

Military-Civilian Switches Scored

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Sen. John C. Culver (D-Iowa) is trying to stop the practice of converting retired military men into civilians while they hold a government job and then restoring military retirement benefits when they quit.

Culver said the practice erodes the essential separation between military and civilian authority by making the official somewhat dependent on military goodwill during his civil tenure.

The target of Culver's criticism is a bill the Senate is scheduled to take up Tuesday that would restore to Alexander P. Butterfield the rank of retired Air Force colonel, which he resigned more than two years ago to become federal aviation administrator. Butterfield, who first told the world about the Nixon White House tapes, has left the FAA post.

The 1958 law creating the FAA required that its administrator be a civilian "in the strictest sense of the word," according to the report accompanying the bill. The reason for this, said Culver in a dissenting report, was that the FAA would often rule on conflicting airspace needs between military and civilian users and Congress intended that its administrator not be



ALEXANDER BUTTERFIELD
... former colonel

subject to any military pressures or controls.

By a vote of 8 to 4, the Senate Armed Services Committee decided that the letter of the law had been met by Butterfield's resignation with no assurance that his commission would be restored after he left office. The majority noted that Congress had taken similar action in the case of retired Lt. Gen. Elwood R. Quesada, the first administrator, and had permitted Gen. William F. McKee to take the position in 1965 without resigning his commission.

Culver said Quesada was a special case because he had

put together the FAA legislation, and noted that in approving the McKee bill the Senate Commerce Committee had said it did not approve of such action as a general rule.

Culver said Butterfield was encouraged at his confirmation hearings to hope that his commission might be restored service ended. The committee majority felt the fact that he would owe his restored rank to Congress, not to the Air Force, was enough protection against fear of military pressures on Butterfield.

Culver said there would be little difference in Butterfield's pension whether he took it as a 20-year Air Force officer or as a six-year civil

servant plus 20 years of military service. But as a retired officer, Butterfield would have medical, commissary and some other benefits not available to civilians.

Culver, joined by fellow freshman Gary Hart (D-Colo.), said separation of military and civilian authority, "which is grounded in the Constitution, is deliberately designed to promote the highest professionalism in the military while at the same time keeping the military under civilian control and removed from the formulation of public policy."

The other Armed Services members opposing the bill were Henry M. Jackson (D-Wash.) and Sam Nunn (D-Ga.).