

LEGISLATION FILE - CIVIL SERVICE RETIREMENT CHANGES

<u>TAB</u>	<u>DATE</u>	<u>ADDRESSEE</u>	<u>DESCRIPTION</u>
1	8 Sept 82		H.R. 7066 - A Bill to repeal section 301 of the Omnibus Reconciliation Act of 1982
STAT 2	9 Sept 82	<input type="text"/>	Memo <input type="text"/> re Amendment to the Omnibus Budget Reconciliation Act of 1982
3	14 Sept 82		Congressional Record re H.R. 7098 - Restore Full COAL's for Federal Law Enforcement Officers and Firefighters
STAT 4	4 Oct 82	Stanley Sporkin	Note <input type="text"/> re Letter to OMB from DCI re CIARDS w/attached letter to David A. Stockman, OMB, from William J. Casey
5	19 Jan 83		Cabinet Affairs Staffing Memorandum re Cabinet Council on Legal Policy
5a	25 Jan 83	William J. Casey	Letter to from David A. Stockman re COLA
6	31 Jan 81		Washington Post article - "The Grass Isn't Greener for Federal Workers"
7	Undated		A Bill - 97th Congress, 2nd Session - to amend the Omnibus Budget Reconciliation Act of 1982
8	8 Feb 83		Washington Post article - "The Grandfather of All Retirement Disputes!"
9	16 Feb 83		Washington Post article 0 "Raising Age of Retirement With Full Benefits"
10	17 Feb 83		Washington Post article - "Civil Service 'Reforms' Draw Fire on Hill"
STAT 11	18 Feb 83	<input type="text"/>	Note <input type="text"/> re DOS's draft bill

<u>TAB</u>	<u>DATE</u>	<u>ADDRESSEE</u>	<u>DESCRIPTION</u>
12	Undated		Amendments to the CIA Retirement and Disability System
13	2 Mar 83		H.R. 1796 - A Bill to amend title 5, USC, to provide that any Federal employe who, at the time of retirement, does not elect a reduced annuity in order to provide a survivor annuity to a spouse or other person may make such an election within one year after retiring, and for other purposes
14	3 Mar 83		H.R. 1926 - A Bill to amend the Age Discrimination in Employment Act of 1967 to provide that individuals who are 40 years of age or older shall be protected by the provisions of such Act, and for other purposes
15	10 Mar 83		Congressional Record - The coming crisis : in Federal retirement
16	15 Mar 83		H. Res. 135 - Expressing the sense of the House of Representatives that it should take certain steps to ensure the integrity of the civil service retirement system
17	17 Mar 83		Congressional Records - Administration Fiscal 1984 Proposals
18	17 Mar 83	D/OP	Memo to from DD/OP re HPSCI support
19	22 Mar 83		Washington Post article - "Delay Expected on Bill to Up Retirement Age"
STAT20	22 Mar 83	DD/OP	Note [redacted] re Social Security Reform/Federal Retirement Legislation
21	23 Mar 83		Washington Post article - "Study Says U.S. Workers Lag in Pay, Benefits"
STAT22	28 Mar 83	David A. Stockman	Memo [redacted] re Civil Service Retirement Reforms

<u>TAB</u>	<u>DATE</u>	<u>ADDRESSEE</u>	<u>DESCRIPTION</u>
	23	5 Apr 83	Congressional Record - Retirement Programs for the Intelligence Community
	24	8 Apr 83	Cable re Proposed Civil Service Retirement Reforms
	25	8 Apr 83	Washington Post article - "Administration Chipping At Civil Servants' Pay And Benefits Packages"
	26	14 Apr 83	Washington Post article - "Senate Unit Rejects Most Civil Service Cuts"
	27	14 Apr 83	Legislative Referral Memorandum re Administration draft bill "To omit cost-of-living adjustments in certain Federal retirement and disability programs for a specified period of time, and for other purposes"
STAT	28	18 Apr 83	Note [redacted] re OMB Proposal to Freeze CIARDS COLA's
	29	25 Apr 83	Note [redacted] w/attached letter [redacted]
	30	30 Apr 83	Washington Post article - "Panel Split on Whether U.S. Retirement System Is Too Generous"
	31	30 Apr 83	Congressional Quarterly article - "Stalemate Looms on the Hill Over Federal Workers' Issues"
STAT	32	4 May 83	DD/OP Memo [redacted] re H.R. 2449
	33	6 May 83	Legislative Referral Memorandum re Administration's Bill to omit FY 1984 cost-of-living adjustments in certain Federal employee benefit programs

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<u>TAB</u>	<u>DATE</u>	<u>ADDRESSEE</u>	<u>DESCRIPTION</u>
34	11 May 83		Washington Post article - Speaking Out on Altering Federal Retirement
35	12 May 83		Washington Post article - "Administration Loses Round in Rules Changes"
STAT 36	5 July 83	[redacted]	From [redacted] w/attached article "Changes in Retirement and Salaries - XVII"
STAT 37	6 July 83	DD/OP, DD/OP/SP C/ALD/OGC	Memo [redacted] re Social Security w/attached sources and methods language
STAT 38	30 Aug 83	[redacted]	Memo [redacted] re HPSCI Awareness of CIA Retirement Concerns
38a	10 Nov 83		House conference report to accompany H.R. 2077 no. 98-307
STAT 39	29 Nov 83	[redacted] DD/Pers/SP	Note [redacted] re proposed amendment to the Social Security Act legislation
39a	29 Nov 83		P.L. 98-168: An act to extend the Fed Physicians comparably allowance act of 1978
40	30 Dec 83	Edward P. Boland	Letter to from DDCI re annual report on administration of CIARDS for FY 83
STAT 41	27 Jan 84		[redacted] CIA Retirement Board
42	3 Feb 84	DD/OP/SP, DD/OP/PAE	Memo [redacted] re Introduced STAT Legislation Concerning Polygraph Examinations and Prepublication Review (re CIARDS)
STAT 43	13 Feb 84	DD/OLL	Memo [redacted] re Effect of FERCTA on CIARDS
44	16 Feb 84		Legislative Referral Memorandum re OPM testimony on development of a supplemental retirement plan for Federal employees covered by social security
STAT 45	21 Feb 84	C/Legislation	Memo [redacted] re Office of Personnel Response to LEG/OLL Request for Comment on OPM Draft Testimony to the Congress on Supplemental Retirement

<u>TAB</u>	<u>DATE</u>	<u>ADDRESSEE</u>	<u>DESCRIPTION</u>
46	24 Feb 84		Washington Post article 'Hill Panel Works on New Retirement System'
47	26 Mar 84		Legislative Referral Memorandum re OPM draft bill 'To amend title 5, United States Code, to reform the Civil Service Retirement System, and for other purposes.'
STAT <sub>3</sub>	27 Mar 84	DD/OP/SP, DD/OP/PAE C/ALD/OGC	Memo [redacted] re OPM Draft Bill 'To amend title 5, United States Code, to reform the Civil Service Retirement System, and for other purposes.'
49	3 Apr 84	[redacted]	Letter to from D/OLL re OMP's draft STAT bill (# 43 above)
<del>STAT<sub>3</sub></del>	<del>4 Apr 84</del>	<del>DD/Pers/SP, C/ALD/OGC</del>	<del>Memo [redacted] re OPM Report on H.R. 2300, the "Civil Service Spouse Retirement Equity Act"</del>
51	27 Mar 84		Legislative Referral Memorandum re OPM proposed report on H.R. 2300, the "Civil Service Spouse Retirement Equity Act"
52	19 Apr 84		Legislative Referral Memorandum re DOD proposed report on H.R. 5027 (S. 2411), "To amend title 10, United States Code, to modify procedures for payment of military retired pay to spouses and former spouses of members of the uniformed services in compliance with court orders"
53	20 Apr 84	Edward P. Boland	Letter to from D/OLL re info on implementation of CIA Spouses' Retirement Equity Act
54	25 Apr 84		Congressional Record re "A New Civil Service Retirement Program"
55	25 Apr 84		Washington Post article 'Move Afoot to Trim Fed Retirement Benefits'

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<u>TAB</u>	<u>DATE</u>	<u>ADDRESSEE</u>	<u>DESCRIPTION</u>
56	30 Apr 84		Legislative Referral Memorandum re Administration's Retirement Reform Legislation
STAT:7	4 May 84	DD/Pers/SP, C/ALD/OGC	Memo [redacted] re Administration's Retirement Reform Legislation
58	7 May 84		Legislative Referral Memorandum re Revised OPM draft bill 'To amend section 8312 of title 5, United States Code, to provide that an individual may be denied a civil service or military annuity of the United States if convicted of specified types of felonies in connection with employment, and for other purposes
59	15 May 84	DD/OLL	Memo to from General Counsel re OPM Draft Bill
60	Undated	General Counsel	Draft memo to from DD/OLL re Draft bill prohibiting payment of annuities to federal employees convicted of certain felonies
STAT:1	25 May 84	[redacted]	Letter [redacted] re views on OPM draft bill to amend 5 USC 8312 STAT
STAT:2	30 May 84	DD/Pers/SP, C/ALD/OGC	Memo [redacted] re DOJ objection to CIA modification of OPM draft annuity/felony bill
63	Undated		Sectional analysis of the Federal Employees' retirement contribution temporary adjustment act of 1983

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lenmarie the very best in all that they seek to do.○

○ Mr. RUDD. Mr. Speaker, I am honored to join my colleagues in this special order today to thank my classmate, friend, and colleague [Tom CORCORAN] for his fine service in the House of Representatives. We came to this House together in the same class.

Tom's presence will be missed here. He has been a leader and ally in the fight to restore fiscal integrity to congressional spending practices. His leadership in the Energy and Commerce Committee, and Post Office and Civil Service Committee has been an asset to us all.

There is no doubt that Tom's fine service has made Illinois' 14th District, his State, and the Nation better places for us all to live.

It is therefore with mixed feelings of joy and sorrow that I take part in this special order to pay tribute to Tom CORCORAN. We are losing a true asset with his retirement.

Let me take this opportunity to thank him for his 8 years of dedicated service to this House, and extend to Tom and his family my best wishes for health and success in all the years ahead.○

○ Mr. MONTGOMERY. Mr. Speaker, I am happy to join in this special order today to honor our colleague, Representative TOM CORCORAN, of Illinois.

Tom has been a strong voice for the people of the 14th District over the past 8 years here in Washington. I know they will miss his leadership when the 99th Congress convenes. He has been an active and effective member of the important Energy and Commerce Committee, serving as ranking member of the Fossil and Synthetic Fuels Subcommittee. His experience on that panel will be missed.

TOM CORCORAN has served this Chamber with distinction and has had the courage to speak out on the issues important to him and his constituency. He has served with integrity and certainly will be missed by Members on both sides of the aisle.○

○ Mr. FUQUA. Mr. Speaker, I appreciate this opportunity provided by the gentleman from Illinois [Mr. MADIGAN] to say a few words in appreciation of a colleague, TOM CORCORAN. TOM has served with distinction the people of Illinois' 14th District and been an effective member of both the Energy and Commerce Committee and the Post Office and Civil Service Committee.

His 8 years in this body have been a period of rapid change and transition, and Tom can be proud of the role he has played in helping to shape our Government and our Nation.

Tom has served as an honest and honorable Member of this Chamber and been an effective spokesman for causes of importance to him and to the Nation. I wish him the very best of success in future endeavors and say to him, we will miss you, TOM.○

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Mr. MADIGAN. Mr. Speaker, I yield to the gentleman from Illinois.

Mr. CORCORAN. Mr. Speaker, I want to thank the gentleman from Illinois, [Mr. MADIGAN] and our Republican leader, Mr. MICHEL, for their thoughtfulness in arranging the special order. I sincerely appreciate the gracious and generous comments which they and others have made about my service in the U.S. House of Representatives. The spirit of friendship and respect they have evoked here this evening. Mr. Speaker, is certainly mutual. These have been the best 8 years of my professional life. I will always cherish my privilege to serve in Congress.

Mr. Speaker, as you know, when some Members complete their service in Congress, they leave here with just a little bitterness about either the legislative process itself or the campaigning to become elected to Congress. I am not going into a long discussion on either of these types of complaints. I will leave that for others and another day. But we've all heard about the hectic, disjointed pace for legislators here in Washington and about special interest lobbyists financing our campaigns to get us elected in the first place. These general criticisms are well known.

Well, Mr. Speaker, I don't feel that way. The legislative process is fundamentally sound. It works. And it has worked well for two centuries. I predict it will continue to work well. Sure, there are some institutional changes I would like to see made in how we conduct the American people's business. However, the people can deal with the need to bring about a fundamental realignment in Congress, as was done in the 1980 elections, before things reach a breaking point. Mr. Speaker, the system works. Representative democracy is here to stay.

As far as special interest money in elections is concerned, things are far better today than they were prior to 1974. Before 1974 it was all secret. There were no limits. Virtually anybody or any organization could give any amount to any candidate. Then the charge of a candidate being "bought" by a special interest might have been true. Unfortunately, because there was little or no regulation and no disclosure of campaign contribution, we will never know the truth.

Today we have stringent regulation. Today we have meaningful limits on contributions. Today we have disclosure of campaign contributions and expenditures. Today if a candidate for Congress gets a high proportion of his or her contributions from a special interest, and as Congressman votes that way against the common interest of his or her constituency, there will be informed accountability at the next election.

Therefore, Mr. Speaker, I leave the Congress with no regrets and no complaints. To get here back in 1976, I had

to defeat an incumbent Democrat. I was an angry young man then, not so much at my opponent, but at the policies he represented. We have changed those policies, and I believe the country is in better condition because of those changes in Government policy. Serving in Congress has been a wonderful, and enriching experience for me, and I commend it to all my friends.

#### GENERAL LEAVE

Mr. MADIGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho [Mr. CRAIG] is recognized for 60 minutes.

[Mr. CRAIG addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama [Mr. DICKINSON] is recognized for 60 minutes.

[Mr. DICKINSON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### UNFINISHED BUSINESS—CIVIL SERVICE RETIREMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. CONABLE] is recognized for 15 minutes.

Mr. CONABLE. I thank the Chair for recognizing me even at this very late hour. Mr. Speaker, before I begin I would like to say to my friends in the staff, both those who are here and those who may be working elsewhere to finish up the work of the day, that I deeply regret contributing to the lateness of the hour.

I must say that your work is long and arduous and the hours are frequently late and I offer you condolences on the prospects for this week since many of those retiring are likely to have repeated episodes similar to those tonight, however appropriate they may be, it does keep you here a long time and it is regretted.

I also regret that many of us who are staggering off into the twilight feel obliged to say one or two last words, and that you have to wait to hear those.

Though this Congress has failed to do much about cutting spending to reduce the threatening Federal budget deficit, there seems to be broad agreement that the next Congress will have to face this serious condition. Dire

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has ably represented the 14th District of Illinois for the past 8 years.

I have known TOM since the time he worked with the Chicago-North Western Transportation Co. before he was elected to Congress, and his dedication to high standards is an inspiration to his friends and fellow citizens, and his accomplishments as a Member of the U.S. House of Representatives are most commendable.

TOM CORCORAN served in the U.S. Army from 1963 to 1965, and was the administrative assistant to two State senate leaders. He was employed as the vice president of the Chicago-North Western Transportation Co., and served from 1969 to 1972, as the director of the State of Illinois office in Washington, DC, where he compiled an outstanding record of achievement in service to our State.

Elected to the 95th Congress in 1976, TOM has distinguished himself by serving on the House Post Office and Civil Service Committee and on its Subcommittee on Postal Operations and Services, and also on the House Energy and Commerce Committee and on its Subcommittee on Fossil and Synthetic Fuels, where he is the ranking minority member. TOM CORCORAN will surely be missed in the House of Representatives by all who have had the opportunity of knowing him. He is a Congressman of compassion, courage, and patriotism, who has provided exemplary service to his constituents and to our Nation.

I extend to my colleagues, TOM CORCORAN my best wishes for continued success in all of his future endeavors.●

● Mr. DANIEL B. CRANE. Mr. Speaker, one of my best friends in Congress retires this year: the Honorable TOM CORCORAN. He is my neighbor in Illinois and, my colleague on the Post Office and Civil Service Committee. I know I am not alone when I say that I have looked to him for guidance and leadership on many, many occasions. TOM, you have been a credit to your district and to all Americans, and may God's grace be with you in all of your future endeavors.●

● Mr. RINALDO. I commend TOM CORCORAN of Illinois for his service in the U.S. House of Representatives. TOM was one of only two Republican candidates for the House to defeat a first-term Democratic incumbent running for reelection in 1976. Our colleague from Illinois won reelection in his north-central Illinois district with increasingly convincing margins in 1978, 1980, and 1982.

In addition to his political success in his reelection efforts, his legislative accomplishments are considerable. As a fellow member of the House Energy and Commerce Committee, I have witnessed first hand his legislative abilities. TOM left the Government Operations Committee at the beginning of his second term in the House to join the Interstate and Foreign Commerce Committee. During the 96th Congress, he served on the Energy and Power

Subcommittee and the Oversight and Investigations Subcommittee. During the 97th Congress, as a member of the Energy and Commerce Committee, he served on the Fossil and Synthetic Fuels Subcommittee and the Energy Conservation and Power Subcommittee. In the current 98th Congress, he has been the senior Republican member of the Fossil and Synthetic Fuels Subcommittee.

U.S. energy policy has been the major area to which TOM CORCORAN has devoted his attention. He has been a strong supporter of nuclear energy, and he was a key participant in the legislation leading to the enactment of the Nuclear Waste Policy Act of 1982. He has been a strong proponent of the U.S. Strategic Petroleum Reserve Program while opposing major governmental intervention in petroleum markets.

While I and some of his colleagues might have disagreed with some of his views relating to the sale and production of natural gas, there is no doubt that he was a strong and forceful voice for the position he advocated. He introduced the administration's natural gas bill early last year and has been particularly concerned about the importation of foreign gas, including gas from Canada and liquefied natural gas from Algeria. Additionally, he has worked closely with the Illinois Commerce Commission and others in promoting a strong contract carriage system for the transportation of natural gas, a position which I support. Finally, in the area of natural gas, he was the leading congressional opponent of the Alaska natural gas transportation system [ANGTS] in late 1981. While his legislative position in opposition to ANGTS did not prevail in the House in December 1981, the ANGTS system was nonetheless stopped dead in its tracks. TOM can also claim credit for being one of the House leaders in the successful effort to kill the proposed Energy Mobilization Board during the 96th Congress.

In the area of synthetic fuels, TOM CORCORAN has been a leader in the effort to encourage a sensible program of rational synthetic fuels development. He has called for an approach considerably scaled down from the original 1980 \$88 billion program contemplated in the Energy Security Act. He is especially interested in promoting U.S. synthetic fuels development as a means to encourage the use of our abundant coal reserves.

TOM has also been a leader in the area of utility matters. In 1981, he established himself as an innovator in this area by introducing a comprehensive bill to amend the 1935 Public Utility Holding Company Act.

While TOM's major work in connection with his membership on the Energy and Commerce Committee has been in the area of energy, I have seen first hand his legislative skills in other areas, notably telecommunications. He was particularly effective in the full

Energy and Commerce Committee during the 97th Congress in preventing this body from going forward with a seriously flawed legislative proposal, H.R. 5158, the major telecommunications legislation of that Congress.

Mr. Speaker, I regret TOM CORCORAN's impending departure from the House and particularly the House Energy and Commerce Committee. He has shown that he is a quick study on complex issues. Most importantly, he has consistently brought principle to bear in his deliberations and his actions.

The people of Illinois' 14th district and we in the House are losing the services of a fine legislator with the departure of TOM CORCORAN. I join my colleagues in wishing him well in his future endeavors.●

● Mr. RUSSO. Mr. Speaker, in the 8 years Representative TOM CORCORAN has been here, he has made a positive impact on the legislation coming before the House Energy and Commerce Committee and he leaves behind an admirable record of achievement. He has proved himself to be one of the more articulate Members of this body and diligent in his work, as demonstrated by his efforts on energy issues.

TOM has never forgotten the importance of his work to his constituency and to the Nation as a whole. It is such conscientiousness and hard work that serve as an example to be followed by anyone interested in serving the public good. His leaving is a loss to us all and I know I am one of many who wish him all the best and continued success.●

● Mr. WINN. Mr. Speaker, it is with pleasure and a little sadness that I join in honoring a good friend and valued colleague, TOM CORCORAN. It has indeed been a delight to serve with such an able and talented legislator. In the 8 years that TOM has represented the 14th district of Illinois, he has made a number of important achievements which are valuable both to his district and to the country as a whole.

TOM has been a consistent fighter for a number of causes—earning him the nickname "Tiger Tom," in part because of his skillful and effective opposition to the proposed rebilling financing package for the Alaska natural gas pipeline and the anti-Illinois provisions of the AT&T restructuring bill. He has been a vital asset to the House Energy and Commerce Committee on which he serves, and has been able to balance energy, environmental and economic needs through sound legislative initiatives. The persistent themes of Government accountability, reducing the size of the Federal Government and two-way constituent communications have typified the leadership style of TOM CORCORAN.

I know that TOM will be missed as he leaves the House of Representatives, but am certain that he will only move on to better things. I wish he and He-



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forecasts are appropriate in the event the budget deficits are not adequately reduced soon. There is no shortage of Government activities and programs which provide obvious examples for restraining habitual Government excess, and prominent among them are the so-called entitlement programs which now absorb 40 percent or more of the Federal budget.

Among the most generous of these are the Government retirement programs for civil and for military service. Costs for each of these retirement programs are escalating rapidly, and in prospect are even sharper increases ahead. They required \$20 billion and \$16 billion, respectively, in taxpayer support last year. There presently are 1.7 million civil service and 1.4 million military retirees in a total of 3.1 million drawing benefits, but projections are for another three-quarters of a million retirees by the end of the century. A Joint Economic Committee study has projected costs exceeding \$80 billion annually by that time. The Congressional Research Service estimates that over the next 10 years expenditures for civil service retirement benefits will exceed employee contributions by \$260 billion. Already each program bears an unfunded liability in excess of \$500 billion. That's the amount committed in benefits to employees and retirees.

Clearly, conditions are alarming and require response by Congress. Spending as usual will lead to fiscal catastrophe.

I plan to direct most of this discussion to the civil service system, but similar troublesome conditions exist in the military retirement program, as well. All of us are familiar with the press reports of horror stories resulting from our lavish retirement systems. There is the former Speaker of the House, whose retirement pension far exceeds his salary while in office, as well as the present-day salary of Members of Congress. Then, the Treasury employee who contributed a little more than \$6,000 to the retirement system and has received \$142,000 in retirement benefits to date. Another former colleague of ours retired in 1973 with an annual pension of \$18,720, which has now grown to \$46,500. He was able to credit his military service time toward retirement even though drawing a military pension; it's another practice which should be halted, and I've introduced a bill (H.R. 6116) for that purpose. The Office of Personnel Management has estimated that more than 100,000 civil service retirees are drawing annual retirement benefits which exceed their salary at retirement. A Joint Economic Committee study revealed that Government retirees were receiving more in retirement benefits than all the retired workers in the private sector.

Leaders of public employee unions are quick to defend the current system with arguments that the retirement trust fund currently has a balance ex-

ceeding \$100 billion, or the generous retirement system is offsetting a less-than-generous salary schedule for employees, or that employees are contributing a fair share to the system. Those arguments comprise a flimsy defense.

As I noted earlier, the program's unfunded liability exceeds a half trillion dollars. Salaries have reached reasonable levels in most positions. Employee contributions now account for only about 20 percent of annual pension costs. In the most recent year, employee contributions totaled \$4.3 billion while the taxpayers supported these programs with almost \$20 billion. Annual cost of the retirement pay now represents more than 30 percent of payroll, more than double the experience in private employment.

The President's Private Sector Survey on Cost Control—Grace Commission recently declared that civil service retirement benefits are three to six times as generous as the average employee's pension in private employment. Surveys indicate that three-fourths of Government retirees eventually qualify for Social Security benefits, as well. Since many of them qualify with minimum entitlement, they also are aided by the benefit bias included in the Social Security program to help low-income workers. Nearly half of Government workers retire before age 60, compared to 7 percent in private employment, and the Grace Commission found that only 10 percent of workers eligible to retire at age 60 elect to remain in their jobs. The retirement benefits are too attractive to postpone.

The cause for these dire and costly circumstances is not difficult to determine. The extent of benefits provided is no longer justifiable to the taxpaying public as the system has matured. The highly favorable ratio of contributions to benefits, the annual cost-of-living adjustments [COLA's] early retirement provisions, and a narrow salary base for computing benefits, combine to produce rewards which are the envy of nongovernment workers. Moreover, this special largesse contributes to the low standing of Government with the American taxpayers who are paying the bills.

Not surprisingly, there are many thoughtful Government employees and retirees who agree that the present provisions of Government retirement programs cannot be defended or sustained. They counsel change before there is an overwhelming public reaction. Some among them have organized as the National Committee on Public Employee Pension Systems [PEPS] to advocate rational change now, and they support many reasonable revisions.

The administration has proposed a wide range of revisions to this Congress to place the Government retirement programs on a fair and reasonable basis, but still reduce costs and help trim the budget deficit. A few changes have been made, but the rec-

ommendations have largely been ignored. The proposals have been directed at all elements of the system: Increase the salary base period for computing benefits from 3 to 5 years; apply the full COLA only to the first \$10,000 of annuity, a figure equal to the highest annual Social Security benefit, and apply 55 percent of the COLA to the remainder above \$10,000—COLA's average 33 percent of the actual cost of living in private plans; and increase employee contributions above the present 7 percent of salary.

The Social Security reforms of last year, because they included new Government employees in the Social Security system for the first time, offer an opportunity to design a more sensible integrated system for the future. I am not aware of notable progress in this design, and in the meantime our new congressional Members are left in limbo between two systems. Delay serves nobody.

Mr. Speaker, reasonable changes can be made in Government retirement programs which will leave us a program that will remain fair and attractive for employees and defensible before the taxpayers. Revisions must be made to restore a sensible relationship between employee compensation and retirement benefits. Employee salaries have been subject to reasonable restraint during the recent period of serious budget imbalance, but retirement benefits have been permitted to grow virtually unchecked. The result has been to give stong incentive to retire from Government rather than continue to work because the rewards are so attractive. What kind of personnel policy is it that gives greater rewards to those who retire than to those who remain in the workforce? As I have said before, any organization which does so, cannot be serious about the quality or morale of its employees or the effectiveness of their performance.

Congress has voted the elaborate excessive spending programs which have produced the dangerous budgetary conditions we are facing. It is Congress that must face up to the remedies.

Incidentally, Mr. Speaker, I certainly do not blame Government employees for this condition. It is Congress alone which must be held responsible.

The longer the delay, the more difficult the correction. The Government retirement system is one of the key entitlement programs demanding correction. If we cannot rehabilitate one of our own employee programs, how can we presume to legislate solutions for others. Our goal should be a program that is fair and responsible to employees, the Government and the taxpayers.

Everyone agrees that 1985 is the watershed period for acting on these issues. I hope Congress will join with the administration in restoring this and similarly troubled programs to a

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reasonable, equitable and financially sustainable basis. It would be a strong step toward improving the Government's fiscal condition and citizen confidence in our ability to govern. Both are badly needed.

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In closing, Mr. Speaker, let me say that we do not serve the cause of Federal employees any more than we serve good Government by failing to correct the imbalances and inequities in the Federal pension system. Excessive abuses unheeded lead to an excess of zeal when reform comes. We serve no one by letting a ticking timebomb blow up in our faces when we have the capacity to disarm it but lack the courage to act.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 60 minutes.

[Mr. WALKER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. WEBER] is recognized for 60 minutes.

[Mr. WEBER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

## CONFERENCE REPORT ON S. 905

Mr. BROOKS submitted the following conference report and statement on the bill (S. 905) to establish the National Archives and Records Administration as an independent agency:

## CONFERENCE REPORT (H. REPT. No. 98-1124)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 905) to establish the National Archives and Records Administration as an independent agency, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

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

That this Act may be cited as the "National Archives and Records Administration Act of 1984".

## TITLE I—ESTABLISHMENT OF AN INDEPENDENT NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

## ESTABLISHMENT

Sec. 101. Section 2102 of title 44, United States Code, is amended to read as follows:

## "§ 2102. Establishment

"There shall be an independent establishment in the executive branch of the Government to be known as the National Archives and Records Administration. The Administration shall be administered under the supervision and direction of the Archivist."

## ORGANIZATION AND GENERAL AUTHORITY

Sec. 102. (a) Chapter 21 of title 44, United States Code, is amended—

(1) by redesignating sections 2103 through 2114 as sections 2107 through 2118, respectively; and

(2) by inserting after section 2102 the following new sections:

## "§ 2103. Officers

"(a) The Archivist of the United States shall be appointed by the President by and with the advice and consent of the Senate. The Archivist shall be appointed without regard to political affiliations and solely on the basis of the professional qualifications required to perform the duties and responsibilities of the office of Archivist. The Archivist may be removed from office by the President. The President shall communicate the reasons for any such removal to each House of the Congress.

"(b) The Archivist shall be compensated at the rate provided for level III of the Executive Schedule under section 5314 of title 5.

"(c) There shall be in the Administration a Deputy Archivist of the United States, who shall be appointed by and who shall serve at the pleasure of the Archivist. The Deputy Archivist shall be established as a career reserved position in the Senior Executive Service within the meaning of section 3132(a)(8) of title 5. The Deputy Archivist shall perform such functions as the Archivist shall designate. During any absence or disability of the Archivist, the Deputy Archivist shall act as Archivist. In the event of a vacancy in the office of the Archivist, the Deputy Archivist shall act as Archivist until an Archivist is appointed under subsection (a).

## "§ 2104. Administrative provisions

"(a) The Archivist shall prescribe such regulations as the Archivist deems necessary to effectuate the functions of the Archivist, and the head of each executive agency shall cause to be issued such orders and directives as such agency head deems necessary to carry out such regulations.

"(b) Except as otherwise expressly provided by law, the Archivist may delegate any of the functions of the Archivist to such officers and employees of the Administration as the Archivist may designate, and may authorize such successive redelegations of such functions as the Archivist may deem to be necessary or appropriate. A delegation of functions by the Archivist shall not relieve the Archivist of responsibility for the administration of such functions.

"(c) The Archivist may organize the Administration as the Archivist finds necessary or appropriate.

"(d) The Archivist is authorized to establish, maintain, alter, or discontinue such regional, local, or other field offices as the Archivist finds necessary or appropriate to perform the functions of the Archivist or the Administration.

"(e) The Archivist shall cause a seal of office to be made for the Administration of such design as the Archivist shall approve. Judicial notice shall be taken of such seal.

"(f) The Archivist may establish advisory committees to provide advice with respect to any function of the Archivist or the Administration. Members of any such committee shall serve without compensation but shall be entitled to transportation expenses and per diem in lieu of subsistence in accordance with section 5703 of title 5.

"(g) The Archivist shall advise and consult with interested Federal agencies with a view to obtaining their advice and assistance in carrying out the purposes of this chapter.

"(h) If authorized by the Archivist, officers and employees of the Administration having investigatory functions are empowered, while engaged in the performance of their duties in conducting investigations, to administer oaths.

## "§ 2105. Personnel and services

"(a) The Archivist is authorized to select, appoint, employ, and fix the compensation of such officers and employees, pursuant to part III of title 5, as are necessary to perform the functions of the Archivist and the Administration.

"(b) The Archivist is authorized to obtain the services of experts and consultants under section 3109 of title 5.

"(c) Notwithstanding the provisions of section 973 of title 10 or any other provision of law, the Archivist, in carrying out the functions of the Archivist or the Administration, is authorized to utilize in the Administration the services of officials, officers, and other personnel in other Federal agencies, including personnel of the armed services, with the consent of the head of the agency concerned.

"(d) Notwithstanding section 1342 of title 31, United States Code, the Archivist is authorized to accept and utilize voluntary and uncompensated services.

## "§ 2106. Reports to Congress

"The Archivist shall submit to the Congress, in January of each year and at such other times as the Archivist finds appropriate, a report concerning the administration of functions of the Archivist, the Administration, the National Historical Publications and Records Commission, and the National Archives Trust Fund. Such report shall describe—

"(1) program administration and expenditures of funds, both appropriated and non-appropriated, by the Administration, the Commission, and the Trust Fund Board;

"(2) research projects and publications undertaken by Commission grantees, and by Trust Fund grantees, including detailed information concerning the receipt and use of all appropriated and nonappropriated funds;

"(3) by account, the moneys, securities, and other personal property received and held by the National Archives Trust Fund Board, and of its operations, including a listing of the purposes for which funds are transferred to the National Archives and Records Administration for expenditure to other Federal agencies; and

"(4) the matters specified in section 2904(c)(8) of this title."

(b) Section 2101 of title 44, United States Code, is amended—

(1) by designating the two indented paragraphs as paragraphs (1) and (2), respectively;

(2) by striking out "sections 2103-2113 of this title" in the matter preceding the first such paragraph and inserting in lieu thereof "this chapter";

(3) by striking out the period at the end and inserting in lieu thereof a semicolon; and

(4) by adding at the end thereof the following new paragraphs:

"(3) 'Archivist' means the Archivist of the United States appointed under section 2103 of this title; and

"(4) 'Administration' means the National Archives and Records Administration established under section 2102 of this title."

(c)(1) The table of sections for chapter 21 of title 44, United States Code, is amended to read as follows:

## "CHAPTER 21—NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

"Sec.

"2101. Definitions.

"2102. Establishment.

"2103. Officers.

"2104. Administrative provisions.

"2105. Personnel and services.

"2106. Reports to Congress.