

104TH CONGRESS
2D SESSION

H. CON. RES. 194

Establishing a commission to study compensation and other personnel policies and practices in the legislative branch.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 1996

Mrs. MORELLA submitted the following concurrent resolution; which was referred to the Committee on House Oversight

CONCURRENT RESOLUTION

Establishing a commission to study compensation and other personnel policies and practices in the legislative branch.

1 *Resolved by the House of Representatives (the Senate*
2 *concurring),*

3 **SECTION 1. DECLARATION OF POLICY.**

4 The Congress is committed to the elimination of all
5 forms of discrimination that adversely affect pay or work-
6 ing conditions of any employee because of the race, color,
7 religion, sex, or national origin of the employee, and it is
8 the policy of the Congress that persons employed in the
9 legislative branch shall receive equal pay in cases in which
10 the work performed is comparable, as measured by the

1 composite of skill, effort, responsibility, and working con-
2 ditions normally required in the performance of the job.

3 **SEC. 2. ESTABLISHMENT OF COMMISSION.**

4 (a) IN GENERAL.—There is established the Commis-
5 sion on Employment Discrimination in the Legislative
6 Branch (hereinafter in this resolution referred to as the
7 “Commission”).

8 (b) APPOINTMENT OF MEMBERS.—The Commission
9 shall consist of thirteen members to be appointed for the
10 life of the Commission as follows:

11 (1) Four shall be Members of the House of
12 Representatives, appointed by the Speaker of the
13 House of Representatives, two upon recommendation
14 of the majority leader and two upon recommendation
15 of the minority leader.

16 (2) Four shall be Senators, appointed by the
17 President pro tempore, two upon recommendation of
18 the majority leader and two upon recommendation of
19 the minority leader.

20 (3) Two shall be other than Members of Con-
21 gress, appointed by the Speaker of the House of
22 Representatives and shall, to the extent practicable,
23 be persons with expertise in job evaluation. One such
24 member shall be appointed upon recommendation of

1 the majority leader and one upon recommendation of
2 the minority leader.

3 (4) Two shall be other than Members of Con-
4 gress, appointed by the President pro tempore of the
5 Senate and shall, to the extent practicable, be per-
6 sons with expertise in job evaluation. One such
7 member shall be appointed upon recommendation of
8 the majority leader and one shall be appointed upon
9 recommendation of the minority leader.

10 (5) One shall be appointed by the Speaker of
11 the House of Representatives and the President pro
12 tempore of the Senate, acting jointly, upon rec-
13 ommendation of the members appointed under para-
14 graphs (1) through (4).

15 (c) PREREQUISITES RELATING TO CERTAIN AP-
16 POINTMENTS.—(1) Of the members of the Commission ap-
17 pointed under subsection (b)(3)—

18 (A) one shall be a member of one of the two
19 largest labor unions at the Library of Congress; and

20 (B) one shall be a manager at the Library of
21 Congress.

22 (2) Of the members of the Commission appointed
23 under subsection (b)(4)—

24 (A) one shall be a member of one of the two
25 largest labor unions at the Library of Congress; and

1 (B) one shall be a manager at the Library of
2 Congress.

3 (3) The member appointed under paragraph (1)(A)
4 shall not be from the same labor union as the member
5 appointed under paragraph (2)(A).

6 (d) REMOVAL.—The person making an appointment
7 may remove a member of the Commission for neglect of
8 duty or malfeasance in office.

9 (e) VACANCIES.—A vacancy in the Commission shall
10 be filled in the manner in which the original appointment
11 is made.

12 (f) CHAIRMAN; VICE CHAIRMAN.—The Commission
13 shall elect a chairman and a vice chairman from among
14 its members. The chairman and vice chairman shall not
15 be of the same political party.

16 (g) QUORUM.—Seven members of the Commission
17 shall constitute a quorum for the transaction of business,
18 but the Commission may establish a lesser number for
19 holding hearings, taking testimony, and receiving evi-
20 dence.

21 (h) COMMENCEMENT OF OPERATIONS.—Members
22 shall be appointed and the Commission shall commence
23 operation not later than four weeks after the date on
24 which this resolution is agreed to.

1 **SEC. 3. FUNCTIONS OF COMMISSION.**

2 (a) IN GENERAL.—The Commission shall—

3 (1) employ a nongovernmental consultant with
4 expertise in job evaluation to study and compare the
5 compensation paid within and between job classifica-
6 tions in the Library of Congress and to analyze per-
7 sonnel policies and practices in the Library of Con-
8 gress;

9 (2) evaluate the compensation system and per-
10 sonnel policies and practices in the Library of Con-
11 gress for compliance with title VII of the Civil
12 Rights Act of 1964 and make specific recommenda-
13 tions (other than any recommendation that, if imple-
14 mented, would result in a reduction in the rate of
15 pay payable for any position) to the Congress for
16 such action as may be necessary to achieve that
17 compliance;

18 (3) develop a comprehensive plan for applica-
19 tion of the principles of title VII of the Civil Rights
20 Act of 1964 throughout the legislative branch; and

21 (4) make specific recommendations (other than
22 any recommendation that, if implemented, would re-
23 sult in a reduction in the rate of pay payable for any
24 position) to the Congress for improvement of per-
25 sonnel policies and practices in the legislative branch

1 that may be necessary to carry out the policy de-
2 clared in section 1.

3 (b) SPECIFIC REQUIREMENT RELATING TO THE
4 CONSULTANT.—In carrying out the requirements of para-
5 graph (1) of subsection (a), the consultant employed under
6 such paragraph shall use standard objective job-evaluation
7 techniques to determine whether the compensation system
8 at the Library of Congress is in compliance with the policy
9 objectives in section 1.

10 **SEC. 4. STAFF OF COMMISSION.**

11 (a) STAFF DIRECTOR.—The Commission shall have
12 a staff director who shall be appointed by the chairman
13 and who shall be paid at a rate not to exceed the maximum
14 rate of basic pay payable under the General Schedule (as
15 determined under section 5376 of title 5, United States
16 Code).

17 (b) ADDITIONAL STAFF.—With the approval of the
18 Commission, the chairman may appoint, terminate, and
19 fix the pay of additional staff. Any person so appointed
20 may be paid at a rate not to exceed the maximum rate
21 of basic pay payable for grade GS–15 of the General
22 Schedule, under section 5332 of title 5, United States
23 Code.

1 **SEC. 5. COMPENSATION OF MEMBERS.**

2 (a) PROHIBITION OF COMPENSATION OF CERTAIN
3 MEMBERS.—A member of the Commission who is a Mem-
4 ber of Congress or a full-time officer or employee of the
5 United States shall receive no additional pay by reason
6 of service on the Commission.

7 (b) COMPENSATION OF OTHER MEMBERS.—Any
8 other member of the Commission shall be paid at a rate
9 equal to the daily equivalent of the maximum annual rate
10 of basic pay payable under the General Schedule (as deter-
11 mined under section 5376 of title 5, United States Code)
12 for each day, including travel time, such member is en-
13 gaged in the performance of duties of the Commission.

14 **SEC. 6. POWERS OF COMMISSION.**

15 The Commission may hold hearings, take testimony,
16 receive evidence, administer oaths or affirmations to wit-
17 nesses appearing before it, and authorize any member or
18 agent of the Commission to exercise such powers.

19 **SEC. 7. REPORTS AND TERMINATION OF COMMISSION.**

20 The Commission may submit interim reports to the
21 Congress and shall submit a final report to the Congress
22 not later than 18 months after the date on which this reso-
23 lution is agreed to. The Commission shall cease to exist
24 thirty days after submitting the final report.

1 **SEC. 8. ADMINISTRATIVE PROVISIONS.**

2 (a) **FUNDING.**—There shall be paid from the applica-
3 ble accounts of the House of Representatives and from
4 the contingent fund of the Senate such sums as may be
5 necessary to carry out this resolution. One-half of the total
6 of such sums shall be paid from each such source. Pay-
7 ment shall be upon vouchers submitted by the chairman
8 of the Commission and approved by the Committee on
9 House Oversight of the House of Representatives or the
10 Committee on Rules and Administration of the Senate, as
11 appropriate.

12 (b) **STATUS OF MEMBERS AND STAFF.**—Members of
13 the Commission (other than Members of Congress) and
14 the staff of the Commission shall be treated as detailed
15 employees, or as temporary or intermittent employees of
16 the House or of the Senate, as appropriate.

17 (c) **REGULATIONS.**—The Committee on House Over-
18 sight of the House of Representatives and the Committee
19 on Rules and Administration of the Senate, acting jointly,
20 shall prescribe such regulations as may be necessary to
21 carry out this resolution. Employment of experts and con-
22 sultants, travel, procurement of support services, proce-
23 dures for securing information, and other administrative
24 matters with respect to the Commission shall be in accord-
25 ance with such regulations.

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