

TAB

FEDERAL EMPLOYEES SALARY INCREASE ACT OF 1958

JUNE 16, 1958.—Ordered to be printed

Mr. MURRAY, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany S. 734]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the amendment of the House to the bill (S. 734) entitled "An Act to revise the basic compensation schedules of the Classification Act of 1949, as amended, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1:

That the Senate recede from its amendment numbered 1.

Amendments numbered 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, and 13:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, and 13, and agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5 and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

Sec. 10. Section 505 of the Classification Act of 1949, as amended (5 U. S. C. 1105), is amended by adding at the end thereof the following new subsections:

"(f) The Director of the Administrative Office of the United States Courts is authorized to place a total of four positions in grade 17 of the General Schedule. Such positions shall be in addition to the number of positions authorized to be placed in such grade by subsection (b).

"(g) The Commissioner of Immigration and Naturalization is authorized to place a total of eleven positions in grade 17 of the General Schedule. Such positions shall be in addition to the number of positions authorized to be placed in such grade by subsection (b).

"(h) In any case in which, subsequent to February 1, 1958, provisions are included in a general appropriation Act authorizing an agency of the Government to place additional positions in grade 16, 17, or 18, the total number of positions authorized by this section to be placed in such grades shall, unless otherwise expressly provided, be deemed to have been reduced by the number of positions authorized by such provisions to be placed in such grades. Such reduction shall be deemed to have occurred in the following order: first, from any number specifically authorized for such agency under this section, and second, from the maximum number of positions authorized to be placed in such grades under subsection (b) irrespective of the agency to which such positions are allocated.

"(i) Appointments to positions in grades 16, 17, and 18 of the General Schedule shall be made only upon approval by the Civil Service Commission of the qualifications of the proposed appointees, except that this subsection shall not apply to those positions—

"(1) provided for in subsection (e) of this section;

"(2) to which appointments are made by the President alone or by the President by and with the advice and consent of the Senate; and

"(3) for which the compensation is paid from (A) appropriations for the Executive Office of the President under the headings 'The White House Office', 'Special Projects', 'Council of Economic Advisers', 'National Security Council', 'Office of Defense Mobilization', and 'President's Advisory Committee on Government Organization', or (B) funds appropriated to the President under the heading 'Emergency Fund for the President, National Defense' by the General Government Matters Appropriation Act, 1959, or any subsequent Act making appropriations for such purposes."

SEC. 11. (a) Section 505 (b) of the Classification Act of 1949, as amended, is amended by striking out "twelve hundred and twenty-six" and inserting "fifteen hundred and thirteen", by striking out "three hundred and twenty-nine" and inserting "four hundred and one", and by striking out "one hundred and thirty" and inserting "one hundred and fifty-nine".

(b) Section 505 (e) of such Act is amended by striking out "thirty-seven" and inserting in lieu thereof "seventy-five".

SEC. 12. (a) The first section of the Act of August 1, 1947 (Public Law 313, Eightieth Congress), as amended, is amended by striking out "one hundred and twenty" and "twenty-five" in subsection (a) and inserting in lieu thereof "two hundred and ninety-two" and "fifty", respectively.

(b) Such section is further amended by striking out "thirty" in subsection (b) and inserting in lieu thereof "ninety".

(c) Such section is further amended by adding at the end thereof the following new subsections:

"(d) The Secretary of the Interior is authorized to establish and fix the compensation for not more than five scientific or professional positions in the Department of the Interior, each such position being established to effectuate those research and development functions of such Department which require the services of specially qualified personnel.

(e) The Secretary of Agriculture is authorized to establish and fix the compensation for not more than five scientific or professional positions in the Department of Agriculture, each such position being established to effectuate those research and development functions of such Department which require the services of specially qualified personnel.

(f) The Secretary of Health, Education, and Welfare is authorized to establish and fix the compensation for not more than five scientific or professional positions in the Department of Health, Education, and Welfare, each such position being established to effectuate those research and development functions of such Department which require the services of specially qualified personnel.

(g) The Secretary of Commerce is authorized to establish and fix the compensation for not more than twenty-five scientific or professional positions in the Department of Commerce, of which not less than five shall be for the United States Patent Office in its examining and related activities, each such position being established to effectuate those research and development functions of such Department which require the services of specially qualified personnel.

(h) In any case in which, subsequent to February 1, 1958, provisions are included in a general appropriation Act authorizing an agency of the Government referred to in this Act to establish and fix the compensation of scientific or professional positions similar to those authorized by this Act, the number of such positions authorized by this Act shall, unless otherwise expressly provided, be deemed to have been reduced by the number of positions authorized by the provisions of such appropriation Act."

(d) Section 3 of such Act is amended by inserting after "Secretary of Defense" a comma and the following: "the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Health, Education, and Welfare," and by inserting after "Military Establishment" a comma and the following: "the Department of the Interior, the Department of Agriculture, the Department of Commerce, the Department of Health, Education, and Welfare."

(e) Section 208 (g) of the Public Health Service Act, as amended (42 U. S. C. 210 (g)), is amended by striking out "sixty positions" and inserting in lieu thereof "eighty-five positions, of which not less than seventy-three shall be for the National Institutes of Health".

(f) The annual rate of basic compensation of the position of Chief Postal Inspector in the Post Office Department shall be \$19,000.

Sec. 13. (a) (1) Clause (2) of that paragraph of section 602 of the Classification Act of 1949, as amended (5 U. S. C. 1112), which defines the level of difficulty and responsibility of work in grade 5 of the General Schedule (GS-5) is amended to read as follows:

"(2) to perform, under immediate supervision, and with little opportunity for the exercise of independent judgment, simple and elementary work requiring professional, scientific, or technical training; or"

(2) Clause (2) of that paragraph of the same section which defines the level of difficulty and responsibility of work in grade 7 of the General Schedule (GS-7) is amended to read as follows:

"(2) under immediate or general supervision, to perform somewhat difficult work requiring (A) professional, scientific, or technical training, and (B) to a limited extent, the exercise of independent technical judgment; or"

(b) *The Civil Service Commission shall exercise its authority to issue such standards or regulations as may be necessary for the administration of subsection (a) of this section.*

Sec. 14. It is the sense of the Congress that appropriations for cooperative agricultural extension work and appropriations for payments to State agricultural experiment stations for the fiscal year beginning July 1, 1958, should include additional amounts sufficient to provide increases in the portion of the compensation of persons employed in such work or by such stations, which is paid from such appropriations, corresponding to the increases provided for employees under this Act.

And the Senate agree to the same.

TOM MURRAY,
JAMES H. MORRISON,
JAMES C. DAVIS,
EDWARD H. REES,
ROBERT J. CORBETT,
Managers on the Part of the House.

OLIN D. JOHNSTON,
MIKE MONRONEY,
DICK NEUBERGER,
FRANK CARLSON,
WILLIAM E. JENNER,
Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the amendment of the House to the bill (S. 734) entitled "An Act to revise the basic compensation schedules of the Classification Act of 1949, as amended, and for other purposes," submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment contains provisions governing the adjustment of the rates of basic compensation of officers and employees receiving compensation under section 803 of the Classification Act of 1949 (68 Stat. 1106; 5 U. S. C. 1133), authorizing higher rates of basic compensation for hard-to-fill positions (at present and for the most part, certain categories of positions requiring scientific and technical training). Under the provisions of Senate amendment No. 1, those officers and employees in such scientific and technical positions would not necessarily receive the full amount of the increase in basic compensation provided by reason of section 2 (a) of the House amendment for other officers and employees subject to the Classification Act of 1949, if the Civil Service Commission, in effect, approved the payment of certain lesser amounts of compensation to these officers and employees in such scientific and technical positions. Under the comparable provisions of the House amendment and without regard to any administrative determination, these officers and employees in such scientific and technical positions will receive the full amount of the increase in basic compensation provided by reason of section 2 (a) of the House amendment, to the same extent as other officers and employees and irrespective of any prior increases in, or establishment of, their rates of basic compensation under section 803 of the Classification Act of 1949. Although the conference agreement grants the full amount of such increase to those officers and employees whose compensation has been established or adjusted under section 803 of the Classification Act of 1949, the committee of conference believes that, under such section 803, the Civil Service Commission has ample authority to make equitable adjustments and readjustments in the future in the compensation relationships of these classes of officers and employees, and, for this purpose, should make continuing or periodic reviews of its actions and determinations under such section 803. The Senate recedes.

Amendment No. 2: This amendment makes certain changes in the comparable House provision relating to the adjustment of the rates of basic compensation of employees in the offices of Senators. This amendment broadens the House provisions to cover the adjustment of basic compensation in those cases in which (1) a Senator shall have died during the retroactive period, (2) an employee shall have transferred from the office of one Senator to the office of another Senator during the retroactive period, and (3) an employee shall have trans-

ferred from the office of a Senator to a committee, or vice versa, during the retroactive period. The House recedes.

Amendment No. 3: This amendment makes a change in the provisions relating to the compensation of House folding-room employees in order to conform such provisions to necessary appropriations procedures. The House recedes.

Amendment No. 4: This amendment provides that the retroactive salary or compensation increases provided by this legislation shall not be considered to be "basic salary" for the purposes of the Civil Service Retirement Act in the case of any officer or employee who retired or died during such period. This amendment does not affect the right to payment of the salary or compensation increases in such cases. The amendment eliminates the necessity of recomputation and readjustment of retirement benefits which were fixed and determined prior to the date of enactment of this legislation. This amendment is similar to the last sentence of section 406 (a) of the act of May 27, 1958 (72 Stat. 147; Public Law 85-426), relating to retroactive salary increases for postal field service employees. The House recedes.

Amendment No. 5: This amendment relates generally to the authorization of (1) additional positions in grades 16, 17, and 18 of the General Schedule of the Classification Act of 1949, as amended, and (2) additional scientific and professional positions under Public Law 313, 80th Congress, as amended, and the Public Health Service Act.

The House engrossed amendment contained provisions (in secs. 10, 11, and 12 thereof, which were struck out by Senate amendment No. 5) to the following effect:

(1) The Director of the Federal Bureau of Investigation is authorized to place a total of 75 positions in grades 16, 17, and 18 of the General Schedule in lieu of the present authority for 37 such positions.

(2) Each appointment to a position in grade 16, 17, or 18 of the General Schedule (except positions referred to in paragraph (1), above) shall be subject to Civil Service Commission approval of the qualifications of the proposed appointee.

(3) The annual salary for the position of Chief Postal Inspector in the Post Office Department shall be \$19,000.

Senate amendment No. 5 contained provisions to the following effect:

(1) The Director of the Administrative Office of the United States Courts is authorized to place a total of four positions in grade 17 of the General Schedule.

(2) The Commissioner of Immigration and Naturalization is authorized to place eleven positions in grade 17 of the General Schedule. Such grade 17 positions are in lieu of eleven positions which the Commissioner presently is authorized to place in grade 16 of such General Schedule.

(3) The Civil Service Commission is authorized to allocate to the various departments and agencies a total of not more than 1,779 positions in grades 16, 17, and 18 of the General Schedule, including not more than 472 such positions in grade 17 and 188 such positions in grade 18. The Commission presently is authorized to so allocate a total of not more than 1,226 positions in

grades 16, 17, and 18, including not more than 329 in grade 17 and 130 in grade 18.

(4) The Director of the Federal Bureau of Investigation is authorized to place a total of 75 positions in his Bureau in grades 16, 17, and 18 of the General Schedule, in lieu of the total of 37 such positions authorized by existing law.

(5) The Secretary of Defense is authorized to establish not more than 435 professional and scientific positions in the Department of Defense and 50 such positions in the National Security Agency, in lieu of the maximum totals of 120 and 25 authorized for such Department and Agency, respectively, under Public Law 313, 80th Congress, as amended.

(6) The Chairman of the National Advisory Committee for Aeronautics is authorized to establish not more than 150 professional and scientific positions, in lieu of the maximum of 30 such positions presently authorized by Public Law 313, as amended.

(7) The Secretary of the Interior is authorized to establish not more than 10 scientific and professional positions under Public Law 313, as amended.

(8) The Secretary of Agriculture is authorized to establish not more than five scientific and professional positions under Public Law 313, as amended.

(9) The Secretary of Health, Education, and Welfare is authorized to establish not more than five professional and scientific positions under Public Law 313, as amended.

(10) The Secretary of Commerce is authorized to establish not more than 50 professional and scientific positions, of which not less than 10 shall be in the United States Patent Office.

Senate amendment No. 5 also contains provisions to the further effect that—

(1) The total number of positions in grades 16, 17, and 18 of the General Schedule and the total number of professional and scientific positions under Public Law 313, 80th Congress, as amended, authorized by the amendment, shall be reduced by the numbers of such positions, respectively, authorized subsequent to February 1, 1958, in any general appropriation act;

(2) The head of each department who initially is authorized by the amendment to establish scientific and professional positions under such Public Law 313 shall be subject to the reporting requirements of such law;

(3) The total of not to exceed 60 scientific and professional positions authorized by the Public Health Service Act shall be increased to a total of 85, of which not less than 73 shall be in the National Institutes of Health;

(4) The level of difficulty and responsibility of work in grades 5 and 7 of the General Schedule of the Classification Act of 1949, as amended, shall be redefined (with the new definitions contained in the language of the amendment) to conform more accurately to current requirements; and

(5) It is the sense of the Congress that appropriations for cooperative agricultural extension work and for payments to State agricultural experiment stations for the fiscal year 1959 include additional amounts sufficient to grant 10 percent salary increases to persons employed in such work or by such stations.

The conference agreement contains provisions to the following effect:

(1) The maximum number of positions in grades 16, 17, and 18 of the General Schedule for the Federal Bureau of Investigation is increased from 37 to 75, as provided by the House engrossed amendment.

(2) Each appointment to a position in grade 16, 17, or 18 of the General Schedule will be subject to Civil Service Commission approval of the qualifications of the proposed appointee (not applied to such positions in the Federal Bureau of Investigation), as provided by the House engrossed amendment, except that appointments by the President and appointments to certain positions in or under the Executive Office of the President shall not be subject to such Commission approval.

(3) The annual salary of the position of Chief Postal Inspector in the Post Office Department shall be \$19,000, as provided by the House engrossed amendment.

(4) The increases in total numbers of positions in grades 16, 17, and 18 of the General Schedule (except those referred to in par. (1) above) and in the total numbers of scientific and professional positions under Public Law 313, 80th Congress, as amended (including new authorizations for such positions) as contained in Senate amendment No. 5 are reduced by 50 percent in the conference agreement, except that under such agreement—

(A) four positions in grade 17 of the General Schedule are authorized for the Administrative Office of the United States Courts;

(B) eleven positions in grade 17 of the General Schedule are authorized for the Immigration and Naturalization Service, in lieu of the present total of 11 positions in grade 16 of such General Schedule for such Service;

(C) The number of professional and scientific positions for the National Security Agency under Public Law 313 is increased from 25 to 50; and

(D) The Secretary of Agriculture and the Secretary of Health, Education, and Welfare each is authorized to establish not more than five scientific or professional positions under Public Law 313, as amended, in accordance with the provisions of the Senate amendment in respect to such exceptions.

(5) The number of professional and scientific positions provided by the Public Health Service Act is increased from 60 to 85, of which not less than 73 shall be for the National Institutes of Health, as provided by the Senate amendment.

(6) The level of difficulty and responsibility of work in grades 5 and 7 of the General Schedule of the Classification Act of 1949, as amended, is redefined, with the new definitions spelled out in the language of the conference agreement, as provided by the Senate amendment.

(7) It is the sense of the Congress that appropriations for cooperative agricultural extension work and for payments to State agricultural experiment stations for the fiscal year beginning July 1, 1958, include additional amounts sufficient to grant 10 percent salary increases to persons employed in such work or by such stations, as provided by the Senate amendment.

The committee of conference agreed to reduction in the numbers of additional positions in grades 16, 17, and 18 of the General Schedule of the Classification Act of 1949 and additional positions authorized under Public Law 313, 80th Congress, as provided by Senate amendment No. 5, in recognition of the hearings on the need for increase in the numbers of such positions currently being held by the Subcommittee on Manpower Utilization of the Committee on Post Office and Civil Service of the House. The committee of conference further agrees that the need exists for full and complete hearings on this subject to ascertain the actual requirements of the departments and agencies for such positions and to provide the departments and agencies with the opportunity to justify their specific requests, and that in the future requests for additional such positions should be made and justified by the departments concerned.

Amendment No. 6: This is a technical amendment which changes a section number. The House recedes.

Amendment No. 7: This amendment, which is technical only, makes a change in a section number. The House recedes.

Amendment No. 8: This amendment is a clarifying amendment which adds the salary rate of \$15,780 to the temporary rates for level 18 of the Postal Field Service Schedule of the Postal Field Service Compensation Act of 1955, as amended by the House version. This amendment will eliminate a possible inequity in the operation of such salary schedule. The House recedes.

Amendment No. 9: This is a technical amendment which changes a section number. The House recedes.

Amendment No. 10: This is a technical amendment which makes a change in a section number. The House recedes.

Amendment No. 11: This amendment, which is a clarifying amendment, prescribes effective dates for sections 12, 13, and 14 of this legislation as added by Senate amendment No. 5. The House recedes.

Amendment No. 12: This amendment is a clarifying amendment which reflects, for effective date purposes, the change in section number made by Senate amendment No. 6. The House recedes.

Amendment No. 13: This amendment makes the salary or compensation increases provided by this legislation effective on the date of enactment for the purpose of determining the amount of insurance for which an individual is eligible under the Federal Employees' Group Life Insurance Act of 1954. The comparable House provision made such increases effective for this purpose on the first day of the first pay period which begins on or after the date of enactment. The effect of Senate amendment No. 13 is to provide greater insurance protection for those employees whose amounts of insurance under such act will be increased as a result of the increases provided by this legislation in their salary or compensation, as of an earlier date than the date provided by the comparable House provision. The House recedes.

TOM MURRAY,
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JAMES C. DAVIS,
EDWARD H. REES,
ROBERT J. CORBETT,

Managers on the Part of the House.

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