5 JUN 1979

STATINTL

MEMORANDUM FOR: [redacted]
Assistant Legislative Counsel

FROM : Harry E. Fitzwater
Director of Personnel

SUBJECT : OMB Proposed Senior Intelligence Executive Service

REFERENCE : Multi adse memo fr OLC (79-0770/6) dtd 31 May, same subject

1. We have reviewed the proposed Bill to authorize the establishment of Senior Intelligence Executive Services and Merit Pay and Awards Systems within NSA, DIA, and CIA. Inclusion of CIA, despite express recognition in the Sectional Analysis that "the Director of Central Intelligence already possesses broad statutory authority to adopt the features of the Senior Executive Service", is cause for alarm. This is not mitigated by the explanation that "the purpose of this legislation, without prejudice to the validity of those authorities, is intended to express Congressional encouragement that those authorities be used to establish a system comparable to the Senior Executive Service". The proposed legislation does, in fact and in law, impact with prejudice on those authorities, regardless of professions of intent; and it appears to be part of an accelerating erosion, advertent or inadvertent, of the Director's necessarily broad personnel authority under Section 8 of the CIA Act of 1949.

2. The proposed statute provides that the DCI "may establish" a Senior Intelligence Executive Service "comparable" to the Senior Executive Service established in Title IV of the Civil Service Reform Act of 1978. While not mandatory in form, it does restrict the DCI to a "comparable" as distinguished from "analogous", Senior Executive Service should he decide to act. This deprives him of the flexibility he would otherwise have if acting under his Section 8 authority.

3. Because of the foregoing, we consider it imperative that CIA be excluded from the proposed legislation.

ILLEGIB

[redacted]

Harry E. Fitzwater

Distribution:
Orig - adse
2 - D/Pers
1 - OP/P&RS

STATINTL OP/P&C/P&RS/[redacted]:er (4 Jun 79)

☐ UNCLASSIFIED ☐ INTERNAL USE ONLY ☐ CONFIDENTIAL ☐ SECRET

ROUTING AND RECORD SHEET

SUBJECT: (Optional)
Civil Service Reform - Senior Executive Service

STATINTL

FROM: [redacted]
Deputy Director of Personnel
5E-58, Hqs.

EXTENSION: [redacted]

NO.

DATE: 5 June 1979

STATINTL

TO: (Officer designation, room number, and building)	DATE RECEIVED	DATE FORWARDED	OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
1. Members of the SES Committee				Attached please find a paper titled A Framework for Consideration of a Senior Executive Service Within CIA and several attachments. We attempted to focus on the primary principles and conceptual features of SES and to identify and highlight some of the areas we feel of particular importance for SES Committee members to consider. We intend this material for information and guidance only to be used as the committee sees fit.
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FORM 3-62 610 USE PREVIOUS EDITIONS ☐ SECRET ☐ CONFIDENTIAL ☐ INTERNAL USE ONLY ☐ UNCLASSIFIED

A Framework For Consideration of a Senior Executive Service Within CIA

1. Purpose

This paper is directed to a key provision of the Civil Service Reform Act -- the Senior Executive Service (SES) -- and its purpose is to:

(a) provide a focus on the primary principles and conceptual features of the Senior Executive Service (SES);

(b) provide a compendium of consideration which need to be addressed in order to establish the perspectives for subsequent actions and the context in which the institution of an SES type program may be considered for possible future implementation; and

(c) identify points for consideration for an SES system within Central Intelligence Agency.

2. Primary principles and conceptual features of the Senior Executive Service under the Reform Act:

(a) the exemption of CIA from the SES provisions of the Civil Service Reform Act was not based upon disagreement with the principles and concepts of such an approach. The exemption was based on protection of sources and methods and relieves the Agency from oversight by the Office of Personnel Management (OPM) and mandatory adherence to the specific substance and provisions of the statute itself and the regulatory issuances of the OPM as regards the formal structures and procedures of implementation. Inherent within the statute and the approach taken to date by OPM is to provide agencies covered by the Act a degree of latitude to develop, according to individual needs, their own programs within the basic framework of the law for selection, performance appraisal, placement, merit pay promotion, and removal of executives.

(b) the determination of basic annual compensation for senior managers (GS-16 through Executive Level IV) on a merit basis that is directly related to an objective evaluation of their actual performance on the job with recognition of the different demands and difficulty of positions of the same relative grade level (e.g., one office head vis-a-vis another) and differentiation between demands and performance in positions at different levels of responsibility (e.g., office head vis-a-vis a deputy office head, etc.);

(c) the establishment at the beginning of each annual performance appraisal period of clearly defined standards of performance relative to specific assigned organizational and individual job objectives expected of each individual senior officer;

(d) the institution of a formal performance appraisal system which is anchored to the organizational and individual objectives assigned to the executive and based upon the objective evaluation of the quality of performance against the standards established at the beginning of the evaluation period;

(e) the requirement for "better than average" performance as a basis for increases in basic compensation levels with "minimally satisfactory" performance no longer acceptable to warrant pro forma increases or even retention of their current level of basic compensation;

(f) the selection of senior executives for promotion to higher levels of responsibility and compensation from among only those officers who have consistently displayed excellence of performance;

(g) the establishment of added inducements in the forms of substantial cash awards to attract and retain the best senior managers and reward and encourage excellence of performance on the job; and

(h) the facilitation of removal of senior managers and specialists whose performances are not up to prescribed standards.

3. Points for consideration relative to an SES system within Central Intelligence Agency: The minimum elements which must be bonded together to establish the framework for an operating SES program in line with the rationale of the Reform Act are as follows:

(a) System to accommodate both Senior Managerial and Non-Managerial (specialists) Executives

An early question to be considered is whether non-supervisory senior level personnel should be included in a Senior Executive Service which by its very concept is designed for senior managerial/supervisory personnel. In an Agency such as ours, adoption of these systems without inclusion of both supervisors/managers and comparable graded non-supervisors would create inequities and would offer little inducement and benefits for our senior analysts and substantive officers in relationship to excellence of performance. In this regard, it is interesting to note that the developers of the Civil Service Reform Act originally considered the non-supervisory "senior analyst" for inclusion in the Act but for some unknown reason the idea was excluded. The Office of Personnel is also finding from its workshops on the

proposed Supergrade Evaluation Guide, a similar reaction by the participants that there should be pay classifications of "senior analysts" equivalent to those for managerial/supervisory profile.

COMMENT: As suggested, there are several ways to go on the senior manager/non-manager issue. They could all be included under one umbrella; there could be separate but equal SES style systems for each or the "non-manager" could be left as is with possibly some variation for bonsues, etc.

(b) Institution of an SES Performance Appraisal System. (See Attachment A for a general description of a performance appraisal cycle.)

° Under the Civil Service Reform Act a performance appraisal system must be instituted that is "task" oriented with "behavioral" characteristics evaluated only where they are tangibly related to specifically assigned tasks.

° SES designees must be advised by their supervisors at the beginning of the reporting year what their primary tasking objectives (both organizational and individual) are, which are "critical" (the less than satisfactory performance of which can mean removal from the SES) and the establishment of definitive performance standards that will be judged.

° The performance appraisal system is the heart of the SES and must be carefully developed and fully understood by all senior executives for the SES to have any chance for success as intended. The current proposed version of CIA's performance appraisal system could, with some modifications, meet the requisites for the SES. (See Attachment B.)

COMMENT: In theory, detailed, well described and current performance appraisal tools provide both managers and employees the information they need to do their jobs and to evaluate the "end product" or "output". Realistically, however, the development, maintenance and explanation of such information requires the manager (supervisor) to keep detail notes almost on a daily basis and to have frequent job element reviews with employees so that each knows where the other stands. A major pitfall in developing performance appraisal systems, then, is to make them so burdensome to supervisors that they will collapse of their own weight. On the other hand, too simplified systems will not provide the "discrimination" necessary to make the multi-personnel type judgements dependent on them.

(c) Establishment of Performance Review Board(s) and Executive Resources Board(s).

° Performance Review Board(s) review executive performance appraisals to insure adherence to standards and to review and approve, as delegated, recommendations for such actions as merit pay adjustments, performance awards, and promotions.

° Executive Resources Board(s), advisory to the head of agency, handles the processes of selection, placement, training, and recommendations for removal of Senior Executive Service members. The results of the Performance Board's review of performance appraisals would provide input to the determination of the Executive Resources Board.

CIA does not now have suitable mechanisms in place to serve these functions and would have to establish such Boards to meet these requirements. (See Attachment C for examples of how a Board(s) system in CIA might look.)

COMMENT: Performance Review and Executive Resources Boards have the advantage of giving the Director centralized focal points for planning, evaluating, and/or approving Senior Executive personnel actions. Although establishment of additional boards/panels is contrary to the NAPA team perspective, in the SES instance they appear indispensable. It should be possible to keep SES Boards to a minimum, however. On the more negative side, the administration of the work of these boards could be quite time consuming and very burdensome on executives who also have other major responsibilities with which to cope.

(d) Establishment of an equitable system to determine basic "merit" pay levels and performance awards. Directly interfacing with the establishment of performance standards expected of individual executives is the requirement that a schedule of basic annual compensation levels and relative amounts of performance awards be established to insure equity of recognition for comparable performance throughout the organization. Equally important is the requirement to clearly delineate basic compensation "spreads" to differentiate between senior positions at different levels of responsibility. The Supergrade Factor Evaluation System under development by the Office of Personnel should provide one such tool for this purpose. (See Attachment D for copy of draft guide).

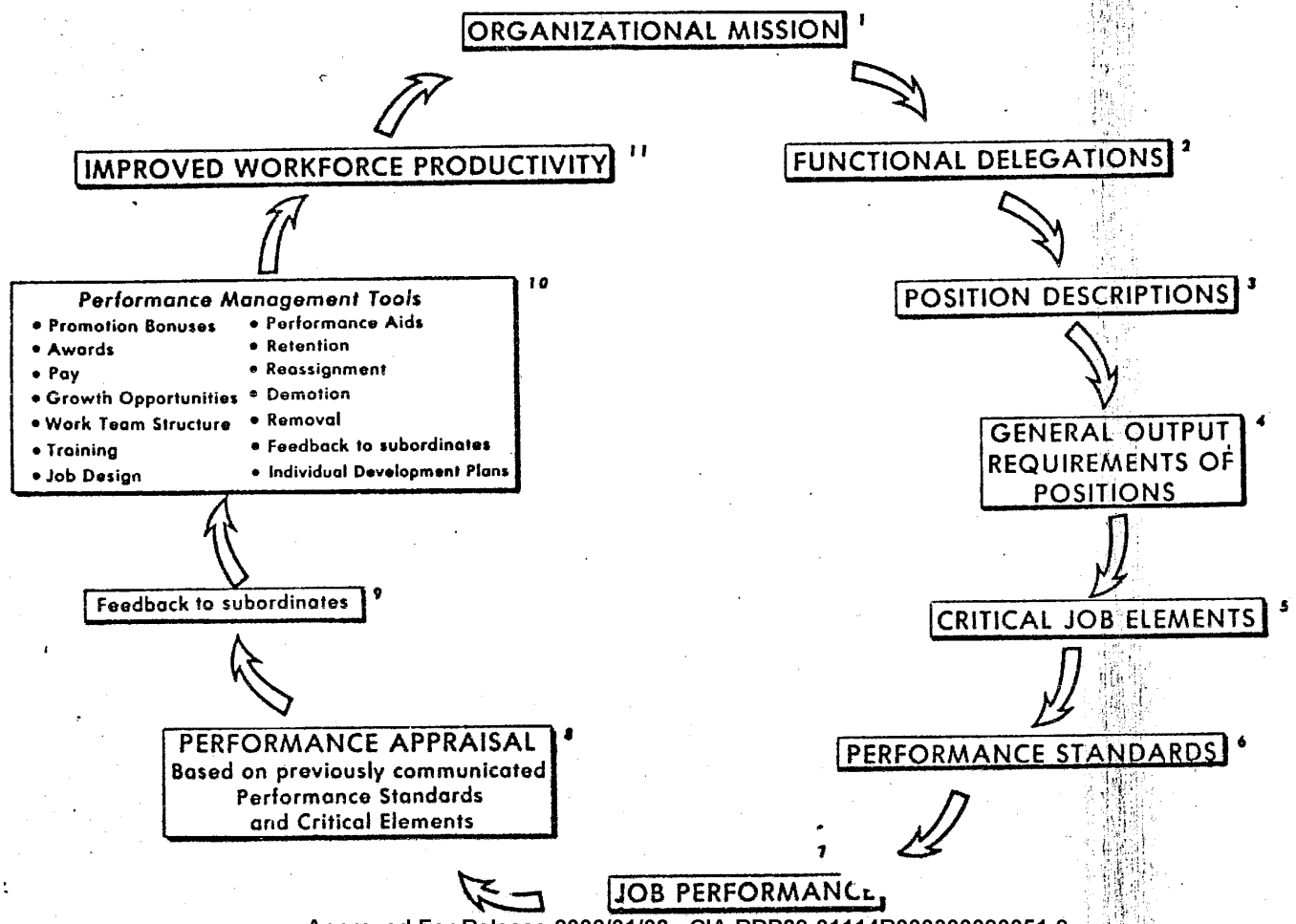
COMMENT: In establishing guidelines for granting remuneratives of different kinds, very delicate balances will need to be maintained between preservation, on the one hand, of a highly flexible pay system and, on the other, discrimination expressed in terms of pay for levels of responsibilities.

(e) Requirements and resources to provide staff support for the administration of an SES system. The full dimensions of personnel and

other resources required to develop and implement a Senior Executive Service cannot be readily determined at this time. A general idea can be formed, however, from the facts currently available that the developmental phase will require a number of senior level officers from the Directorates and from the Office of Personnel plus a supporting cast of clerical assistants engaged for many weeks or months. In addition, the Office of Personnel would be required to provide direct support in the development of a modified performance appraisal system, performance standards, position identification and classification, pay schedules, qualifications standards for selection, removal criteria and procedures including appeals, and in conjunction with the Office of Data Processing, identification of computer system applications. In addition, the Office of Training would need to develop training seminars for all present (and future new executives) to give them a full understanding of all aspects of the SES and provide other training to prepare executives for their managerial roles and continually improve their managerial knowledge and understanding. The Office of Finance and the Comptroller will need to study current pay, leave and budgeting processes and procedures and revamp systems accordingly.

COMMENT: Self-explanatory.

I. PERFORMANCE APPRAISAL -- A MANAGEMENT TOOL



PERFORMANCE APPRAISAL -- A MANAGEMENT TOOL

The mission accomplishment of any organization stands on the management tripod of funds, personnel and materials. Of these, personnel management is probably the most challenging. Personnel management has as one of its major objectives the increase of productivity. The key to productivity improvement is performance management which utilizes such management tools as rewards, discipline, promotion, separation, training, job design, organizational structure, work flow and performance aids.

Efficient performance management and certain administrative functions depend upon getting accurate information about performance. Supplying that information is the important role played by performance appraisal (p. a.). Appraisal is a means of giving management and employees information about performance they both need.

A performance appraisal system should provide for these needs: (see chart on opposite page).

Boxes 1-6: Establishing performance criteria, i.e., performance standards for all aspects of the job and identification of the critical elements. The job requirements, especially for managers and executives, should reflect carrying out the organizational mission. The performance standards need to be job-related.

Boxes 7-8: Appraisal of job performance to compare actual performance with the previously established and communicated standards and critical elements.

Box 9 : Feedback to subordinates Of all the uses of information gained from an appraisal of performance, one of the most necessary and useful in improving productivity is the feedback to the subordinate of performance information. This is so important that it is listed separately in box 9, rather than in box 10 along with other performance management tools.

Box 10 : Other Uses of performance information Performance appraisal is done for two main purposes: to find out what the performance actually is and then, to improve it. The use of performance information as a basis for decisions about promotion, bonuses, awards, SES pay, merit pay, training, retention, reassignment, demotion and removal is designed to improve productivity.

Boxes 11 and 1: Accomplishment of agency mission Improved productivity advances the accomplishment of the organization's mission. Thus our purpose is accomplished. It can be clearly seen from the Chart that performance appraisal is not an end in itself, but rather, is a tool management uses to accomplish the organization's mission.

DIRECTIONS FOR COMPLETING PERFORMANCE APPRAISAL PACKAGE

The Performance Appraisal Package consists of the following 4 parts:

1. Performance Appraisal Report
2. Advance Work Plan
3. Evaluation of Potential
4. Directions

1. The Performance Appraisal Report

Section A - General Information

- This section will be pre-printed by computer.
- No changes are to be made except for the reporting period, if necessary.

Section B - Qualifications Update

- Indicate whether employee's qualifications are updated during the reporting period and whether they are attached.

Section C - Performance Appraisal of Specific Duties

- Describe each duty in sufficient detail to provide information which may be useful later in considering individuals for other assignments.
- List in order of importance the duties performed during the rating period.
- Use a single number for each specific duty. Decimals, plus or minus signs, or other modifications may not be added.

Section D - Supervisor's Comments

- Narrative comments must support ratings of specific duties, make the connection with the Work Plan goals, and explain the basis for the overall rating.

- While a brief statement on the mission and functions of the office may be appropriate to set the stage, narrative comments should concentrate on the performance of the individual being rated.

- The first sentence of the narrative in reports on employees in the three-year trial period must recommend for or against continuation of employment.

- The following factors should be considered as appropriate:

Mobility	Dependability
Oral expression	Quality and quantity of work
Written expression	Versatility
Timeliness of performance	Security consciousness
Foreign language competence	Interpersonal relationships
Initiative	Acceptance of responsibility
Productivity	Records discipline
Resourcefulness	Judgment
Cooperativeness	Decisiveness

- In addition to any other appropriate factors listed above, the following factors must be addressed for personnel GS-12 and above. A single inclusive statement is acceptable if all factors are satisfactory; specific comment is required where a factor is deficient or is unusually proficient.

Cost consciousness	Judgment
Security consciousness	Acceptance of responsibility
Cooperativeness	Initiative
Records discipline	

- In addition to any other appropriate factors listed above, the following factors must be addressed in reports for supervisory and managerial personnel. A single inclusive statement is acceptable if all factors are satisfactory; specific comment is required where a factor is deficient or is unusually proficient.

  Subordinate management and development
  Quality of performance appraisal
  Delegation of responsibility
  Equal opportunity
  Use of personnel, space, equipment, funds, etc.
  Goal setting and achievement

Section E - Overall Performance Rating

- Overall performance includes ratings on specific duties and all other appropriate job-related factors, such as the employee's conduct on the job, productivity, adaptability, comprehension of the organization and mission of the directorate, and sensitivity to the principles of equal employment opportunity and advancement. The overall rating is not an average of the ratings on the specific duties.

- Although promotability may be considered in the overall rating, no specific promotion recommendations will be made on Performance Appraisal Reports. (Promotion recommendations will be made according to HR [redacted])

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Section F - Certification and Comments

- The rating officer's signature certifies that the Performance Appraisal Report has been shown to and discussed with the employee. When for any reason a PAR is not shown to an individual prior to forwarding to the Office of Personnel for processing, it is the responsibility of the Career Service to have the report subsequently shown to the individual and the record documented.

- The employee comments section is optional; it is not intended to replace a discussion of performance between the employee and the supervisor.

- Reviewing officials must provide substantive comment on the individual being rated. If the reviewer is in substantial disagreement with the rating official, the evaluation should be discussed with the rating official and the employee.

- Reviewing officials have the following responsibilities for insuring the integrity of the system:

  a. Monitoring follow-up administrative action when overall performance is rated at the 1 or 2 level.

  b. Returning incomplete or inconsistent reports to rating officers for corrective action.

2. The Advance Work Plan

Section A - Employee's Job

- Describe briefly where this employee's position fits in the organization.
- If appropriate, state the number and type of employees supervised by this employee.
- Do not attempt to summarize the job description.

Section B - Work Objectives, Goals, and Priorities

- Do not attempt to summarize the job description.
- List objectives, goals, and priorities for the period covered by the plan.
- Identify performance standards of quantity, quality, and time which will be used to rate the employee on the PAR at the end of the period.
- Be specific. For example, one general duty on the job description may represent three or four elements or tasks which are going to be important during the period covered by the Work Plan; identify each such task, with the standard which will be used to measure success for failure.
- Whenever possible, the identification of objectives, goals, and priorities should be a joint effort by the supervisor and the employee.
- Update the Work Plan whenever necessary during the period covered simply by annotating the form. (Use the back if additional space is needed.)

3. The Evaluation of Potential for Advancement

Section A

- Indicate whether or not it was possible to observe readiness for assuming higher level responsibility in the performance of this individual during this reporting period.
- If readiness to assume higher level responsibilities, or the lack thereof, was observable in the performance of this individual during this reporting period, check the statement which best describes your estimate of the employee's potential.

Section B

- Be specific when stating qualities that demonstrate capacity for growth and advancement; give specific examples of how the employee demonstrates these qualities.

- Do not try to be specific in predicting an employee's grade level potential or specific jobs you think the employee will hold. Such predictions, if they don't come true, lead to disappointment and even grievances.

-

omit if necessary

DISTRIBUTION

PAR and Evaluation of Potential ~~for Advancement~~	AWP
Original copy to Office of Personnel through Head of the Career Service concerned.	Held by the component until end of period covered, then attached to appropriate PAR.
Minimum of one copy to be retained by the Career Service.	Forwarded according to PAR distribution.

PERFORMANCE APPRAISAL REPORT

SECTION A — GENERAL INFORMATION

1. SOC SEC NUMBER		3. SD	4. SCHED	5. GRADE

6. AFFILIATION	7. OCCUPATIONAL TITLE	
8. OFFICE/DIVISION/BRANCH OF ASSIGNMENT	9. CURRENT STATION	10. HQS
11. REPORTING PERIOD	12. DATE REPORT DUE IN OP	13. TYPE OF REPORT

SECTION B — QUALIFICATIONS UPDATE

QUALIFICATIONS UPDATE FORM BEING SUBMITTED WITH CHANGES, AND IS IT ATTACHED TO THIS REPORT?	YES		NO	

SECTION C — SPECIFIC DUTIES

LIST IN ORDER OF IMPORTANCE THE SPECIFIC DUTIES PERFORMED DURING THE RATING PERIOD. INSERT RATING WHICH BEST DESCRIBES THE MANNER IN WHICH EMPLOYEE PERFORMS EACH SPECIFIC DUTY. CONSIDER ONLY EFFECTIVENESS IN PERFORMANCE OF THAT DUTY. ALL EMPLOYEES WITH SUPERVISORY RESPONSIBILITIES MUST BE RATED ON THEIR ABILITY TO SUPERVISE (INDICATE NUMBER OF EMPLOYEES SUPERVISED). DEFINITIONS OF RATINGS TO BE USED ARE FOUND IN SECTION E OF THIS FORM. SEE INSTRUCTION SHEET FORM 45 FOR ADDITIONAL GUIDANCE.

SPECIFIC DUTY NO. 1	RATING NUMBER
SPECIFIC DUTY NO. 2	RATING NUMBER
SPECIFIC DUTY NO. 3	RATING NUMBER
SPECIFIC DUTY NO. 4	RATING NUMBER
SPECIFIC DUTY NO. 5	RATING NUMBER
SPECIFIC DUTY NO. 6	RATING NUMBER

1. SOC SEC NUMBER	2. NAME (LAST, FIRST, MIDDLE)	3. SD	4. SCHED	5. GRADE

6. AFFILIATION	7. OCCUPATIONAL TITLE	
8. OFFICE/DIVISION/BRANCH OF ASSIGNMENT	9. CURRENT STATION	10. HQS
11. REPORTING PERIOD	DATE REPORT DUE IN OP	13. TYPE OF REPOR

4. EMPLOYEE COMMENTS (Optional)

THE EMPLOYEE HAS THE OPTION TO PROVIDE A SELF APPRAISAL OF PERFORMANCE, AND TO COMMENT OR NOT ON THE SUPERVISOR'S EVALUATION AND/OR THE REVIEWER'S COMMENTS.

I CERTIFY THAT THIS REPORT WAS DISCUSSED WITH ME BY MY SUPERVISOR.	DATE	SIGNATURE OF EMPLOYEE

5. REVIEWING OFFICIAL COMMENTS

COMMENT OF REVIEWING OFFICIAL.

DATE	TITLE OF REVIEWING OFFICIAL	TYPED OR PRINTED NAME AND SIGNATURE

I CERTIFY THAT I HAVE READ THE REVIEWER'S COMMENTS.	DATE	SIGNATURE OF EMPLOYEE

SECTION D

COMMENTS AND CERTIFICATION

1. SUPERVISOR'S COMMENTS

AMPLIFY OR EXPLAIN THE INDIVIDUAL RATINGS GIVEN FOR SPECIFIC DUTIES IN SECTION C. INDICATE SIGNIFICANT STRENGTHS OR WEAKNESSES DEMONSTRATED ANY ANY SUGGESTIONS MADE FOR IMPROVEMENT OF WORK PERFORMANCE. GIVE RECOMMENDATIONS FOR TRAINING. SEE ATTACHED INSTRUCTIONS FOR REQUIRED COMMENTS ON: COST CONSCIOUSNESS, EEO, SAFETY, SECURITY, AND EVALUATION OF SUPERVISORS, ETC.

2. OVERALL PERFORMANCE RATING

THE OVERALL PERFORMANCE RATING SHOULD TAKE INTO ACCOUNT EVERYTHING ABOUT THE EMPLOYEE WHICH INFLUENCES EFFECTIVENESS. SEE ATTACHED INSTRUCTIONS FOR DETAILS.

RATING NUMBER:

3. SUPERVISOR CERTIFICATION

MONTHS EMPLOYEE HAS BEEN IN THIS POSITION_____

MONTHS UNDER MY SUPERVISION_____

IF THIS REPORT HAS NOT BEEN SHOWN TO EMPLOYEE, GIVE EXPLANATION.

INTERIM DISCUSSION(S) ABOUT WORK PLAN PROGRESS ____WAS/____WAS NOT HELD. (CHECK ONE)

DATE	TITLE OF SUPERVISOR	TYPED OR PRINTED NAME AND SIGNATURE

PERFORMANCE APPRAISAL DEFINITIONS

Individual Duty	Overall Performance
Individual consistently fails to meet the established work standards for the duty or task performed. Performance is unsatisfactory.	Performance does not meet all established work standards for the position and specifically demonstrates the individual's failure to meet one or more importan job requirements (e.g., doesn't complete work; lacks the necessary knowledge, skill, or ability to do the job properly). Performance is unsatisfactory.
Individual frequently fails to meet the work standard for the duty or task performed. Performance is marginal.	Performance frequently does not meet all established work standards for the position and reflects a significant problem relating to the individual's suitabili for continued assignment in the job (e.g., seldom completes work assignments without strong support; work products or services are often faulty and incomplete). Performance is marginal.
Individual occasionally fails to meet the work standard for the duty or task performed. Performance is acceptable.	Performance generally meets established work standard for the position but characteristically needs improvement in a specific area or on occasion falls somewhat short of satisfying all job requirements (e.g., inconsistent work effort in meeting deadlines; quality of work product or service sometimes needs to be improved). Performance is acceptable.
Individual fully meets the work standards for the duty or task performed. ~~Performance is representative.~~	Performance meets all established work standards for the position and attests to a satisfactory level of job-related knowledge, skill or ability (e.g., does what is expected; reliable and dependable, a typical performer). ~~Performance is representative.~~
Individual occasionally exceeds the established work standard for the duty or task performed. Performance is good.	Performance occasionally exceeds established work standards for the position and is generally of higher quality than is required to do the job satisfactorily (e.g., generally produces a better than average produc or service; reveals a good level of knowledge, ability and skill in satisfying work requirements). Performance is good.
Individual frequently exceeds the established work standard for the duty or task performed. Performance is excellent.	Performance frequently exceeds established work standards for the position ahd shows that the individual's level of job-related knowledge, skill, and ability is highly developed (e.g., functions with ease in satisfying work requirements, producing a high-quality product or service). Performance is excellent.
Individual invariably exceeds the established work standard for the duty or task performed. Performance is superior.	Performance invariably exceeds established work standards for the position, and is characterized by extraordinary proficiency suggestive of one expert at doing the job (e.g., highly efficient performer, one who demonstrates impressive knowledge, skill and ability in his or her work performance). Performance is superior.

ADVANCE WORK PLAN
GENERAL INFORMATION

1. SOC SEC NUMBER	2. NAME (Last, first, middle)	3. SD	4. SCHED	5. GRADE

6. AFFILIATION	7. OCCUPATIONAL TITLE
8. OFFICE/DIVISION/BRANCH OF ASSIGNMENT	9. CURRENT STATION / 10. HQS

A. EMPLOYEE'S JOB — State briefly where the position fits in the staffing pattern and, if appropriate, the number and type of employees supervised by this employee.

B. WORK OBJECTIVES, GOALS AND PRIORITIES - List the specific objectives and goals, in priority order, formulated by the supervisor and the employee.

PERIOD COVERED _____ (To be attached to the PAR for this period.)

SIGNATURE OF EMPLOYEE (Name typed)	SIGNATURE OF SUPERVISOR (Name typed)
TITLE / DATE	TITLE / DATE

EVALUATION OF POTENTIAL

SECTION A

1. SOC SEC NO.	2. NAME (LAST, FIRST, MIDDLE)	3. SD	4.SCHED	5.GRA

6. AFFILIATION	7. OCCUPATIONAL TITLE
8. OFFICE/DIVISION/BRANCH OF ASSIGNMENT	9. CURRENT STATION / 10.HQ
11. REPORTING PERIOD	12. DATE REPORT DUE IN OP / 13. TYPE OF REPORT

EVALUATION AND COMMENTS MUST BE LIMITED TO DIRECT OBSERVATION OF PERFORMANCE AND BE WITHIN THE SUPERVISOR'S AREA OF EXPERTISE. THE EVALUATION IS AN ESTIMATE OF THE INDIVIDUAL'S POTENTIAL TO ASSUME ADDED RESPONSIBILITY.

SECTION B — EVALUATION

CHECK ONE:

_____ THE ASSIGNMENT DURING THIS RATING PERIOD DID NOT OFFER THE OPPORTUNITY TO EVALUATE READINESS TO ASSUME HIGHER LEVEL RESPONSIBILITY. EMPLOYEE IS RENDERING A VALUABLE CONTRIBUTION.

_____ READINESS TO ASSUME HIGHER LEVEL RESPONSIBILITY CAN BE DEMONSTRATED IN THIS ASSIGNMENT. THE READINESS OF THIS INDIVIDUAL, AS OBSERVED IN THE PERFORMANCE DURING THIS RATING PERIOD, CAN BEST BE DESCRIBED BY THE FOLLOWING STATEMENT:

- _____ EMPLOYEE APPEARS TO LACK THE CAPABILITY TO ASSUME HIGHER LEVEL RESPONSIBILITY.
- _____ IT IS DIFFICULT TO JUDGE WHEN THE EMPLOYEE MAY BE READY TO ASSUME A HIGHER LEVEL OF RESPONSIBILITY. EMPLOYEE HAS ROOM TO GROW WITHIN THE SCOPE OF RESPONSIBILITIES OF THE PRESENT JOB.
- _____ EMPLOYEE PERFORMS THE FULL RANGE OF RESPONSIBILITIES IN THE CURRENT JOB AND WILL BE READY TO ASSUME HIGHER LEVEL RESPONSIBILITY WITH APPROPRIATE TRAINING AND EXPERIENCE.
- _____ EMPLOYEE IS READY TO ASSUME HIGHER LEVEL RESPONSIBILITY.

SECTION C — SUPERVISOR'S COMMENTS

EXPLAIN YOUR CHOICE ABOVE. STATE THE QUALITIES OF WORK PERFORMANCE THAT BEST DEMONSTRATE READINESS FOR GROWTH AND ADVANCEMENT, OR THE LACK THEREOF; SUPPORT WITH EXAMPLES.

SECTION D — CERTIFICATION

TYPED OR PRINTED NAME OF SUPERVISOR	SIGNATURE	DATE
SIGNATURE OF EMPLOYEE		DATE

ILLEGIB

Next 1 Page(s) In Document Exempt

Approved For Release 2002/01/08 : CIA-RDP89-01114R000300090051-9

[redacted]

OP
5E58

PERS - [redacted]

STATINTL

OLC 79-0770/6

REFERENCE

MEMORANDUM FOR: See Distribution

FROM : [redacted]
Assistant Legislative Counsel

STATINTL

SUBJECT : OMB Proposed Senior Intelligence Executive Service

1. As promised in an earlier memorandum on the same subject (OLC 79-0770/5), I am forwarding for your comments the Office of Management and Budget draft proposal which seeks to "authorize" the heads of NSA, CIA and DIA to establish the equivalent of Senior Executive Services within their respective agencies. (U/IUO)

2. As addressees are aware, the authority which is ostensibly granted by this proposal is, in the case of the Director of the Central Intelligence Agency, already available to him via Section 8 of the CIA Act of 1949. The authority, therefore, is not only redundant but also raises the implication that the DCI's current Section 8 authority is insufficient to permit him to establish such a system on his own without legislation. This Office has consistently held and transmitted to OMB the position that this is not the case. We have also made it well known that any bill which, in any way, form or manner, detracted either expressly or impliedly from the authority of the DCI to handle personnel matters would be vigorously opposed by this office. (U/IUO)

3. Rather than providing herein an analysis of the terms of the bill, I have attached along with the bill a section-by-section analysis of the same. Please address your written comments to the undersigned not later than close of business 7 June 1979. (U/IUO)

[redacted]

STATINTL

Attachment

See Distribution on next page

INTERNAL USE ONLY

STATINTL

Distribution

[redacted]

DDA) w/att
OGC) w/att
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OMPT) w/att
C/PCS/LOC) w/att
(C/NFAC/CSS) w/att
w/att
1 - OLC Subject
1 - OLC Chrono
OLC:MDC:sf (31 May 1979)

A BILL

To authorize the establishment of Senior Intelligence Executive Services and Merit Pay and Awards Systems within the National Security Agency, Central Intelligence Agency and Defense Intelligence Agency and to make necessary amendments to Title 5, U.S. Code.

1 Be it enacted by the Senate and House of Representatives of the
2 United States of America in Congress assembled, That this Act may be
3 cited as the Senior Intelligence Executive Services Act of 1979.
4 TITLE I - SENIOR INTELLIGENCE EXECUTIVE SERVICES
5 SEC. 2. The Secretary of Defense (or his designee) for the Natio
6 Security Agency and for the Defense Intelligence Agency, and the Direc
7 of Central Intelligence for the Central Intelligence Agency may establ
8 Senior Intelligence Executive Services within the respective agencies
9 comparable to the Senior Executive Service established in Title IV
10 of the Civil Service Reform Act of 1978. The Director of Central Intel
11 gence, and under the authority of the Secretary of Defense, the Directo
12 of the National Security Agency and the Defense Intelligence Agency,
13 hereinafter referred to as the Directors, are authorized to adopt
14 administratively those provisions of title 5, United States Code, con-
15 tained in Title IV of the Civil Service Reform Act of 1978 that the
16 Directors consider necessary to administer a separate Senior Intelligen
17 Executive Service within the agency headed by such Director, to appoint
18 without regard to the civil service laws, individuals to positions esta
19 within such Senior Intelligence Executive Service and, notwithstanding
20 limitation on compensation set out in any other law, to pay individuals
21 so appointed in relation to the pay prescribed under title 5, United

1 States Code, for the Senior Executive Service. Any provisions so ado
2 shall be subject to the same limitations imposed with respect to the
3 parable provisions of title 5, United States Code, including the limit
4 in section 5383(b) of title 5 on aggregate pay. Notwithstanding any
5 provisions so adopted, each Director, may detail or assign individuals
6 the jurisdiction of such Director appointed to the particular Senior I
7 ligence Executive Service to serve in non-Senior Intelligence Executiv
8 Services positions in which the appointee's expertise and experience c
9 of benefit to the National Security Agency, Central Intelligence Agenc
10 Defense Intelligence Agency, or another Government agency and the appo
11 shall not lose thereby any of the entitlements or status associated wit
12 the appointment in the Senior Intelligence Executive Services.
13. SEC. 3. Awarding of Rank in the Senior Intelligence Executive Ser
14. (a) During any fiscal year, the President, based on the
15. recommendations of the Secretary of Defense, or the Director of Central
16 Intelligence, may, subject to subsection (b) of this section, award to
17 Senior Intelligence Executive Service appointee the rank of
18 (1) Meritorious Intelligence Executive, for sustained
19 accomplishment, or
20 (2) Distinguished Intelligence Executive, for sustained
21 extraordinary accomplishment.
22 A Senior Intelligence Executive Service appointee awarded a rank under
23 paragraphs (1) or (2) of this section shall not be entitled to be
24 awarded that rank during the following four fiscal years.
25 (b) During any fiscal year -
26 (1) The number of Senior Intelligence Executive Service

appointees awarded the rank of Meritorious Intelligence Executive

within each Service may not exceed 5% of the particular Senior Intelligence Executive Service; and

(2) The number of Senior Intelligence Executive Service appointees awarded the rank of Distinguished Intelligence Executive within each Service may not exceed 1% of the particular Senior Intelligence Executive Service.

(c) (1) Receipt by a Senior Intelligence Executive Service appointee of the rank of Meritorious Intelligence Executive entitles such individual to a lump sum payment of the amount specified in section 4507(e)(1) of title 5, United States Code, in addition to the basic pay or any performance awards paid to the Senior Intelligence Executive Service appointee.

(2) Receipt by a Senior Intelligence Executive Service appointee of the rank of Distinguished Intelligence Executive entitles such individual to a lump sum payment of the amount specified in section 4507(e)(2) of title 5, United States Code, in addition to the basic pay or any performance awards paid to the Senior Intelligence Executive Service appointee.

SEC. 4. Each Director may grant a sabbatical to any appointee to the Senior Intelligence Executive Service under the jurisdiction of such Director in accordance with the provisions of section 3396(c) of title 5, United States Code.

SEC. 5. Annual leave accrued by an individual while serving in a position in a Senior Intelligence Executive Service shall not be subject to the limitation on accumulation imposed by section 6304 of title 5, United States Code.

... United States Code, is

2 ... (j) and inserti

3 immediately after subsection (h) the following new subsection:

4 "(i) A member of any of the Senior Intelligence Executive

5 Services who is removed from such Senior Intelligence Executive Servic

6 for less than fully successful performance after completing 25 years o

7 service or after becoming 50 years of age and completing 20 years of

8 service is entitled to an annuity."

9 (b) Section 8339(h) of title 5, United States Code, is amende

10 by striking out "section 8336(d) or (h)" and inserting in lieu thereof

11 "section 8336(d), (h) or (i)."

12 SEC. 7. Section 2108 of title 5 U.S.C., is amended by -

13 (1) striking the period at the end of paragraph (3)

14 and inserting, in lieu thereof, a semicolon; and

15 (2) adding at the end of paragraph (3) the following:

16 "but does not include applicants for, or members of, any of the

17 Senior Intelligence Executive Services."

18 SEC. 8. The Directors will submit to the House Permanent Select

19 Committee on Intelligence and the Senate Select Committee on

20 Intelligence of the Congress at the time the budget is submitted by the

21 President to the Congress during each odd-numbered calendar year, a

22 report on the respective Senior Intelligence Executive Service. The

23 report shall include -

24 (a) the percentage of senior executives at each pay rate

25 employed at the end of the preceding fiscal year;

1 (b) the number of performance
2 awards paid during the preceding fiscal year; and,
3 (c) the number of individuals removed from the Senior
4 Intelligence Executive Service for less than fully successful
5 performance.
6 SEC. 9. The Director of the National Security Agency and the Dire
7 of the Defense Intelligence Agency may submit to the Director of Cent
8 Intelligence a listing of those Senior Intelligence Executive
9 Service positions within their respective agencies that such Director
10 determines could be suitably filled by individuals from another
11 Senior Intelligence Executive Service or from the Senior Executive
12 Service. The Director of Central Intelligence will combine any such
13 information received with comparable information from the Central
14 Intelligence Agency and in accordance with the request of the
15 Directors of those agencies will assist in recommending candidates
16 to fill such particular agency positions. The Director of Central
17 Intelligence, in consultation with the Office of Personnel Management,
18 will likewise assist appointees in the Senior Intelligence Executive
19 Services who are desirous of obtaining positions in the Senior Executiv
20 Service to locate suitable positions.
21 TITLE II MERIT PAY AND CASH AWARDS
22 SEC. 10. Merit Pay and Cash Awards. Notwithstanding any limitati
23 on compensation in any other law, each Director is authorized to establi
24 merit pay and cash awards systems for employees of the agency that he he
25 comparable to that system established in chapter 54 of title 5, United
26 States Code and are authorized to adopt those provisions of chapter 54 o

1 title 5, United States Code, which such Director considers necessary

2 to establish such a system.

3 SEC. 11. This act takes effect on the date of enactment.

SECTIONAL ANALYSIS

Section 2 - This Section authorizes the Secretary of Defense (or his designee) for the National Security Agency and the Defense Intelligence Agency, and the Director of Central Intelligence for the Central Intelligence Agency to establish a separate Senior Intelligence Executive Service within each agency, to appoint individuals to positions within such a Service and to pay individuals so appointed in relation to the pay established by Title 5 of the U.S. Code for the Senior Executive Service to include appropriate performance awards. These appointments are to be made without regard to the provisions of Sections 2102 and 2103 of Title 5 of the U.S. Code. The intent of this section is to provide the authorization necessary to establish, within security constraints and existing personnel systems, senior executive systems for each of the National Security Agency, Central Intelligence Agency, and the Defense Intelligence Agency. It is fully intended that the systems adopted by the agencies will conform as near as possible, within these constraints, to the Senior Executive Service established under Title IV of the Civil Service Reform Act of 1978. The systems to be established will be subject to the same limitations on pay and bonuses as those established for the Senior Executive Service. The Director of Central Intelligence already possesses broad statutory authority to adopt the features of the Senior Executive Service. The purpose of this legislation, without prejudice to the validity of those authorities, is intended to express Congressional encouragement that those authorities be used to establish a system comparable to the Senior Executive Service. The number of positions established within the Senior Intelligence Executive Services shall be controlled by the Secretary of Defense for the National Security Agency and the Defense Intelligence Agency and the Director of Central Intelligence for the Central Intelligence Agency in the same manner as they have historically controlled the number of supergrades at the agencies. This legislation is not intended to supplant the normal budgetary process on the limitation of supergrades.

Section 3 - This Section provides the authorization necessary to award ranks to appointees in the Senior Intelligence Executive Services comparable to the ranks available to appointees in the Senior Executive Service.

Section 4 - This Section provides the authorization necessary for the Directors to grant sabbaticals to appointees in the Senior Intelligence Executive Services to the same extent as is available to appointees in the Senior Executive Service.

Section 5 - This Section removes the current limitation on accumulation of annual leave for appointees in the Senior Intelligence Executive Services the same as such limitation was removed from appointees in the Senior Executive Service.

Section [illegible] This Section provides for early retirement for those removed from the Senior Intelligence Executive Services for less than fully successf performance, similar to provisions for the retirement of Senior Executive Service appointees. Those who do not meet the age or service requirements for early retirement would be reassigned to another Senior Executive positio or moved to a non-Senior Intelligence Executive Service position elsewhere in the Agency at a level equivalent to GG-15 or above. These alternatives would be available through the adoption of the provisions of the Senior Executive Service under Section 1 of this Act.

Section 7 - This Section amends Section 2108 of title 5 of the U.S. Code to exclude from the definition of "preference eligible" applicants for, or members of, the Senior Intelligence Executive Services.

Section 8 - This Section because of security restraints provides for reports to the respective intelligence committees of Congress concerning the Senior Intelligence Executive Services similar to that information reported to the Congress by the Office of Personnel Management for the Senior Executive Service.

Section 9 - The Section authorizes the Directors of the National Security Agency and the Defense Intelligence Agency to submit to the Director of Central Intelligence a listing of those Senior Intelligence Executive Services positions within the respective agency which the Director determines could be suitably filled by individuals from another Senior Intelligence Executive Service or from the Senior Executive Service. The Director of Central Intelligence will combine any such information received with comparable information from the Central Intelligence Agency and in accordance with the request of the Directors of those agencies will assist in locating possible candidates for the particular agency positions.

Section 10 - This Section authorizes the Directors to establish merit pay and cash awards systems comparable to that established in Section 5403 of Title 5 of the U.S. Code for employees paid under the General Schedule. The criteria and other procedures necessary for the implementation of the merit pay and cash awards systems would follow as closely as possible the criteria and procedures established pursuant to the Civil Service Reform Act.