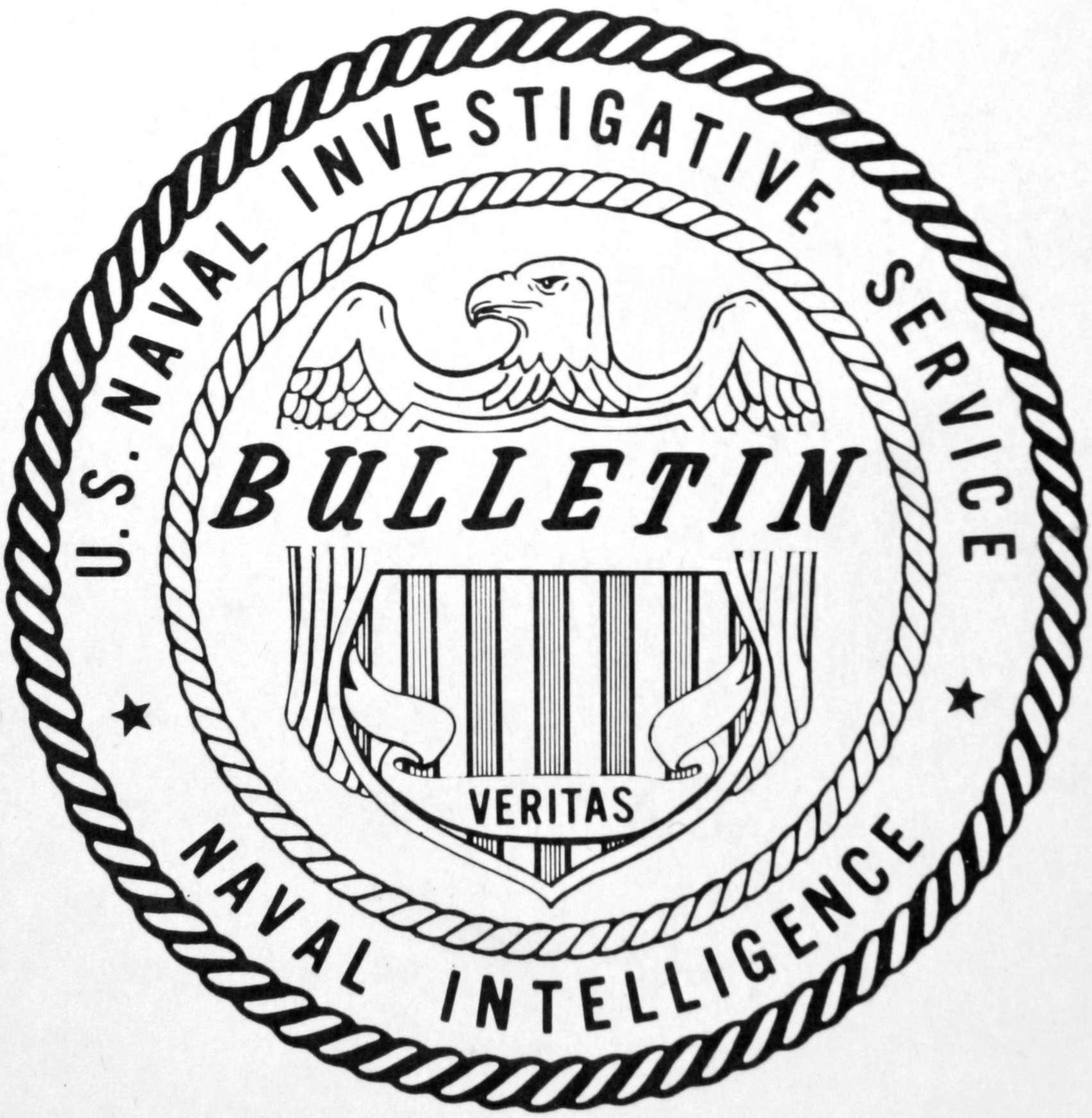
OCTOBER 1973

NIS



NOT TO BE DISSEMINATED OUTSIDE THE NAVAL INVESTIGATIVE SERVICE

VOL. 16 NO. 3 OCTOBER 1973

NIS BULLETIN

CONTENTS

THE NIS BULLETIN IS PUBLISHED QUARTERLY BY THE NAVAL INVESTIGATIVE SERVICE, 2461 EISENHOWER AVE., ALEXANDRIA, VIRGINIA 22331. THE NEXT EDITION OF THE BULLETIN WILL BE PUBLISHED IN FEBRUARY, 1974.

THIS BULLETIN IS INTENDED FOR THE USE AND PROFESSIONAL ENHANCEMENT OF ALL MILITARY AND CIVILIAN SUPERVISORY PERSONNEL, SPECIAL AGENTS AND COUNTERINTELLIGENCE ANALYSTS ASSIGNED TO NIS WORLD-WIDE.

FIELD COMPONENTS ARE ENCOURAGED TO SUBMIT ITEMS FOR PUBLICATION ON A CONTINUING BASIS. AN ARTICLE IN THE APRIL 1972 ISSUE OF THE NIS NEWSLETTER DISCUSSES THE DETAILS REGARDING SUBMISSIONS TO THIS BULLETIN.

PROFILE OF THE DIRECTOR, NIS

Captain Barney MARTIN, USN, after graduating from the United States Naval Academy in 1946, performed cruiser duty with the Atlantic Fleet and subsequently completed flight training in late 1949. His aviation duties consisted of assignments with Air Development Squadron Two, Electronic Countermeasures Squadron One, and the Naval Air Station, Pensacola. In late 1955, Captain MARTIN was designated special duty officer - Naval Intelligence. Subsequently, he has held positions as Assistance Naval Attache, Paris; Head, Attache Branch, ONI; personal aide to the Chief of Naval Operations; Assistant Chief of Staff, Intelligence, Commander Sixth Fleet; and Commander, Task Force 157. Most recently he was assigned as Military Assistant/Management Analyist on the staff of the Assistant Secretary of Defense (Intelligence).

Captain MARTIN is a graduate of the Naval Intelligence School; has been a student at the Navy School, Anacostia, for Spanish and French languages, and in 1968 attended the Senior Officer's Executive Management Course, Naval War College. Captain MARTIN wears the Legion of Merit, the Meritorious Service Medal, the Navy Commendation Medal, and various campaign ribbons.

Captain MARTIN is married to the former Virginia Wheeler of Medina, Ohio, and they live in Tantallon, Maryland.

FROM THE DIRECTOR'S DESK

Since 1956, I have come to know, either through business or social contact, many of the dedicated individuals who were and still are charged with carrying out the Navy's investigative and counterintelligence mission. On that basis alone, I was proud and honored to be named as your Director. After two months on the job, plus the opportunity earlier to attend the Basic Special Agents' Course of Instruction, I feel I have learned a great deal more about the Naval Investigative Service. In particular, I can appreciate the depth of professionalism among our personnel. Dedication, competence, enthusiasm, fortitude, loyalty, honesty- these are some of the words which best describe my observations of our people to date.

I am only too aware of the repeated resource cuts to which the Naval Investigative Service has been subjected, especially since 1969. These severe drawdowns, along with the establishment of the Defense Investigative Service, could have resulted in an ineffective and apathetic organization. You did not allow that to happen. Instead, bold and imaginative new programs were developed and implemented. The Agent Afloat Program became the talk of the fleet. New and agressive criminal and counterintelligence operations found great favor with top officials. More and more cases were solved with fewer and fewer people. The organization itself was streamlined. These efforts and achievements demonstrated the importance and necessity of the Naval Investigative Service to the Departments of the Navy and Defense and were a significant factor in the recent decision to provide our "lean and mean" group with additional funds and personnel for Fiscal Year 1975. These added resources now allow me to expand the personnel grade structure at the top, the ripple effect of which should help to recognize those throughout the organization who have kept it from floundering during these past tough years.

My sights for this service are set high. I intend to raise our profile, broadcast the NIS story, and educate those who need it with the importance of having and maintaining a truly professional and reliably responsive U.S. Navy Investigative and Counterintelligence organization. But most of all I want and fully expect to see and talk with each of you personally as all of us bring NIS onto a steadier course.

JURISDICTION OF MILITARY COURTS

There has been some confusion as to the jurisdiction of military courts over offenses against the UCMJ in cases where a member of the armed forces commits an offense in a civilian community and the offense involves only civilians. The United States Supreme Court and District Courts, and the United States Court of Military Appeals and Court of Military Review are in direct conflict in many of these cases.

In 1969 the United States Supreme Court, in the case of O'Callahan v. Parker 395 U.S. 258, decided that a military court had no jurisdiction to try a serviceman for offenses occurring in a civilian community, involving only civilians, where the offenses had no military significance, were not service connected, and where the local civil criminal courts which had jurisdiction over the offenses were open and operating. O'Callahan was a soldier stationed in Hawaii. While on pass in Honolulu and while dressed in civilian clothing, he broke into a hotel room and attempted to rape a young girl. He was apprehended by a hotel security officer, turned over to the local police and was subsequently released to military authorities. He was brought to trial before a general court martial on charges of attempted rape, etc., in violation of Articles 80, 130 and 134, UCMJ. He was convicted and sentenced. His appeal was eventually taken before the U.S. Supreme Court where the issue was: did a court-martial have jurisdiction to try an accused charged with "commission of a crime cognizable in a civilian court and having no military significance, alleged to have been committed off-post and while on leave, thus depriving him of his constitutional rights to indictment by grand jury and trial by a petit jury in a civilian court". The charges against O'Callahan were ordered dismissed. The decision reviews the history of military law in regard to jurisdiction and summed up by stating, "We have concluded that the crime to be under military jurisdiction must be service connected, lest 'cases arising in the land or naval forces, or in the militia, when in actual service in time of War or public danger,' as used in the Fifth Amendment, be expanded to deprive every member of the armed services of the benefits of an indictment by a grand jury and a trial by a jury of his peers."

In finding no service connection to O'Callahan's offenses, the Court pointed out that they were not committed on a military post; nor did his victim have any military duties; nor was the situs of the crime "an armed camp under military control, as are some of our far flung outposts." Finally it adverted to the fact Hawaii's courts were open, the crimes committed in our territorial limits, and that there was no flouting of military

authority, breach of military security, or violation of the integrity of military property. In short, the offenses were not "service connected".

Also in 1969, following the O'Callahan decision, the United States Court of Military Appeals in the case of United States v. Borys, 40 CMR 259, held that a court-martial had no jurisdiction to try the accused (a U.S. Army Captain) for offense of rape, robbery, sodomy, and attempts to commit such acts, where all of the offenses occurred off post in the civilian homes of the victims, located in Georgia and South Carolina; and all offenses were committed during the accused's off-duty hours or while he was on leave and all involved civilian female victims having no connection with the military; the accused was described as wearing civilian clothing; the vehicle used was his own private automobile; and, the only mention of any military matter was a bumper sticker which served to help in the identification and apprehension of the accused.

Again in 1969, the question of jurisdiction of military courts surfaced in the case of United States v. Beeker, 40 CMR 275. Beeker, a U.S. Army Private, was tried and convicted by a general court-martial of the following offenses;

1. Importing marihuana into the U.S. contrary to 21 USC 176a (specification 1)

2. Concealment and facilitation of the transportation of marihuana contrary to 21 USC 176a (specification 2)

3. Wrongful possession of marihuana at Fort Sam Houston (specification 3)

4. Wrongful use of marihuana while en-route from Laredo, Texas to San Antonio, Texas. (specification 4)

5. Wrongful use of marihuana at Fort Sam Houston (specification 5)

The Court held that the offenses set forth in specifications 1 and 2 were not triable by court-martial because a Federal civilian court had cognizance of the offenses, stating that"... while unlawful importation and transportation of marihuana may involve actual possession of the substance, these acts need not necessarily do so. Also, the prohibition against importation and transportation involves different considerations from the act of possession and entails the exercise of government powers different from regulation of the armed forces. The record of trial discloses no circumstances surrounding the commission of the offenses to relate them speciffically to the military."

The Court also held, however, that the offenses set forth in specifications 3, 4 and 5 were triable by court-martial and upheld the convictions, stating that "...Like wrongful use, wrongful possession of marihuana and narcotics on or off base has singular military significance which carries the act outside the limitation of military jurisdiction set out in the O'Callahan case." The Court also observed that "...As with the case of use of marihuana, possession of marihuana by military persons is a matter of immediate and direct concern to the military as an act intimately concerned with prejudice to good order and discipline or to the discredit of the armed forces.

Following the above cited cases came a series of decisions by the Court of Military Appeals, basing its decisions upon the interpretation of the phrases "service connected" and "military significance."

U.S. v. DRAUGHON, 42 CMR 447, held that where the accused, a U.S. Army Lt., falsely made a check on the signature of a civilian, drawn on a civilian bank, the offense was not service connected or of inherent military significance and not triable by court-martial.

U.S. v. EPELY, 42 CMR 476, held that the accused's passing of bad checks in the civilian community adjacent to a base constituted a service connected offense, where accused's name, rank, service number, organization and station were preprinted on the face of the instrument and accused represented himself to be a military officer of the U.S. while conducting the transaction.

U.S. v. PIERAGOWSKI, 42 CMR 110, held that the court-martial was without jurisdiction to try the accused on a charge of smuggling marihuana into the U.S. The fact that the accused arrived in the U.S. at a military installation by aircraft chartered by the military was insufficient to give the offense any military significance. The Court reasoned that "...The charter did not transform the aircraft into a military vehicle, and the landing at a military base was a convenience."

U.S. v. SNYDER, 42 CMR 294, held that a court-martial had no jurisdiction to try the accused on charges of involuntary manslaughter and assault based on acts which occurred off base in civilian community...since such offenses were not service connected even though the victims were military dependents (son and wife of the accused), and the victim of the charge of involuntary manslaughter (child beating) died while a patient at a military hospital.

U.S. v. TEXIDOR, 42 CMR 395, held that the accused's perjury before a County Coroner's inquest into the death by gunshot of

a serviceman at a National Guard installation (accused and victim were both R A) did not provide the requisite service connection to permit the exercise of court-martial jurisdiction over the crime (perjury).

U.S. v. PRATHER, 40 CMR 272, held that a court-martial had no jurisdiction to try the accused, an Army Private, for wrongful appropriation of an automobile, robbing a gasoline station, and resisting arrest, where all of the offenses involved civilian owned property and civilian victims and were committed in civilian communities in the State of Georgia, where the courts were open and operating.

U.S. v. WILLS, 42 CMR 200, held that the court-martial had jurisdiction to try the accused for the theft of a fellow serviceman's automobile from a parking area on a military base. However, the subsequent transportation of the vehicle from the base in California to a point in Arizona was in no way service connected and, hence, the court had no jurisdiction to try the accused on a charge of interstate transportation of a motor vehicle knowing it to have been stolen.

U.S. v. STOJANOV, U.S. Navy Court of Military Review, decided 31 May 1972, held that the accused, PFC/USMC, who was not a U.S. citizen, and who obtained a U.S. passport in Miami by making a false statement, was not triable by court-martial for that offense as it was not service connected, but that his subsequent use of the passport overseas came within court-martial jurisdiction.

The foregoing cases are cited as examples of the effect that O'Callahan v. Parker had upon military courts, and do not represent all of the cases contained in the Court Martial Reports on the subject.

The most obvious conflict between the U.S. Supreme Court and the U.S. District Courts on the one hand and the U.S. Court of Military Appeals and the Courts of Military Review on the other hand, arise in the cases involving use/possession/sale of narcotics and dangerous drugs by servicemen in the civilian community.

The U.S. Court of Appeals for the Fifth Circuit, in Cole v. Laird, decided 24 Oct 1972, disagreeing with the U.S. Court of Military Appeals' ruling in U.S. v. Beeker, supra, and agreeing with the U.S. Distruct Court for Rhode Island ruling in Moylan v. Laird, 305 F. Supp. 551, declared that the off-base possession of marihuana by service members is not a service connected offense, and could not be tried by court-martial.

U.S. v. STEVENS, 42 CMR 484 (1970), held that the wrongful possession of marihuana on or off post has sufficient military significance to justify court-martial jurisdiction.

U.S. v. BLANCUZZI, U.S. Navy Court of Military Review, 72 2308, decided 20 Nov 1972, upheld the accused's conviction on charges of use and possession of LSD, stating "It is now well settled that the possession and use of prohibited drugs is 'service connected' within the meaning of O'Callahan v. Parker." The Court also stated "it is equally clear that the unlawful 'delivery', which we construe to include 'sale', of prohibited drugs to another serviceman, whether on or off base, is likewise 'service connected'." (Also see U.S. v. ROSE, 41 CMR 3). However, in this same case, the Court held that the off base sale of LSD to a CID Agent was not service connected and disapproved the conviction for the sale. The Court reasoned as follows: "'Service connection' in the case of delivery or sale of prohibited drug off base in the civilian community stems from the fact that the accused, in selling the drug, serves as a conduit for the unlawful possession by another service member with its concomitant deleterious effect on the health, morale and fitness for duty of persons in the armed forcess...since the sale in this case was made to a CID Agent, albeit a non-commissioned officer, it cannot be said that the latter's possession as a result of the sale was 'unlawful' or that it adversely affected the health, morale or fitness of that Agent..."

NOTE: This case could be interpreted to include civilian law enforcement agents and informants.

In U.S. v. MORLEY, 43 C,R 19 (1970), it was held that the off base sale of marihuana and LSD by a serviceman to a civilian, a Federal narcotics agent, was not service connected.

In U.S. v. TEASLEY, 46 CMR 131 (1973), it was held that a charge of wrongfully possessing narcotic paraphernalia was not within the jurisdiction of a court-martial where such a charge was based on the accused's possession of a hypodermic syringe in a civilian bar in a community in Maryland. Offenses of possession or use of drugs or narcotics occurring off base are triable by court-martial because of the special military significance arising from the inherent and direct capability of affecting the health, morale and fitness for duty of military personnel. However, the possession of an instrument or device that does not itself affect health or good order and discipline, but merely has a potential to bring about that result, does not have the same overriding military significance.

In Schroth v. Warner, U.S. District Court, Hawaii, decided 31 Jan 1973, the Court held that the off base possession and use of marihuana are not service connected offenses triable by court-martial within the restrictions set forth in O'Callahan v. Parker. The Court also held that the off base sale of marihuana and other dangerous drugs to another serviceman when the buyer is in fact an undercover military detective, is not

service connected and not triable by court-martial. Finally, the Court held that a drug sale which took place on the grounds of Hawaii's Army Fort DeRussy was not service connected, because Fort DeRussy is not a military post as contemplated by O'Callahan v. Parker. There was evidence in this case that the accused, a serviceman, was "lured" aboard the base for purposes of the controlled buy and that the base was in fact a recreation type base which was used mostly by servicemen and their dependents for swimming, etc.

NOTE: As a result of the decisions in Schroth v. Warner and U.S. v. Blancuzzi, NIS Special Agents should avoid, if at all possible, participating in or setting up controlled buys in civilian communities. Also, if a subject is "lured" aboard a base for purposes of a controlled buy, the base itself should be of some military significance and not merely a recreation type base.

In accordance with U.S. Court of Military Appeals decisions, the following general rules are submitted for guidance:

Possession of narcotics or dangerous drugs, whether on or off base, is service connected and triable by court-martial.

Use of narcotics or dangerous drugs, whether on or off base is service connected and triable by court-martial.

Sale of narcotics or dangerous drugs to other military personnel, whether on or off base is service connected and triable by court-martial.

Sale of narcotics or dangerous drugs to civilians, in a civilian community, is not service connected and not triable by court-martial.

Sale of narcotics or dangerous drugs to a military or civilian law enforcement agent off base in a civilian community is not service connected and not triable by court-martial.

Transportation/importation of narcotics or dangerous drugs is not service connected and not triable by court-martial. (This does not include introduction into a military base.)

Possession of narcotic paraphernalia off base in a civilian community, w/o the substance to be used with such paraphernalia, is not service connected and not triable by court-martial.

Possession of narcotic paraphernalia on base, with or without possession of the substance that goes with it, is triable by court-martial if there is a general or special order covering this offense.

Introduction of narcotics or dangerous drugs aboard a base is triable by court-martial, under Art. 134, UCMJ.

Since each case is decided on its own merits, and since the facts of each case usually differ in some respects, at least, it is important that the investigator be alert to details which could take a case outside the jurisdictional limitations set forth under O'Callahan v. Parker.

O'Callahan v. Parker is not applicable outside the territorial limits of the United States.

THE PROTECTION OF INFORMANTS

Inasmuch as NIS is using more informants that in the past, especially in narcotics cases, it is important to be mindful of the potential liability of the Federal Government for failure to provide adequate protection to persons co-operating with the government in the investigation and prosecution of persons charged with federal crimes and/or offenses under the UCMJ. While the decision cited below deals with a paid "special employee", it is equally applicable to other informers and government witnesses:

(Swanner v. United States (M.D. Ala., decided January 26, 1970)

In Swanner v. United States (M.D. Ala., decided January 26, 1970), the United States was held liable under the Federal Tort Claims Act for injuries suffered by one Jessee E. Swanner, a "special employee" of the Alcohol and Tobacco Tax Division of the Internal Revenue Service. Swanner had assisted in the undercover investigation of illicit whiskey operations in Giles County, Tennessee. As a result of the investigation, indictments were returned against several persons, including one McGlocklin, a man with a reputation and history of violence who earlier had announced that he would kill anyone who informed on him. After discovering that Swanner was an informant, McGlocklin stated that Swanner would never testify against him. Swanner told I.R.S. agents of the threat, but did not request protection. The agents told Swanner that if he remained in his home state he would be safe from McGlocklin. Thereafter, Swanner's home was bombed, causing property damage and personal imjuries to Swanner and his family. Swanner filed suit for damages against the government under the Federal Tort Claims Act, 28 U.S.C. 1346(b), 2671, et. seq., on the ground that the government, after imparting to him a false impression of safety, had breached a duty to protect him.

The District Court found that the United States was liable under the Federal Tort Claims Act for failure to provide protection to Swanner and his family, determining that the decision not to provide such protection was made by agents of the United States acting within the scope of their employment, and that the decision not to provide protection was not made in the exercise of a discretionary function within the meaning of 28 U.S.C 2680(a). The court held that under the circumstances the United States was under a special duty to use reasonable care to protect Swanner and his family, since there was reasonable cause to believe that they were endangered as a result of Swanner's providing the government with information; that the government's duty arose without the necessity of a formal request by Swanner, since the government was in possession of facts which should have created a reasonable belief that Swanner and his family were in danger; that it was immaterial whether the information concerning the danger was received

directly form Swanner or from some other source; and that it was immaterial that Swanner was a "special employee" and received compensation for the information he supplied. The court further held that Swanner had sustained his burden of proving by a preponderance of the evidence that the government's negligence was the proximate cause of the injury, ruling that the absence of any evidence placing McGlocklin or his associates at the scene at the time of the bombing was not dispositive of the issue, and pointing out that the government had failed to adduce any evidence to support an alternative theory more plausible than that of the plaintiff. (An earlier decision of the district court, reported at 275 F. Supp. 1007, holding for the government on the issue of probable cause only, was reversed by the court of appeals. Swanner v. United States, 406 F. 2d 716 (C.A. 5,1969).)

Inasmuch as most of our informants are military and acting in the line of duty, they are pretty much protected while in a duty status by pension legislation, etc. However, although the foregoing may not be entirely applicable, it points up our obligation to protect our informants and could serve to avoid any unnecessary litigation, even if frivolous, involving the U.S. Government.

FEDERAL LAW ENFORCEMENT OFFICER'S RETIREMENT BILL ADVANCES

On August 2, 1973, the full Committee on Post Office and Civil service passes (with only one dissenting vote), and sent on to Congress, House Bill H. R. 9281.

This bill, in part, provides the following points of interest to all federal law enforcement officers:

1. Agency heads may fix the minimum and maximum ages for original appointments to a position of a federal law enforcement officer.

2. Beginning 1/1/74 premium pay will be added to base pay when computing the high 3-year average for retirement pay.

3. Beginning 1/1/74 the annuity of a retiring federal law enforcement officer will be 2 1/2% of his average pay for 20 years service and 2% for all additional years.

4. Beginning 1/1/74 employees covered by this Section will pay an additional 1/2% into the retirement fund.

5. Beginning 1/1/74 a law enforcement officer otherwise eligible for retirement under the provisions of this Section, shall be separated from the service on the last day of the month in which he becomes 55 years of age or completes 20 years of service if then over that age. The agency head may exempt such an employee from this provision until he becomes 60 years of age, if in the public interest.

FIREARMS TRAINING TIPS

Editors Note: (Commencing with this issue of the NIS bulletin, each issue will carry an article on various facits of firearms training.)

GOOD PRACTICE MAKES PERFECT

With the issuance of two weapons to each Special Agent, the .357 Magnum and the .38 Special Airweight, and shortly the issue of 12 guage shotguns to the majority of NISRAs proper and frequent firearms training activities, both formal group and informal individual training, becomes extremely important. New firearms regulations to be promulgated shortly require each Special Agent to fire one of his issue handguns quarterly and the shotgun (when issued) semi-annually. However, the formal required courses of fire by themselves will not make a top notch shooter out of each Special Agent. This will only happen when extra, individual and group effort is devoted to proper training.

A course of fire which has been utilized by the FBI for a number of years has been changed slightly to meet the needs of NIS and follows the new NIS requirements for qualification with the revolver. It has been found to be an excellent training device and all personnel are encouraged to use it to sharpen their abilities as a shooter. Shooting is like golf; it's mind over matter and a lot of practice.

EIGHT-ROUND NIS DEFENSIVE COMBAT PISTOL COURSE

The NIS Defensive Combat Pistol Course consists of firing 40 or 48 rounds (depending upon the weapon utilized.*) This entails firing ten or twelve rounds in thirty seconds at the seven-yard line; ten or twelve rounds in thirty seconds at fifteen yards; and twenty or twenty-four rounds at twenty-five yards, the last twenty or twenty-four rounds to be fired within three minutes.

The Eight-Round NIS Defensive Combat Pistol Course, with or without time limits, should be utilized in the training of new agents and as a warm-up course. This course teaches trigger control, sight alignment and follow-through. It enables the shooter to fire the course five or six times with the same amount of ammunition as used in one forty or forty-eight round course.

The shooter at the seven-yard line is instructed to load four of five empty cartridge cases (depending upon the weapon utilized) and one live round, spin the cylinder, close the

cylinder and holster the weapon. The shooter is not aware of the exact location of the one live round and, therefore, must treat each stroke of the trigger as though the live round will fire. After the round is fired, the shooter again loads one live round and repeats the above procedure until another round is fire.

The shooter then holsters his weapon with five or six empty cartridge cases and, on command, moves back to the fifteen-yard line. At the command to load, the shooter loads one live round, spins the cylinder, closes it and holsters the weapon. Upon the command to commence fire, the shooter draws the weapon and commences firing in the point shoulder position. After the one live round is fired, one empty cartridge case is removed and a live round is loaded, the cylinder is spun and closed. The trigger is then pulled until the second live round is fired in the point shoulder position. The shooter holsters the weapon, again with five or six empty cartridges and, on command, moves back to the twenty-five yard line.

At the twenty-five yard line, the shooter is instructed to remove one empty cartridge case, load one live round, spin and close the cylinder and holster the weapon. At the command to commence fire, the shooter kneels with his body upright, draws and assumes the prone position. After the live round is fired, the shooter extracts one empty cartridge case, loads one live round, spins and closes the cylinder, assumes the kneeling position and pulls the trigger until the live round is fired. Then he continues to load one live round at a time, spins and closes the cylinder, and, following the same procedure, fires one live round from the weak-hand barricade position and one live round from the strong-hand barricade position; the shooter then unloads and holsters an empty weapon.

After the line has been cleared, the shooter moves forward and scores his target using K value. A possible score is 40, which when multiplied by five or six, will equal the possible score if forty or forty-eight rounds had been fired. This score will approximate the score most shooters will fire on the full course.

*The issue Smith & Wesson .357 Magnum revolver holds six rounds. The Smith & Wesson .38 Special Airweight revolver holds five rounds.

TRANSFERS

	FROM	TO
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HAJOSY, John H.	NISSU Glynco	NISRA Jacksonville
PARKER, Malcolm M.	NISRA Charleston	NISSU Gaeta
BARNES, William J.	NISRA Albany	NISRA Memphis
KERSENBROCK, Allan J.	NISRA Hunters Pt.	NISO Hawaii
HAMILTON, Dennis D.	NISRA Long Beach	NISRA Yokosuka
FERGUSON, Thomas E.	NISHQ	NISO Hawaii

PROMOTIONS TO GS-14

TRUXELL, Bertrand G.	Special Asst. for Systems Development, NISHQ

PROMOTIONS TO GS-13

MCKEE, J. Brian	SRA, NISRA Washington
USREY, Dennis E.	SRA, NISRA Rota
MOUNT, Ronald L.	Head, Internal Security Investigations Br.,NISHQ
CHRIST, Christ C.	SRA, NISRA Mayport, Fla.
STAGLIANO, Frank E.	SRA, NISRA Yokosuka
WEBB, Donald L.	SRA, Scoutmaster/Stableboy Project
PERRIN, Anthony W.	Supervising Agent, NISO Marianas
ANTHONY, Kenneth W.	SRA, NISRA Quantico
FOLEY, Daniel R.	SRA, NISRA Miramar
HANSEN, Hans P.	SRA, NISRA Kaneohe
PANICO, Robert G.	SRA, NISRA Treasure Island
KALIHER, Vernon L.	SRA, NISRA Athens

PROMOTIONS TO GS-12

KING, Lawrence P.	ASRA, NISRA Great Lakes
DAVANZO, John J.	SRA, NISRA Newport
JETT, Charles D.	Representational Resident Agt., NISSU New River
MCBRIDE, Danial A.	ASRA, NISRA Pensacola
COLEMAN, Lawrence A.	Representational Resident Agt., NISSU Camp Smith
WALSH, Richard J.	NISHQ Billet
CROSSMAN, Gordon W.	NISHQ Billet
TOLER, Charles D.	NISHQ Billet
MC DONALD, Vincent K.	NISHQ Billet
DEVINNEY, Dallas H.	ASRA, NISRA Guam
SIMPRINI, James J.	SRA, NISRA Atsugi
FRANKEL, Marvin	Senior Representative Agent for Liaison, Scoutmaster/Stableboy
SUMNER, Warren K.	ASRA, NISRA Miramar
NEARY, Thomas E.	ASRA, NISRA London
HUDSON, John W.	Senior Journeyman Agent, NISRA Charleston
COOK, Richard H.	ASRA, NISRA Rota
PARKER, Malcolm M.	Representational Resident Agt., NISSU Gaeta
HOOSER, Archie W.	ASRA, NISRA Memphis
FERRELL, Lawrence E.	Representational Resident Agt., NISSU Pt. Mugu
SALMON, Ronald W.	NISHQ Billet
MILLER, Theodore A.	Senior Special Agent, NISRA North Island
STUART, Douglas V.	Senior Special Agent, NISRA Camp Pendleton
EISENSON, Edward L.	Senior Special Agent, NISRA Naples
MCNAMEE, Paul	Senior Special Agent, NISRA Subic Bay

RETIREMENT INFORMATION

??? FACT OR FICTION ???

The following is an excerpt from the consolidated civilian personnel office, Naval District Washington D.C. Newsletter of Aug 1973 and is provided for information purposes.

"During the recent acceleration of retirements from the Federal Service, the following questions indicated the greatest areas of misunderstanding concerning the Federal Civil Service Retirement System:

Q.: Can accrued sick leave and/or annual leave be used to qualify for retirement in terms of total length of service?

A.: **No.** The retiree receives a lump sum payment for the amount of annual leave which has accrued, up to his allowable ceiling.

In cases, other than disability retirement, sick leave is used in computing the amount of the annuity by adding it on to the total length of service. Each 22 days equals one month.

Q.: Can the personnel office tell me how much money I must re-deposit, or deposit to cover previous periods of government service?

A.: No. This is a matter for determination by the Civil Service Commission. Pay records concerning previous retirement deductions are not held in the personnel office. The forms for submission to the CSC requesting this information are available in the Consolidated Civilian Personnel Office.

Q.: Can I keep my regular life insurance after retirement?

A.: Yes, if you retire for disability, or after at least 12 years of creditable service. After retirement, your policy is a "paid-up" policy, with no more premium payments.

Q.: After retirement, can I keep my Optional Life Insurance coverage (extra $10,000 policy)?

A.: Yes, provided you did not decline it when it was first made available to you, and provided you are eligible to continue your regular life insurance coverage. Premium payments continue.

Q.: I would like to retire although I do not meet either age or length of service requirements. May I retire and take a reduced annuity?

A.: No. The age and length of service requirements apply across the board, according to the kind of retirement being considered. However, if you wish to resign, you may leave your funds in the retirement system. At age 62 you become eligible for a "deferred" retirement.

Q.: Is it worthwhile to leave my money in the fund after I resign?

A.: Yes, if you have over 5 years of service, the dollars received in the deferred annuity are more valuable than the refund. Also, at age 62, you may elect a survivor type annuity, and protect your widow or widower.