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July 21, 1980

CONGRESSIONAL RECORD—HOUSE

H 6227

select committees—due to actions already taken and approved by the House. reduction of \$480,000 in furniture and furnishings for the House; a reduction of \$531,000 in various joint items; a reduction of \$3,200,000 in the request of the Office of Technology Assessment; \$1,158,000 less than requested by the Congressional Budget Office; the deferral of certain projects and other downward adjustments totaling \$3,406,700 in the budget of the Architect; a reduction of \$2,933,000 for the operation of the Congressional Research Service; and a reduction of \$7,578,000 in congressional printing and binding, most of which is for printing already performed and for which allowance has been made in the supplemental.

TITLE II—OTHER AGENCIES

A total of \$408,674,000 is recommended for the seven agencies carried in title II of the bill. This allowance is an increase of \$2,442,000 over the current level of appropriations and \$37,658,000 less than requested.

The agencies that are included in this title of the bill and the amounts recommended are as follows: First, Botanic Garden, \$1,588,000; second, Library of Congress (except the Congressional Research Service), \$151,797,000; third, Library buildings and grounds, \$5,183,000; fourth, Copyright Royalty Tribunal, \$456,000; fifth, Government Printing Office (except congressional printing and binding), \$39,634,000; and sixth, General Accounting Office, \$210,000,000.

Mr. Chairman, I will not attempt to discuss all of the recommendations made by the Committee for the various agencies funded in this title of the bill, but I would like to mention a few. Our general policy has been to provide only the resources necessary to maintain activities at the current level and to fund mandatory increases. None of the 146 additional staffing requested to expand activities have been allowed. In addition, a reduction of 32 positions under the staffing currently authorized has been made. These reductions result primarily from a hiring freeze imposed by several of the agencies in March.

Also, Mr. Chairman, the committee has recommended no funding for the Cost Accounting Standard Board. We have taken a close look at this agency—it has done its job well since 1971—but its job is now finished. It has fulfilled its congressional mandate to issue standards that will achieve uniformity and consistency in cost accounting on Government contracts. It has issued the necessary standards and the necessary rules and regulations. From all the informed sources, we have learned that the mission is complete—its purpose fulfilled. It is now time to shut the door. This, there is no appropriation for CASE in the bill.

REVISIONS

Due to lack of authorization, the committee has denied the funds for the acquisition and design of a proposed new Government Printing Office building.

TITLE III—GENERAL PROVISIONS

There is a general provision in the bill which provides that, during fiscal year

1981, individuals in the legislative, executive, or judicial branch, or the District of Columbia government, may not receive a pay raise over their rate of pay on September 30, 1980, if their salary is set at a rate which is equal to or greater than level V of the Executive Schedule (currently frozen at \$50,112.50 per annum), or to a percentage of such rate. There is also a limitation on bonuses paid to senior executives of the personnel.

EXPLANATION OF SECTION 306

Section 306 provides for a pay freeze for high-level individuals in the legislative, executive, and judicial branches or in the government of the District of Columbia.

The first sentence provides that the rate of basic pay or salary will be frozen at the rate payable or, if higher, the maximum rate payable on September 30, 1980, which is the last day before the 1980 comparability adjustment is to take effect. It also defines in clauses (1) and (2) the individuals who are subject to the freeze. Under clause (1) any individual whose rate of pay is \$50,112.50 or more (that is equal to or greater than level V of the Executive Schedule) is covered by the freeze. This clause covers those individuals whose rates of pay were directly affected by the 1977 Quadrennial increase (such as judges, Members, Senators, heads and assistant heads of cabinet departments), as well as individuals whose rates of pay are administratively set at rates above \$50,112.50 (such as certain high-level positions in the Postal Service).

Clause (2) covers those individuals whose rates of pay are limited to a maximum rate which is equal to or greater than the rate for level V by reason of a statutory or other salary ceiling. For example, the maximum rate for GS-18 is limited to the rate for level V which under existing law (section 101(c) of Public Law 96-86) is \$50,112.50. Under the provision the \$50,112.50 ceiling is maintained. The amendment also maintains existing ceilings on rates of pay for committee staffs, other officers and employees of the House and Senate, and for administrative assistants whose maximum rate of pay is limited by congressional resolution.

Clause (2) would also limit the 1980 pay increase for some individuals who are currently paid less than the level V payable rate of \$50,112.50. For example, a GS-16, step 2 employee presently makes \$49,485. Under the amendment, he could not receive this October's entire comparability increase since his pay would be subject to the "frozen" \$50,112.50 statutory ceiling. The parenthetical "(or a percentage of such maximum rate)" insures a freeze in rates of pay for those House subcommittee staff employees whose rates are limited to 75 percent of level IV.

Section 306 applies to individuals in all three branches, and thus includes individuals in the Postal Service, and the military service. It should be noted that the freeze applies to individuals in the Senior Executive Service, and those senior executives whose maximum salary is, on September 30, 1980, limited to the

rate payable for level V may not be paid at a rate which exceeds the level V ceiling.

Similarly, those few senior executives whose maximum salary is, on September 30, 1980, limited to the rate payable for level IV, may not be paid at a rate which exceeds the level IV ceiling. The office of Personnel Management has informally estimated that the freeze will apply to 30,934 individuals broken down as follows:

Executive branch:	
Currently at level V or above.....	19,377
Additional affected by frozen ceiling	10,069
Legislative branch.....	578
Judicial branch.....	912

Under the provision, the freeze is in effect for fiscal year 1981. If the freeze is to continue beyond fiscal year 1981, it will be necessary for Congress to enact a similar limitation of funds again next year.

Subsection (b) provides a special rule to cover positions which are created after September 30, 1980, and requires the appropriate officials in each branch to promulgate regulations to insure that the pay for such positions will be set at a rate equivalent to that for comparable positions which were in existence on September 30, 1980.

Subsection (c) provides that the total remuneration paid to senior executive service, or similar pay system, employees may not exceed \$52,750. All but the approximately 226 SES who are making maximum salaries would be eligible for bonus awards under this limitation, although not the full amount provided under current law. This would not affect the payment of differentials, allowances, or other payments, except salaries and bonuses.

Subsection (d) provides that the salary or pay actually paid to an employee, as a result of the application of the amendment, will serve as the basis for computing life insurance, retirement, and other benefits, rather than the higher statutory rate.

ESTIMATED COST OF OCTOBER 1980 PAY ADJUSTMENT FOR EXECUTIVE, LEGISLATIVE AND JUDICIAL EMPLOYEES

	Number of employees affected	6.2-percent increase in scheduled rates
Vice President.....	1	\$5,300
Executive Schedule.....	511	1,821,300
SES.....	6,047	19,293,538
General Schedule and related..	8,470	27,193,644
Foreign Service.....	1,205	3,976,500
VA—Department of Medicine and Surgery.....	3,143	10,248,324
Congressional.....	576	2,287,000
Judicial.....	912	3,427,300
	20,855	68,257,906

CONCLUSION

Mr. Chairman, these are the highlights of the bill. The committee report explains our actions in much more detail, and is available to all the Members of the House.

The committee has little discretion as far as the amounts for the House and the joint items of the Congress are concerned. Salaries, allowances, and expenses of the Members, special and select committee funding and other

items have been approved by the House and are already in effect through the adoption of House resolutions from the Committee on House Administration. Where the committee has discretion, it has been exercised.

As I noted earlier in my remarks, the committee is recommending an overall reduction totaling \$82,813,000, and none of the new positions requested in those areas where we have control have been allowed.

We are bringing a legislative branch budget to the House that is smaller than the current year.

We have trimmed the fat from the legislative branch and have made a conscious effort to stimulate increases in productivity.

We have no apologies to make in voting for this budget, Mr. Chairman.

Mr. Chairman, this is a good bill and one I think all the Members can support and identify with during this period of extreme budget austerity.

I recommend that it be approved.

□ 1730

Mr. BAUMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. BENJAMIN. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Chairman, I thank the gentleman for yielding.

For those of us who oppose the pay raise, could the gentleman briefly describe the provisions of this bill dealing with the pay of Members of Congress and the senior executive service; what does the bill do regarding the pay raise that otherwise will be accorded on October 1?

Mr. BENJAMIN. The provision in the bill protected by the rule is section 306 and deals with the pay. It restricts any pay increment for the senior officials of Government, those making \$50,112.50 and above, and also restricts any increase in pay for the Members and senior officials of the legislative branch of Government and Federal judges. This means that the cost-of-living adjustment which otherwise would go into effect will not go into effect if the provision is adopted. Section 306 also contains an SES bonus cap.

Mr. MICHEL. Mr. Chairman, I yield myself such time as I may consume.

(Mr. MICHEL asked and was given permission to revise and extend his remarks.)

Mr. MICHEL. Mr. Chairman, I think we have all heard expressions being used of the billion dollar Congress. We are all a part of it, but I would like to point out that if you break down those items in this legislative appropriation bill having to do with the Congress itself, exclusive of those other things to which the public itself is a party to, we are talking about \$565 million.

The \$408 million additional then goes for providing services to the public and Government as a whole, such as the Library of Congress, the General Accounting Office, the Government Printing Office, and so forth.

I call the Members' attention to page 3 and page 4 of the committee report in which we detail those items which are funded in this legislative appropriation bill, but for which all the American public is benefited, rather than simply the Congress itself.

The overall amount in this bill represents an increase of about 3.6 percent over the 1980 level. It also represents a reduction of nearly \$83 million below the budget request. This is the second year in a row, as our distinguished chairman of the subcommittee has pointed out, in which we have made some significant reductions in the legislative appropriation bill.

All net staffing increases, totaling 273 positions, were denied, and we are even asking some agencies to reduce their personnel base, through a freeze on hiring. The reduction in base will total 394 positions. The total reduction, both new and current, will be 667 positions, or 2.8 percent of the work force covered by the bill.

I want to take the opportunity at this juncture to commend the action of our subcommittee chairman, the gentleman from Indiana (Mr. BENJAMIN), for the good work that the gentleman has done in asking those probing kinds of questions and standing fast for keeping the lid on hiring so far as the legislative branch is concerned.

We have also turned down virtually all of the proposed improvement projects. The two reductions in the House account were in the special and select committees, where the \$5 million reduction reflects the House action on the funding resolutions, and the \$480,000 for furniture and furnishings, where we felt that the proposed 25 percent increase requested was excessive.

We have made reductions in the Joint Economic Committee, the Joint Taxation Committee, education of pages, and the Office of Technology Assessment, all basically reflecting denials of additional positions that were requested.

We have reduced the amount for the Congressional Budget Office by nearly \$1.2 million. This will force the CBO to absorb 35 percent of the 1979 pay increase and not exceed the 1980 operating level.

The amount for the Architect of the Capitol has been reduced by \$3.4 million, which reflects a denial of positions and projects. The Architect asked for 17 additional positions. We denied them all, but do allow the Architect to fill seven of the requested positions by shifting seven existing ones.

We have rejected the request to replace the Minton tile in the Senate.

We have rejected the request to install new bronze handrails in the House gallery; to replace two street sweepers; and to install additional wiring and lower ceiling heights in the Longworth Building.

We have also denied their undertaking several improvements in the Capitol powerplant.

In addition, we have sharply reduced the requests to increase the number of elaborate detection systems in the entrances of the House office buildings and to renovate the Longworth cafeteria.

For the Congressional Research Service, we have denied the additional 73 positions they have requested, and have also reduced the number of current positions by 19, reflecting against that freeze on hiring. This total reduction of 92 positions below the budget request ought to save us nearly \$3 million in this area.

It is, of course, important in facilitating this saying for use to make sure that we do not overload the Congressional Research Service with work that could just as easily be done within our own offices.

The Library of Congress requested a total of 146 new positions. We denied every one of them. In addition, we have reduced their current position level by 120 to reflect again that freeze on hiring. This represents a net reduction below the budget of 266 positions, saving over \$12 million.

The request of \$7 million to initiate the renovation and restoration of the Main and Jefferson Library of Congress buildings has been rejected, and instead we provided funds for planning and the development of detail working drawings and specifications.

The current estimate for the project is \$57 million, but we felt that more firm, concrete estimates are needed before we launch a project of this magnitude.

The Government Printing Office was reduced by \$8.9 million, in part due to the increased subscription price for the Federal Register. In addition, the request for \$20 million to begin planning for a \$204 million building for the GPO was not included in the bill, because the project has not yet been authorized.

The budget request for the General Accounting Office has been reduced by \$8.1 million, but this will still leave GAO \$9.7 million more than they got in 1980. Part of the reduction is due to the hiring freeze, which is expected to produce a reduction again of 175 positions.

I have to commend each and every one of the members of the subcommittee for reducing the budget request for nearly every item, particularly when it came to increased hiring and staffing, to keep this thing in line. I think we have done an excellent job this year in presenting this legislative appropriation bill.

At the appropriate time, I will have an amendment modifying that provision carried in the current bill for the executive pay bonus item, which was a matter of controversy in the supplemental appropriation bill.

Mr. Chairman, at this time I will be happy to yield to our distinguished ranking member of the full Appropriation Committee, who sits on this subcommittee, the gentleman from Massachusetts (Mr. CONTE) such time as he may desire.

(Mr. CONTE asked and was given permission to revise and extend his remarks.)

NOTICE

Incomplete record of House proceedings. Today's House proceedings will be continued in the next issue of the Record.

H 6308

CONGRESSIONAL RECORD—HOUSE

July 22, 1980

Finally, Mr. Chairman, dealing with specific items that should or should not be provided for in a Member's allowance is not an appropriation issue. I have suggested to the gentleman that he should take this matter up with the Committee on House Administration. Ordering these calendars is within the jurisdiction of that committee and I think that is the course of action that will, in the long run, be the best vehicle for resolving this problem.

I urge the defeat of this amendment.

Mr. PICKLE. Mr. Chairman, I move to strike the requisite number of words.

(Mr. PICKLE asked and was given permission to revise and extend his remarks.)

Mr. PICKLE. Mr. Chairman, the gentleman from New York (Mr. CONABLE) and I serve on the U.S. Capitol Historical Executive Committee. I have been a member of the Executive Committee for some 10 years and the gentleman from New York (Mr. CONABLE) for several years. We have spent a great deal of our time trying to carry on the work of the History Society.

□ 1850

A lot of that work is made possible by projects such as the calendars, the question before us today.

I submit to the chairman of this committee, who so ably said that these calendars are quite often the only connection between many individuals in the United States and the Government itself, that it serves a very useful purpose. The funds that are obtained by the Society are not for profit, because we carry on the work of this Historical Society without any cost to the Federal Government. Each of you every day go down the corridor in the hallway below us and see the beautiful murals above us, put there by the Capitol Historical Society—at no cost to the Government.

You see the continuing project going in a T-form in the other direction, strictly by virtue of the work of the U.S. Capitol Historical Society. All the moneys are put back into the preservation of the Capitol's history.

All of this serves a very useful purpose. It is educational, it is helpful. The calendars are sometimes the only thing that people get from their Government. I would think this amendment ought to be voted down and the committee should be supported.

Mr. FRENZEL. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I was watching this debate on television. I hope it will not be allowed to be closed until a few of us would have a chance to say a good word for the calendars.

I have been on the House Administration Committee for 10 years, and almost every year there arises some hero who would slash the Capitol Historical Society calendars and thereby establish some reputation as a great budget cutter. Those heroes, however, have never volunteered to give up a thousand dollars from their newsletter allowance,

which would have the same monetary effect.

May I say, Mr. Chairman, that it is my considered judgment that the Capitol historical calendar provides far more information than most of the newsletters that I see go out of these three Capitol buildings.

My experience is much like that of my colleagues, the gentleman from Texas. My constituents frequently tell me that the only good thing they get from their Government is this particular calendar. I send them to schools. I send them to barber shops, to VFW halls, KC halls, or wherever. I have never had any kind of an experience but a good one, saying that is wonderful. It teaches us about our history.

Perhaps sending them out through the Members is not the most efficient form of distribution that we could have, but it is a good form and serves a good use. I think that those who would be heroes would do a better service to their country if they would take some cuts in their own personal allowances.

Mr. CONABLE. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman from New York.

Mr. CONABLE. Mr. Chairman, I would like to associate myself with the gentleman's remarks.

I would like to point out also that while it may be that you can buy a calendar for 47 cents, at this point if you wish to go beyond your allocation, it would cost a great deal more than that if it were not for the volume that is achieved by the House buying the allocations to the Members. These calendars are bid on a volume basis. You would be paying 75 cents or a dollar or more if they were not bought in the volume that is involved by virtue of the House's purchase of the Members allocations.

Mr. FRENZEL. Mr. Chairman, I thank the gentleman for his contribution.

I would state further that the Capitol Historical Society does an enormous amount of research at its own expense to produce each year a calendar that is slightly different. This year they take us back 200 years to whatever year that was, 1780. They give us the historical events that occurred day by day in that particular year. It is an absolutely fascinating exercise in historical research and one that I think we could all benefit from.

Mr. KOSTMAYER. Mr. Chairman, will the gentleman yield to me?

Mr. FRENZEL. I will yield briefly.

Mr. KOSTMAYER. Mr. Chairman, I appreciate the gentleman's yielding. Perhaps my friend, the gentleman from Minnesota, missed part of the debate between his office and the floor. I see the gentleman was in quite a hurry to get over here.

We are not discussing the merits of the calendars. Everyone here thinks the calendars are terrific and wonderful. What we are saying is that if you want a calendar, you ought to pay half a dollar or a dollar for it. That is all. There is no reason why the taxpayers of the country—if I could just finish my sen-

tence, then I will yield back—there is no reason why the taxpayers of the country should pay \$1 million for only 2,500 calendars.

Mr. FRENZEL. Mr. Chairman, I do not yield further. The gentleman had plenty of time.

Mr. Chairman, the problem is that, as stated by the gentleman from New York, in order to achieve the volume purchase that we have, we have to have a significant quantity of these and we have to be able to plan on them. For those of you who will unblushingly take your combined expense allowance and will send out your newsletters on a regular basis, I would suggest that the sending of the calendar to your constituents renders a far greater service.

I hope the amendment will be decisively defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. KOSTMAYER).

The amendment was rejected.

AMENDMENT OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Chairman, I offer an amendment.

The portion of the bill to which the amendment relates is as follows:

Sec. 306. (a) No part of the funds appropriated for the fiscal year ending September 30, 1981, by this Act or any other Act may be used to pay the salary or pay of any individual in any office or position in the legislative, executive, or judicial branch, or in the government of the District of Columbia, at a rate which exceeds the rate (or maximum rate, if higher) of salary or basic pay payable for such office or position for September 30, 1980, if the rate of salary or basic pay for that office or position is—

(1) fixed at a rate which is equal to or greater than the rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code, or

(2) limited to a maximum rate which is equal to or greater than the rate of basic pay for such level V (or to a percentage of such a maximum rate) by reason of section 5308 of title 5, United States Code, or any other provision of law or congressional resolution.

(b) For purposes of subsection (a), the rate or maximum rate (as the case may be) of salary or basic pay payable for September 30, 1980, for any office or position which was not in existence on such date shall be deemed to be the rate or maximum rate (as the case may be) of salary or basic pay payable to individuals in comparable offices or positions for such date, as determined under regulations prescribed—

(1) by the President, in the case of any office or position within the executive branch or in the government of the District of Columbia;

(2) jointly by the Speaker of the House of Representatives and the President pro tempore of the Senate, in the case of any office or position within the legislative branch; or

(3) by the Chief Justice of the United States, in the case of any office or position within the judicial branch.

(c) No part of the funds appropriated by this Act or any other Act shall be used to pay any member of the Senior Executive Service an aggregate amount of more than \$52,750 in total remuneration during fiscal year 1981 as a result of either (1) any lump-sum payment for rank authorized during fiscal year 1981 by section 4507 of title 5, United States Code, or (2) any performance award authorized during fiscal year 1981 by section 5384 of title 5, United States Code.