answer any further questions you might have on the system or the forms.

Sincerely,

JOHN M. STEEVES,
Acting Deputy Under Secretary for Administration.

Enclosures:
Forms
Regulations

84-631-67-4

LIMITED OFFICIAL USE (When Completed)

<input type="checkbox"/> Department of State <input type="checkbox"/> U.S. Information Agency DEVELOPMENT APPRAISAL REPORT FOREIGN SERVICE OFFICERS, RESERVE OFFICERS, AND STAFF OFFICERS FSI-1 - 6 CIVIL SERVICE OFFICERS GS-9 AND ABOVE		CHECK ONE BOX <input type="checkbox"/> Regular Report Interim Report: <input type="checkbox"/> Depurative of Rated Officer <input type="checkbox"/> Decrease of Rating Officer <input type="checkbox"/> Change of Duty	
NAME OF OFFICER BEING RATED (last, first, middle)		EMPLOYEE NUMBER	OFFICER'S CLASS OR GRADE
POST OR (for Washington) ORGANIZATIONAL SYMBOL		OFFICER'S FUNCTIONAL OR ORGANIZATIONAL TITLE	
DATE OF ARRIVAL AT POST	PERIOD COVERED BY Performance Rating REPORT (shaded)	DATE REPORT SUBMITTED TO AGENCY	
SIGNATURE RATING OFFICER		SIGNATURE REVIEWING OFFICER	
TYPED NAME:		TYPED NAME:	
TYPED CLASS, TITLE		TYPED CLASS, TITLE	
<p>PURPOSE. The Development Appraisal Report is a written evaluation of the officer's capacity for growth, his leadership qualities, his ability to assume higher level responsibilities, and of any factors such as family, health, or suitability which might limit or enhance his advancement. It is not an evaluation of the officer's performance in any particular job during a particular rating period, although the appraisal must necessarily be based in part on an observation of the officer's performance and must bear a close relationship to the evaluation of that performance.</p> <p>APPLICABILITY, SCHEDULE, AND PARTICIPATION. This report is to be prepared in DUPLICATE whenever a Performance Rating Report (FS-315) is prepared. It shall be written and reviewed by the same rating and reviewing officers who prepared the Performance Rating Report, and will be attached to and submitted with it.</p> <p>INSTRUCTIONS ON PREPARATION. The appraisal of a man's potential is one of your most difficult and important tasks as a supervisor. It demands impartiality, intellectual honesty, and precision of expression. It must take into account the projected needs of the organization, and must evaluate an individual in relation to these future needs.</p> <p>Prepare the report on plain sheets of paper stapled to this form. Follow the underlined subject headings listed below. Appraise the officer's potential for growth and development, describe and evaluate his capacities and limitations, and, where possible, use actual examples to illustrate points. Beware of understatements or overstatements, carelessness, or undue brevity which may injure both the organization and the officer being appraised.</p> <p>Reference to race, color, creed, or national origin must not be included in this report. Medical problems which could affect the officer's performance or potential should be mentioned under item C below, but should not be discussed in detail. When reporting undesirable traits, or shortcomings, you should identify where and how their adverse effect, if any, on past performance is reported in the Performance Rating (FS-315). Likewise, the effect of outstanding personal attributes should also be reflected in the Performance Rating.</p> <p>DISCUSSION AND DISCLOSURE. This report will not be shown to the rated officer at the time it is prepared, nor will it be shown to him subsequently unless and until a step is taken that is intended to lead to an adverse personnel action for which the officer is not otherwise entitled by law or regulation to an opportunity to reply to specific charges.</p> <p>The restriction on disclosure is not intended to discourage discussion between supervisor and subordinate of matters covered in this report, particularly when such discussion and guidance could assist the subordinate in his self-improvement efforts. On the contrary, supervisors and personnel officers are obliged to counsel persons under their responsibility. Occasionally, however, some factors, traits, or limitations, though they form a necessary part of appraisal of an officer's potential, may be beyond his power to alter or control, in such cases a discussion of them with him might serve no useful end, and may even be counter-productive. In summary, you are obliged to report your appraisal of the officer's potential fully and candidly; you are also obliged to counsel him on all matters which lend themselves to such discussion.</p>			
PART I - RATING OFFICER'S COMPREHENSIVE COMMENTS			
A. Personal Characteristics:			
1. <u>Appearance</u> - Neatness, propriety in dress, general impression.			
2. <u> Bearing</u> - Degree of maturity, composure under varying circumstances, facility in personal contact.			
3. <u> Personality</u> - Discuss fully personality traits of the officer, e.g., bright, sparkling, extrovert, dull, abrasive, inchovert, pleasant, spontaneous, sharp, witty, good sense of humor, heavy, obsequious, sarcastic, biting.			
4. <u> Range of Interests</u> - Languages, arts, reading, avocations, hobbies, and where appropriate membership in political science, economic, technical, social and other professional institutions or societies.			
5. <u> Other</u> - Matters of special significance not covered above, e.g., acceptance or evasion of responsibilities (community or otherwise), willingness to admit error, attitudes towards superiors and subordinates, personal integrity.			

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LIMITED OFFICIAL USE (When Completed)

B. Family: (Normally this item may be omitted from the appraisal of a Civil Service Officer unless there are family considerations which could significantly affect the officer's potential.)
 Comment on family, particularly the wife. Is family a source of strength or weakness to the officer in his performance on this or future assignments? Include, where applicable, comments on the following: What is the family's attitude toward the host country and the people? What is the wife's representational ability? To what extent does the family mix with nationals of the host country and attempt to learn their language? Does the wife participate in local community organizations? Does the family entertain and visit with the local people in addition to Americans at the post? Does the wife participate in U.S. program activities where appropriate, e.g., English language seminars? Does the family travel about the country?

C. Limiting Factors:
 Health, conduct, over-indulgence (excessive use of alcohol, etc.), suitability, and other factors relating to both officer and family which should be considered.

D. Leadership and Executive Capabilities:
 Capacity to plan, direct, organize, analyze perceptively, make decisions, delegate authority, train and supervise subordinates, negotiate effectively, and insure efficient accomplishment of objectives. (Particularly thorough coverage of this factor is essential in reports on officers of Class 4 and above.)

E. Growth Capacity:
 Officer's strengths and weaknesses related to his work capacity, energy, intellectual abilities and knowledge, versatility, creativity and other factors pertinent to an officer's potential to assume broader or higher responsibility. After making a thorough analysis of the officer's growth capacity, the rating officer shall comment in specific terms on assignments and further training which would be most appropriate for realization of the officer's capacity.

F. Advancement Potential:
 Consider the officer from an overall viewpoint, including evaluations in this appraisal and in the performance evaluation. State which of the following best expresses your evaluation of the officer's advancement potential:

"Not suitable for further advancement"
 "Suitable for advancement of possibly not more than one rank"
 "Suitable for advancement of more than one rank"
 "Suitable for advancement to highest rank"

Support your selection and comment specifically on the rapidity with which officer is capable of advancing.

PART II - INSTRUCTIONS TO REVIEWING OFFICER

In a separate narrative statement, indicate precisely the extent to which you concur with the rating officer's appraisal, explaining any differences. To make your divergent view clear, describe and evaluate fully any or all of the factors covered by the report. Describe how closely you observed the rated officer. Indicate also whether good working relationships existed between the rated officer and the rating officer.

USIA FOREIGN SERVICE PERSONNEL SYSTEM

<input type="checkbox"/> Department of State		<input type="checkbox"/> U. S. Information Agency		CHECK ONE BOX <input type="checkbox"/> Regular Report Interim Report: <input type="checkbox"/> Departure of Rated Officer <input type="checkbox"/> Departure of Rating Officer <input type="checkbox"/> Change of Duty	
PERFORMANCE RATING REPORT FOREIGN SERVICE OFFICERS, RESERVE OFFICERS, AND STAFF OFFICERS FSS-1 - 6 CIVIL SERVICE OFFICERS GS-9 AND ABOVE					
NAME OF OFFICER BEING RATED (Last, First, Middle)			EMPLOYEE NUMBER		OFFICER'S CLASS OR GRADE
POST OR (for Washington) ORGANIZATIONAL SYMBOL			OFFICER'S FUNCTIONAL OR ORGANIZATIONAL TITLE		
DATE OF ARRIVAL AT POST		PERIOD COVERED BY REPORT		DATE REPORT SUBMITTED TO AGENCY	
SIGNATURE			SIGNATURE		
RATING OFFICER			REVIEWING OFFICER		
TYPED NAME:			TYPED NAME:		
TYPED CLASS, TITLE			TYPED CLASS, TITLE		
I have read and received a copy of this report.		DATE		SIGNATURE OF RATED OFFICER	
GENERAL INSTRUCTIONS					
Prepare in TRIPPLICATE: Original for Washington Office of Personnel, a copy for post or administrative file, and a copy for the rated officer. The Development Appraisal Report (Form FS-315A) is to be prepared at the same time, but in DUPLICATE only.					
PART I - POSITION DESCRIPTION AND PERFORMANCE REQUIREMENTS					
Classification Title of Position	Category (FSC, FSS, GS, etc.)	Occupational Series	Class or Grade	Position Number	
WHAT is done by the officer. List in descending order of importance, the major duties of the position. (Amount of time spent is not necessarily an indication of their relative importance.) If the duties of the position are described by a Standard Description of Duties (SDD) the SDD number may be cited below. Additional significant duties not covered by the SDD should be listed below.					
SDD NO. _____					
PART II - PERFORMANCE FACTORS					
Evaluate the officer's performance with respect to the factors listed below. Place a (✓) in the box above the descriptive statement which most nearly applies; with a (+) or a (-) symbol to reflect any refinements you believe to be significant. Most of the 26 factors apply to most positions, and all of the first 17 factors are significant performance elements in almost every position. If, however, any of the 26 performance factors is not applicable to the position, the rating officer can so signify by marking "N. A." in the space below its number. If the factor is applicable but insufficiently observed, mark it "I. O."					
1. Knowledge of Work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lacks the kind of knowledge required for satisfactory performance.	Has most required knowledge but lacks depth or breadth in certain respects.	Possesses adequate knowledge for good work performance.	Work reflects particularly comprehensive and suitable knowledge.	Has exceptionally commanding knowledge of and insight into all aspects of work.	
2. Productivity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Useful output or volume of work is generally inadequate.	Somewhat slow or erratic in production of useful work.	Volume of useful output wholly adequate.	Consistently produces superior volume of useful work.	His work output is phenomenal.	
3. Accuracy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Error of commission or omission, or lack of precision, is frequent or serious.	Work is sometimes imprecise, incomplete, incorrect or superficial.	Careful, conscientious. Work meets position demands for accuracy.	Exels in thoroughness and accuracy. Makes minimum of errors of commission or omission.	Inevitably turns out work outstanding in accuracy and completeness.	
FORM PS-315-1-65 WHEN COMPLETE - RETURN TO AGENCY. THIS IS AN EFFICIENCY REPORT WHICH SHALL BE SUBJECT TO INSPECTION ONLY BY THOSE PERSONS AUTHORIZED BY SEC. 612 OF THE FOREIGN SERVICE ACT OF 1946, AS AMENDED.					

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4. Initiative	<input type="checkbox"/> Does not take independent action.	<input type="checkbox"/> Sometimes overlooks need for action or seeks guidance or approval unnecessarily before acting.	<input type="checkbox"/> Acts on his own in usual activities; quite adequate.	<input type="checkbox"/> Sees opportunities and acts promptly and independently in new or unforeseen situations.	<input type="checkbox"/> Invariably sees opportunities and acts promptly and independently even in the most difficult or important situations.
5. Resourcefulness	<input type="checkbox"/> Does strictly "by the book". Does not produce original ideas or adaptations.	<input type="checkbox"/> Prefers conventional solutions to problems but occasionally displays originality.	<input type="checkbox"/> His work reflects the imagination and originality required.	<input type="checkbox"/> Highly adept in finding original solutions to unforeseen problems.	<input type="checkbox"/> Develops and applies original solutions to his most difficult problems with exceptional success.
6. Dependability	<input type="checkbox"/> Fails to follow instructions, or to observe commitments, or to complete work on time.	<input type="checkbox"/> Needs undue amount of supervision to comply with instructions, and to meet deadlines and commitments.	<input type="checkbox"/> Conscientious and steady worker. Complies with commitments, meets deadlines, and produces useful work with normal supervision.	<input type="checkbox"/> Conscientious and reliable worker. Completes each task, meets deadlines and commitments with a minimum of supervision.	<input type="checkbox"/> Regardless of own inconvenience, invariably meets the most difficult commitments and deadlines. Certain to follow through even in absence of instructions.
7. Decisiveness	<input type="checkbox"/> Cannot make up his mind, or vacillates.	<input type="checkbox"/> Slow at making decisions unless pushed, or jumps too hastily to conclusions.	<input type="checkbox"/> Makes sound decisions with reasonable promptness.	<input type="checkbox"/> Makes sound decisions in a very timely and confident fashion.	<input type="checkbox"/> Officer's decisiveness, even under acute pressure, is outstanding in speed and success.
8. Analytical Ability	<input type="checkbox"/> Generally misjudges or fails to realize causes or significance of problems, facts or events.	<input type="checkbox"/> Tends to accept statements or events with little critical thought or frequently fails to interpret or interrelate facts adequately.	<input type="checkbox"/> Generally identifies the facts or underlying events, ideas, or problems and interprets them with reasonable accuracy.	<input type="checkbox"/> Thoughtfully and successfully examines the essential elements of problem situations and reaches valid conclusions.	<input type="checkbox"/> Exceptionally effective in reaching the heart of a difficult problem, evaluating its elements and their interrelationships and true significance.
9. Ability to Anticipate	<input type="checkbox"/> Short-sighted. Tries to solve today's problem without regard to other problems or tomorrow's needs.	<input type="checkbox"/> Sometimes compartmentalizes problems, does not perceive relationships to other events and later eventualities. Occasionally caught off base.	<input type="checkbox"/> Farsighted. Usually chooses course of action that has broad and lasting utility.	<input type="checkbox"/> Nearly always shapes actions to future developments as well as to present problem. Visualizes indirect as well as direct consequences of an action.	<input type="checkbox"/> Exceptionally sensitive to ultimate consequences of action. Invariably examines particular item as a part of the total stream of events. Whole decision-making process is integrated.
10. Judgment	<input type="checkbox"/> Unreliable judgment. Overlooks pertinent considerations or has little sense of proportion.	<input type="checkbox"/> Judgment adequate if clear-cut precedents exist; lacks practicality, wisdom, or sensitivity in new situations.	<input type="checkbox"/> Exercises good judgment in normal activities. Carefully considers facts and possible courses of action.	<input type="checkbox"/> Nearly always displays good judgment in meeting both normal and unusual situations.	<input type="checkbox"/> Displays excellent judgment, timing, and insight, even in the most difficult and sensitive situations. Judgment unimpaired by work pressures.
11. Perspective	<input type="checkbox"/> Has a poor understanding of the goals of his job.	<input type="checkbox"/> Fair understanding of the principal objectives of his job, but poorly oriented in some respects.	<input type="checkbox"/> Good knowledge of objectives and of his part in achieving them.	<input type="checkbox"/> Well-informed, very good insights, knows what he is doing and why.	<input type="checkbox"/> Remarkable grasp of relationship of his job to total picture and of currents which might affect this relationship.
12. Attitude Toward Job	<input type="checkbox"/> Indifferent attitude. Shows little interest in his work.	<input type="checkbox"/> Makes an effort but has little real enthusiasm for the job.	<input type="checkbox"/> Has an interest in the work and helps out on other tasks when asked.	<input type="checkbox"/> Displays keen interest in job. Works extra hours on own initiative. Offers to assist in other duties.	<input type="checkbox"/> Exceptionally high degree of interest, willingness, and dedication. His job invariably comes first.
13. Acceptance of Responsibility	<input type="checkbox"/> Generally seeks to avoid responsibility for past or future actions.	<input type="checkbox"/> Sometimes reluctant to acknowledge or accept responsibility, and then only within well-defined limits.	<input type="checkbox"/> Generally acknowledges or accepts responsibility willingly.	<input type="checkbox"/> Displays well above-average sense of responsibility for past or future actions, including those of his subordinates, if any.	<input type="checkbox"/> Invariably regards himself as fully accountable for his actions and those of subordinates, if any. Does not hesitate to act in interests of organization.

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14. Written Communication	Does not get ideas across clearly on paper.	Can do simple drafting. Writing often lacks clarity, brevity, or effectiveness. Composition usually requires extensive editorial revision.	Writing is understandable to the point, and acceptably organized. Composition requires little editing.	Writes clearly and effectively. Composition and style are admirably suited to the objective. Product rarely requires editing.	Composition has all qualities of excellence: clarity, precision, conciseness, good organization, persuasiveness and style.
15. Oral Communication	Has great difficulty in conveying ideas orally.	Effectiveness of oral communication sometimes hampered by defects such as wordiness, imprecision, poor grammar, or rambling.	Gets ideas across clearly in oral communication.	Speaks well. Convincing and to the point. Effective in debate.	Outstandingly articulate in choice of words, clarity, conciseness, and persuasiveness. Holds listeners' interest even under adverse conditions.
16. Adaptability	Resists change or new approaches or is upset by new or different environmental situations.	Adjustment to change or new approaches in work somewhat hampered by old habits or fixed ideas, or adjusts with difficulty to new environment.	Accepts change, new ideas in work and works well with them. Adjusts to new environment reasonably soon.	Receptive to new approaches and ideas in work. Applies them readily and effectively. Quickly adapts to new or different environment.	Immediately grasps new approaches, ideas. Exceptionally able to blend old and new, and adapt own interests and enthusiasms. Takes difficult environmental situations in stride.
17. Relations with Americans	Officer's relations at work or socially are generally marked by fiction.	Sometimes irritates others, or is quick to take offense, or goes along grudgingly, or shows limited sense of community responsibility, at the office or at home.	Maintains good relations at work and socially. Is generally well liked and respected. Cooperates in community affairs.	Effective in personal relations at all levels. Stimulates rapport. Tolerant, highly respected, and well liked. Active in community to extent job permits.	Exceptionally effective in personal relations at all levels. Has deep understanding of human nature. Highly respected and sought after. A leader in community affairs.
18. Relations with Non-Americans	Insensitive to and lacks understanding of local people and customs. Creates problems.	Sometimes offends, or misunderstands, or is unduly sensitive, or may ignore rapport in "getting job done."	Maintains good relations at work and socially with local citizens.	Very successful in creating good relations at work and socially. Very well liked. Effective in contacts and develops rapport.	Exceptionally successful in developing good personal relations. Is sincerely respected, sought after, and responsive.
19. Language Improvement	Makes no or virtually no effort to learn the local language even when the demands of his job leave time for study.	Makes a little effort to learn the local language, but only when not at personal inconvenience.	Makes a satisfactory effort to improve knowledge of the local language insofar as job demands on his time permit.	Makes a determined effort to improve his grasp of the local language.	Neglects no opportunity to master the local language, giving it all the attention his other duties permit, even at some personal inconvenience.
20. Official Representation	Makes a poor impression as a representative of the United States.	Does not make the contacts he should or sometimes is rather ineffective in contacts.	Does his part in mixing with the local people and represents the organization effectively at social and unofficial functions.	Has wide range of useful contacts and is effective at using them and at promoting the interests of the U.S. in host country.	Makes excellent use, for the U.S., of a correspondingly wide range of local contacts. Performs effectively at any social or official function.
21. Negotiating Ability	Not effective as a negotiator. Lacks force or the ability to think clearly in negotiations.	Generally successful in negotiating matters of only minor importance or complexity. Must be given detailed instructions.	Good negotiator. Displays good judgment, patience, and tact in applying instructions.	Performance superior in sensitive or difficult negotiations. Forceful. A clear thinker and well prepared. Obtains good results.	Excellent negotiator who holds up under pressure. Rarely if ever caught off guard. Knows subject thoroughly. Obtains desired results.
22. Effectiveness as a Supervisor	Unsuccessful as a supervisor.	Supervises repetitive operations fairly well. Is somewhat weak in meeting new demands, goals, or deadlines, or in staff relations.	Plans and assigns work in an orderly manner and sees that objectives are achieved. Maintains good morale. Carries out instructions conscientiously.	Performance reflects superior skill in most aspects of supervision. Strong both in staff relations and production.	Plans and organizes work to meet all contingencies. Takes positive steps to develop staff capabilities. Subordinates give maximum performance and excel in morale.

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23. Effectiveness as an Executive	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Ineffective as an executive.	Marginal because he lacks forcefulness or decisiveness; or he does not comprehend the total picture, or he is weak in organization, planning, delegating, or staff relations.	Organized and plans work effectively and produces good results through exercise of executive skills.	Achieves superior results through exercise of planning, organization, leadership and related executive skills.	Superb planner, organizer and leader. Accomplishment as executive is outstanding.
24. Effectiveness as a Rating Officer	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Evaluations generally are not objective, candid, thorough or substantive, or frequently unfair or not submitted or are so delinquent as not to serve the purpose.	Evaluations sometimes are not candid, objective, thorough, perceptive, or do not demonstrate comprehension of service standards, or are not timely.	Reports are reasonably objective, candid, thorough, and perceptive. Data reports in on time.	Evaluations are objective, candid, thorough, and perceptive, showing insight into the performance, character and ability of subordinates.	Evaluations are comprehensive, objective, and candid, clearly describing the true value of the rated officers.
25. Technical Advice	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Technically deficient as a technician or adviser.	Fairly competent in his specialized field, but specific local advice or advisory technique is marginal.	Fully qualified in his specialized field and provides sound and timely advice in an acceptable manner.	Superior adviser in his technical field. Understands ramifications of problems and the implications of his advice.	Outstandingly competent adviser. His analysis of conditions is penetrating. Understands the implications of his advice. Inspires action.
PART III - NARRATIVE COMMENTS ON PERFORMANCE					
On attached sheets, signed and dated, discuss the topics listed below. Reference to rank, color, creed, or national origin must not be included in this report. Medical problems which could affect the officer's performance should be mentioned, but not be discussed in any detail. As you respond to items B and C observe carefully the instructions contained in agency guides to rating officers for selected occupations, where applicable.					
A. ASSOCIATION WITH RATED OFFICER. Indicate how long you have known the officer and the nature of your association.					
B. POSITION REQUIREMENTS. State briefly the requirements or performance factors which are of primary importance in measuring the officer's effectiveness in this job. This could include standards of quality, technique, or style, and such special circumstances as shortage of help, lack of direct supervision, or sudden emergency demands, or other operational difficulties.					
C. PERFORMANCE SUMMARY. Describe the depth and breadth of the officer's weaknesses in relation to the performance requirements described in Section B above, and discuss those factors in Part II above which were particularly significant, or which were rated high or low. Give concrete examples whenever possible.					
D. ALLOWANCE FOR POSITION CLASS. (Foreign Service Only.) If the officer's personal rank differs by more than one class from the class of the position, explain as clearly as possible the allowance you have made in this report for such difference.					
PART IV - REVIEWING OFFICER'S STATEMENT					
The primary role of the reviewing officer concerning this report is to ensure the application of appropriate and equitable rating standards. When the rating officer has completed his report, including adjustments he may want to make after discussion of differing views with the reviewing officer, the latter prepares his own evaluation according to the instructions below, and attaches it to his report.					
A. The reviewing officer is required to indicate the extent of his observation of the rated officer's work, the extent to which he concurs in the rating officer's report and to explain any differences. He should comment on whether the rated officer received adequate supervision and guidance, whether the rating officer's report appears unduly strict or lenient, and any other matters he deems pertinent.					
B. The reviewing officer should summarize his own evaluation of the officer's performance if he has a sufficient basis and observation for doing so.					
PART V - REVIEW PANEL					
WAS REVIEW PANEL USED?					
<input type="checkbox"/> No <input type="checkbox"/> Yes. No comments. <input type="checkbox"/> Yes. Panel's comments attached.					
DATE SIGNED BY PANEL CHAIRMAN			SIGNATURE OF PANEL CHAIRMAN		
TYPED OR PRINTED NAME, TITLE AND CLASS OF PANEL CHAIRMAN					
PART VI - OVER-ALL RATING - CIVIL SERVICE EMPLOYEE					
The appraisal under Part II and Part III-C constitutes a general rating of "Satisfactory" under the Performance Rating Act of 1950 unless otherwise indicated below. (An additional statement of justification is required if the rating "Outstanding" or "Unsatisfactory" is given. See 5 FAR 573.6.)					
<input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Outstanding					

[Foreign Affairs Manual—Vol. 3—Personnel]

UNIFORM STATE/USIA REGULATIONS

571.4 *Definitions*

a. *Efficiency Record* is a part of the Official Personnel File (see 571.4b) and contains those materials considered by the Department of USIA to be pertinent to evaluation of the performance of an employee of the Foreign Service. (Sec. 601 of the Foreign Service Act of 1946, as amended). The efficiency record may contain such documents as:

- (1) Performance Ratings submitted by supervisors;
- (2) Performance Ratings submitted by Foreign Service Inspectors;
- (3) Such other documents, memoranda, and correspondence as are found to be admissible in the record.

(See 571.5 for materials submitted by employees.)

b. *Official Personnel File* is the official repository of the records and reports of personnel actions promulgated on and for an employee during his Federal service, and the documents and papers, including personnel evaluation reports, used in connection with such actions. (FPM Chapter 293). (See 571.5 for materials submitted by employees.)

c. *Performance Rating* is the official recording, on the prescribed form, of the supervisor's or inspector's evaluation of an employee's performance for a specific period, in relation to the standards of performance expected on the job.

d. *Officer's Development Appraisal* is a written evaluation by a rating officer or inspector of an officer's capacity for growth, his leadership qualities, his ability to assume higher responsibility, and of any factors such as family, health, or suitability which might limit or promote his advancement.

577 *Disclosure of Reports*577.1 *Disclosure of Performance Ratings*

A rating official shall discuss with a rated employee his performance in relation to the standards of achievement expected in his work. The subordinate shall read and sign his performance rating to indicate that it was discussed with him and that he was given a copy of it. Normally, this will be done after the reviewing official has signed the report and appended his statement. The employee's signature does not indicate agreement with the rating, and does not preclude his appeal or rebuttal. His refusal to sign, on the other hand, has no effect on the rating as an official document; he is given a copy of the rating, signed or unsigned. Before forwarding an unsigned rating to the Performance Evaluation Division, the rating officer shall append a memorandum explaining the absence of the employee's signature.

Foreign Service personnel, while in Washington may, upon written request, see that portion of their efficiency record (this does not include Development Appraisal Reports) prepared on or after November 1, 1955. Personnel while assigned outside of Washington may request information concerning that portion of their efficiency record which has been added to the file subsequent to their most recent review of their file.

577.2 *Disclosure of Development Appraisals*a. *Officers' Appraisals*

The appraisal of an officer's capacity for growth and development and his promotability takes into account not only the officer's performance, but also his prospects for the future. Officers are appraised on a separate form (FS-315-A) from that used for Performance Ratings (FS-315). FS-315-A is not a "rating form" within the meaning of FPM 430.6.

Appraisals reported on the Development Appraisal form (FS-315-A) shall not be shown to an officer at the time of the appraisal, and will not be divulged to him subsequently unless and until a step is taken that is intended to lead to an adverse action in which the officer is not otherwise entitled by law or regulation to an opportunity to reply to specific charges. Such adverse actions include ranking in the low 10% of a class, or separation as a result of a Selection Board recommendation.

The restriction on disclosure is *not* intended to discourage discussion between supervisor and subordinate of matters covered in this report, particularly when such discussion and guidance could assist the subordinate in his self-improvement efforts. On the contrary, supervisors and personnel officers are obliged to counsel persons under their responsibility. Occasionally, however, some factors, traits, or

limitations, though they form a necessary part of appraisal of an officer's potential, may be beyond his power to alter or control; in such cases a discussion of them might serve no useful end, and may even be counter-productive. Therefore, the supervisor is obliged to report his appraisal of the officer's potential fully and candidly; he and the personnel officer or career management officer are also obliged to counsel the employee on all matters which lend themselves to such a discussion.

The Performance Evaluation Division and the Selection Boards will review these reports to ensure that the Development Appraisal is consistent with the Performance Rating.

Senator PELL. We may have a few more questions we would like to submit afterward, and if you would submit the answers in writing within the next two weeks, then we can have a fairly comprehensive record. (See page 34.) But at this point, I was wondering if you could let me know if a separate career system is authorized for USIA.

AMOUNT OF INTERCHANGE OF USIA AND STATE PERSONNEL

To what degree now is there an interchange of personnel between USIA and the Department of State?

Mr. RIMESTAD. We have figures on this which I would like to supply for the record covering all categories. There is a fair degree of exchange, but not a great deal. We would like to increase this exchange.

(See page 36 for information referred to.)

Senator PELL. Could that be done under this legislation?

Mr. RIMESTAD. Yes, it could.

Senator PELL. Would you propose to do it as a matter of policy?

Mr. RIMESTAD. Yes, we would propose to do that.

Senator PELL. I have come across in my travels some of these exchanges and they have worked out, I must say, extremely well.

Will there be a board of examiners for selection of Foreign Service Information officers which would be separate from the board that selects the Foreign Service officers?

Mr. RIMESTAD. This is something we would have to discuss with Mr. Marks. We would prefer that there be as little difference as possible and we would be prepared to place our services at their disposal. We are not in position to tell them they must do this. But if they wish to do it this way we would be happy to have them do so.

Senator PELL. I must admit that your proposed sections 5 and 6—that is the section that provides the Secretary of State to have a share in the planning and also the limitation on the progress to career ministers as opposed to ambassadors—are absolutely acceptable to me and I hope would be to the committee, and I think would be incorporated in whatever legislation, I would hope, that we passed in the end.

IMPACT OF VETERANS PREFERENCE PROVISION

In connection with the veterans preference—in my bill, S. 633, it is different in that it only, in my view, should apply to those who are candidates for admission into the Foreign Service or the Foreign Service Information Service, not once they are in—what would be the impact of this provision on you? What would be your view, with regard to its passage?

Mr. RIMESTAD. Over 50 percent of our officers are veterans; a higher percentage than you will find in agencies that have veterans preference by law.

Senator PELL. That I recognize.

Mr. RIMESTAD. So I don't know what the practical effect would be, the majority of our officers are veterans. Certainly a man who has served in the military service and has been around somewhat more than somebody who has not been in the service turns out to be a very good candidate. I think the fact that the majority of our officers are veterans adds up to that. What the practical effect of this proposal would be I don't know.

Senator PELL. Wouldn't it be a statement of fact now for the oral boards examining the young men that one of the factors that would automatically be taken into consideration is whether he spent two or three years in uniform?

Mr. RIMESTAD. Oh, yes.

Senator PELL. So as of now it really is applicable?

Mr. RIMESTAD. It is to his credit, unquestionably, unquestionably.

Senator PELL. Why would this not be a reasonably sensible measure to have stated as a fact? All the veterans preference law says, as you know, is that when all factors are considered, and two men are judged to be equal, then you give the break to the veteran. What would be the harm in stating that provision for the Foreign Service officers as well as the Foreign Service Information officer?

Mr. RIMESTAD. I wouldn't say that there would be any harm. I would say the problem here is that the veterans preference arrangements that you have within the Government today exclude individuals appointed by the President with the advice and consent of the Senate. I don't know what the Bureau of the Budget would say to such a proviso.

Senator PELL. Is this a matter of law, this exemption of Presidential appointees?

Mr. LYERLY. Yes, sir.

Senator PELL. I think it would be of interest to my colleagues to see that inserted in the record at this point and either you or our own staff could insert the pertinent statute here.

Mr. LYERLY. We will be pleased to, Mr. Chairman.

(The statute referred to above follows:)

[From United States Code, 1964 Edition, Supplement II, p. 82]

5 U.S.C. § 3320. The nominating or appointing authority shall select for appointment to each vacancy in the excepted service in the executive branch and in the government of the District of Columbia from the qualified applicants in the same manner and under the same conditions required for the competitive service by sections 3308-3318 of this title. This section does not apply to an appointment required by Congress to be confirmed by, or made with the advice and consent of, the Senate. (Formerly sections 9 and 20 of the Act of June 27, 1944, Veterans Preference Act of 1944, 5 U.S.C. 858 and 869)

Senator PELL. In other words, your view as counsel is that if my provision was passed it would negate a law presently in being?

Mr. LYERLY. Yes. The present provisions contained in the Veterans Preference Act of 1944, as amended, specifically exclude persons appointed by the President by and with the advice and consent of the Senate from the provisions of the Veterans Preference Act.

Senator PELL. So what I am suggesting is that it should only apply to admission, not to selection-out or promotion or anything else, but just to admission. What Congress has enacted, it could alter, too, as time passes. It could be changed by law.

Mr. RIMESTAD. That is right.

Senator PELL. It is perfectly proper.

ADDITIONAL RETIREMENT COSTS IF BILL IS PASSED

In connection with the cost figures do you have any further comments on the figures that Mr. Marks put forward that it would cost about \$220,000 a year on an average for 75 years?

Mr. RIMESTAD. No; we do not have any figures on that. We have not costed this out. We would have to take his figures for this.

Senator PELL. Right, and he will submit that, and also on the question of whether he omits these other paragraphs of that section, whether that could reduce the cost even further. Do you see any way that we could pass this bill without any additional costs; could that be done?

Mr. RIMESTAD. Well, except for the retirement part of it there shouldn't be any additional costs. I don't think there will be any additional costs.

Senator PELL. Right. But doesn't the Foreign Service Reserve officer now who retires have some benefits similar to those of the Foreign Service officer?

Mr. HOOFNAGLE. The Foreign Service reserve officers of USIA are under the Civil Service retirement system.

Senator PELL. In other words, the added expense is the difference between the Civil Service retirement system and the Foreign Service retirement system?

Mr. HOOFNAGLE. Yes, that is the figure you were discussing earlier, Mr. Chairman, with the Director of USIA. It was a difference in costs between the two retirement systems.

Senator PELL. Then the reason for the difference is because they move from Civil Service to the Foreign Service retirement system?

Mr. HOOFNAGLE. That is correct.

Senator PELL. Right, Thank you.

EFFECT ON MORALE OF FOREIGN SERVICE OFFICERS

If this bill is passed in its present form, Mr. Rimestad, do you see any adverse effects on the morale of the Foreign Service officers?

Mr. RIMESTAD. No, I do not see any adverse effects at all.

Senator PELL. That is all I have. Thank you very much, Mr. Rimestad, for bringing your colleagues with you.

We will submit some questions that may need filling out for the record. (See page 34.)

Mr. RIMESTAD. Thank you.

Senator PELL. The next witness is Mr. Bernard Wiesman, president of Lodge 1812, American Federation of Government Employees.

It is a rather hefty statement. I wonder if you could submit it for the record and comment on it?

STATEMENT OF BERNARD WIESMAN, PRESIDENT, LODGE 1812,
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, ACCOMPANIED BY CHARLES SEARLES, VICE PRESIDENT, LODGE 1812;
AND LAWRENCE E. NORRIE, CHAIRMAN, FOREIGN SERVICE
ADVISORY COMMITTEE

Mr. WIESMAN. Yes, Senator Pell, I will be very glad to do that. I am accompanied by Charles Searles, vice president of Lodge 1812 who is a Foreign Service career reserve officer now assigned to the cultural wing of the Department of State; and Mr. Lawrence Norrie who is chairman of our Foreign Service Advisory Committee, a former Deputy Assistant Director of the Agency, a former public affairs officer, who was a reserve officer, class II, and is now a staff officer class I because of the policies of our Agency at this time.

In other words—

Senator PELL. Does that mean he is a Republican?

Mr. WIESMAN. It means like some others who have reached the age of 60—

Senator PELL. Thank you. I wanted to get to the bottom of what the problem is.

CHANGES IN FOREIGN SERVICE PERSONNEL SYSTEM SUPPORTED

Mr. WIESMAN. Senator Pell, I think that my statement tries to bring out one major point. We are strongly in favor of this legislation. We are hopeful that there can be some basic changes in the conduct of the Foreign Service personnel system. We believe it is strongly in the interest of the Government as well as the employees that some changes be made. However, we realize that the terms of reference for your subcommittee are somewhat limited and that this would be a difficult time in which to attempt to secure a basic change in Foreign Service personnel system.

We have read of the recommendation by Senator Fulbright that a Presidential blue ribbon committee be established to review the whole Foreign Service personnel system and we would strongly favor such an approach to it.

We believe that the selection-out system is a dangerous one for the administration as well as for employees because, as it now stands, it becomes an almost inexorable process in which errors in the evaluation of an officer one year, errors in appraisal of his capability in another year, are compounded until he finds himself being selected out because he is in a bottom group or because he has served too long in class, and is automatically mandatorily selected out. Yet the Department of State has the authority to change the number of years in which an officer stays in class before being selected out, and during this past year exercised that right to an extent which is very damaging to many of the employees now in its service. I am referring to State Department people and, of course, this would apply to the USIA people—if we were to come under the system.

USIA OFFICERS DESIRE CAREER STATUS

Now, we do want to come under the system. Our officers, I believe, so far as I have been able to test the attitude of our membership, and we have a good proportion of Foreign Service officers in all categories, is that they want the career status as an essential part of their careers.

Senator PELL. What percentage—

Mr. WIESMAN. About 10 percent.

Senator PELL. 10 percent; thank you.

Mr. WIESMAN. Yes. It runs from the junior ranking officers to the senior ranking officers. We have some of the top people in the Foreign Service in our membership. We have some of the youngsters and, so far as we have been able to get the sense of their attitude from letters, from participation in meetings, it is that they want the career service. Their morale has suffered for many years because of lack of such recognition and they were particularly disappointed in the failure of the arrangements under which the career reserves would be brought under the Foreign Service. I want to be hasty to add that we believe now that the decision of your committee was a correct one. We in USIA are really now relieved that our Foreign Service career officers are not part of the FSO system. We think that it would not have hurt the Foreign Service corps to have had our people brought into it, but we think it would have diluted the specialization which is essential to the success of our operations. So we wish to record our gratitude for that decision which we opposed last year.

Senator PELL. Thank you very much.

It is very broadminded and considerate of you.

SUGGESTIONS MADE TO DIRECTOR OF THE AGENCY

Mr. WIESMAN. We also are grateful that you brought in S. 633. We do prefer the language of S. 2002 because it has been worked out to settle some of the housekeeping details between State and USIA, and also because it includes the Foreign Service staff officers.

We had suggested this to the Director of the Agency, and we were very pleased that he recognized the usefulness of this to the administration as well as to the employees.

We also suggested to them that the secrecy of the development appraisal system should be eliminated, and we would like to record our gratitude to Mr. Marks for realizing, as a lawyer and as an administrator, that secrecy in such appraisals was detrimental to the morale of the employees and not particularly helpful to the administration, and he did promptly take action to eliminate that. For the domestic service as well as for the Foreign Service. In fact it was done for the domestic service before it was done for the Foreign Service.

EFFECT OF EXCLUSION OF FOREIGN SERVICE STAFF OFFICERS

Senator PELL. Going back to the two bills and the inclusion in S. 2002 of the Foreign Service staff provisions, one of the figures that will be submitted will be the difference in costs—

Mr. WIESMAN. Yes.

Senator PELL. That will be caused by including it because the Congress at this time is not in a spending mood. I think if we can find that the difference in costs is substantial, that would be a reason to retain the original proposal in S. 633. If you find the cost difference is negligible, then this is a matter that can be examined again at a later date if we do include the Foreign Service staff people.

Mr. WIESMAN. Senator, I believe that the cost figures will show not a great difference in this respect. We would like, and there is one amendment we strongly urge, that the word "may" be substituted for the word "shall" in section 9 of S. 2002 in order to permit Foreign Service staff officers at present not to be transferred to the Foreign Service retirement system without their consent.

This is because of the fact that many of our officers were recruited from top university jobs, from newspapers, from other places where they had attained major positions of importance and experience, and were brought in because of their proven skill into USIA work. Hence, they were brought in in their upper 40's or 50's. To require them to come under a retirement system which would compel their retirement at age 60, although in this bill it would begin at 64, would be very damaging to them. I think this is the one point upon which our membership is particularly concerned. I think it would affect a very small number of people, but I think as a matter of elementary equity it would be highly desirable.

EFFECT OF HAVING TWO RETIREMENT SYSTEMS

Senator PELL. As long as we are all here in the room it might be interesting to get the view of Mr. Schmidt or Mr. Mosley as to whether this would in any way impair the bill. From your viewpoint, what would be your reaction?

Mr. SCHMIDT. I think, Senator, we would have to say it would unless some different language could be worked out because here you would have two retirement systems available to this group and this is not exactly a practical method of administration to allow them to elect between the two, and certainly—

Senator PELL. It would mean more money spent on running two systems and administering them.

Mr. SCHMIDT. It certainly would be and it would be difficult asking that this be done in the future so that the man could choose his retirement system. This would be very difficult to administer, and the cost factor then becomes completely confused. Perhaps we could work it out so that you have a cutoff date, but it would appear to us that because of the benefits of the Foreign Service retirement system it would be to these people's benefit, not detrimental, to go into the Foreign Service.

Senator PELL. If one took a policy which would you prefer?

Mr. SCHMIDT. I would assume they would elect to be under the Foreign Service retirement system.

Senator PELL. Unless they were at a certain age. It is an interesting thought, and we will discuss it. I can't make a commitment whether we will accept or reject your thought.

Mr. WIESMAN. Senator Pell, I would want to make it clear that our plan was not to leave this option open indefinitely. This would be an

initial, single phase. In other words, at the beginning, officers would decide whether they wished to go into the Foreign Service reserve system or stay in the Civil Service system, and it would be an item which would apply really only to a handful of people at this stage. I don't think it would create practical administrative problems, and I would suggest that perhaps it is something on which the Agency might, after consultation with us, wish within the two-week limit to submit a supplementary statement.

Mr. SCHMIDT. We would be delighted to work with Mr. Wiesman on this. As Mr. Lyerly points out there is a safeguard on this, there is a provision of a five-year extension for these people under the Foreign Service Act. None of them would be penalized and this would not work to their disadvantage.

Senator PELL. Maybe you could submit a statement and agree on common language; then we would like to consider it.

Mr. SCHMIDT. Yes, sir.

Senator PELL. All right, carry on.

NEED FOR A CAREER SYSTEM IN USIA

Mr. WIESMAN. I think this does cover the major part of our presentation. I have pointed out in the statement being submitted for the record a consequence of our present system. We do not have the safeguards which the State Department has either for the administration or for the employees. There is really an urgent need for a career system, and we know that it would involve some hazards for some employees, but we believe that they would be more than offset by the advantages to be gained from the legislation. I have been in the Agency and its predecessor since 1950. I think I know quite well how most of our people react on these matters, and we have been very grateful for the interest shown by Mr. Marks as Director, in trying to do everything that he could to help establish a career system, and we recognize that the initiative which you took, Senator Pell, last winter, in bringing in 633 went very far toward accomplishing that.

Do you have any questions?

Senator PELL. I have no further questions. I thank you. I have been over your statement and I thank you for your willingness to come up here and for your breadth of view and I think your statement is altogether excellent. I look forward to your discussing this question with Mr. Schmidt and maybe you can agree on language which would help us.

Mr. WIESMAN. Yes, sir.

Senator PELL. Thank you very much indeed.

(The information referred to follows:)

UNITED STATES INFORMATION AGENCY,
WASHINGTON, October 4, 1967.

HON. CLAIBORNE PELL,
United States Senate.

DEAR SENATOR PELL: You suggested during the course of your Subcommittee's hearings on September 28 on S. 633 and S. 2002 that the Agency consult with Mr. Bernard Wiesman, President, Lodge 1812, A.F.G.E., on a revision to Section 9(c) of S. 2002 to ameliorate as much as possible its effect upon Agency Foreign Service Staff employees approaching the mandatory retirement age provided in such section.

We proposed to Mr. Wiesman a revision of Section 9(c), with which he concurs, and which is submitted to the Subcommittee for its consideration as follows:

"(c) Any such officer or employee who, under the provisions of paragraph (b) of this section, becomes a participant in the Foreign Service retirement and disability system, shall be mandatorily retired for age during the [first] *third* year after the effective date of that paragraph if he attains age sixty-four or if he is over age sixty-four; during the [second] *fourth* year at age sixty-three; during the [third] *fifth* year at age sixty-two; during the [fourth] *sixth* year at age sixty-one, and thereafter at age sixty." (Brackets [] indicate deletions and *italic* indicates additions.)

The effect of the revision is to allow an additional two years service for the Staff employees who are within the age groups specified in the section following its enactment. This revision is consistent with Section 56(b)(2) of P.L. 86-723, approved September 8, 1960, which pertained to the initial coverage of State Department staff personnel into the foreign service retirement system.

As was pointed out in the course of the hearings, the Director is authorized under Section 632 of the Foreign Service Act to extend the service of any employee beyond the mandatory retirement age when he determines such action to be in the public interest. Such authority will, of course, be utilized by the Director in appropriate cases.

Sincerely,

RICHARD M. SCHMIDT, Jr.,
General Counsel.

Concurred:

BERNARD WIESMAN,
President, Lodge 1812, A.F.G.E.

(The complete statement of Mr. Wiesman and a letter containing supplementary information follow:)

TESTIMONY OF BERNARD WIESMAN, PRESIDENT, LODGE 1812, AMERICAN
FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

I am testifying today on behalf of the career employees of the U.S. Information Agency, both Foreign Service and Domestic, who are members of Lodge 1812 of the American Federation of Government Employees in support of Senate Bill 2002 to create a Foreign Service Information officers corps and to bring FSIOS and the Foreign Service Staff Corps of the USIA into the Foreign Service Retirement and Disability Fund.

About 18 months ago, I testified before a Sub-Committee chaired by Senator Gore to plead that the career Foreign Service Officers of the USIA be confirmed as officers of the Foreign Service to which they had been nominated. Your Committee did not see fit to support these nominations, and you set forth some cogent arguments against bringing the USIA people into the Foreign Service to be mixed with the FSOs who primarily serve in political, economic or administrative functions for the Department of State.

On that same occasion I urged that your Committee reject the proposal of the then Deputy Under Secretary of State to create a pseudo Foreign Service system which would have replaced the career Civil Service in State-USIA-AID and removed many of the career safeguards from the Foreign Service. On behalf of our members, and of almost all the employees of our Agency, I take this opportunity to reiterate our deep gratitude for your rejection of that disruptive proposal. I also express our considered agreement with your conclusion that USIA's Foreign Service personnel should *not* be combined with the Foreign Service corps which primarily serves the Department of State.

SUPPORT FOR S. 633

In the closing days of the last Congress, Senator Pell introduced a Bill which in many ways is identical with S-633 and S-2002 which are now before you. We strongly opposed that proposal then. We did so because we had learned the Deputy Under Secretary of State was planning to try at the conference stage to use that Bill as a device to resuscitate the essence of the legislation which your Committee had found contrary to the public interest.

It is not inconsistent for us now to support the essential provisions of the Pell Bill. We, too, learned much from the hearings last year. We came to the conclusion that those who opposed the confirmation of the USIA career reserve officers were correct, perhaps for somewhat different reasons. We do not think we would harmfully dilute the FSO corps if our career officers were admitted to it. Quite the contrary. We think it would dilute our specialization. We think that our USIA people as information and cultural specialists should not be put into the State Department FSO corps of political and economic reporting officers where they would seem to be competing against them for advancement. At the same time, our people who serve in equally arduous and exacting requirements under the same ambassadors should have parallel status and parallel privileges as these Bills would provide.

CAREER SYSTEM DESIRED

It is a self-respecting, public-serving career system that we want.

We want some system of independent, objective appeals by which a supervisor's rating of an officer can be subjected to the sanitizing process of challenge by the rated officer if he believes that the rating officer has been misguided, misinformed, or biased in his comments. As it is now, the supervisor's rating stands in the record, very rarely tempered by the reviewing officer, and accepted by Selection Boards as the basis for determining the rated officer's career. One sour rating will poison chances for promotion for four or five years, and if this Bill is enacted, will even determine whether the officer will be subject to selection-out. One inflated rating may start a mediocre conformist up a fast escalator to top grades.

We think that such an appeals system is in the public interest as much as it is in the interest of an individual officer. Unless you put in some safeguards of this sort, you will be permitting a system to continue which puts first emphasis upon "pleasing the boss" as the first law of self-preservation.

Last winter we discussed our recommendations for changes in the pending legislation with the Director of USIA, Leonard Marks. We put it to him as Director and as a lawyer. We asked if he would not feel much safer if the careers of USIA officers were not subject to the unilateral decision of today's supervisor and his reviewing officer. We believe he was both sincere and candid in answering that, at this stage, insistence upon such a basic reform through this legislation might jeopardize the enactment of the career legislation which he and we both regard as essential to the efficiency of the U.S. Information Agency.

He pointed out that many of the proposals we were making would be within the realm of administrative action. We asked him, therefore, to undertake such changes as were within his authority without waiting for the legislation.

DEVELOPMENT APPRAISAL REPORTS

Perhaps our top item was the elimination of secret "development appraisal reports." Nine months earlier, we had pointed out to the Gore Sub-Committee that such reports were in violation of the Foreign Service Act which provides that an officer must be allowed to see his efficiency record. Yet in those nine months the Department of State had not abolished such reports or opened them up to inspection. Instead the Department had used these secret appraisals as a major element in the documentation set before the joint selection boards which made the recommendations for the 1967 promotions and selections-out for FSOs and FSRs serving State in regular overseas service and for the promotions of USIA's overseas personnel.

We are happy to report that Mr. Marks used his authority as Director of USIA to eliminate the secret appraisals in the domestic service of USIA, even though such secret appraisals are not illegal in domestic service and had in fact been used in USIA for about eight years with Civil Service Commission sanction as part of a so-called merit promotion system, and had been protested by our union consistently. He took this action, we were told, when his personnel officers surveyed the system and found that the additional information thereby derived was not worth the cost and the turmoil caused. He did so some two months before the Department of State joined with USIA in finally eliminating the secrecy of such appraisals in the Foreign Service by a rule making these appraisals available to the appraised officer whenever he is in Washington and makes written request to see them.

There were many other suggestions which we made as essential to the establishment of a self-respecting and public-serving Foreign Service system. I refer particularly to appeals, to the use of Reserve appointments, to age. We strongly believe that an appeals system is essential if the public interest is to be served, and we believe that it must be sufficiently independent and objective and authoritative to afford real protection to the conscientious and capable FS officer of any category.

NEED FOR AN APPEALS SYSTEM

Let me give you two examples of the need for an appeals system in which evaluations and promotions can be objectively reviewed.

One Foreign Service Limited Reserve Officer was marked down on the annual evaluation because of an alleged inability to win the respect and cooperation of the non-American or "local" employees on his staff. Yet the fact was that at Christmas time all but one of those employees had accepted his invitation to a Christmas party and only one had accepted the invitation of the rating officer who was his superior. Yet because the rating officer had said the rated officer did not get along with the locals, such is the official conclusion which handicapped his career.

Another is in the withholding of within-class increases. As soon as the Congress legislated that there must be specific, written statements of shortcomings for domestic employees and an opportunity for appeal to the Civil Service, denials of periodic step increases in the domestic service dropped to a handful. But in our Foreign Service where USIA applies the withholding without these safeguards, last year's rate of denials was five (5) times higher in foreign service than in domestic service.

We also object to the extreme delegation of authority by which, for example, State Department authorities can increase or decrease the number of years-in-class or the other ground rules under which selection-out of individual officers can be speeded up or slowed down.

We would like the legislative record to make clear that, as we have been advised, the number of years-in-class with respect to USIA officers will begin to run only after the legislation becomes effective.

We believe that selection-out should be used only to eliminate the clearly unsuitable or incompetent, not to create vacancies so that others can be hired or promoted. We urge a basic study of the purposes and practices of selection-out.

"FOREIGN SERVICE RESERVE OFFICER FOR MAXIMUM U.S. DUTY"

We also believe that steps must be taken to prevent an apparent perversion of the authority provided in the Foreign Service Act whereby the Department of State has set up a "Foreign Service Reserve Officer for Maximum U.S. Duty" category, pressured Civil Service career employees to accept such status in lieu of their Civil Service status, and even created a separate promotion system to make sure that the favored ones could get promotions through essentially administrative channels. This device also permits the hiring-in of persons at levels for which they might be unable to secure Civil Service approval.

We think it is a scandalous practice which the Congress should investigate, and which raises questions of possible illegality which the Department of Justice or the General Accounting Office should probe and apply corrective action. We believe your Committee should make clear its disapproval of this probably illegal and certainly perverted use of the Foreign Service Act to erode the standards and safeguards of the Civil Service.

We in USIA have watched this process with concern; we feared that such practices might appear in our Agency. We are happy to report that there has been no effort to establish a domestic foreign service system in USIA. There have been some appointments which we have challenged; such appointments have been instances where some person has received a high FSR rating and been assigned to what is called an initial domestic assignment. In all candor, however, we say that these have been few and have not at all constituted a pattern. Also, we recognize that there can be circumstances wherein persons legitimately appointed for foreign service cannot be sent overseas at the time or to the post planned.

Likewise we believe that excessively long domestic assignments for FS personnel are an infringement upon the domestic service or the rights of their FS associates but we recognize that there are many humanitarian considerations or functional reasons for such exceptional arrangements.

We believe that at least in USIA there should be essentially a single Foreign Service system instead of the proposed classification of information officers, reserve officers staff officers and staff employees.

RETIREMENT AND DISABILITY SYSTEMS

Originally we intended to ask you to legislate such a single system for USIA, to establish an appeals system on a really independent basis, to establish clear-cut ground rules. In fact, we do so recommend to you. *But*, if your committee feels that such an operation requires too much time and study, we have a specific recommendation to you for action now.

We urge you to proceed now, as an essential minimum, with the establishment of the FSIO system and to bring the FSS personnel into the FS Retirement and Disability Fund as provided in S-2002; we ask this as a matter of equity and public service. There should be no delay. USIA personnel serving overseas on a career basis alongside of the FSO and FSS personnel of State should be accorded this recognition and these benefits.

We urge you also to make provision for a Congressional investigation into the FS Act as now operating and into the personnel practices of State and USIA. We would particularly welcome the "Presidential blue ribbon Commission" which the Chairman of the Committee on Foreign Relations has proposed. We think it is time to see if the public interest is really being served. We pledge our cooperation with any such study.

There is one very important matter involving the transition on which we strongly urge you to amend the text of S-2002. USIA's personnel has mostly come from the ranks of communications media, colleges, and professions after considerable experience and proof of ability. They came into a system where they were promised annuities based on service until age 70.

The great majority of our FS personnel want the career service provided under the FS Act and welcome the provisions of S-2002. At the same time there are some whose family obligations would make it disastrous if they were forced to retire at age 60. It is quite different for those recruited as they leave college and who have had an opportunity to work for 30 or 35 years and attain an equity of 60 or 70 per cent of their "high 5" average. To compel a man who came into USIA in 1953 when it was established as a separate agency to become subject to a retirement at age 60 could be a great hardship and deprivation of property rights. If he is now 55, for example S-2002 would compel his retirement at age 60, five years from now with 38% of his average salary.

For some this would be inconvenient; to others disastrous. Some of our members have young children or other family obligations which make retirement under those circumstances an extreme hardship. Some former college professors can get appointments to teach their language specialties, but a former newspaper editor, for example, would surely find it hard to get back into his trade after 15 years absence and after attainment of age 60. And we have almost 100 officers who are in their 60's some of whom would be forced out under this Bill with only 30% of their "high five" average.

We strongly urge, therefore, that you make it optional for present FSS personnel, and even for present FSCRs, to opt to stay under the Civil Service Retirement system, to continue to function as they now do, and to continue to serve at home or overseas, if physically able to do so, without suffering, as many now are, a cut in pay, reduction in status, and a ban on overseas service or promotion based merely on age. This should be spelled out in the legislation. For 4 years the Agency under a self-made rule has been urging officers to retire at age 62. If they have retreat rights to Foreign Service Staff and the Civil Service Retirement system, they are told that if they exercise these rights, they will be confined to domestic assignments at the usually lower staff rates. They are also told they can never again be promoted. Some excellent officers are suffering as much as \$2,500 or \$3,000 loss in salary and impairment of annuities because of this discrimination based on age and imitation of the State Department. Some of them continue to fill positions formerly filled by officers of higher grade. The Agency's inconsistent policy in reducing some has made for discrimination and bad feelings.

A possible alternative would be to raise the compulsory retirement age under the FS Retirement system to those now coming under S-2002 to age 70 initially and to one year less for each year of the succeeding 9 so that the 60-year retirement age would not become mandatory until 10 years hence.

We recommend this urgently needed amendment. We heartily support S-2002 and plead for expeditious consideration and enactment.

AMERICAN FEDERATION OF GOVERNMENT
EMPLOYEES, AFL-CIO,
LODGE 1812, U.S. INFORMATION AGENCY,
Washington, D.C., October 3, 1967.

HON. CLAIBORNE PELL,
Chairman, Special Subcommittee,
The Committee on Foreign Relations,
The Senate of the United States.

DEAR SENATOR PELL: We appreciate the opportunity you gave us on Sept. 28 to submit material to clarify and document our recommendations. We currently are meeting with management representatives in an effort to reach agreement on proposals concerning the Lodge's request that present Foreign Service Staff personnel be given an option whether to continue coverage under the Civil Service Retirement Fund or be transferred to the FS Retirement Fund as provided under S-2002.

In response to your query as to whether FSSs as a group should be brought under the FS Retirement Fund upon the completion of ten years' service, our Lodge wholeheartedly supports the Agency's recommendation. We have made an analysis of the staffing of our overseas posts as of August, 1966. We found that FSS personnel now serve in almost every category of overseas assignments including that of Public Affairs Officer in charge of post activities. There are approximately as many FSS in our Binational Center activities now as there are FSS technicians in our relay stations. A considerable proportion of our Limited Reserve officers have "retreat rights" to FSS. In fact, until the Career Reserve was established in 1960, the majority of our people were brought in as FSSs since it was the closest approximation of a career service we could offer.

The advisability of such inclusion as provided in S-2002 is attested not only by USIA management and us as employee representatives but also by the public representatives on the so-called Herter Committee. This is set forth in its Recommendation 29, of which a copy is attached.

We also call to your attention the objective comments of the Herter Committee on Selection-out, as contained in Recommendation 27, a copy of which is also attached as an exhibit for your report. Our Lodge does not oppose selection-out of incompetent or unsuitable officers. We simply insist that the public interest as well as the elementary rights of career employees are jeopardized unless there is recourse to some objective and effective appeals procedure. We also believe that it is a tragic waste of human resources and public funds to select-out officers who are doing their specific duties capably and conscientiously but who are appraised less suitable for promotion than some others in their class. The Herter Committee's Recommendation No. 27 was that "selection-out for time in class should be eliminated" and that it "should normally be limited to those" at any grade level who are inadequate or of marginal competence. It also suggested that most such selections-out should be concentrated "at two thorough review processes on entry into the mid-career and senior levels."

In sharp contrast to the Herter Committee proposals, the Department of State announced in its *News Letter* of March, 1966 that maximum time-in-class for mandatory selection-out would be reduced, effective as of June 30, 1968, because of "increasingly larger classes at the mid and senior levels" which, unless reduced, would reduce the promotion rate of recent years and the intake of Junior FSOs.

In announcing these changes, the Department referred back to the "shorter" periods in effect in 1946 but concealed the present formula. By referring back to page 302 of the Senate Subcommittee chaired by Senator Gore, on which you served, I find that the impact of the reduction seems heaviest on the junior rather than the senior classes. Under the delegation of authority in the Act, State is reducing the period in which any FSO must be selected-out if he fails to receive a promotion as follows:

Current period:	<i>Effective June 30, 1968 (years)</i>
15 years in Class 1	12
12 years in Class 2 or 3	10
10 years in Class 4 or 5	8
10 years in Class 6 or 7	4

It should also be noted that any Junior FSO appointed in Class 8 or 7 is in probationary status until he receives his first promotion; if he is not promoted in 4

years, he is separated. Hence it can be seen that there should be very little occasion for the shortening of time-in-class for junior officers since incompetents should have been weeded out in the probationary period.

With respect to selection-out for "marginal performance", State has changed the ground rule in at least 3 of the past 4 years merely by altering the Precepts issued to the Selection Boards each year.

I cite the foregoing data to support our position that the whole approach of the Foreign Service Act to the compulsory retirement age and to the principle and practice of selection-out should be thoroughly reviewed and revised. We hope that your Special Subcommittee will find it appropriate to make such a recommendation.

With our appreciation for your personal interest in these questions and your courteous consideration of our testimony,

Sincerely,

BERNARD WIESMAN, *President.*

Enclosures.

"PERSONNEL FOR THE NEW DIPLOMACY"

(The Committee on Foreign Affairs Personnel—Chairman, Hon. Christian A. Herter—December 1962)

SELECTION-OUT

RECOMMENDATION 27

All the foreign affairs agencies should have selection-out authority, but selection-out for time in class should be eliminated.

The Committee's concept of career stages, most importantly the intensive review processes before officers are advanced to classes 5 and 2, affects selection-out as much as other aspects of managing a career service. For one thing, a great deal more emphasis is placed on the positive idea of "selection-in" than on the negative one of "selection-out." Secondly, the thrust of the Committee's recommendations would concentrate selection-out at the two points where least damage would be done to the individual.

The "up or out" idea behind the present promotion and selection-out system for Foreign Service Officers in the Department of State has had a rocky history. The system has been used gingerly, the ground rules have shifted, and the differential treatment of some specialists has given rise to serious questions about its fairness. Yet, some kind of selection-out provision is essential for managing and keeping vital a mobile career system based on the rank-in-man concept. Therefore, the Committee proposes extending selection-out authority to all foreign affairs agencies on a uniform basis.

The time-in-class provision for selection-out of Foreign Service Officers has not been an effective means of weeding out "deadwood." Between January 1, 1957, and July 1, 1962, only 12 officers were selected-out on the basis of time in class without promotion, and only 7 more would have been had they not also been required to retire because of age or disability. The time-in-class provision has had a damaging effect in that it has put pressure on promotion panels to advance some people who should not have been promoted in order to "save" them from selection-out—the so-called "tombstone" promotions.

Selection-out of seasoned personnel in their middle years is a difficult, unkind, and often brutal business under any circumstances. Furthermore, it is extravagant to dismiss a man who is performing competently, even though he does not merit promotion to the next higher grade. Selection-out should normally be limited to those who are inadequate or of marginal competence. This would apply at any grade level, but the Committee's recommendations would concentrate most selections-out in the two thorough review processes on entry into the mid-career and senior levels. A person selected-out during or at the end of probationary status will be young enough to begin a new career. At the senior level, the main purpose of the review process is to identify officers capable of filling expert or command positions at higher grades. Many officers not selected for these levels would be performing competently at their present level and would remain there. At the same time, however, the process would also identify officers whose contributions to the service are, for all intents and purposes, at an end. Selection-out of these officers at this relatively senior level would be greatly eased by the fact that they would normally be eligible for retirement with an immediate or early annuity.

Selection-out provides an effective means of administering a reduction in force should that become necessary. The Committee suggests that the legislation authorizing selection-out provide for its use for this purpose notwithstanding any other law, subject to provision for administrative appeal. In the case of a reduction in force, appropriate consideration should be given to both length and quality of service.

The Committee believes that selection-out should apply initially to the career professional officers in the respective foreign services of the three agencies. In principle, the Committee favors extending selection-out to the personnel now in the Civil Service and to Staff officers, but it recognizes that this step must be taken in conjunction with appropriate revision of retirement provisions and severance benefits. Selection-out is not needed in the case of Reserve personnel in view of the nature of their appointments.

RETIREMENT

RECOMMENDATION 29

Officers in the career foreign services of USIA and AID should be placed under the Foreign Service Retirement System. Legislation applicable to that system should be amended to provide for automatic adjustments of annuities based on increased costs of living. Greater use should be made of the administrative discretion authorized under existing legislation to extend the mandatory retirement age.*

The establishment of parallel and substantially equal foreign services for information and development officers necessitates the extension of the Foreign Service Retirement System to accommodate them on an equal basis with Foreign Service Officers.

MANDATORY RETIREMENT FOR AGE

Most Foreign Service Officers must retire at 60. (The principal exceptions are officers with the rank of career minister or career ambassador, who must retire at 65.) The Secretary of State may at his discretion extend an officer's service in the public interest up to an additional five years—that is, to age 65—but he has rarely done so. The mandatory retirement age of 60 is relatively young compared with age provisions of most retirement plans, both public and private. For example, mandatory retirement age under the Civil Service system is 70 years with a minimum of fifteen years of service. This system applies to USIA and AID personnel, including those in the foreign services of those agencies, as well as to most Foreign Service Staff personnel of the State Department.

One reason for this age limitation on length of service in the Foreign Service was to encourage attrition at the top and thereby enhance promotional opportunities of those coming up the line. It was also designed in recognition of careers spent largely in foreign countries. The situation today is changed in both respects. The Foreign Service Officer Corps is much larger today than was envisaged fifteen years ago. It provides many more opportunities for advancement to an exceptionally high proportion of top-level executive posts. Foreign Service Officers can expect to serve in the United States for substantial portions of their careers. The Foreign Service includes, and will continue to include, many officers of distinction and value who will not attain the rank of career minister. Mandatory retirement annually deprives the Service of a number of officers at or near the peaks of their careers; this is illustrated by the highly responsible positions in other organizations which many retired Foreign Service Officers are asked to fill.

The State Department has instituted no regular procedure to make positive use of the Secretary's discretionary authority to extend an officer's service beyond the age of 60. This problem will become more serious when the Foreign Service Retirement System is extended to the career foreign service personnel of USIA and AID. Both of these agencies now employ a number of highly competent officers older than 60.

Consequently, the Committee recommends that full and positive use be made of the discretionary authority referred to above in order to retain the services of able officers. A systematic procedure should be established for reviewing the

*In addition, Foreign Service Staff personnel with ten years of overseas service should, of course, be included, as they are in the Department of State. See Chapter III for a brief discussion concerning retirement provisions for the headquarters or departmental personnel of the foreign affairs agencies.

qualifications of all officers approaching mandatory retirement age in the light of projected personnel needs. Those whose services are needed should be retained for periods up to an additional five years.

Senator PELL. Our next witness is, I guess, Mr. John Griner, president of the American Federation of Government Employees, your parent organization, accompanied by Mr. Thomas G. Walters.

STATEMENT OF THOMAS G. WALTERS, LEGISLATIVE REPRESENTATIVE, AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES; ACCOMPANIED BY STEPHEN A. KOCZAK, ASSISTANT DIRECTOR OF RESEARCH

Mr. WALTERS. Mr. Chairman, I am Thomas G. Walters, legislative representative of the American Federation of Government Employees. President Griner was unavoidably delayed this morning and I offer his apology.

I am accompanied by Stephen A. Koczak, assistant director of the research department of the American Federation of Government Employees.

Senator PELL. Thank you. I notice you have a very lengthy statement, 15 pages, double spaced. I am wondering if you would be willing to have it included in the record?

Mr. WALTERS. You beat me to that. I was going to state that I would like to ask permission to file the statement for the record and highlight some of what we think are the most important points.

Senator PELL. Fine. Thank you very much.

Mr. WALTERS. First of all, Mr. Chairman, we appreciate the privilege of appearing before this subcommittee and also appreciate your interest and your introducing S. 633.

BASIC PURPOSE OF S. 633 ENDORSED

At the outset, we wish to make it clear that the American Federation of Government Employees recognizes the urgent need for, and endorses the creation of, a permanent career Foreign Service for officers and employees of the USIA serving abroad. About this aspect of these two bills, we have no reservations whatsoever.

While endorsing the basic purposes of S. 633, we feel obliged to repeat and to reemphasize in the clearest terms possible our opposition to the personnel practices of the State Department and the Foreign Service in the administration of "selection out" to which this bill would subject Foreign Service information officers.

SELECTION-OUT PROCEDURES QUESTIONED

Several studies have been made on this question, and one particularly by former Gov. Averell Harriman, one of the country's most distinguished practitioners of diplomacy, expressed serious reservations on "selection out" in a statement he made on March 22, 1963, before the so-called Jackson Subcommittee on National Security Staffing and Operations. Among other things, Governor Harriman stated:

Here again, in the process of "selection out," the application of the system can be more fairly applied. I have noted that men have been given low ratings because

they haven't gotten along with one individual when others have given them high ratings. If a man happens to be judged at a time when he has worked for a man who doesn't understand him or disagrees with his view he may be "selected out" for reasons which are not sound.

As a matter of fact, I think more consideration should be given to who writes the efficiency reports on Foreign Service officers. I went over some of them a while ago, and in one case, I found that in recent years, one man had been put in lowest 25 percentile during two years, and in another two years, he had been put in the top 10 percentile. It was the same man, a man who had been in the Service a considerable period of time, and he had not changed his ways or his judgments, but he worked for a different boss.

Then up at Yale University a Professor Argyris made a study and he had some comments on this question, and he states, and I am quoting:

If I were to be very honest, I think that one reason I have succeeded is that I have learned not to be open, not to be candid. Do the powers-that-be realize what you fellows (turning to the staff) are implying—that we should strive to be more open? That's like asking us to commit organizational suicide.

Authority after authority, study after study, show that even the admittedly inadequate safeguards of the classified service regarding due process and civil liberties are far superior to the habitual practices of the elite Foreign Service.

DEVELOPMENT APPRAISAL REPORTS AND APPEALS SYSTEM

In my statement, I would like to call attention to one paragraph. We have been informed that the State Department will lobby against the insertion of any language requiring that all performance and development appraisal reports be shown to the officers when written.

We are told they would rather see these bills killed than allow this. Nevertheless, we intend to submit later in our testimony specific, explicit language which would remedy this improper Foreign Service practice infringing on the constitutional rights and the civil liberties of our loyal and hard-working Foreign Service officers.

Mr. Chairman, when such a haphazard system is used for "selection out;" when such a poor selection board rating device is used to rationalize firing people; when it is a pretext for removing tenure from Foreign Service officers, then the device becomes not only useless but very dangerous and subversive of the professional standards of the entire Foreign Service. This danger is exceptionally great because the Foreign Service regulations deny to Foreign Service officers the right of any formal or procedural appeal against improper material in their efficiency records.

The Foreign Service regulations also deny the right of a formal or procedural appeal against the findings of the selection boards. Specifically the Foreign Service regulations exclude a formal or procedural appeal in "grievances arising out of selection board actions." They state that "selection board actions are final." They also deny appeals in cases of grievances arising from the efficiency rating procedure. No machinery at all is provided for orderly recourse. Thus, Foreign Service officers now have to resort to a variety of informal, and sometimes devious maneuvers to correct their efficiency records and to reverse their "selection out."

INSTITUTION OF SELECTION-OUT AND APPEALS PROCEDURES

In the light of the foregoing, we endorse the purposes of S. 633 and S. 2002 with the following request for perfecting amendments which would eliminate the harmful effects of "selection out" without any appeals procedure.

On bill S. 2002, at the end of section 5 a new paragraph should be added which reads as follows:

No "selection out" of a Foreign Service officer or of a Foreign Service information officer shall be carried out without the prior provision of an appeals procedure under which the rated officer can challenge any individual efficiency reports and the accuracy of any documents submitted to a selection panel. No document may be submitted to a selection panel without first having been shown to the officer being rated, who shall signify that he has seen the document by signing each page of the document involved.

Appeals both against individual ratings by officers and against selection board rankings shall be made initially to an appeals board composed of one representative each of the Foreign Service, and one further representative of the Department of State not in the Foreign Service; and one representative each of the United States Information Agency of the Civil Service Commission.

A second appeal, outside the USIA and Department of State will be allowed to a board of appeals and review empowered to reverse "selections out," composed of one of the Civil Service Commissioners, acting as chairman, and one person each nominated respectively by the Chairman of the Senate Foreign Relations Committee and the Chairman of the House Foreign Affairs Committee and appointed to serve on call for periods of not more than two years.

FOR SUPPORT VETERANS PREFERENCE ACT EXTENSION

We have another proposal which we hope will find favor with your subcommittee.

All of us know the intimate and tragic interconnection between foreign affairs and war; we all know that soldiers have to fight on battlefields the issues which diplomats in chanceries fail to resolve. All of us also know that in our history the closest ties have existed between the Federal Government and our soldiers shedding their blood and giving their lives in the Federal service of our country. This is the rationale for the Veterans Preference Act. And certainly, with the war in Vietnam, we see in our own times the daily repetition of this traditional relationship.

For these reasons, the American Federation of Government Employees wishes especially to associate itself explicitly with the veterans organizations calling for the extension of the Veterans Preference Act to all employees in the Federal system, including officers and employees of the Foreign Service.

We find it highly inappropriate that soldiers, sailors, and marines, who guard our embassies abroad and who shed their blood in defense of our foreign undertakings, are still being told by the State Department, which deals primarily in foreign affairs, that these veterans can use veterans preference everywhere where the American flag flies except in the State Department in Washington and in American embassies, missions, and consulates abroad.

Thus, for the reasons given, we submit a further amendment which concerns the application of veterans preference to the selection, promotion, demotion, transfer, and other personnel actions affecting Foreign Service information officers and employees.

The intent of this amendment is the same as that of section 14 of Executive Order 10988, regarding employee-management cooperation in the Federal service, signed January 17, 1962, by President Kennedy. We suggest the following new section 13 in S. 2002 under "Interpretation and Construction:"

The Veterans Preference Act of 1944 shall apply to all Foreign Service Officers, Foreign Service Information Officers, and to all employees of the Foreign Service of the United States.

In addition, the Secretary of State and the Director of the Information Agency in accordance with the provision of Executive Order 10988 and regulations prescribed by the Civil Service Commission, shall extend to all employees in the Foreign Service, including officers, rights identical in adverse action cases, including "selection out," to those provided preference eligibles under Section 14 of the Veterans Preference Act of 1944, as amended. Each employee in the Foreign Service, shall have the right to appeal to the Civil Service Commission from an adverse decision of the administrative officer so acting, such appeal to be processed in an identical manner to that provided for appeals under Section 14 of the Veterans Preference Act.

PROPOSED BLUE RIBBON PRESIDENTIAL COMMITTEE ENDORSED

We do not know if the inflexible attitude of the State Department would be a sufficient obstacle to prevent the establishment of the career service, with an appropriate appeals procedure, desired for U.S. information officers. We have noted, however, with great interest and admiration the proposal made to President Johnson by Senator J. William Fulbright, the distinguished Chairman of the Senate Foreign Relations Committee, for the creation of a "high-level, blue ribbon Presidential committee to take a new, thorough and objective look at the organizational problems" of the State Department, the Foreign Service, and other bodies engaged in foreign operations.

On June 20, 1967, on the floor of the Senate, in discussing the unenthusiastic attitude of the State Department to this proposal, Senator Fulbright commented as follows:

I would think that the Department would be glad to see such a committee established and would feel a responsibility to its employees to see that the best available minds of the United States were set to work on these organizational problems. It seems to me that these problems, including the problem of the relationship between the personnel systems of the Department of State, AID, and USIA, are so pressing that they will require solutions in the very near future. I would think that the Department would prefer to participate in the process of reaching these solutions than to wait and find these solutions imposed on them.

In the light of the State Department's reported plans to lobby against a decent Foreign Service personnel system, including appeal procedures, and to frustrate the establishment of a career service with appropriate appeals procedure for information officers, we believe the time is here for a full public discussion of the personnel practices of the State Department, Foreign Service, AID, and USIA. For this reason, we urge the earliest establishment of the Presidential blue ribbon committee, as proposed by Senator Fulbright, to include representatives from the House of Representatives and the Senate. We request that it include also representatives from Federal employee groups. Of course, we would not object to some members of the American Federation of Government Employees, or one of the officers serving on such a committee.

As we stated above, we anticipate, as a matter of course, that the American Federation of Government Employees would be invited to participate as an active member either in the Presidential blue ribbon committee, if established, or in any body constituted by the House or Senate to submit recommendations for the reform of the personnel practices of the State Department, Foreign Service, AID, or USIA.

CHOICE OF RETIREMENT SYSTEMS SHOULD REMAIN

Our final recommendation on these bills involves a substitution of language on page 6 of the current print of S. 2002, line 5, striking the next to the last word which reads "shall" and substituting for it the word "may." This would make it possible for those members of the U.S. Information Agency career staff employees group who already have 10 years of foreign service, but do not wish to join the Foreign Service retirement and disability system to remain in the Civil Service retirement system at their own option.

SUMMARY OF RECOMMENDATIONS

The American Federation of Government Employees wishes to conclude its testimony by stating in summary the following:

The AFGE endorses the creation of a Foreign Service Information Officer Corps; it requests the institution of an appeals procedure for all Foreign Service officers and information officers under which to appeal against "selection out" and other adverse action involving performance or development appraisal ratings; it supports the extension of the Veterans Preference Act and of the provisions of Executive Order 10988 to the Foreign Service; it proposes that Foreign Service information staff employees be given the option of joining the Foreign Service retirement and disability system or of remaining in the Civil Service retirement system; and it endorses Senator J. William Fulbright's suggestion to the President that a "high-level blue ribbon Presidential committee" be created to take a "new, thorough, and objective look at the organizational problems" of the State Department and the Foreign Service.

Mr. Chairman, we appreciate the privilege and opportunity of appearing before this committee, and if there are any questions, Mr. Koczak is much more familiar with this whole problem than I am, and I would be glad to have him answer the questions.

Senator PELL. There are no questions. I thank you for a very full statement. As you probably heard earlier in the exchange with your lodge within the USIA, there will be some discussion to see if we can reach a satisfactory procedure so that the people are not forced to go into the Foreign Service retirement system if S. 2002 is passed.

I can make no commitment as to how the language of the bill will read, but there will be conversations and efforts made to arrive at such a compromise.

Mr. WALTERS. Our research department will be more than happy to work with this committee and the staff or with the people from the Agency or anyone else.

Senator PELL. I think the situation is in hand now, and with Mr. Wiesman and Mr. Schmidt talking and, as I say, we may accept the recommendation or not, but I hope we come together. Thank you very much, indeed.

Mr. WALTERS. Thank you. Thank you, Mr. Chairman.

(The prepared statement of Mr. Griner follows:)

STATEMENT OF JOHN F. GRINER, NATIONAL PRESIDENT, AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

As we indicated on a previous occasion in testimony before another Subcommittee of the Senate Foreign Relations Committee, the American Federation of Government Employees, the largest organization of Federal employees in existence with a current membership in excess of a quarter of a million, is very deeply concerned about the threats to the constitutional rights and civil liberties involved in certain practices of the State Department and the Foreign Service in connection with "selection out."

For this reason, the AFGE is most grateful to Senator Claiborne Pell, the Chairman of this Subcommittee of the Senate Foreign Relations Committee, for the privilege and opportunity of testifying on S. 633 and S. 2002, Bills to establish a permanent career service for officers and employees of the United States Information Agency, through their incorporation into the Foreign Service of the United States.

At the outset, we wish to make it clear that the American Federation of Government Employees recognizes the urgent need for, and endorses the creation of, a permanent career Foreign Service for officers and employees of the USIA serving abroad. About this aspect of these two Bills, we have no reservations whatsoever. We wish to take this opportunity to express our admiration and gratitude to Senator Pell for his introduction of S. 633 in this session of Congress, the successor to S. 3730 which he had introduced in the 89th Congress.

SELECTION-OUT PROCEDURES QUESTIONED

While endorsing the basic purposes of S. 633, we feel obliged to repeat and to re-emphasize in the clearest terms possible our opposition to the personnel practices of the State Department and the Foreign Service in the administration of "selection out" to which this Bill would subject Foreign Service Information Officers. Our organization expressed its views on this subject to another Subcommittee of the Foreign Relations Committee considering H.R. 6277, the so-called Hays Bill.

On that occasion, we said:

"The AFGE is always ready to support any proposal that will improve the Government service. It has found, however, through experience that certain features are essential to maintain a minimally acceptable, let alone an improved, system. It has found most of all that no actual improvement ever takes place if the change is intended merely to facilitate management manipulations at the cost of the basic right of employees to a procedurally established right of appeal against adverse or discriminatory personnel actions.

"There has always been a problem in the Foreign Service that individual Foreign Service Officers subject to and threatened by 'selection out,' without any procedures for formal appeal, might conclude that for their own survival in the service it was more to their advantage to approve the policies indicated by their superiors rather than to make recommendations which are the result of trained investigation and careful analysis."

Several studies of the Foreign Service Officer Corps have indicated that in all probability the fear of disapproval and "selection out" is one of the most serious factors threatening professional standards. This "climate of fear" results in facile agreement with superiors in the hope of good assignments and good efficiency reports. Many officers appear to believe that independence of thought and professional integrity may lead to bad efficiency reports and to the threat of being fired through "selection out."

Governor W. Averell Harriman, one of the country's most distinguished practitioners of diplomacy, expressed serious reservations on "selection out" in a statement he made on March 22, 1963, before the so-called Jackson Subcommittee on National Security Staffing and Operations. Governor Harriman said:

"Here again, in the process of 'selection out,' the application of the system can be more fairly applied. I have noted that men have been given low ratings because they haven't gotten along with one individual when others have given them high ratings. If a man happens to be judged at a time when he has worked for a man who doesn't understand him or disagrees with his view he may be 'selected out' for reasons which are not sound.

"As a matter of fact, I think more consideration should be given to who writes the efficiency reports on Foreign Service Officers. I went over some of them a while ago, and in one case, I found that in recent years, one man had been put in the lowest 25 percentile during two years, and in another two years, he had been put in the top 10 percentile. It was the same man, a man who had been in the Service a considerable period of time, and he had not changed his ways or his judgments, but he worked for a different boss."

A report prepared by Yale University professor Dr. Chris Argyris, based on a series of conferences in 1965 with 60 senior Foreign Service Officers—many of them ambassadors or deputy chiefs of mission, that is, the "cream of the Foreign Service"—also confirms our views about the harmful professional impact which "selection out" without an appeals procedure has on Foreign Service Officers. In his study, entitled, "Some Causes of Organizational Ineffectiveness within the Department of State" Professor Argyris stated that after officers had been in the Foreign Service for a few years, they "soon came to write careful and innocuous memos," to "round the sharp corners off the telegrams;" they also "learn not to make waves;" they "minimize risk-taking;" they "fear taking responsibility;" they "play the game."

One officer told Professor Argyris the following:

"All this talk on being open and leveling is nice—and I'm for motherhood, too. But, I can tell you, if you get the reputation of having lost some important battles—no one wants a loser. The word gets around and you have been ruled off the promotion lists. Soon you learn. If you want to get back on, be less open and less candid."

The impact of these arbitrary "selection out" policies, as practiced by the State Department, that is, without any appeals procedure, not only violates the Constitutional Rights of the employees by denying them due process, but corrupts the professional competence of the Foreign Service. As Professor Argyris reported further, another Foreign Service Officer admitted that "if people within an embassy (of which he was a member) had leveled with each other and the embassy with Washington, a trip made by the President of the United States would probably not have been made."

Professor Argyris also reported that another senior officer confessed as follows:

"If I were to be very honest, I think that one reason I have succeeded is that I have learned not to be open, not to be candid. Do the powers-that-be realize what you fellows (turning to the staff) are implying—that we should strive to be more open? That's like asking us to commit organizational suicide."

These comments are appalling. This is the supposed "pride" of the Federal Service; this is the so-called "elite" Foreign Service of the United States, supposedly selected with the greatest care, supposedly promoted by the most objective standards, supposedly administered and governed by the most superior ethical standards conceivable. This is the very service which up till now the Congress has exempted from the legal requirement to apply "due process" in the "selection out" of its members because, until recently, every one assumed that the standards in it were so high that it was unnecessary to require an appeals procedure to review the adverse action of "selection out." And yet, as we have seen, authority after authority, study after study, shows that even the admittedly inadequate safeguards of the classified service regarding due process and civil liberties are far superior to the habitual practices of the "elite" Foreign Service.

DEVELOPMENT APPRAISAL REPORTS

Following the revelations by our Organization on April 21, 1966, about the insidious, "startling, dangerous, secretive personnel procedure" known as the Development Appraisal Report, which was never shown in the past to Foreign Service Officers, the Department of State finally modified its practices on June 5, 1967, to make these reports available to Foreign Service Officers on written request when they are in Washington. Thus, under present conditions, those officers serving in Washington are able, shortly after the reports are written, to review

them. However, because these reviews are in the personnel office, no confrontation with the writer of the report is possible. Of course, officers in the field may not be able to see the report for years after they are written, when the authors may be thousands of miles away, or even retired or dead.

We consider this to be inadequate response of the State Department and Foreign Service to our criticisms, and we request your Committee to write language forbidding any material to be entered into the file of an officer which he has not previously read.

We have been informed that the State Department will lobby against the insertion of any language requiring that all Performance and Development Appraisal Reports be shown to the officers when written. We are told they would rather see these Bills killed than allow this. Nevertheless, we intend to submit later in our testimony specific, explicit language which would remedy this improper Foreign Service practice infringing on the Constitutional Rights and the civil liberties of our loyal and hard-working Foreign Service Officers.

We have also carefully examined the methods, procedures, and composition of the Selection Boards which rate officers for "selection out" as well as promotion. At the outset we wish to call attention to the fact that the Boards are primarily composed of Foreign Service Officers whose own future assignments careers and promotions may very well depend on the way they perform on these Selection Panels. This alone is itself already a situation which needs safeguards through an appeals procedure to prevent bias and favoritism. Not only is the composition of the Panels a manner of criticism, but the Board's procedures are unsystematic, haphazard, and we believe, unenlightened. We are told that hundreds of efficiency records, each containing up to as many as twenty individual annual and other reports, are assembled for each Panel. To these are added further hundreds of so-called Development Appraisal Reports, whose illegal institution we have already condemned in the past. Moreover, none of the Development Appraisal Reports written in the past three years were seen, we wish to note, at the time of writing by the Officers; many have not been seen in the interval. Some may never be seen by the officers being rated.

All this vast assemblage of unseen, unsystematic material is given to the respective Panel for each class; each of the five or six Panel members then proceeds to read $\frac{1}{3}$ or $\frac{1}{4}$ of these heaps of records, sorting them into three piles. One pile, usually approximately ten per cent, is accumulated for persons tentatively considered for promotion; one pile, also usually approximately ten per cent, is for Officers tentatively considered for "selection out." And a third pile, usually seventy five to eighty percent, is put away not to be read again unless some special message comes from the personnel office suggesting the re-reading of certain files. These will be neither promoted nor "selected out" that year.

Comments we have received from Panel members indicate that dreariness, boredom, and fatigue soon overtake them. None of the persons being rated ever appears individually—the names thus are faceless. No one knows for sure whether the reports themselves are accurate or not. No one can even meaningfully ask whether the reports are authentic, or, as one person has publicly charged, whether they sometimes contain even forgeries.

As for the efficiency records themselves, we have received information from more than one Foreign Service Officer that often the efficiency report received by an officer reflects far more the personal insecurity of the man writing the report than the performance of the man on whom the report was prepared. Crisis, error, tension, and instability in the life of the rating Officer shows up too often in the bad efficiency reports that officer gives his subordinates. Moreover, the rating Officers are often the direct competitors of the rated Officers, being often in the same class. Their disputes on policy, on programs; their personality clashes—these show up in disguised form in the report written. Their personal friendships also show up in disguise. Actual good performance on the job, therefore, is no automatic guarantee of a good rating. In fact, on this point, there is a general feeling among Foreign Service employees that the "surest way to end up in the bottom of your class is to be right when your boss is wrong."

The fundamental feature which strikes one most sharply about the efficiency reports is that they are not "objective" and certainly they are not comparable. We fear the Development Appraisal Reports are even worse. Under the system now in force, so far as we can ascertain, there is really no way for any panel of human beings to know for a fact who belongs in the top ten per cent of a class and certainly no way even to know whether any single efficiency report is truthful or

false. Thus, the so-called percental groupings of the Selection Panels are purely administrative devices imposed upon the service for administrative convenience, and they do not say very much about a man's actual "objective," relative standing in class. Speaking frankly, the system is not much more objective than a popularity contest would be to pick the top ten per cent and the bottom ten per cent of recent Nobel Prize winners in physics or chemistry or to "select out" one out of every nine Supreme Court judges once a year.

As long as such administrative devices are limited to make popular or professionally acceptable such rewards as promotions, perhaps no lasting harm may be done to the Foreign Service. It would be better, of course, to devise some other system for promotions, perhaps on the basis of a continuing review of the files including regular personal interviews with the Foreign Service Officers concerned. We recommend that such an alternative be considered for future promotions.

When such a haphazard system is used for "selection out;" when such a poor Selection Board rating device is used to rationalize firing people; when it is a pretext for removing tenure from Foreign Service Officers, then the device become not only useless but very dangerous and subversive of the professional standard of the entire Foreign Service. This danger is exceptionally great because the Foreign Service Regulations deny to Foreign Service Officers the right of any formal or procedural appeal against improper material in their efficiency records.

PROCEDURAL APPEAL MACHINERY QUESTIONED

The Foreign Service Regulations also deny the right of a formal or procedural appeal against the findings of the Selection Boards. Specifically the Foreign Service Regulations exclude a formal or procedural appeal in "grievances arising out of selection board actions." They state that "selection board actions are final." They also deny appeals in cases of grievances arising from the efficiency rating procedure. No machinery at all is provided for orderly recourse. Thus, Foreign Service Officers now have to resort to a variety of informal, and sometimes devious maneuvers to correct their efficiency records and the reverse their "selection out."

The denial to Foreign Service Officers of a formal or procedural appeal machinery has always been a weakness of the Foreign Service. It was tolerable, however, until very recently, because the Foreign Service Officers were selected out in the past largely on the basis of length of time in class. Under these former conditions, Foreign Service Officers could overcome ill-effects even of unfair, biased or malicious reports in their efficiency records through the good effects of later, more objective reports; or, if the reports were correct, by reforming their work habits.

Under precepts now being enforced, the denial of a formal or procedural appeal is intolerable. Officers, promoted in one year, are being "selected out" within the following two or three years on the basis of their ratings at a single post, often by the same superiors. One now hears more and more frequently bitter complaints about bias, malice, vindictiveness, or worse. Officers who previously had been largely unconcerned about even unfair material in their records now are obsessed with their efficiency and Development Appraisal Reports and preoccupied increasingly with pleasing their immediate superiors, as is documented in Professor Argyris' Report. Not having an orderly, formal procedure to invoke, officers now being "selected out" have begun to ask increasing intervention by their Congressmen. Having been denied legal and administrative safeguards against injustice and inequity, they are actively developing "political protection."

The recourse to, and the obsession with, "political protection" has begun to demoralize the Foreign Service Officer Corps. It has led to all kinds of special treatments, Ad Hoc arrangements, reciprocal personal subterfuges. It has also unleashed ugly rumors about the best "informal" ways to cancel "selection out."

To reverse this recent demoralizing development in the Foreign Service, we suggest that it will be necessary to establish soon some orderly, equitable appeal machinery available by right to all officers confronted by "selection out." We earnestly request your considering writing legislation to bring this machinery into being during the present session of Congress.

The AFGS supports Senator Pell's suggestion, made at another Subcommittee's meeting of April 19, 1966, that the independence and integrity of the Director General of the Foreign Service be strengthened by requiring that he not be eligible for any subsequent office in the Foreign Service. His subsequent retirement should be made mandatory. The AFGS suggests that the independence of the Foreign

Service Inspectors be also strengthened. Furthermore, we request that procedural appeals boards be established this year to review cases of "selection out," and that members of these boards be subject neither to the Director General nor to the Deputy Under Secretary of State for Administration.

In the light of the foregoing, we endorse the purposes of S. 633 and S. 2002 with the following request for perfecting amendments which would eliminate the harmful effects of "selection out" without any appeals procedure.

On Bill, S. 2002, at the end of Section 5 a new paragraph should be added which reads as follows:

"No 'selection out' of a Foreign Service Officer or of a Foreign Service Information Officer shall be carried out without the prior provision of an appeals procedure under which the rated officer can challenge any individual efficiency reports and the accuracy of any documents submitted to a Selection Panel. No document may be submitted to a Selection Panel without first having been shown to the officer being rated, who shall signify that he has seen the document by signing each page of the document involved.

"Appeals both against individual ratings by officers and against Selection Board rankings shall be made initially to an Appeals Board composed of one representative each of the Foreign Service, and one further representative of the Department of State not in the Foreign Service; and one representative each of the United States Information Agency of the Civil Service Commission.

"A second appeal, outside the USIA and Department of State will be allowed to a Board of Appeals and Review empowered to reverse 'selections out,' composed of one of the Civil Service Commissioners, acting as chairman, and one person each nominated respectively by the Chairman of the Senate Foreign Relations Committee and the Chairman of the House Foreign Affairs Committee and appointed to serve on call for periods of not more than two years."

VETERANS PREFERENCE ACT

We have another proposal which we hope will find favor with your subcommittee.

All of us know the intimate and tragic interconnection between foreign affairs and war; we all know that soldiers have to fight on battlefields the issues which diplomats in chanceries fail to resolve. All of us also know that in our history the closest ties have existed between the Federal Government and our soldiers shedding their blood and giving their lives in the Federal services of our country. This is the rationale for the Veterans Preference Act. And certainly, with the war in Vietnam, we see in our own times the daily repetition of this traditional relationship.

For these reasons, the American Federation of Government Employees wishes especially to associate itself explicitly with the Veterans organizations calling for the extension of the Veterans Preference Act to all employees in the Federal system, including officers and employees of the Foreign Service. We find it highly inappropriate that soldiers, sailors and marines, who guard our embassies abroad and who shed their blood in defense of our foreign undertakings, are still being told by the State Department, which deals primarily in foreign affairs, that these veterans can use veterans preference everywhere the American flag flies except in the State Department in Washington and in American embassies, missions, and consulates abroad.

Thus, for the reasons given, we submit a further amendment which concerns the application of Veterans Preference to the selection, promotion, demotion, transfer, and other personnel actions affecting Foreign Service Information Officers and employees. The intent of this amendment is the same as that of Section 14 of Executive Order 10988, regarding Employee-Management Cooperation in the Federal Service, signed January 17, 1962, by President Kennedy. We suggest the following new section 13 in S. 2002 under "Interpretation and Construction:"

"The Veterans Preference Act of 1944 shall apply to all Foreign Service Officers, Foreign Service Information Officers and to all employees of the Foreign Service of the United States.

"In addition, the Secretary of State and the Director of the Information Agency in accordance with the provision of Executive Order 10988 and regulations prescribed by the Civil Service Commission, shall extend to all employees in the Foreign Service, including officers, rights identical in adverse action cases, including 'selection out,' to those provided preference eligibles under section 14

of the Veterans Preference Act of 1944, as amended. Each employee in the Foreign Service shall have the right to appeal to the Civil Service Commission from an adverse decision of the administrative officer so acting, such appeal to be processed in an identical manner to that provided for appeals under section 14 of the Veterans Preference Act."

We understand that the Department of State has taken the position that it will lobby with all its resources, both before the Congress and within the Administration, to prevent the passage of any Bill to provide a career service for United States Information Officers if that Bill establishes an appeals procedure in cases of "selection out" or other adverse actions flowing from Selection Board ratings including step pay increases.

PROPOSED BLUE-RIBBON PRESIDENTIAL COMMITTEE

We do not know if the inflexible attitude of the State Department would be a sufficient obstacle to prevent the establishment of the career service, with an appropriate appeals procedure, desired for United States Information Officers. We have noted, however, with great interest and admiration the proposal made to President Johnson by Senator J. William Fulbright, the distinguished Chairman of the Senate Foreign Relations Committee, for the creation of a "high level, blue-ribbon Presidential Committee to take a new, thorough and objective look at the organizational problems" of the State Department, the Foreign Service, and other bodies engaged in foreign operations.

On June 20, 1967, on the floor of the Senate, in discussing the unenthusiastic attitude of the State Department to this proposal, Senator Fulbright commented as follows:

"I would think that the Department would be glad to see such a committee established and would feel a responsibility to its employees to see that the best available minds of the United States were set to work on these organizational problems. It seems to me that these problems, including the problem of the relationship between the personnel systems of the Department of State, AID, and USIA, are so pressing that they will require solutions in the very near future. I would think that the Department would prefer to participate in the process of reaching these solutions than to wait and find these solutions imposed on them."

In the light of the State Department's reported plans to lobby against a decent Foreign Service personnel system including appeal procedures and to frustrate the establishment of a career service, with appropriate appeals procedure, for Information Officers, we believe the time is here for a full public discussion of the personnel practices of the State Department, Foreign Service, AID, and USIA. For this reason, we urge the earliest establishment of the Presidential blue-ribbon committee, as proposed by Senator Fulbright, to include representatives from the House of Representatives and the Senate. We request that it include also representatives from Federal employee groups, including one from our own organization, the American Federation of Government Employees.

In the event such a Presidential committee is not established by January 1, 1968, we request that the Senate Foreign Relations Committee itself undertake hearings early in 1968 looking to the reorganization and the personnel reform of the State Department, the Foreign Service, AID, USIA, and such other agencies involved in operations abroad as may be appropriate.

As we stated above, we anticipate, as a matter of course, that the American Federation of Government Employees would be invited to participate as an active member either in the Presidential blue-ribbon committee, if established, or in any body constituted by the House or Senate to submit recommendations for the reform of the personnel practices of the State Department, Foreign Service, AID, or USIA.

Our final recommendation on these Bills involves a substitution of language on page 6 of the current print of S. 2002, line 5, striking the next to last word which reads "shall" and substituting for it the word "may." This would make it possible for those members of the United States Information Agency Career Staff employees group who already have ten years of foreign service, but do not wish to join the Foreign Service Retirement and Disability System to remain in the Civil Service Retirement System at their own option.

SUMMARY OF RECOMMENDATIONS

The American Federation of Government Employees wishes to conclude its testimony by stating in summary the following: The AFGGE endorses the creation of a Foreign Service Information Officer Corps; it requests the institution of an appeals procedure for all Foreign Service Officers and Information Officers under which to appeal against "selection out" and other adverse actions involving performance or Development Appraisal ratings; it supports the extension of the Veterans Preference Act and of the provisions of Executive Order 10988 to the Foreign Service; it proposes that Foreign Service information staff employees be given the option of joining the Foreign Service Retirement and Disability System or of remaining in the Civil Service Retirement System; and it endorses Senator J. William Fulbright's suggestion to the President that a "high-level blue-ribbon Presidential committee" be created to take a "new, thorough and objective look at the organizational problems" of the State Department and the Foreign Service.

The American Federation of Government Employees expresses once more its profound gratitude to Senator Claiborne Pell, the Chairman of this Subcommittee, and to the members of the Senate Foreign Relations Committee for the privilege and the opportunity to testify before you today.

Senator PELL. The next witness is Mr. Lawrence Speiser, director of the Washington office of the American Civil Liberties Union.

**STATEMENT OF LAWRENCE SPEISER, DIRECTOR, WASHINGTON,
D.C., OFFICE, AMERICAN CIVIL LIBERTIES UNION**

Mr. SPEISER. Although my statement is relatively short, I will summarize it, Mr. Chairman.

Senator PELL. Thank you.

Mr. SPEISER. In testifying on the two bills, S. 633 and S. 2002, we have no opposition to the bills' purpose, and will not address ourselves to the central purpose of creating a Foreign Service Information Officer Corps.

SECURITY OF DEVELOPMENT APPRAISAL REPORTS

We do, however, wish to reemphasize something which has been discussed by some of the prior witnesses, the selection-out process which will be extended to the newly created Foreign Service Information Officer Corps and how it presently operates with the Foreign Service itself. Specifically we are concerned with the secret development appraisal report and the lack of effective and independent appeal procedures.

The appraisal report problem has been ameliorated to some extent by not applying to domestic-based personnel, and also by permitting foreign-based personnel to see their reports when they come to Washington.

This, however, does not eliminate the problems that arise with the appraisal report. There is still a difficulty if an individual first sees the appraisal report in Washington of inadequately defending himself. It may very well require getting help from people with whom he has been associated overseas both within the Agency and those without in presenting evidence to counter the appraisal that has been made, and this would be made difficult if he could not see the report until he came to Washington.

Second, it seems to me that the concession that has been made, and I believe the committee is to be thanked for arriving, helping in arriving, at the compromise solution, would seem to undercut the

basic fears that are responsible for having the reports somewhat secret in the foreign-based context.

Generally, the fears are that the rating officer might be inhibited in his frank evaluation of the employee if he knows he might be confronted by him.

It is also feared that the continued usefulness of the rated employee might be undermined and the relationship would be rendered untenable once the employee has seen an uncomplimentary report.

It would seem to me that these arguments would apply equally in the domestic service, and apparently that is outweighed by the feeling that morale is hurt by secret ratings, and that individuals can rise above whatever pique they might have in the event they were given a low report as they have an opportunity to challenge it.

The military services operate, both domestically and in foreign service, with fitness reports that are made, which are available to the individuals at the time, and in which such judgments are made, subjective judgments as command potential and moral courage, loyalty, imagination, cooperation, and personal behavior, and they manage to operate the military services even with the fact that junior officers are able to see the ratings made of them.

ADEQUATE APPEAL PROCEDURE URGED

Second, it is essential, we believe, to establish an adequate appeal procedure, and unless you have immediate access the appeal procedure may not mean much.

The fact that appeals are permitted for Civil Service employees to a statutory board of review, as required by the performance rating act, would indicate that it could operate here as well. It is essential that a person selected out be granted a right of appeal, which is not granted to him, even if the selection-out results in his dismissal.

At no stage is he permitted the right to call witnesses in his behalf and to confront and cross-examine the individual who gave him the low rating.

It is only on these two points that we are appearing, and we ask the committee to consider the inequity in their consideration of the whole question of extending the Foreign Service concept to the USIA.

(The complete statement of Mr. Speiser follows:)

TESTIMONY OF LAWRENCE SPEISER, DIRECTOR, WASHINGTON OFFICE, AMERICAN CIVIL LIBERTIES UNION

I am Lawrence Speiser, Director of the Washington, D.C. office of the American Civil Liberties Union. I am testifying on behalf of the ACLU on S. 633 and S. 2002.

We do not oppose these bills. We do not address ourselves to their central purpose of creating a Foreign Service Information Officer Corps, which presents no civil liberties issues.

We do, however, object to certain personnel practices of the Foreign Service as they are presently applied to all Foreign Service personnel and as they would be applied to the limited group newly-created under these bills. Specifically, we are concerned with:

- (1) The secret Development Appraisal Report.
- (2) The absence of effective and independent Appeal Procedures.

We ask and hope that members of this Committee will use this occasion to begin a careful examination of these practices with a view toward providing fair and reasonable employee safeguards similar to those provided under Civil Service.

I. THE DEVELOPMENT APPRAISAL REPORT

There apparently have been changes in the application and operation of the D.A.R. which we welcome. They are no longer used in connection with domestic-based personnel. Also, employees who are the subjects of these reports, may see them when they are in Washington. I understand that this latter change, at least, can be attributed to some extent to this Committee's discussions with the Department of State, and we commend the Committee for this improvement.

Nevertheless, the D.A.R. is still used for overseas personnel. We don't think, as to them, that the secrecy problem has been eliminated by permitting them to view the report when they are in Washington. In terms of preparing an adequate defense to an unfair or unfounded rating or remark in the report, the delay in not permitting the employee access to the report until he is in Washington—which may not be for years—may be critical or fatal.

We urge that the D.A.R., if it must be used, be made available to the rated person when it is issued.

Apparently, the basis for the compromise of now permitting the report to be seen only in Washington is based on the fear that the rating officer might be inhibited in his frank evaluation of the employee if he knows that he might be confronted by him. It is also feared that the continued usefulness of the rated employee might be seriously undermined and the continued working relationship with the rating officer rendered untenable once the employee has seen an uncomplimentary report.

It seems to us that such difficulties are minor, indeed, compared to the destructive effect on employee morale, initiative and integrity implicit in this system of secret rating reports affecting a man's career. Permitting such totally subjective power in a rating officer unchecked by the possibility of appeal or even immediate knowledge on the part of the rated employee, can easily breed fear and conformity.

Moreover, we can point to the military, where equally subjective, and hence potentially embarrassing, evaluation reports are made available when issued to the rated inferior officer by his superior.

The Navy's fitness reports, issued for junior officers every six months and senior officers every year, require the superior officer to rate the subordinate officer in such categories as "command potential," "moral courage," "loyalty," "imagination," "cooperation," and "personal behavior," which is defined as including such traits as demeanor, disposition, sociability and sobriety. In addition to these listed categories, the rating officer is asked to give an overall, necessarily personal, appraisal of the man. No adverse comments can be made without the rated officer being afforded an immediate opportunity to see the entire fitness report and submit a written answer if he desires. Furthermore, any officer can have access to any evaluation report ever made of him by going to Washington or by designating a personal representative to go to Washington and view his entire record.

II. THE ESTABLISHMENT OF ADEQUATE APPEAL PROCEDURES

The right of immediate access to rating and appraisal reports, if it is to be meaningful, must be accompanied by an immediate right to appeal effectively from a report which the rated employee deems unfair. The necessity for such a procedure is intensified by the extension of the "selection-out" system to foreign service personnel who have been given successive low ratings. This process of removal from employment [and the removal is not a discharge for cause] is based to a great extent on the D.A.R.

The obvious bearing of these evaluation reports on promotion, and the possibility that it might result in dismissal, clearly show the need for an effective appeals' procedure from rating and evaluation reports which the employee deems unfair.

He should be entitled to no less than the right that a Civil Service employee has to appeal to a Statutory Board of Review, as required by the Performance Rating Act. This Board is headed by a chairman, who is from the Civil Service Commission, and two other members from a list of agency personnel—one selected by the employee and one by the agency itself.

It is essential to note that a person selected-out is denied a right of appeal which would be afforded to a person dismissed for cause. Thus at no stage, at no time, is he permitted the right to call witnesses in his behalf and confront and cross-examine the officer who has rated him.

We ask the Committee to consider the inequity of this in their consideration of the whole question of appeal procedures.

Senator PELL. Thank you.

NAVY RATING SYSTEM COMPARED

I am curious as to your own viewpoint. Do you believe that the military system is incorrect, the selection-out process in the Navy, for instance?

Mr. SPEISER. I am not familiar with it. I was—

Senator PELL. Let us presume it is exactly the same as the Foreign Service system.

Mr. SPEISER. What I was referring to was the rating system in which individuals, officers, are rated by their superiors and are immediately given access to that. That is part of their file; they are enabled to see it when the rating is made. They are not only able to see it then but they can, when they are in Washington, see the entire file, all of the ratings that were made in the past, and they can have their representative see them as well.

Senator PELL. I believe a study will show that there is very little difference between the Foreign Service selection-out system and the military selection-out system, so I am wondering if you were directing your energies and efforts in that direction just as much?

Mr. SPEISER. I agree it should be directed in the same way if the problem is the universal one. But the only point in raising the Navy question was the fact that the Navy does operate with the ability of the individual to see the rating that is made of him at the time, and has an opportunity to appeal it at the time. In other words, when he sees the rating, he can send whatever supplementary material he has. Now, there is not, perhaps, the most effective appeals system that might be devised, but at least it is some appeal system which is done immediately, right after the rating is made.

Senator PELL. I see the difference—I am educating myself. The difference between the Navy and the Foreign Service is that in the Navy, when the rating is made, the man may see it before the report goes into the Navy Department.

Mr. SPEISER. Yes.

Senator PELL. In the Foreign Service the man does see it when the rating is made, is that correct?

Mr. SPEISER. That is correct, at least for the foreign-based Foreign Service.

Senator PELL. I am informed also it is true in the Navy only if the report is unfavorable, so everybody does not want to see it.

Mr. SPEISER. That is right. That is really the major reason for seeing it. I understand there is that distinction, that if it is a high rating, that he does not see it. But if it is a low rating, which is all that you are really concerned with there, in the way the selection-out system operates—

Senator PELL. That is right. I agree there is a difference there.

NO SELECTION-OUT APPEAL SYSTEM IN NAVY

Now, in regard to the selection-out procedure it seems to me this is very much the same. There is no appeal structure in the Navy if you get selected out. Should there be an appeal structure in the Foreign Service, in your view?

Mr. SPEISER. I think there should be. I suppose, taking the problem in priority of order, that if you have an effective appeal system from

the rating itself, that minimizes the necessity for an appeal from the selection-out after having low ratings for two or three years or being in grade for too long a period of time. I think the Navy is wrong in not having an appeal from selection-out.

Senator PELL. I must say when you deal and work with naval officers or military officers, particularly younger ones who are getting promoted now as well as the captains and admirals, they seem a remarkably competent and able group of men. Actually, as you know, they only go into action when the soldiers out of uniform, the diplomats, fail. So I wonder if we should not have just as high standards to try to get the best Foreign Service officers in senior positions as possible, as you would in the Navy? I think it would be even more important, to have more stringent selection-out systems in the Foreign Service than in the Navy.

Mr. SPEISER. Well, as far as the top officials in either branch are concerned, I agree it is absolutely essential, and I do not think we are directing ourselves to that. We are directing ourselves to the problem of individuals who give a good deal of service—they may not be in the top echelons—and the question is as to procedural regularity and fairness to them.

Although there have been officers in the military service who have gained high rank in later years, after fairly mediocre careers in their early days, I think our major concern is how are we treating those who are in this middle range of rank both in the military and within the Foreign Service itself.

I quite agree with you we need the best Government employees and representatives that we can get, both in the military and civilian aspects of Government.

Senator PELL. Thank you very much, indeed.

Mr. SPEISER. Thank you, Mr. Chairman.

Senator PELL. Our next and final witness, unless there is anybody else who wants to speak up, is Mr. Francis Stover, the Director of the National Legislative Service of the VFW, whom, I guess, I can greet as Comrade Stover.

STATEMENT OF FRANCIS W. STOVER, DIRECTOR, NATIONAL LEGISLATIVE SERVICE, VETERANS OF FOREIGN WARS OF THE UNITED STATES; ACCOMPANIED BY HARRY J. DONOHUE EXECUTIVE ASSISTANT

Mr. STOVER. Thank you, Mr. Chairman. On my left is Harry J. Donohue, executive assistant, National Legislative Service here in Washington. Yes, the VFW organization in Rhode Island is extremely proud of your membership in our Newport post and they are always honored and pleased when you are able to visit with them.

Mr. Chairman, we appreciate the opportunity to appear before this subcommittee to present the views of the Veterans of Foreign Wars of the United States on S. 633 and S. 2002, both of which have as their purpose the establishment of a Foreign Service Information Officer Corps.

My name is Francis W. Stover and I am director of the National Legislative Service of the Veterans of Foreign Wars of the United States.

RESOLUTION DEALING WITH VETERANS PREFERENCE

The views we express here are determined by resolutions adopted by delegates to the annual VFW national conventions. At our most recent convention in New Orleans, La., last month, three separate resolutions were approved dealing with veterans preference. Of these, the resolution most pertinent to the legislation before this subcommittee was resolution No. 9 entitled "Legislation to Preserve and Extend Veterans Preference." A copy of resolution No. 9 is attached to this statement.

The final resolve clause of the resolution provides as follows:

Be it further resolved, That the Congress and the Executive act to extend the Veterans Preference Act to those agencies presently exempt or excluded from its provisions.

The bills before this subcommittee today which would establish a Foreign Service Information Officer Corps make no provision for application of the Veterans Preference Act to these officers despite the fact that veterans preference presently applies to employees of the USIA.

It is significant that the President of the United States as recently as August 14 made a special appeal for employment assistance to returning veterans. In the field of veterans preference, the Federal Government has long set the standard; a standard that has been effective in the past although some gaps remain to be filled. The Federal act has notably served as a model for similar laws enacted by the States.

APPEAL PROCEDURES IN FOREIGN SERVICE SYSTEM

Moreover, the Veterans Preference Act, with its excellent provisions for safeguarding the veteran against arbitrary adverse actions, has shown the way for extension of similar appeal rights to all employees under the civil service system.

Unfortunately, these excellent and necessary appeal procedures are not found in the Foreign Service system. Appeal rights within the Foreign Service are limited to an agency appeal against adverse action. And so far as selection-out procedures are concerned, which is truly an adverse action, no appeal rights vest in the employee.

The legislation before this subcommittee would extend the procedures of the Foreign Service personnel system to the Foreign Service Information Officer Corps. Our inquiries and studies over the past two years lead us to believe that there may be much merit in the establishment of a separate Foreign Service Information Corps.

In making such an extension, however, the Congress should accept the opportunity that presents itself of making improvements in current Foreign Service procedures which are now to be made applicable to the Foreign Service Information Officer Corps. One very necessary improvement is to apply all provisions of the Veterans Preference Act to the Foreign Service personnel system.

We would point out that veterans preference is a "right in the man" which attaches to the veteran wherever he may be employed by the Federal Government and should be applicable regardless of the Federal agency in which such veteran may be employed. Certain agencies and systems are not presently subject to the Veterans Preference Act.

This does not change the fact that veterans preference aptly fits the "right in the man" concept which, of course, is a concept very much in favor in the Foreign Service personnel system.

APPLICABILITY OF VETERANS PREFERENCE ACT

The Veterans Preference Act should be made applicable in its entirety to the Foreign Service personnel system. We think this would be a valid amendment to any legislation the Congress may approve in establishing a Foreign Service Information Officer Corps. This would be the simplest and most effective means of making veterans preference applicable to the category of officers contemplated by the legislation before this subcommittee.

Insofar as the Foreign Service personnel system is concerned, and this, of course, includes the Foreign Service Information Corps if it is established, the most significant aspect of veterans preference is the appeal rights provided by the act. I think even the most casual observer of the personnel conflicts that have plagued the Department of State over a period of years would conclude that provision for an employee appeal procedure granting outside agency review of adverse proceedings against the employee, including selection-out, has long been needed.

It has been alleged that the selection-out process does not represent an action coming within the technical meaning of adverse proceeding. If the Congress has any question in this regard, a complete inquiry into State Department selection-out and employee appraisal procedures should be made. In our opinion, the Congress should go beyond extension of the Veterans Preference Act to the foreign personnel system and include adequate appeal provisions for employees who are not veterans. This has been done in other agencies and there would seem to be no sound reason for not extending it to the Foreign Service.

In any event, when a veteran is removed or separated from his job by the Government, he should be entitled to a full and fair hearing as provided by the Veterans Preference Act. There is no valid reason why this traditional right guaranteed by our Constitution to all citizens should not be extended to the Foreign Service Information Officer Corps and to Foreign Service officers generally.

EXTENSION OF ALL PROVISIONS OF VETERANS PREFERENCE ACT

In closing, we note that S. 633 has a section 14 referring to veterans preference. Our review of the language in section 14 indicates that its provisions would extend only to the appointment process. Section 14 does not extend all provisions of the Veterans Preference Act to the new category of officers to be established. We reiterate that all of the protections of veterans preference should apply to the new category of officers and that the most effective means of doing this is to approve a provision extending the Veterans Preference Act to the Foreign Service personnel system.

Thank you very much for the privilege of making the statement, Mr. Chairman.

(The attachment to Mr. Stover's statement follows:)

RESOLUTION NO. 9—LEGISLATION TO PRESERVE AND EXTEND VETERANS PREFERENCE

Whereas the Veterans Preference Act in Federal Civil Service is one of the oldest veterans rights; and

Whereas the Veterans Preference Act has been a deterrent to unjust agency action and guarantees our Nation's defenders a full and fair hearing should arbitrary and capricious action be taken; and

Whereas the Veterans Preference Act has furnished war veterans with justifiable preference and protection in Federal Civil Service employment; and

Whereas the basic rights under the Veterans Preference Act have been proven to be so fair and just that many of the provisions of the Veterans Preference have been given, by executive order, to non-veterans; and

Whereas the continuing intent of Congress is clearly seen in the extension of Veterans Preference to Cold War and Vietnam veterans and all who follow after them; and

Whereas there is, nevertheless, a continuing attack on the Veterans Preference Act; and

Whereas Veterans Preference is a "right in the man" which goes with the veteran wherever he may be employed by the Federal Government and is applicable regardless of the Federal Agency in which such veteran may be employed; and

Whereas no agency of the Federal Government should be exempt from the beneficial provisions of the Veterans Preference Act: Now, therefore, be it

Resolved, by the 68th National Convention of the Veterans of Foreign Wars of the United States, That we call upon the Congress of the United States to reject any and all requests by any and all Federal Departments, Agencies, Boards, and Commissions to be exempted or excluded from applying the Veterans Preference Act of 1944 as amended, or any other proposals which will weaken the Veterans Preference Act; and be it further

Resolved, That any and all legislative proposals in the Congress which would weaken or diminish rights guaranteed by the Veterans Preference Act of 1944, as amended, be vigorously opposed and defeated; and be it further

Resolved, That the Congress and the Executive act to extend the Veterans Preference Act to those agencies presently exempt or excluded from its provisions.

Adopted at the 68th National Convention of the Veterans of Foreign Wars of the United States held at New Orleans, Louisiana, August 20 through 25, 1967.

Senator PELL. Thank you very much, Mr. Stover.

As you know, this idea really basically originated with me, of trying to include this thought on veterans preference. I think it would be difficult, once in, to handle veterans preference in a service that really is a military service, even though in civilian clothes and, as I said to an earlier witness, their job is to make sure that the military are not called upon.

APPLICATION TO MILITARY OF APPEAL PROCEDURES FROM SELECTION-OUT

Would you consider that appeal procedures from selection-out should apply to military officers, to Navy officers, Army officers?

Mr. STOVER. We do not have any official position on that. I would say there is a sharp distinction between the military service or between a military agency and a civilian agency. In the military unquestioned discipline is of primary concern and, of course, discipline is most desirable in a civilian agency, but not in the same manner and to the same effect as a military establishment.

Senator PELL. Well, having been a military servant, a civil servant and a foreign servant, I am not sure I would agree with you, because I think it is even more important in the civilian agencies that the second secretary has got to do what the chargé tells him; the USIA man has got to do what he is told, and if they make mistakes it may mean that the military may have to be used.

I think the idea of military discipline is just as important in the Foreign Service and the USIA as in the military service in terms of the national interest.

I was wondering what your reaction would be to that point.

Mr. STOVER. Certainly as far as I am concerned, I think anybody who is employed by the Government should have a full and fair hearing if he is injured, selected out, not promoted, whatever the injury may be. I think if a system prevails whereby the person involved feels he did not have a full hearing and fair judgment in the matter, he should have that right.

Senator PELL. And it would apply to the military?

Mr. STOVER. Military or civilian.

Senator PELL. Yes.

Mr. STOVER. Yes.

I think there is a distinction, however, between the Foreign Service personnel system and the military. The military has a tremendous influx of new young officers every year. There must be promotions and separations in the military, whereas I do not believe the Foreign Service has this desire to, shall we say, separate from the Service a large number of its employees when they are really at the peak of their employment. In the military when officers are around 40, 45, a large number of them are considered to be obsolete and must make room for the younger ones coming up. A desirable age, as we know, is around 19 years old, and as they get up in their forties, there has got to be room made for these new younger officers coming up the ladder. While in the Foreign Service I would think that would be when they would become most valuable and least likely or it would be least desirable to separate them from the Foreign Service.

Senator PELL. I think it might be of interest, and I will ask the staff to put it in the record at this point, if you could get a percentage figure from the appropriate agency of the number of, the percentage of, FSO-8's who, when they join, hope to have the equivalent of flag rank some day which would be career minister or career ambassador, and the number of second lieutenants or ensigns who hope for the same thing. I think it would be a very interesting comparison. I do not know the answer myself, and I hope we could secure those figures.

(The information referred to follows:)

COMPARISON OF THE LENGTH OF TIME FOR A JUNIOR FOREIGN SERVICE OFFICER TO REACH CAREER MINISTER AND A JUNIOR MILITARY OFFICER TO REACH FLAG RANK

	Time from lowest junior officer rank to—	
	Career minister	Flag rank
Range (years).....	22-31	22-28
Average time (years).....	26	25
Average age of those now serving as career minister or admiral.....	57	55
Average age at time of appointment to career minister or flag rank.....	53	(?)

Source: Department of State.

Senator PELL. I thank you for coming and testifying, and I appreciate your viewpoint. Thank you for your statement.

PREFERENCE FOR S. 633 STATED

Mr. STOVER. May I make one last comment? Between the two bills, S. 633 and S. 2002, we would be for the provisions you have in S. 633, if that is the alternative.

We thank you for including that veterans provision in your bill, and we hope that the subcommittee and the full committee will seek to extend veterans preference for all purposes.

Senator PELL. We may have to alter that provision to make it more acceptable to those who oppose it. But it will still be taken into account whether a man has been a veteran or not. You, of course, would rather have the full veterans preference, but would either of those two approaches be equally acceptable to you?

Mr. STOVER. Yes; I think it would.

Senator PELL. The same thing, perhaps, in a less objectionable way.

Mr. STOVER. Yes; if it says the same thing, yes.

Senator PELL. Or, rather it does not say the same thing. This provision I would have makes a point system mandatory, as I understand it, in the written examination. It is not what is intended here. It is to take it into account. I think it would not be quite what you want.

Mr. STOVER. I would have to look at it carefully, but if it is essentially what you have in section 14, why, we certainly would support it because that was the provision which I think is necessary. As Director Marks stated in his statement on this point, veterans preference should apply to the whole Foreign Service system. If there is such a provision we should contemplate it for the whole Foreign Service.

Senator PELL. I thank you, Mr. Stover.

Is there anybody else who wants to speak on this subject?

If not, this meeting is adjourned and the record will stay open for two weeks for insertion of replies to the questions and any new material that is supplied.

At this point in the hearing, I would like to insert in the record, a letter I received from former President Dwight D. Eisenhower supporting a career system for USIA personnel.

(The letter referred to follows:)

GETTYSBURG, PA., September 27, 1967.

Hon. CLAIBORNE PELL,

Chairman, Ad Hoc Subcommittee on Foreign Service Information Officer Corps.

DEAR CHAIRMAN PELL: It is scarcely possible for me to comment in detail on the two Bills attached to your letter requesting my opinions about establishing a career system for the personnel of the United States Information Agency. But as to the need for setting up such a system I have no hesitancy whatsoever in assuring you of my full agreement.

The failure of the United States to establish and operate a truly effective informational service throughout the world has, in my opinion, been responsible for many of the difficulties that we are experiencing today. For example, it seems to surprise most Americans that great portions of the world simply do not believe our protestations about our peaceful purposes or our desire to be friends with others who are similarly minded. They do not accept our claims that we do not seek domination of others.

Ever since the close of World War II the U.S. information service has existed on a hand-to-mouth basis, thus diminishing its capacity to draw into the organization really competent people. Because the program has no political appeal it is far too often scorned by the ignorant or by those who seek only votes.

Not only do I believe that there should be a much more intensive and stable effort in this field, but I am quite sure that until the service is established on a permanent basis we shall not be able to get the best kind of people out of such appropriations as may be made.

All of us must have been astonished by the frequency with which speakers in the United Nations General Assembly—meeting during the recent crisis in the Middle East—found it desirable to excoriate the United States and her policies. This fact provides evidence, because we know that these speakers address their own constituents, rather than the others in the General Assembly, that hostile propaganda is painting for foreign populations a false picture of America's purposes and aspirations. We ought to give priority attention to this matter; it is far more important than many other Federal programs.

You are at liberty to quote me as one citizen who supports the establishment of a career service for the United States Information Service.

Sincerely,

DWIGHT D. EISENHOWER.

(Thereupon, 11:45 a.m., the subcommittee was adjourned.)

APPENDIX

DUKE UNIVERSITY,
RULE OF LAW RESEARCH CENTER,
Durham, N.C., October 3, 1967.

HON. CLAIBORNE PELL,
*Chairman, Ad Hoc Subcommittee on Foreign Service Information Officer Corps,
U.S. Senate, Washington, D.C.*

DEAR SENATOR PELL: This letter is written in support of S. 633 and S. 2002, which would authorize a career service for the foreign service personnel of the United States Information Agency. As a former Director of this agency, I should like to express the strongest possible endorsement for this measure. Indeed, it is many years overdue, and should have been an integral part of the U.S.I.A. personnel system from the beginning of that agency's independent status. It is well-known that, by any objective test, many of the overseas U.S.I.A. personnel are expected to have a background of qualifications and also are entrusted with responsibilities comparable with those of regular foreign service officers of the State Department. It would greatly facilitate the recruiting and holding of first-rate personnel for these positions if they could be assured of the status and the privileges that would be afforded by the proposed legislation. It seems to me, therefore, that the provision of this career service is essential, both as a matter of simple justice to the U.S.I.A. officers themselves, and as a matter of serving the best interests of the United States in obtaining and retaining the most highly qualified public servants to discharge this highly important responsibility of explaining this country and its policies to the people of the world.

Yours sincerely,

ARTHUR LARSON, *Director.*

DEPARTMENT OF STATE,
FOREIGN SERVICE INSTITUTE,
Washington, October 6, 1967.

HON. CLAIBORNE PELL,
*Chairman, Ad Hoc Subcommittee on Foreign Service Information Officer Corps,
U.S. Senate.*

DEAR CLAIBORNE: I appreciate the opportunity offered in your letter of September 26 to comment on S. 633 and S. 2002.

I support fully and with enthusiasm the concept of a career foreign service for USIA. The activities carried on by that Agency have become a valuable and continuing aspect of the conduct of the foreign relations of the United States, and I am confident that the national interests of the United States would be advanced by extending the career principal to the personnel engaged in this work.

Some of the persons concerned have been active in this endeavor for more than 25 years, always in a precarious and uncertain status due to the absence of career legislation.

Consideration of career legislation for USIA has been going on for more than ten years. Some of the ablest officers have continued on their jobs solely because of the expectation that career legislation would be enacted. The legislation is necessary not only to attract able young men to USIA work but also to retain the most experienced and qualified officers now employed.

Moreover, simple justice and equity call for enactment of the bill. The persons involved have devoted their careers to the work and are entitled to recognition of such.

I appreciate your support of the career principal and hope your present efforts will finally bring success to the important and long-discussed project.

Sincerely,

GEORGE V. ALLEN,
Former Director, USIA.

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES,
Washington, D.C., October 12, 1967.

Subject: Further AFGE Statement for the Record on S. 633 and S. 2002.

Hon. CLAIBORNE PELL,
Foreign Relations Committee,
U.S. Senate, Washington, D.C.

DEAR SENATOR PELL: On September 28, 1967, you graciously announced that "for two weeks" until October 12, 1967, you would keep open the record of the Hearing on S. 633 and S. 2002 for the insertion of further comments on these Bills to establish a permanent career service for United States Foreign Service Information Officers.

The American Federation of Government Employees is most grateful to you for affording us this opportunity to supplement our earlier testimony with this letter and appendices which we request, with your kind permission, to be inserted into the record of the Hearing of your Subcommittee.

ENDORSEMENT OF CAREER SERVICE FOR INFORMATION OFFICERS

As we stated on September 28, we endorse fully the creation of a career service for Foreign Service Information Officers and other employees of the United States Information Agency. We reiterate here that "about this aspect of these two Bills, we have no reservations whatsoever."

OPPOSITION TO CURRENT PERSONNEL PRACTICES OF THE FOREIGN SERVICE

On September 28, we also indicated to you our reservations about the current personnel practices of the State Department and Foreign Service. We said:

"While endorsing the basic purposes of S. 633, we feel obliged to repeat and to re-emphasize in the clearest terms possible our opposition to the personnel practices of the State Department and Foreign Service in the administration of 'selection out' to which this Bill would subject Foreign Service Information Officers."

We proposed several amendments to S. 633 to correct current State Department practices, especially in "selection-out"; and we proposed an appeals machinery which would include:

"a Board of Appeals and Review empowered to reverse 'selections out,' composed of one of the Civil Service Commissioners, acting as Chairman, and one person each nominated respectively by the Chairman of the Senate Foreign Relations Committee and the Chairman of the House Foreign Affairs Committee and appointed to serve on call for periods of not more than two years."

As supplementary material to our comments on "selection out" I am enclosing, as Appendix I, "An Open Letter to the Members of the Twenty-First Selection Boards of the Department of State," dated September 26, 1967, and signed on behalf of AFGE Lodge 1534 by its President, Paul T. Schuler.

Mr. Schuler's "open letter" effectively shows that current State Department "selection out" precepts will mean the dismissal by "mandatory retirement under selection out" of able and even outstanding officers who have been consistently in the upper twenty percentage of their respective classes for a number of years.

As Appendix II, I am enclosing a Table of Comparison between the "maximum time-in-class" precepts in force heretofore and those instituted this year under State Department Foreign Affairs Manual Circular 465. This Table reveals that "maximum time-in-class" has been reduced by as much as 60 percent; reduced, for example, in the case of FSO-6 and FSO-7 from 10 years to 4 years.

The American Federation of Government Employees condemns such "selection out" precepts and practices of the Foreign Service which result in the "firing" of competent and honest employees, by an arbitrary and capricious process denying due process because of the absence of an appeals machinery.

EXECUTIVE ORDER 10988 AND VETERANS PREFERENCE ACT

On September 28, we urged the extension of Paragraph 14 of Executive Order 10988 and of the Veterans Preference Act of 1944 to the Foreign Service. Subsequently, certain remarks were delivered by others at the Hearing suggesting that it might be unconstitutional to extend the Executive Order or the Veterans Preference Act to such "Presidential Appointees" as Foreign Service Officers and Foreign Service Information Officers.

We have reviewed the Constitutional provisions invoked and find that there is no constitutional impediment to the extension either of the Executive Order or of the Veterans Preference Act to the Foreign Service. In fact, we found that if there were any such constitutional impediment it would have precluded the enactment of the Foreign Service Act of 1946 which established the current Foreign Service and prescribed by statute the manner Officers were to be recruited, employed and promoted. Further, if one gave any credence to this alleged constitutional impediment, your own Subcommittee, which is now concerned with providing a "career service" for Foreign Service Information Officers would itself have to discontinue its work since S. 633 and S. 2002 themselves clearly prescribe statutory regulations as to how the President shall proceed before submitting nominations of Foreign Service Information Officers to the Senate.

Our conclusion is that the extension of the Veterans Preference Act of 1944 and of Executive Order 10988 would be no more unconstitutional than were the enactment of the Foreign Service Act of 1946 or the passage of either of the two Bills, S. 633, and S. 2002 (the latter incidentally sponsored by the Department of State) now before your Subcommittee would be.

COMPARISON OF FOREIGN SERVICE "SELECTION OUT" AND MILITARY "RETIREMENT"

During the Hearing on September 28, there was some discussion about the alleged similarity between "promotion" and "selection out" as practiced by the State Department and "promotion" and "retirement" in the military services, particularly the U.S. Navy.

We have reviewed available information regarding Naval Officer personnel practices, including recruitment, training, promotion; fitness and performance ratings, disclosure of derogatory information to rated officers; reserve duty and promotion while on reserve status; recall from reserve status; seniority; appeals boards and due process before appeals boards; Naval courts; rights, prerogatives and pay during retirement; and the recall of officers from retirement to duty with rank and prerogatives.

After comparing the personnel practices of the U.S. Navy, particularly Naval Officer promotion and "retirement," with the personnel practices of the Foreign Service and the State Department, especially Foreign Service Officer promotions and "selection out," we could conclude only that any claims of a "similarity" between the two systems rest merely on assertions by the State Department and are not supported by any meaningful documented evidence.

In closing I wish especially to express again, on behalf of the American Federation of Government Employees, our profound gratitude for your generosity in extending to us this opportunity to place into the record these further comments on S. 633 and S. 2002.

Sincerely,

J. F. GRINER, *National President.*

Enclosures: Appendix I—"An Open Letter" from Lodge 1534. Appendix II—Table of Comparison.

APPENDIX I

AN OPEN LETTER TO THE MEMBERS OF THE 21ST SELECTION BOARDS OF THE DEPARTMENT OF STATE, FROM LODGE 1534, AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

Dear Members of the Selection Boards, in your deliberations this fall you are going to be asked by the Director-General of the Foreign Service to make decisions which could automatically result in the firing of some 200 Foreign Service Officers in the mid and senior grades. This would be the largest purge of Foreign Service Officers since the lamentable R.I.F. program of the early 1950's.

Who are these FSO's whom you are expected to mark for selection out? They are not the Officers who are at the bottom of their classes, though a very few may be. Many of them are in the upper half or even in the upper 20% of their classes. They hold important jobs both here and in posts abroad. Some have been on the edge of promotion several times. In short, nearly all have high qualities which would rate them as outstanding in other employment, either in public or private life. They are men and women who deliberately chose diplomacy as a career, who

have stayed with it in spite of disappointments, family hardships and limited financial gains. Many have reached the time in life when their monetary needs are the greatest—to pay for college educations, for a house and other needs.

But the Director-General says these Officers must be dismissed from the Service on the grounds that, when you fail to promote them, they will have reached the maximum time-in-class. The maximum time-in-class was reduced last spring (see FAMC 465) for the express purpose of firing these Officers. It was explained that there were too many Officers in the higher ranks and that this did not permit "acceleration" of enough of the ambitious, deserving able Officers in the lower classes, who must be given greater incentives lest they leave the Service. Ambassador Steeves calls this plan "selection out on the way up"—or the personnel system practiced by the military services, but by no other agency of the Government.

The decision to use this plan to bring about a better distribution of personnel of the Foreign Service is indeed bizarre. The Circular implies that it is required by the Foreign Service Act of 1946. But that Act does not require this plan; it authorizes it. Nor does it set the time periods for maximum time in each class. It is interesting to note, also, that the Circular states that the maximum was increased after the War when there was "a resultant need of experienced officers." Is experience less needed today?

Does Congress really favor this policy? It is noteworthy that the Hays Bill which would have brought USIA and AID personnel under this system was rejected largely because Members of the Congressional committees objected to this and other practices in the Foreign Service which do not provide normal security in employment. In trying to convince the committees that "selection out" posed no serious threats, former Under Secretary Crockett insisted that there was no plan to "select out" Foreign Service Officers for, he said, "every able and dedicated FSO was urgently needed in the State Department."

Why did not the Personnel Office adopt other solutions for its self-created mal-distribution of officers by rank? Is it necessary to take in over a hundred reserve officers a year—many of whom are only thinly disguised as "specialists?" Why not reduce recruitment at the bottom to actual needs, rather than arbitrary numbers which later cause congestion in middle and higher levels? Why is it so urgent to hurry some officers to the top where often, at middle age, they find they have nowhere to go? This could be accomplished by raising the *minimum* time in class and in giving greater weight to seniority in promotions. Seniority is recognized as a value in promotions in industry, in the professions, in academic life. Why not here? The obvious simple solution is a slowing up of the rate of promotion, not the liquidation of those who fail to be placed in the top of the class in a particular year.

It is clear that by mismanagement the Personnel Officials in the Department have created a problem. Their easy solution is to dismiss from the Service some 200 Officers without cause. It is true there is an attempt to soften the blow by referring to such dismissals as "retirement with dignity." Stress is put on the pension which those above the FSO-4 level receive, on the assistance which the Department gives to find another job for those selected out (jobs which, on the average, have paid substantially less than the Officers' earnings). But, at the same time, the implication is made that "deadwood" is being cleared out by these dismissals. The Director-General refers to "those whose performance does not measure up to a reasonable competitive standard."

Contrary to these implications, the "selection out" for maximum time-in-class will mean the dismissal of very outstanding and able Officers. This past spring one of these dismissal letters was written to an Officer who had been in the top 20% of his class for 5 years, who possessed an urgently-needed specialty and who was filling an important position in the Department, where his performance was widely recognized. In a letter to him, a Personnel official admitted that, "in some cases, the Service is losing Officers with expertise and experience."

The Argyris Report showed that the State Department has developed a personnel policy which engenders fear, suspicion, and distrust—factors which were undermining the effectiveness of the Service. These morale problems will be augmented by a plan which, every year, will place dozens of Officers under the threat of uncertainty for their futures. Has not the indirect effort of such a policy been to encourage conformism, indecision, and an avoidance of making courageous or independent decisions?

There is no reason to think that this plan will give inspiration and encouragement to younger Officers. The perceptiveness among our younger Officers will hardly

find promise in a so-called "career service" which callously liquidates its senior practitioners by the use of parabolical gimmickry. On the contrary, younger Officers will be encouraged when gimmickry is replaced by genuine, fair and humane personnel policies. The first step back to such policies must be the prevention of the dismissal of Officers marked for firing next year.

Lodge 1534, which represents personnel in the State Department, asks that you carefully consider the implications of what you have been asked to do. Ostensibly, you have been requested to select those Officers deserving of promotion on the basis of their performance records; and to rate all Officers on the basis of their relative performance to each other. Even in the case of those at the bottom of the rankings, you are not expected to determine whether they should be selected out. *But this is not the case for those who have reached the maximum time-in-class, for the Director-General has repeatedly said that they will be dismissed.* For the first time, when, the Selection Boards are to be used as direct instruments in the firing of a considerable number of fully qualified Officers.

We are fully aware of the moral and intellectual dilemma into which you have been placed. We do not believe that you can be true to the Service or yourselves without taking into consideration the consequences of what you are asked to do.

The Department has told Congress that it has no intention of using its "selection-out authority" as a means of firing qualified Foreign Service Officers. Yet, it has recently introduced procedures which would automatically produce this result. Lodge 1534 urges the Selection Boards *not to take any action* which allows the Department to evade this commitment until the Boards receive assurance failure to recommend an Officer this year for promotion will not result in his automatic selection out.

If such assurance is not forthcoming, we believe that the Selection Boards have no honorable course but to recommend for promotion every qualified Officer whose seniority in class could mean his dismissal from the Service.

Sincerely yours,

PAUL T. SCHULER,
President, Lodge 1534, AFGE/AFL-CIO.

APPENDIX II

TABLE OF COMPARISON OF MAXIMUM "TIME-IN-CLASS" BEFORE MANDATORY RETIREMENT UNDER "SELECTION OUT"

Class	Present maximum	New maximum (FAMC 465)
8.....	(9)	(9)
7.....	10	4
6.....	10	4
5.....	10	8
4.....	10	8
3.....	12	10
2.....	12	10
1.....	15	12

¹ Probationer.

U.S. ADVISORY COMMISSION ON INFORMATION,
Washington, D.C., October 12, 1967.

The Honorable CLAIBORNE PELL,
United States Senate,
Washington, D.C.

DEAR SENATOR PELL: The United States Advisory Commission on Information supports—with a conviction of urgency—the creation of a Foreign Service Information Officer Corps. Ours is not a new advocacy; it began in the early '50s, and was renewed as recently as our 22d Report to the Congress this year.

The premature termination of promising careers in the U.S. information, education and cultural program abroad must not be allowed to grow chronic. The dedicated men and women who have served their country with neither perquisites nor assurance of a career system should no longer be denied what they have for so long deserved.

We find S. 633 and S. 2002 both equal to the task, and are confident that their differences can be reconciled. We do, however, find it pertinent to underscore what we consider the appropriateness of those provisions in Section 6*b*, *c* and *d* of S. 2002 pertaining to the establishment of Career Ministers for Information, and urge that they be retained. The creation of these and other categories will strengthen, prolong and enrich the careers of those on whom we must rely for the effective conduct of U.S. foreign policy.

With all good wishes.

Sincerely,

FRANK STANTON.

STATEMENT OF THEODORE C. STREIBERT

As director of USIA from August 1953 to November 1956, I reached the conclusion that the personnel of the Agency was the critical resource required for successful efforts toward attaining its objectives overseas. There was no question but that it far exceeded the importance of the amounts of moneys appropriated for its operations, aside from the minimum amount necessary to keep the machinery going.

Under my administration, the Agency first came into being as a separate executive agency under a reorganization plan which separated it from the State Department. After setting up a new organization structure, it became apparent that recruiting personnel was the critical factor in establishing a more efficient independent operation of information activities. Although much experienced and valuable personnel was available, at the same time aggressive recruitment to fill the ranks had to be undertaken.

Our experience was that without a career service whereby the higher ranks would be assured of progression, continuity and retirement, the appeal was not attractive to able individuals. In addition to difficulties in recruitment, the retention of more able employees became a difficult problem. Despite successful efforts to raise salary levels to compare less unfavorably with business salaries, it must be remembered that in information activities experienced personnel can command, generally, much higher salaries in the fields of publishing, broadcasting, and public relations. Since government salaries can never equal those of industry in the higher ranges, the advantages of a career service are essential to overcome the disproportion in annual earnings.

The above factors become of greater urgency and more critical import as the information service is about to develop higher qualities of specialized ability in the various information capacities.

Without a career service, information agency personnel in the field is at a disadvantage as against the foreign service personnel with which it is intimately associated. Although harmonious working arrangements in the diplomatic establishment of the field missions have been achieved, at the same time a comparable career service would in fact provide an equality for information personnel as compared with the foreign service personnel with whom it must work intimately.

Beginning with fiscal '69, the U.S. Information Agency will have existed as an independent agency in the executive branch for 15 years. Its successful operation has demonstrated the validity of the separate administration and functioning of the specialized information activities as compared to their previous incorporation within the State Department. Since this successful experience supports the continued independent operation of the Agency indefinitely in the future, it is now time to provide it with the career system which will permit it to function to the highest degree of efficiency.

OCTOBER 9, 1967.

