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HEARING
BEFORE THE
SUBCOMMITTEE ON
POWER AND CIVIL SERVICE
OF THE
COMMITTEE ON
OFFICE AND CIVIL SERVICE
USE OF REPRESENTATIVES
NINETY-FIRST CONGRESS
FIRST SESSION

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ON
H.R. 12476
A BILL TO AMEND TITLE 5, UNITED STATES CODE, TO
PROVIDE FOR ADDITIONAL POSITIONS IN GRADES
GS-16, GS-17, AND GS-18

NOVEMBER 5, 1969

Serial No. 91-15

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SUPERGRADE POSITIONS

WEDNESDAY, NOVEMBER 5, 1969

HOUSE OF REPRESENTATIVES,
MANPOWER AND CIVIL SERVICE SUBCOMMITTEE OF THE
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
Washington, D.C.

The subcommittee met at 10 a.m., in room 210, Cannon House Office Building, Hon. David N. Henderson (chairman of the subcommittee) presiding.

(The bill, H.R. 12476, subject of the hearing, is as follows:)

[H.R. 12476, 91st Cong., First Sess.]

A BILL To amend title 5, United States Code, to provide for additional positions in grades GS-16, GS-17, and GS-18

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5108(a) of title 5, United States Code, is amended by striking out "2,577" and inserting in lieu thereof "2,727".

(b) Section 5108(b)(2) of such title is amended by striking out "2S" and inserting in lieu thereof "44".

(c) Section 5108(c)(1) of such title is amended by striking out "64" and inserting in lieu thereof "90".

(d) Section 5108(c)(2) of such title is amended by striking out "110" and inserting in lieu thereof "140".

SEC. 2. Section 4 of the Act entitled "An Act to provide certain administrative authorities for the National Security Agency, and for other purposes", approved May 29, 1959, as amended (50 U.S.C. 402, note), is amended to read as follows:

"SEC. 4. The Secretary of Defense (or his designee for the purpose) is authorized to—

"(1) establish in the National Security Agency (A) professional engineering positions primarily concerned with research and development and (B) professional positions in the physical and natural sciences, medicine, and cryptology; and

"(2) fix the respective rates of pay of such positions at rates equal to rates of basic pay contained in grades 16, 17, and 18 of the General Schedule set forth in section 5332 of title 5, United States Code.

Officers and employees appointed to positions established under this section shall be in addition to the number of officers and employees appointed to positions under section 2 of this Act who may be paid at rates equal to rates of basic pay contained in grades 16, 17, and 18 of the General Schedule."

Mr. HENDERSON. The subcommittee will come to order.

The Manpower and Civil Service Subcommittee is today again reviewing the needs for additional top jobs; namely GS-16, GS-17 and GS-18 positions. The subcommittee has for consideration H.R. 12476 by Chairman Dulski and the ranking minority member of the committee, Hon. Robert J. Corbett.

H.R. 12476 provides for 222 additional GS-16, GS-17, and GS-18 positions and also removes the present numerical limitation on high-level positions in certain professional engineering, natural science,

physical science and medical categories in the National Security Agency.

The 222 additional supergrades would be allocated as follows:

- (a) 150 for the Civil Service Commission to distribute.
- (b) 30 for the FBI.
- (c) 26 for the GAO.
- (d) 16 for the Library of Congress.

We have invited the Chairman of the Civil Service Commission to present the requirements of the administration.

Mr. Hampton, we are happy to have you and Mr. Berlin of your staff with us this morning.

In the interest of time, if there is no objection, I would ask that your statement be printed in the record, that you proceed as you like. If you can highlight it, it will be most helpful to the committee, and I am sure we will have some questions.

TESTIMONY OF HON. ROBERT E. HAMPTON, CHAIRMAN, CIVIL SERVICE COMMISSION, ACCOMPANIED BY SEYMOUR BERLIN, DIRECTOR, BUREAU OF EXECUTIVE MANPOWER

Mr. HAMPTON. It is perfectly agreeable to me to put the statement into the record and I will touch on some of the highlights.
(The document follows:)

STATEMENT OF ROBERT E. HAMPTON, CHAIRMAN OF THE CIVIL SERVICE COMMISSION

Chairman Henderson and members of the subcommittee, we welcome the opportunity to appear before you today in connection with the Civil Service Commission's effort to obtain an increase in the statutory quota limitation on the number of supergrade spaces. This is the third straight year in which the Civil Service Commission, representing the executive branch of Government, has requested the Congress to provide additional top level administrative, managerial, and professional positions.

These efforts have all had the same objective—to meet the increased needs of the service for top level management talent caused by the expansion of existing programs and by the creation of new programs.

These expansions in Federal programs have been in progress since 1949; and, until 1967, the Congress has responded favorably to Administration requests to match these expansions with additional top level positions. The problem was solved for scientific and research engineering positions in 1962 when the Congress authorized the classification of such positions in grades GS-16, GS-17, and GS-18 without regard to quota limitations. But for other types of positions, quota limitations were retained.

The last favorable response to an Administration request for additional quota spaces occurred in 1966 when the Congress increased the quota limitation by 177 spaces to a total of 2,577 quota spaces for overall Government needs. Since then, the Congress has authorized large expansions in many existing programs, and has authorized the establishment of totally new programs. Examples of these programs are legislation in the fields of:

- Highway safety (DOT)
- Air and water pollution (HEW and Interior)
- Secondary and higher education (HEW)
- Urban renewal (HUD)
- Drug abuse and control (Justice)
- Juvenile delinquency (Justice)
- Legal enforcement assistance (Justice)
- Health manpower (HEW)
- Programs for the aged (HEW)
- Child welfare (HEW)

Vocational rehabilitation (HEW and Labor)
 Hunger elimination programs (Agriculture)
 Housing (HUD)
 Minority enterprise (Commerce)
 Manpower training (Labor)

The Congress has also authorized the creation of a new department—the Department of Transportation with a staff of 100,000—since additional supergrades were made available in 1966.

Every one of these developments has created the need for additional top level executive and managerial positions. In 1967, the Commission moved to meet these progressively increasing needs by requesting the Congress to authorize 245 additional quota spaces in H.R. 10376, but favorable action was not taken on this request. Again, in 1968, the Commission sought relief by requesting an increase of 365 in the number of quota spaces in H.R. 15890, and again the Congress chose not to furnish the requested relief. Yet, at the same time, the list of expanded programs has continued to grow. The cumulative result is that we now have on hand about 500 requests to create new supergrade positions on which we cannot act for lack of quota spaces.

In 1967 and 1968, the Commission described the need for additional quota spaces as pressing. But today, in 1969, the need has ceased to be just *pressing*—it is *critical*.

In the absence of legislative relief, the Commission has done what it could to meet new needs by shifting spaces from programs whose needs were, on a comparative basis, less critical at the time. The effectiveness of this procedure has its built-in limitations; i.e., when a space is shifted to another program, the losing program suffers. The result has been that we have been able to provide for only a fraction of the needs created by new and expanding programs.

H.R. 12476 reflects the Administration's current request for an additional 150 quota spaces for Government-wide distribution. In addition, in the proposed legislation the Federal Bureau of Investigation, the General Accounting Office, and the Library of Congress are requesting an increase of 72 spaces in their special authorities.

The additional 150 spaces will not enable us to meet all of the needs of the Federal service or, for that matter, all of the urgent needs. They will, however, meet the most critical needs of high priority programs. This relief will afford the Administration time in which to evaluate the impact of the new salary schedules for GS-16, 17, and 18 positions which took effect last July, and to review program needs and program direction in the light of current legislative actions and Administration program direction.

The authorization of these 150 additional spaces would represent an increase of less than 6 percent in the current quota limitation of 2,577 spaces. When viewed in light of total Federal employment in General Schedule positions, the 150 additional positions are only .0001 percent of the 1,300,000 total.

If one relates the requested increase of 150 GS-16, 17, and 18 positions to the great responsibility for managing a total Federal civilian work force of about 3,000,000, the 150 figure is minuscule. The effect which the creation of these additional supergrade spaces would have on the executive branch, however, would be all out of proportion to their significance. These additional spaces would permit us to meet the most critical needs for top level leadership throughout the executive branch.

H.R. 12476 also seeks to eliminate an inequity which now exists in the overall provisions governing numerical limitations on supergrade spaces. Since the National Security Agency is not subject to the provisions of chapter 51 of title 5, United States Code, it cannot take advantage, as other agencies can, of the provisions of 5 U.S.C. 5108 which exempt certain professional engineering, natural science, physical science, and medical positions from quotas established by the Congress. Instead, it is limited by the provisions of section 4 of Public Law 86-36 to "not more than ninety civilian positions involving research and development functions which require the services of specially qualified scientific and professional personnel."

The National Security Agency is in urgent need of additional top level positions to carry out its crucial function. The bill proposes to meet this need and also eliminate the inequity by exempting the agency's top level scientific and engineering positions from quota limitations. This would give it the same authority and

flexibility now afforded other agencies under section 5108 of title 5. This proposed change, which was recommended by the Department of Defense, has our concurrence.

In conclusion, I would like to emphasize again that the proposed increase in quota spaces will not meet all the needs of the executive branch. It will not even meet all urgent needs. It will not permit the correction of certain glaring inequities, exemplified by the fact that half of the National Labor Relations Board's Regional Directors, who occupy identical positions, are GS-16's and the other half are GS-15's. Nor will it meet any needs which may develop in the future. The increase will meet only the most critical bare-bone current needs of the executive branch for top level leadership, and nothing more.

I hope that I have been successful in conveying to you the reasons why we are so gravely concerned regarding the action to be taken on H.R. 12476. We will be glad to answer any questions which you may have.

Mr. HENDERSON. Mr. Hampton, also for the record, it possibly would be in order at this point for me to say for the record that we have received communications from the FBI, the GAO, and the Library of Congress substantiating their present needs for these positions, and your testimony obviously would be directed at the remainder of the bill.

Mr. HAMPTON. Yes, sir. In this legislation we are requesting 150 additional supergrade spaces to be allocated by the Civil Service Commission and 72 spaces to be assigned to the FBI, the GAO, and the Library of Congress.

I think the figures were 30 for the FBI, 26 for the GAO, and 16 for the Library of Congress.

One of the obvious questions that we get is, Why are you requesting only 150 supergrade spaces at this time in the light of previously unsuccessful requests which were for considerably more?

The 150 spaces that we need at this particular time in no sense meet the real supergrade requirements of the Government. The 150 spaces will meet only the most critical needs of today.

We felt that we were in no position to come to the Congress with a specific request for the number of supergrades which would meet all of the needs that have been placed upon us because, one, we had not had the opportunity to assess the impact of the latest pay rates that went into effect on July 1, 1969, and, two, we were not in a position to assess all of the new program needs of the administration.

Some of these needs now are becoming apparent, and we will be moving ahead on our study of the executive assignment system. At some future date we will come back to the Congress with a more complete picture of what the supergrade problem is.

Another important part of our request is a measure which would relieve the National Security Agency of an inequity. They are presently not being treated like the other Government agencies. Their scientific and engineering jobs are covered by a limitation, and yet other Government agencies are not so restricted because their positions in this category are nonquota.

We ask that there be relief for this inequity.

Those are the highlights, Mr. Chairman. We feel that our needs are no longer just pressing. We think they are now very critical.

Mr. HENDERSON. Thank you very much, Mr. Chairman. This question may have been covered in your statement, but even so, how many supergrades based on the congressional quota do we now have throughout the agencies?

Mr. HAMPTON. We have 2,577 quota supergrades distributed among the agencies.

Mr. HENDERSON. How many nonquota do we have?

Mr. HAMPTON. The nonquota are 1,876.

Mr. HENDERSON. And the number of Public Law 313?

Mr. HAMPTON. There are 1,334, and there are 937 in other categories. If you would like, I can give you a figure on the total supergrades overall of 5,390, and the Public Law 313, 1,334, giving a grand total of 6,724.

Mr. HENDERSON. As a part of your overall consideration and study of these top positions, which you have indicated you would later report to us on, has any consideration been given to having all of these supergrade positions and positions equal to supergrades being brought under one single system?

If not, do you think that such consideration might be given by the Commission?

Mr. HAMPTON. Well, in terms of their classification and approval of qualifications, all of the supergrades are essentially under one system.

The nonquota positions, of course, include a certain type of position. The Public Law 313's include a certain type. I haven't really given any consideration to embracing all of them under a single system. I feel that the quota limitation is creating some very serious problems to us, particularly when we have difficulty in meeting needs that are clearly justified.

So, we are studying this executive assignment system. I personally feel that I would like all supergrades out from under a quota, with their allocation determined by the Civil Service Commission through the application of job classification standards.

I would not have at this time any idea as to how many additional top level positions would be created as a result of this. I know, also, that there are some benefits to having quota restraints on us because they do tend to keep the pressure down and thus hold down the numbers.

Mr. HENDERSON. We can certainly agree that to make the system work we must be responsive to the needs. I think you would agree that if we didn't have the quota system, there would be more supergrade positions throughout the Government than there is at the present time?

Mr. HAMPTON. After we have completed the study of the executive assignment system, I would really like to work with the committee and the staff of the committee to see if we can't develop some better system of handling executive personnel. I am not sure of many things at the present time. If I commented it would probably raise more questions than I would answer.

Mr. HENDERSON. One thing the committee would be interested in at that time is advice as to how many supergrades, from time to time, you have been able to recoup into the pool.

I think if we could show that that has been our experience, that the present system would indicate that it is working fairly well. How many supergrades do we have in the pool at the present time that have not been allocated by the Commission?

Mr. HAMPTON. Every position that we have in the pool at the present time is committed or is in the process of being distributed. As you

know, this is not a static situation. There are vacancies that occur, and at times we pull those positions back and reallocate them to other agencies.

This always creates a tremendous problem, particularly for the losing agency. I think that there are eight positions in the process of being filled right now, but they are all committed and actually we have zero.

I am getting calls from Cabinet officers for supergrade spaces for very, very high priority new programs that I am really unable to respond to without going to an agency and saying that your business is less important than the business of this other agency and I am going to have to take this space away from you.

Mr. HENDERSON. Finally, Mr. Chairman, it seems to me also as a part of your study and future report to us, if we could get a report of the result of the consolidation of the Department of Defense it would be beneficial.

Specifically what we would like to know is whether or not such legislative action on the part of Congress requires more supergrades in the Department organization than it would in the agencies before with the same ongoing programs. This probably will be a studied opinion on your part, but certainly if we could be shown, and the rest of the Congress, on the record that this departmental organization was effective in reducing the number of top level personnel, I think it could be most helpful as we look at the future.

Mr. HAMPTON. Just off the cuff, the establishment of the Department did not diminish at all the need for supergrade positions in the organization of the Secretariat which was to oversee and coordinate the operation of the agencies which were consolidated in the Department.

I understand that DOT did an indepth study of all of their executive needs. We have reviewed that briefly with them some time ago, but we will get for the record a statement of this.

Do you have anything to add?

Mr. BERLIN. The primary need for new supergrades in the Department of Transportation were in those functions which were not being done, which was the total coordination of the transportation system, as I understand it.

They have done a job of studying their hard-core needs and the movement of space, say, from FAA to other places in the Department to the best of their ability in order to meet their hard-core needs. I think their minimum emergency needs are about 40 or 45.

Mr. HENDERSON. I think the Commission has done an excellent job and certainly the Department has in bringing to our attention their dire needs. However, I can't help but express my own opinion that if they had received all the supergrade authorization in the legislative act at the time the Department was created, that they contended they needed and could have made a reasonable case for, that there could have been many more for that Department than they have now. Of course, this takes into account even the most critical needs that you present to us that are existing in the Department of Transportation at the present time.

Mr. HAMPTON. As you know, Mr. Chairman, we don't believe in special legislative authorization of supergrades. In most of the bills where this has been done, the authorization was not based on assessment of

need, but on assumption. We prefer the arrangement that we have now with the Congress.

Mr. HENDERSON. It is for that reason, of course, that I feel that we must be responsive to the present request we are considering.

Mr. Gross, do you have questions?

Mr. Gross. Yes; thank you, Mr. Chairman.

Mr. Hampton, you and Mr. Macy, former Chairman of the Commission, have indicated there was a dire need for supergrades nearly every year since 1966, and yet the Government seems to have moved along reasonably well without all the supergrades that have been requested.

How do you account for this?

Mr. HAMPTON. I think we have been able in the past to patch and fill and pull back supergrades and reallocate them, and in the process of this we have created some inequities. We have positions in the Federal service that meet all of the classification standards for supergrades that we are unable to allocate for lack of spaces.

I think that we have had good men leave the Federal service for other opportunities because of this. I think in some cases it hampers recruitment effort and certainly adds on to the needle effect that we have at the top of the pyramid in the Government structure. We really do not have sound organizational relationships between jobs at the supergrade level and those below it.

I think this tends to discourage younger men who have reached grade 14 and 15 from staying in the Federal service. I think, too, that one of the things that you need in order to really efficiently manage programs is good top-level people. I think we have suffered somewhat.

We have gotten along without these additional supergrades, but I think that we no longer can. We have been able to meet these needs by shuffling, but I think we have pretty much reached the bottom of the barrel.

As I have said before, and I said before the Senate, the fact that we did not receive supergrades in the last 3 years did have a very therapeutic effect. In one sense the agencies sharpened their system of reviewing their own requirements and looking more closely at the qualifications of people who went in these positions, and it certainly taxed our ingenuity to the point where we ourselves sharpened our own operation.

But through all these particular tools, I think that we have exhausted our ingenuity and certainly we have some inequities that need to be attended to.

Mr. Gross. With your statement of critical need for additional supergrades, it is somewhat more than confusing to me to understand how you, the departments and agencies can justify 40 to 50 supergrades going off to school for 4, 6 and even 8 weeks.

When a GS-17 can be away from his office for 2 months, is his job really critical?

Mr. HAMPTON. I think so. Let me say I think executive development in this day and age is a most important factor in bringing about good management.

I think that what we are doing is good in many ways. It is certainly a good communications device on new techniques. Most industries have found that this increases the efficiency of its executives.

Surely these men are missed when they are away. Many of them keep in touch with their offices by phone and otherwise. But I don't think that having at any particular time anywhere from 50 to 60 of these people away indicates that what they were doing was not critical.

What we are trying to do is to see that they carry out their jobs better. I personally know of one case in which the man is a considerably better employee for having had the training.

Mr. GROSS. With the numbers that have gone to school at Charlottesville, Va., I would think the percentage of those who have been able to show real benefit and added efficiency to the Government would be higher than that.

I think this is a subject the committee might well go into—just what real benefit accrues from these 4- 6- and 8-week sojourns at Charlottesville. I seriously question the value over that period of time for people who are apparently so important to the every day operation of the government, Mr. Chairman.

Mr. HAMPTON. I think it has a real payoff, sir. If the committee desires to go into this further, we will certainly go over what we are doing there and what we think are the benefits, and also give you some of the comments we have had from agency heads and from the individuals who have been at those courses.

Mr. GROSS. This is a little extraneous to the precise question that is before the committee this morning, but only last Friday we had before the House a bill to provide an additional \$200,000 for the upkeep of the so-called Administrative Conference.

This Administrative Conference has a chairman who draws down \$42,500 a year. To save my soul, I couldn't get from any of the sponsors of this increased appropriation from \$250,000 a year for the upkeep of the Administrative Conference to \$450,000—I couldn't get any evidence of real benefit from this outfit.

This is, of course, going beyond the supergrade level, the pay of a chairman at \$42,500 a year, and the hiring at \$100 a day of young lawyers on a consultant basis. But this can well equal supergrade pay if they are on the payroll enough days. Does the Civil Service Commission have it within its power to find out how many advisory boards, how many commissions employing these top pay people are necessary to this Government?

Is there anybody that is doing any kind of a study or has the jurisdiction to go into this outside of Congress. Perhaps we should be doing it, I don't know. It seems to me that a lot of supergrades or the equivalent expenditure therefor could be saved this Government if we could dispense with some of the advisory boards, the administrative conferences, the conferences, commissions, committees, and so on and so forth.

We are not exactly wallowing in money in this Government these days, and the Federal payroll is building up into a tremendous amount of money. I would like to see the Civil Service Commission or somebody go through this Government with a fine tooth comb and find out how many of these outfits are duplicative and how many of them could be abolished.

Mr. HAMPTON. Yes, sir. The White House is doing just such a study. It is under the jurisdiction of Mr. Bud Wilkinson. He is going to every advisory board and committee with an extensive questionnaire about

what they are doing, how often they do it, what the purpose is and so forth.

They are obtaining this information in an effort to halt the proliferation of these types of groups, to see if there is an overlapping in function and to ascertain how important these particular functions are.

This is being done. We in the Commission do not have any jurisdiction over advisory boards and commissions, some of which are established by law, some of which are established by Executive order. Many of them have staffs which are excepted by law from civil service rules and regulations.

We have no oversight, we have no ability to control them.

Mr. GROSS. Of course, Mr. Wilkinson, as I understand it, is doing some moonlighting. I wonder is he going at this job between football seasons?

Mr. HAMPTON. I can't answer that.

Mr. GROSS. It is a situation that it seems to me demands immediate and thorough attention. As I am sure you recall, about a year ago Congress refused to enact legislation authorizing additional supergrade positions in the Government, and according to the information available at that time from the Civil Service Commission, there were a total of 8,330 supergrade positions or their equivalents.

Now as of June 30, 1969, there are a total of 9,842 supergrade positions or their equivalents in the Federal Government. Can you explain this increase of 522 supergrade positions in spite of the positions which the Government took in the 90th Congress?

Mr. HAMPTON. The 9,000 figure you cite includes those in the Foreign Affairs Agency over which we exercise no control. About the only thing we could cite there is that they have grown—what was the growth?

Mr. BERLIN. I don't have that immediately available, but there has been some substantial growth there.

Mr. HENDERSON. Could you supply that?

Mr. BERLIN. Yes.

(The following information was furnished:)

Growth of upper level positions in other salary systems

	Positions
May 31, 1967-----	2, 922
May 13, 1968-----	2, 951
June 30, 1969-----	3, 268
Oct. 31, 1969-----	3, 274

Mr. HAMPTON. The other growth has been in the nonquota scientific-technical supergrades that are under no quota, each of which, however, has to come to the Civil Service Commission to be classified.

This is where the growth has been. We can submit a table which will show you year by year the change in the nonquota.

(The following information was furnished:)

Growth of nonquota positions—1967-69

	Positions
1967-----	1, 510
1968-----	1, 678
1969 (June)-----	1, 821
1969 (October)-----	1, 876

Mr. HAMPTON. Let me say, and I am just offering this comment gratuitously, that I am disturbed by the growth of the nonquota supergrades because I think from an organizational standpoint it distorts their relationship to the very top managers that they serve under.

I think that we are keeping a pretty tight grasp on nonquota supergrades, but in order to get topnotch scientific talent it is necessary to pay these types of salaries.

Mr. HENDERSON. Will the gentleman yield on that point?

Mr. GROSS. Yes.

Mr. HENDERSON. If you could furnish the year-by-year information for the last 3 years, it would be possible for this committee to look where the greatest growths are and do some study by way of open hearings in the future which, I think, if we are not going to have tight controls on, at least we ought to spread upon the record where the growth has occurred and try to find some answers to the question of why the growth.

Mr. HAMPTON. We have a chart that gives that. I don't have it right here, but we do have it.

Mr. HENDERSON. Without objection we will have it entered into the record after your testimony.

(The following information was furnished:)

NUMBER OF POSITIONS AUTHORIZED BY LAW

Date	Government-wide quota	Nonquota ¹	Special agency quotas	Other salary systems ²	Public Law 313 type	Hearing examiner quota	Total
May 31, 1967-----	2,577	1,510	670	2,922	1,334	249	9,262
May 13, 1968-----	2,577	1,678	676	2,951	1,334	249	9,465
June 30, 1969-----	2,577	1,821	685	3,268	1,334	249	9,934
Oct. 31, 1969-----	2,577	1,876	685	3,274	1,334	249	9,995
Increase since May 31, 1967-----		366	15	352			733

¹ No limit on number.

² Includes positions for which CSC has no responsibility in the following agencies: AID, Agriculture, AEC, CAB, Council of Economic Advisers, Defense, Executive Office of the President, Federal Deposit Insurance Corporation, HEW, Justice, National Aeronautics and Space Council, National Security Agency, National Science Foundation, Peace Corps, Post Office, State, TVA, Transportation, Treasury, USIA, VA, Water Resources Council Staff.

Mr. GROSS. Have you any figures showing the number of persons holding supergrade positions who retired last month under Public Law 91-93, the new Retirement Act?

Mr. HAMPTON. No, sir; not at this time. The date on that was October 31, and we are beginning to get these into our Bureau of Retirement and Insurance. We estimate it will be a few more weeks before we have any final figures in the supergrade area. But we will make that available to you at that time.

(The following information was furnished.)

Approximately 100 persons in GS-16, GS-17, and GS-18 positions have retired as a result of the new retirement act.

Mr. GROSS. Then, I assume that you haven't had time to evaluate them to see whether you are going to fill those positions or assign them elsewhere?

Mr. HAMPTON. We are not aware yet of who is retiring and what positions will be available. The thing about supergrades is that they

are allocated to the position, and if a man retires, the position will still have to be filled.

So, I don't anticipate that this would have any effect on our needs in terms of supergrades.

Mr. GROSS. Last December 4, Mr. Hampton, your predecessor, Mr. Macy, participated in a press briefing on the transfer of executive power. Commenting on schedule C positions, he said "The people who are in those positions are in effect at the pleasure of the Cabinet officer or the agency head. It will be up to the incoming appointees to determine whether or not they are continued."

He went on to say that there were about 500 of these non-career executives in grades 16, 17 and 18.

Can you tell us how many of these Kennedy-Johnson political appointees remain in supergrade positions at this time?

Mr. HAMPTON. We can give you an approximation. I think there were 459 of these positions as of January 1, 1969. This number has been increased by 35, only five of which were conversions from career to noncareer.

We are talking about roughly 490 jobs as the figure that you had.

This figure, incidentally, will vary over any particular time span. It can vary considerably, but it has stayed pretty much through history at the same number. I would say the new administration has filled approximately 300 out of the 490 positions with new people.

This does not necessarily mean that these people came in from the outside. There is another peculiar thing about schedule C positions and noncareer executive assignments. While the head of the agency has complete authority to change these positions and the appointees serve at his pleasure, about 60-some-odd percent of these positions have been filled by career people. So, there is quite a variable here as to whether these individuals are truly political people or whether they are career men.

Some of the people that were in those positions obviously were career people, but they had no tenure. Some were assigned to other jobs and some resigned and left. So far, the Cabinet has only chosen to fill a little over half of those positions.

Mr. GROSS. One final question for the record of this hearing; you are not asking for any supergrades for the District of Columbia, is that correct?

Mr. HAMPTON. We did not make a specific request for the District of Columbia. When we sent up a letter to the Speaker, we mentioned in it that some of these may be available to the District of Columbia. But I cannot commit any position to the District of Columbia at this particular time because these positions are primarily needed for new programs and programs brought about by the results of reorganization and so forth.

Mr. GROSS. This leads to another question, then, in view of your qualified answer. Do you anticipate that you will use some of the numbers, if you get this legislation, to supply the District of Columbia with supergrades, or must we write into this legislation a proviso that none of them shall go to the District of Columbia?

Mr. HAMPTON. I could not make a commitment that I would not allocate one of more of these positions to the District of Columbia if their

program meets the criteria that we have established for the allocation of these 150 positions.

Mr. GROSS. Mr. Hampton, in view of the record that we have of the pay scales in the District of Columbia, as one member of this subcommittee I certainly would want witnesses to appear on behalf of the District of Columbia before I approve the dispensing of any more supergrades to the District of Columbia.

I am speaking as one individual member of the committee. Thank you, Mr. Hampton.

Mr. HENDERSON. Let me follow that question. In the other body, has there been any specific request for supergrades to be allocated only to the District of Columbia? I think they have concluded their hearings.

Mr. HAMPTON. We have received requests from the District of Columbia for supergrades, but I have requests totaling now I think 467—I think that is the exact number—plus 45 more needed to correct inequities which makes a total of over 500.

Mr. HENDERSON. Could you indicate to us whether or not the Senate committee in their hearings received a request and took testimony on specific needs for the District of Columbia?

Mr. HAMPTON. They did not.

I was asked this question at the Senate hearings, and I said I had no commitment to allocate any jobs to any agency, including the District of Columbia, and I would just have to say that the three Commissioners and Mr. Berlin will have to sit down and analyze these priorities. If their priorities are not as high, they will not be given supergrades.

Mr. HENDERSON. Before I yield to Mr. Hamilton, could you give us the estimate of the cost of the Congress granting these 222 additional top grades? I would prefer the total, but if you want to break it down among the 150 others, that would be fine.

Mr. HAMPTON. I have some figures on the 150. It depends on the way they are allocated. Eighty-three percent of all the supergrades in existence now have been filled from within the Federal Government and 17 percent of the people have been appointed from outside.

If this holds true in the allocation of these positions, the total overall cost will be \$1,406,000.

If the positions were allocated, say, 50 to 50, and I want to give you all of these cost figures in order to give you a picture, if we went 50 percent outside and 50 percent inside, the figure is \$2,575,000. But I would say the pattern would be pretty much what has been experienced.

The history goes back 20 years, and it is a pretty solid foundation. I would say the figure would be closer to the 1.4 million than the 2.5 million.

Mr. HENDERSON. Mr. Hamilton?

Mr. HAMILTON. Mr. Chairman, what kind of consequences are going to flow in terms of specific programs in the Government if you don't get your request?

Mr. HAMPTON. I think that program administration will suffer. I think that the priorities of this administration will be seriously hampered. I think that inequities will be greater than we presently have.

There are many people now serving in Government positions that should be allocated at the supergrade levels on the basis of their responsibilities and their positions in their organizations.

I think it is grossly unfair for them to be undercompensated for

their services, and we depend solely upon their dedication to stay in Federal service. These are top people, these are big people, we have a big investment in them.

Mr. HAMILTON. These are the people that really run the Government programs?

Mr. HAMPTON. That is right. They are the real managers.

Mr. HAMILTON. Your statement says you have a request for 500 supergrades. I presume these requests are made by the Secretary of the department only after very extensive examination of what his needs may be.

Mr. HAMPTON. Actually, each agency looks at its organization, its programs, and its priorities.

Mr. HAMILTON. The history of this request—does it follow the logic that the Commission is going to cut me down. I will request two for every one job I need because I know they are going to cut me down anyway?

Mr. HAMPTON. No, sir. Having served in the agencies and having served on the boards that have determined supergrade needs, I can say that there are normally maybe 4 or 5 times more requests from operating officials throughout the country than the number that agencies are willing to request from the Civil Service Commission.

Each agency has an executive assignment board which is responsible for the management of its executive manpower. It evaluates all of these particular requests and sends us requests in priority order, maybe one, two, three. In effect, the agency is saying: "This is our top priority; if you have only one space to allocate to us, this is the job that we want it allocated for. If we have two requests, this is our second priority."

Mr. HAMILTON. Let me tell you what disturbs me, and I have a little different approach than my colleague, Mr. Gross.

How do you arrive at 150 positions when your Secretaries of Commerce and Agriculture and Defense and all the rest say that they need 500 men to do the job that they are assigned to do by the Congress and by the President?

You are taking on yourself, it seems to me, an enormous function in cutting that figure down from 500 to 150. You are saying in effect to the Secretary of Defense and the Secretary of Commerce and all the other Secretaries that I know more about your department than you do, and you are giving me an exorbitant demand.

Mr. HAMPTON. That is absolutely true, and it puts the Commission in the almost untenable position of determining the priorities to be observed in allocating these positions. I would say we make the most careful evaluation that the system allows us to.

As to the urgency of the program, it is usually based upon new legislation that Congress passes. Congress says we want this program put into action, or we have an executive order in which the President says I want this particular program put into action.

What we do is the only way that we can do whenever we get into a quota situation, we take those programs of the most recent urgency coming out of Congress and out of the executive branch and give them priority.

As I say, many inequities result.

Mr. HAMILTON. I understand. How do you arrive at the 150 figure?

Mr. HAMPTON. The 150 that we requested was based upon new legislation mentioned in my statement and on requests that have resulted from reorganizations and new program directions that have come out of the administration.

The 150 is not really what we would request. This request came early in the administration. At that time, because the Cabinet officers were new, we were unable to determine what the true priorities would be.

A second factor that had to be considered involved the question of compensation. We had had some dramatic pay adjustments in the last 3 years in moving toward comparability, and another one was pending.

We have not been able to ascertain at this point the impact of the new pay scales on the needs. Supergrades originally were set up for one purpose, and that was to provide adequate compensation for people in the top level positions.

The compensation situation has changed since supergrades originally came into existence. We feel that we need a very careful indepth study of the picture of compensation of top level executives.

We may be thinking that there shouldn't be such things as supergrades, that there should be broad bands of compensation which would allow the fixing of salaries on the basis of a man's expertise and his ability to provide a service to his agency.

We don't know the answer to this.

Mr. HAMILTON. Let me interrupt you and commend you for that. My mind runs in the same direction. I think there is an arbitrariness and a rigidity in the whole supergrade approach which is not in accord with good management principles.

Mr. HAMPTON. The managers are very critical of this; we very much are aware of this. I am concerned, because a position that is scarce takes on an aura of status, and status is more important than compensation. We know that when we are allocating by position we are handcuffing the Secretary in the utilization of his executive manpower, and when you have no growth in this manpower at all and you start from a scarce situation to begin with, the problems are just critical.

Program priorities change all the time. The Government changes priorities, programs die, we shift back. Here we have a man who has been in the system for 25 years, and he has worked up to a supergrade, but his program is not as important as it used to be.

What do we do with this man? Can we shift him over? In many cases like this one we find that he does shift over. But in some cases we have men who no longer have the vigor and so forth to operate a new high-priority program.

He is a good man, he can make a real contribution to his agency, and you don't want to adversely affect him by cutting his salary at one of the most important parts of his career.

Mr. HAMILTON. Suppose you get your request here, I take it from some of the things you have just said and also some of your statement that it is possible you would be back here next year requesting additional supergrades?

Mr. HAMPTON. Yes, sir. There is no doubt in my mind that this only meets a critical need. It does not in any way respond to the need for the 500 positions for which we have requests that are fully validated.

Mr. HAMILTON. This study that you indicate should be made and is being made, is there any indication as to a schedule on that, as to when you will be prepared to discuss with this committee the approach you think the Government ought to take in these top-level jobs?

Mr. HAMPTON. Mr. Berlin is the Director of the Bureau of Executive Manpower, and he tells me the study should be completed by about next spring. I would like to come to the committee at some time without a specific piece of legislation to discuss and highlight the critical problems in this area.

Mr. HAMILTON. I very much appreciate that personally, and I hope our Chairman sees fit to follow through on that.

I think that is all, Mr. Chairman.

Mr. GROSS. Mr. Chairman, could I make a statement?

Mr. HENDERSON. Yes. May I make one comment for the record.

I have been thinking for some time this morning, Mr. Chairman, that you certainly have volunteered and urged me to arrange a session in which you could come and give us a full briefing on the Commission's functions and ideas. I am sure you can be appreciative of the problems that we have had with other legislation. However, I would certainly be less than honest if I did not say that I have been disappointed that I haven't been able to arrange this. I think if we could do it, it would be most helpful to all the members of the subcommittee.

I assure you of my continuing interest in getting this done.

Mr. HAMPTON. I appreciated your attitude when we talked about this earlier in the year. I really think it is important for the committee, probably at the start of the next session—I realize the press of legislation this year—for us to come up to the committee and make a total presentation on our program.

There have been some dramatic adjustments and changes that have been made in the last 9 months, and I would like the committee to have the benefit of knowing everything that we are doing in an open and aboveboard fashion.

Mr. HENDERSON. I assure you I will pursue this with Chairman Dulski. He has indicated his sincere interest in opening this up so that the full committee members could hear the presentation of your staff which will be continuing to work on that.

Mr. GROSS. I am concerned about section 4 of the pending bill and the erosion of congressional control over supergrades. This section 4, as I read it, provides for an unlimited number of supergrades.

In other words, it seems to me that we have lost the handle on supergrades insofar as section 4 is concerned.

Mr. HAMPTON. Section 4 is the National Security Agency. When Congress passed the law establishing the authority for the Commission to allocate positions in the physical and natural sciences and medicine, the National Security Agency was covered by another law and it was not amended at that time.

So, the National Security Agency has a quota on its scientific and technical positions. All we are asking here is that the National Security Agency be given the same treatment as all the other agencies. This section will affect only that one agency, the National Security Agency.

Mr. GROSS. That may well be, but again, as one member of this committee, I am loathe to—

Mr. HENDERSON. Mr. GROSS, would you yield on this point?

Mr. GROSS. Yes, in just 1 second. I am loathe to give authority without numerical limitation of any kind to any agency of the Federal Government. I understand the nature of the National Security Agency, but there is no reason why in my opinion the Congress can't put some kind of a numerical limitation on it without going into job descriptions or anything else.

I am loathe to extend this kind of authority to the National Security Agency.

I yield, Mr. Chairman.

Mr. HENDERSON. I want to point out I have before me a letter to Chairman Dulski, dated the 3d of November, and I am going to ask unanimous consent to get this introduced into the record. Admiral Gayler of the National Security Agency pointed out that this request was before our subcommittee and that you would testify on this this morning. He stated "Should you require additional detailed justification, I would be happy to appear before the committee."

I have not had the message a sufficient time, Mr. Gross, to discuss it with you and other members of the committee, to make a determination with our staff as to whether we would want to do this. I think we could arrange, not necessarily a hearing, but an opportunity for us to discuss this and get the justification into the record in the light of the security of that agency.

I assure the gentleman we will take a look at that before we take executive action on the bill, or at least that is my intent.

Mr. GROSS. I thank the Chairman.

Mr. HENDERSON. I think, Mr. Gross, what we are faced with here, as I understand the Chairman's position, is that their recommendation is that the National Security Agency on this point be treated as the others. That would bring me to my feeling of trying to work out some limitation without it being a quota system, Mr. Hampton, so that the point that Mr. Gross makes would not hamper the National Security Agency or other agencies. There would be some ceiling on their actions which from time to time could be reviewed, and would have the effect of requiring full justification.

This, too, perhaps we can explore at a later date, Mr. Chairman.

Mr. White, do you have questions?

Mr. WHITE. Yes, sir. I do, if I may.

Mr. Hampton, could you list for the committee or provide this committee with the number of slots that are needed in the GS-16, GS-17 and GS-18 positions that are most urgently needed?

Mr. HAMPTON. I could provide you with a list of the positions that we have requested. As to the urgency, I wouldn't want to be committed to the committee to allocate the positions in exactly the fashion that we might give them, because these priorities shift rather rapidly.

But we can provide you with some information that will give you an idea of the 500 requests that we have.

Mr. WHITE. Don't you think the committee needs some kind of guidance as far as the priorities? Even though they may shift, they certainly can't shift much.

Mr. HAMPTON. We cited in our testimony examples of the types of programs on which there has been new legislation since the last allocation, and that gives you some idea. I can give you a probable list of distribution for the record or for your own use.

Mr. HENDERSON. I would prefer that it be submitted for our own use and that we then might decide whether to put it in the record. Of course, you don't know how to make a judgment until you know how many you are going to get. I don't think it would be in the best interest of our total objective to have this on an assumption of the 150 being allocated.

But I think that what Mr. White is trying to get here is something to follow on Mr. Hamilton's questions, a general statement of how you determine them and what do you recognize to be the most important and most urgent requests.

Mr. WHITE. As close as you can by numbers, because that is what we are dealing with, numbers.

(The following information was furnished:)

SUPERGRADE REQUESTS

Agency	GS-18	GS-17	GS-16	Total
Agriculture	2	9	15	26
American Revolution Bicentennial Commission			3	3
Commerce	1	3	8	12
Department of Defense:				
Air Force				
Army				
Navy			70	70
Equal Employment Opportunity Commission		3	4	7
Federal Home Loan Bank Board	1		1	2
Department of Health, Education, and Welfare				44
Department of Housing and Urban Development				21
Indian Claims Commission		1		1
Interior				11
Justice	8	16	69	93
Labor				110
National Advisory Commission on Civil Disorders		1		1
National Capital Housing Authority		1		1
National Foundation Arts and Humanities			1	1
National Selective Service Appeal Board	4			4
Office of Economic Opportunity			1	15
Office of Emergency Planning		8		9
Post Office	1		6	7
President's Commission on Employment of the Handicapped			1	1
Renegotiation Board			1	1
Securities and Exchange Commission	1	3	6	10
Smithsonian	3	1		4
Transportation	12	14	25	51
Treasury	2	3	2	7
Veterans' Administration				
District of Columbia Government				50
Total				462
Inequity cases as reported to the Senate				45
Total				507

¹ Regional manpower administrators.

² Regional directors.

³ These represent inequity cases which were reported to the Senate during the July hearings and are not included in other requests listed above. They pertain to such cases representing internal agency inequities (e.g., some regional directors are in GS-16 and similar regional director positions in the same agency are in GS-15 solely because of a lack of "supergrade" authorizations).

Mr. WHITE. A further question I have is when a position is abolished what happens to that authorization for that employee?

Mr. HAMPTON. When the position is abolished, it is returned to the Civil Service Commission. If the abolishment is the result of a reorganization, we generally give the agency the opportunity to rejustify the use of that space in another function.

Mr. WHITE. For instance, I note in the news yesterday a position was abolished at the Pentagon, a gentleman who had apparently indicated some overruns, and his position was abolished.

What happened to that position?

Mr. HAMPTON. I am not sure whether the position is one that has been allocated by the Commission or is a position that is in the DOD quota. There are positions that were allocated by the committee specifically for the use of the Department of Defense.

I would imagine in a case like that, that they would have to go to the Department of Defense about the space. It may revert to the Department of Defense, it may be a position that will revert to us for reallocation.

Mr. HENDERSON. If you would like, we can ask the staff to pursue that.

Mr. WHITE. I was about to ask that. I think the committee ought to know what positions have been abolished and what happened to those particular slots or allocations—say in the last year—so we would have a better idea of what is floating around and where they have gone.

Mr. HAMPTON. Mr. Berlin will try to respond to that question.

Mr. BERLIN. If I may, Mr. Congressman, I would like to point out that the Commission allocates a position under the law and the recommendation of the agency. The agency establishes the job and then disestablishes it or changes it in terms of reorganizations or other situations that occur.

This is a very fast moving situation. It is not static. Three Commissioners by law have had to allocate 1,000 to 1,100 jobs a year, because as jobs become vacant—and there are high turnover rates in these jobs, in terms of retirements and in terms of people leaving—as jobs become vacant, the agencies have racked up high priority needs in other functions and other programs.

So when an agency becomes vacant, they immediately come to the Commission and say “Here is a job we have been waiting for a space for. Could you please allocate this to the supergrade level?”

At that point in time, the three Commissioners look at the agency's request in terms of its needs, and then it looks at the requests of the rest of the Government and decides whether to allocate the job that the agency has requested anew or give it to another agency that has a high priority need. This is a continuing function and responsibility, of course, of the three Commissioners.

When the job space is used for another position, at that point in time in fact the job that had previously existed at grades 16, 17, and 18 no longer exists at that level. So, it is this type of dynamic action that takes place constantly when you are sharing scarcity of space within an agency and amongst agencies.

So, to give you a list of jobs that have been abolished or set up in the last year would be about 1,000 positions.

Mr. WHITE. I think we ought to have the benefit of those thousand positions, and I would like to request of the chairman that we have a listing and an inventory of the positions that have been abolished and relocated and those that you may have on hand that have not been allocated.

Mr. HENDERSON. In the last year, how many supergrade spaces have you had agencies say that they do not need and turned back to the pool, so you don't have a request almost simultaneously?

Mr. BERLIN. To my knowledge none, sir.

Mr. HENDERSON. Let me say I have been discussing with our counsel, Mr. Johnson, the possibility of this or information gathering very similar to this, and at the present time we see so many problems I wouldn't want to get a commitment to do this. Let us say we would like to pursue this with you and counsel, and if we can get this without delaying action on this legislation, I certainly would be for it.

Mr. WHITE. They have the records. It wouldn't be any great trouble to furnish those.

Mr. HAMPTON. Let me say I have here a filling of executive positions from November 20, 1967, to June of 1969. The total actions taken by the Civil Service Commission were 1,547. From within the agency there were 1,175 or 76 percent.

There were 285 upgradings of positions. Promotions to different positions were 369. Downgradings were 16. Reassignments were 404. Conversions were 103.

From other agencies we had 113 actions. By transfer we had 58. That was transfer from one agency to another involving a promotion. We had 40 transfers from one agency to another which were lateral. We had other actions, which were sort of a conglomerate of 15. We had selections from outside the Government of 259, for 17 percent. We had reinstatements—that is, people who formerly held Government positions with status—21 or 1 percent, and we had new selections for the first time of 238 or 16 percent.

That is our history. I could submit this statement for the record.

Mr. WHITE. I would like to get it more specific as to where these bodies went. I think this is too general.

Mr. HENDERSON. Mr. Johnson indicates that we have got some information like this available to us that would cover the gentleman's point, and after we have had time to cover the specifics of this, we will follow your request.

Mr. WHITE. I have had complaints from those who are within the civil service and some without that often a position is tailored to meet a certain individual, and they can always patch up a job for him and use one of these spots to take care of one of their buddies.

My question is, how much do you review these requests for reallocation or for use of an abandoned or phased out position? No. 2, have you ever refused?

Mr. HAMPTON. Oh, yes; many, many times. First, in each agency there is an Executive Assignment Board that is responsible for the executive manpower in that particular agency. People may say that many of these jobs are tailored.

Actually, the job may require for its performance certain qualifications, and these go into the qualification standards of the individual. But generally the job is allocated in line with a priority within the agency based upon the needs of a particular mission.

Now, the job description is prepared—the duties are prepared by the agency, together with qualification standards necessary to perform those duties, and this is sent to the Civil Service Commission, one, to allocate the job if it is properly classifiable as a supergrade, and, two, to approve the qualifications of the individuals.

Mr. WHITE. How much review do you have of this particular request?

Mr. HAMPTON. A very extensive review. We survey the job. We actually look into the duties and we interview the management people that will have this particular job under them. We do a very extensive review.

Mr. WHITE. Thank you very much. Thank you, Mr. Chairman.

Mr. HENDERSON. I would like to ask unanimous consent that the communications from the Federal Bureau of Investigation, Comptroller General of the United States, the National Security Agency, and the Library of Congress be inserted immediately after Mr. Hampton's testimony this morning.

Mr. GROSS. Mr. Chairman, the more I hear of this supergrade business, the more I am convinced that we have created a hydra-headed monster in this Government. The appetite is apparently insatiable.

I don't know what the answer to it is, but I think we need to do some legislating on this subject rather than just granting more and more supergrades.

I was just a little surprised, Mr. Hampton, to hear your reaction to this Charlottesville school business. It seems to me that when an employee gets to the stage of a supergrade, if he doesn't have the ability and experience to do his job without being sent for 6 or 8 weeks to sojourn in a hotel-motel operation at Charlottesville, Va., it seems to me that there may be some question as to his qualifications for a supergrade.

I just don't see how supergrades, as important as you and others have said they are, can spend 6 or 8 weeks away from the job down at Charlottesville, Va., in a school of some kind. Of course, I can't help but wonder whether they don't discuss as part of their curriculum the most approved ways to get more supergrades.

This to me just doesn't make too much sense, Mr. Hampton. I say this with all due respect to you and your attitude toward the Charlottesville operation. I say again that 2 months away from the job in a school at Charlottesville, Va., for a person who by virtue of being a supergrade is supposed to already have the ability and the experience to do a job is going too far.

Mr. HAMPTON. I am in the process, Mr. Gross, of having a group of individuals go down to Charlottesville to make an evaluation of it and to make recommendations to the Commission on its future direction.

Mr. GROSS. I am glad to hear that, and I hope we may have the benefit of your study or review or whatever you want to call it.

Mr. HAMPTON. I certainly will keep you informed about it.

Mr. WHITE (presiding). Thank you very much.

Did you want to add any more comments, Mr. Hampton?

Mr. HAMPTON. No, sir. I have nothing further.

Mr. WHITE. We thank you very much for appearing before the committee today.

There are no more witnesses and, therefore, without objection the committee is adjourned.

(Whereupon, at 11:15 a.m., the committee was adjourned.)

(The communications which follow were received for inclusion in the record.)

OCTOBER 23, 1969.

Hon. THADDEUS J. DULSKI,
House of Representatives,
Washington, D.C.

MY DEAR MR. CHAIRMAN: I am indeed pleased to learn that your Committee is going to take early action on supergrade legislation. Naturally, I support the Administration recommendation for 30 additional supergrade positions for the Federal Bureau of Investigation. To attest to the vital need for these additional positions, I am enclosing some data regarding their justification.

With kindest regards,

Sincerely,

BY LIAISON.

Enclosure.

OCTOBER 23, 1969.

JUSTIFICATION 30 ADDITIONAL SUPERGRADE POSITIONS—FBI

HISTORY

Public Law 85-462 was approved on June 20, 1958. It authorized an increase of supergrade positions from 37 to 75 positions for the FBI. Public Law 89-632, approved October 8, 1966, authorized an additional increase from 75 to 110 such positions. All 110 supergrade positions in the FBI are filled. A current survey discloses that 30 additional positions are needed so that top FBI officials who direct the marked increase of responsibilities in the criminal, security, and civil fields may be more adequately compensated. The additional positions requested would permit the FBI to retain its highly-experienced career executives and materially enhance morale.

CURRENT NEED

Because of the absence of vacancies, the FBI has not been able to place the following categories in supergrade positions: Special Agent in Charge—15; Assistant Special Agent in Charge—6; Section Chief—9; for a total of 30 necessary supergrade positions. The FBI has not been able to place these officials in grades comparable with their responsibilities. This has prevented properly allocating certain assistants who, in almost every instance, should justifiably be in a position one grade lower than their superiors.

JUSTIFICATION

From 1956 to date FBI primary investigative jurisdiction has increased from 140 categories of investigative responsibility to over 180. This resulted in an increase in the number of its field offices from 53 in 1958 to 59 at present. In addition it necessitated creating three new Divisions at Washington, D.C. Headquarters (from seven to ten Divisions). It also increased the number of Sections below the Division level from 30 to 36 Sections. Investigative intensification of organized crime necessitated setting up a new Division in 1969 in our largest field office in New York City to cope with this increase of responsibility. These changes required an increase in the number of officials needed to direct the expanded operations.

Significant in more recent increased jurisdiction are those matters dealing with gambling, racketeering, and civil rights. Responsibilities in the civil rights field alone have multiplied immeasurably, bringing greater responsibilities to the FBI for objective, prompt, and proper discharge of duties in this highly sensitive and volatile field. An example of increased responsibility is Public Law 90-284 approved April 11, 1968, referred to as the Civil Rights Act of 1968, which includes antiriot provisions among others. The FBI has also been delegated greatly expanded responsibilities for cooperative police training assistance under the Omnibus Crime Control and Safe Streets Act of 1968. Further increase in responsibilities has been highlighted by the stepped-up activities of the New Left movement, continuing anti-war activities, various kinds of demonstrations, and the proliferation of mass membership organizations such as militant black nationalist groups whose programs have the effect of undermining respect for law and order. The National Crime Information Center was developed in 1966 to maintain a computerized national index of documented law enforcement infor-

mation on stolen identifiable property and criminals. It is tied in with local computerized police information systems. This center has since continued to rapidly expand its coverage.

Unlawful Flight to Avoid Prosecution statutes have been broadened concerning fugitives sought by the FBI. This caused a substantial increase in the number of such cases. For Fiscal Year 1958 there were 9,354 fugitives apprehended by the FBI compared with 25,636 for Fiscal Year 1969. Fines, savings, and recoveries increased from \$132,706,098 in 1958 to \$345,832,583; investigative matters received, excluding reimbursable-type work increased during the same period from 476,220 to 859,666. Convictions for Fiscal Year 1958 were 11,457 and increased to 133,166 by Fiscal Year 1969; automobile recoveries rose from 116,504 to 29,220; violations of the Federal Bank Robbery and Incident Crime statute (bank robberies, bank burglaries and bank larcenies) increased from 631 to 2,656 during Fiscal Year 1969. The challenge of countering espionage by the Soviets and the Soviet Bloc against the United States continues undiminished. There has also been a substantial increase in FBI responsibilities concerning internal security matters relating to Latin America and Red China.

Delegation of expanded or new jurisdiction to the FBI and previously-mentioned increases have imposed on top officials not only increased day-to-day direction of substantive matters, but also, deliberation and resolution of procedural and policy considerations, many of which are ever changing and flexible. The increases cited do not imply merely an increase in the number of investigative classifications or broadened responsibilities in which already existing procedures may necessarily be followed. Rather, new jurisdiction and in many instances, broadened responsibilities require different or varied techniques, policies, and procedures. The laws which must be applied also greatly complicate the role of our officials far beyond a proportionate increase in work for which the FBI is responsible. Court decisions, particularly concerning the legality of arrests, searches, and seizures, and rules of evidence, have placed a greater burden on law enforcement and on FBI officials responsible for on-the-scene effective application of the role of the FBI.

The approval of 30 additional supergrade positions is urgently needed. It would permit the FBI to retain its experienced officials and enhance the continued efficient and economical discharge of the FBI's vast responsibilities, particularly in the fields of crime and internal security matters which are of utmost concern today.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., November 1, 1969.

HON. THADDEUS J. DULSKI,
Chairman, Committee on Post Office and Civil Service,
House of Representatives

DEAR MR. CHAIRMAN: In accordance with the request of Mr. Bun B. Bray, Staff Director of the Subcommittee on Manpower and Civil Service, we are submitting our report on H.R. 12476, which would amend Title 5, United States Code, to provide for additional supergrade positions and for other purposes.

We have no special information concerning the need for increasing the limitations for grades 16, 17, and 18 presently applicable to the agencies named in the bill other than the General Accounting Office.

Insofar as concerns the need of the General Accounting Office, we pointed out in our letter to you on February 20, 1969, our urgent requirements for increasing the supergrade limitation applicable to our Office from 64 positions to 90 positions as proposed in H.R. 4806, 91st Congress. The same proposal is embodied in section 1(c) of the bill (H.R. 12476) under consideration. As you know, we have previously recommended favorable consideration of the increased authorization for the General Accounting Office for several years and have appeared before your Committee and the Senate Committee on Post Office and Civil Service on a number of occasions, the most recent being on July 8 before the latter Committee.

All of the supergrade positions authorized for the General Accounting Office have been filled. As set forth in our letter to you on February 20, 1969, we have urgent requirements for an additional 26 positions to adequately fulfill our increasing responsibilities as follows:

—Fourteen positions for our accounting, auditing, and investigative responsibilities.

—Twelve positions for our legal, policy, technical, and administrative functions.

Since 1961, Federal outlays have risen from \$97.8 billion to over \$190 billion for fiscal year 1970. This represents an increase of about \$93 billion, or about 95 percent in the past 9 years. Although our own outlays have increased from \$40.9 million to an estimated \$63.2 million, or \$22.3 million, this represents an increase of only 54 percent.

The unprecedented number of new social, economic, and health programs which the Federal Government has undertaken in the past few years has required us to place increased emphasis in these areas. We also have been confronted with an increasing workload in other major civilian agencies stemming directly from our growing economy and increasing requirements relating to space research, atomic energy, education, manpower development and training, postal services and operations, commerce and transportation, power and water resources, and other significant activities of Governmentwide services.

Similarly, we are faced with concurrent problems of heavily increased responsibilities on the part of our accounting and auditing staff assigned to defense and international activities on a worldwide basis. Increased emphasis has been placed upon all major areas of defense activities, including procurement, supply management, manpower, research and development, facilities and construction, support services, and management control systems. The magnitude and complexity of the operations of the Department of Defense require that we place extremely heavy responsibilities upon our staff. For example, in the area of procurement alone, the Department of Defense is awarding contracts for weapons systems and related equipment and supplies at the rate of about \$43 billion a year. We necessarily have had to increase our efforts in this area on such matters as acquisition of major weapons systems, pricing of negotiated contracts, contract procurement systems, contract incentives, and contract administration.

Our staff effort involved in carrying out assignments for specific congressional requests has increased from 238 man-years in fiscal year 1966 to 470 man-years in fiscal year 1969, an increase of 232 man-years or nearly 100 percent. These requests have continued to grow this past year and we expect will further increase in 1970.

During the past 2 years, we were heavily engaged in reviewing poverty programs authorized by the Economic Opportunity Act of 1964, as amended, pursuant to the requirements of Title II of the Economic Opportunity Amendments of 1967. This represented one of the most comprehensive and complex reviews that was ever undertaken by the General Accounting Office and it was completed within an extremely tight time schedule. Our staff was involved in reviews of the Job Corps, community action, Neighborhood Youth Corps, work experience, Volunteers in Service to America, rural loan program, and the economic opportunity loan program. With the assistance of contractors and consultants, we undertook to assess program effectiveness of the administering agencies, to make cost-benefit analyses of selected manpower programs, to evaluate management information provided and recommended under the economic opportunity programs, and to provide quantitative analyses and advice needed for an objective assessment of management effectiveness of selected programs. Our summary report was submitted to the Congress this past March and more than 50 supplementary reports covering specific aspects of our review have been issued since then.

Pursuant to a request of the Chairman of the Joint Committee on Atomic Energy, we recently completed a comprehensive study into certain factors related to the possible transfer of the Atomic Energy's three gaseous diffusion plants to private ownership. The plants initially were constructed and operated for defense purposes; however, their future use will be primarily to provide enriched uranium for fuel in nuclear reactors of utilities for generating electric power. In examining into the question of possible ownership, GAO identified and discussed some of the factors that would be involved for the consideration of the Joint Committee on Atomic Energy, including:

- The Government's obligations and responsibilities;
- The future demand for enrichment services;
- The economic value of the plants and the effect of plant transfer on the net cash flow to the Treasury;
- The installation of improvements resulting from research and development programs;

- The increase in plant capacity by additions to existing plants; and by construction of new plants; and
- The electric power costs for operating plants.

Another important and complex program we have undertaken is the feasibility study of applying uniform cost accounting standards to be used in all negotiated prime contracts and subcontract defense procurements of \$100,000 or more. Public Law 90-370, approved July 1, 1968, provides that the Comptroller General, in cooperation with the Secretary of Defense, and the Director of the Bureau of the Budget conduct this study and report to the Congress by December 31, 1969. We have consulted with representatives of the accounting profession and with many types of industries affected, such as electronics, food, aerospace, steel, aluminum, machinery, and scientific instruments. Our study is directed to the feasibility of applying uniform cost accounting standards as a means of enhancing the comparability, reliability, and consistency of cost data used for procurement through negotiated contracts. We are hopeful that our study will develop possibilities for greater consistency in accounting practices useful for Government, industry, and the accounting profession.

Another program we have recently completed is our study of research contracts and grants. The requirement for this study originated in conference report, House Report No. 1970, Department of Defense appropriations bill for fiscal year 1969. We performed work in 13 colleges and universities, two hospitals, and two independent, not-for-profit research institutions. Six of our regional offices participated in this study. Its objectives included:

- A determination of the feasibility of establishing a uniform formula for indirect costs of research grants and contracts;
- The reasons for the current wide variations on indirect costs;
- The feasibility of cost-sharing in lieu of an indirect cost limitation;
- The need for revisions in applicable cost principles; and
- The feasibility of having one research grant in lieu of both contracts and grants.

The General Accounting Office is confronted with an increasing workload in practically all the major agencies of the Federal Government. For example, Federal aid to State and local governments is expected to triple in the present decade—from \$7 billion in 1960, to \$25 billion in 1970. The increase in number and scale of Federal aid programs reflects the high priority being given to investments in human resources. Consequently, we have provided for additional audits of new and expanded programs in this important area.

At present, the Department of Health, Education, and Welfare operates about 275 separate programs which are financed by appropriations and trust fund expenditures approximating \$46.8 billion annually. Similarly, we have had to increase our audits of HEW programs and activities.

With the expansion in the number of Federal programs, we have had to necessarily increase the responsibilities of our staff significantly within the past 2 years. For example, in the Civil Division, one of our Associate Directors, a GS-16, is assigned the responsibility for all of our work in the Atomic Energy Commission and the National Aeronautics and Space Administration. Another Associate Director, GS-17, is responsible for all work in the Department of Health, Education, and Welfare. An Assistant Director, GS-15, is assigned the responsibility for all work in the Department of Transportation.

Each of these major agencies represents an extremely heavy responsibility since both the size and importance of the programs are matters of major dollar impact and congressional interest.

As mentioned previously, we are faced with heavily increased responsibilities on the part of our accounting and auditing staff assigned to defense and international activities on a worldwide basis.

During the current year, we contemplate that nearly 1,300 man-years of our professional staff will be required to make reviews, examinations, and investigations of nearly 250 defense and international major programs and activities. Our reviews of policies, operations and practices followed by the Department of Defense and the military departments frequently result in findings supporting recommendations to Department of Defense officials for needed improvements in management controls. As a result, during fiscal year 1969, actions taken by these officials on our findings and recommendations resulted in collections and other measurable savings of nearly \$82 million. This savings figure does not take into account many other actions for which no direct dollar savings could be estimated.

The magnitude and complexity of the operations of the Department of Defense require that we place extremely heavy responsibility upon our staff. For example,

one of our Associate Directors is responsible for our reviews of all procurement activities in the Department of Defense, including procurement planning, contract awards and negotiations, and contract administration. Apart from these programs, this Associate Director has responsibility for making some 29 reviews and examinations stemming from congressional requests relating to defense procurement matters. For example, we are providing information and assistance to the Senate Armed Services Committee on the Committee's investigations into three major weapons systems—the Army Cheyenne helicopter, the Air Force's SRAM air-to-ground missile, and the Navy CONDOR air-to-ground missile.

We have recently taken action to increase our work in defense procurement by over 200 man-years so as to provide the Congress with current data and information on the development and procurement of major weapons systems relating to cost overruns, slippages, performance specifications, and delivery schedules.

The Subcommittee on Executive Reorganization of the Senate Committee on Government Operations recently held hearings on the feasibility and desirability of the General Accounting Office playing a larger part in monitoring, analyzing, and reporting on progress and problems arising in the carrying out of existing programs or analyzing and reporting on proposals under consideration by the Congress. During our testimony, we expressed our opinion on how our assistance to the Congress can be made more effective. We pointed out that there was an urgent need to provide additional assistance in areas of heavy responsibility not only to provide us with a balanced audit effort but with a capability to be responsive to increasing congressional requests for information and analysis of significant programs and activities.

Aside from our need in the accounting and auditing operations, we also have an urgent need to provide 12 additional super grades for our legal, policy, technical, and administrative functions.

Most of these positions will be used to fulfill our basic statutory responsibilities relating to the development of policies, principles, and standards, and the conduct of evaluation studies relating to Government programs, including the complex areas of financial management improvements, automatic data processing operations, and Federal-State-local relations.

Because of the specialized nature of these various fields, it is essential for us to provide promptly the kind of leadership and technical consulting assistance to the Congress, other Federal agencies, and our operating divisions that is needed.

I have cited the above examples since they require leadership of extraordinary creativity and competence if we are to achieve real and substantial progress. As you know, we are attempting to increase our capability to assist the committees of the Congress in appraising not only the adequacy of the management of Federal programs but also the effectiveness or results of these programs. This calls for highly expert staff in all fields of financial and analytical techniques.

The rapid advance of technology, particularly in the automatic data processing field, systems analysis, and statistical sampling, requires us to develop and maintain a capacity to deal adequately with these newer techniques.

We are mindful of the Committee's efforts to keep the number of super grade positions within the general intent of the Congress that they be used to attract and keep the necessary talent and ability in the Federal Government.

We have rigid standards for recommending to the Civil Service Commission the allocation of positions in grades GS-16, GS-17, and GS-18. We have endeavored to increase our professional capability and productivity to meet the needs of the Congress and more effectively discharge our statutory responsibilities.

By experience, we have determined that staff members recruited from colleges and universities develop rapidly to positions of responsibility and maintain the high professional standards required in our work.

In recent years, we have recruited an average of approximately 350 graduates of very high quality from some 200 colleges and universities throughout the country. We have been able to achieve a net average increase of about 100 per year.

We believe that, with our workload increasing in nearly every category of Government activity, we must keep our organizational and administrative arrangements on a sound basis to keep pace with our changing needs. This includes the allocation of positions commensurate with the responsibilities our professional staff must assume.

While our senior professional staff in grades GS-12 through GS-15 has increased from 983 on June 30, 1961, to 1,689 on June 30, 1969, we have, during the

same time, been able to reduce our overall staff from 4,990 employees to 4,544, or a net reduction of 446 employees. We believe it essential that we continue to make progress in developing and maintaining a highly competent and qualified professional staff.

The unique and diversified experience attained by our staff makes them unusually attractive to other Federal agencies, public accounting firms, and private industry. During the past 8 years, approximately 825 of our staff have transferred to other Government agencies and 400 to public accounting and private industry.

Although 75 percent of these separations generally occur in the early years of their careers, the remaining 300 or so generally leave to accept positions at higher salaries at the time or potentially within the immediate future. Notwithstanding the increased emphasis which we have placed upon the challenging career opportunities with our Office, we can reasonably expect to lose each year about 100 staff members to other Government agencies and 50 to public accounting and private industry.

The nature and complexity of our work requires a high degree of professional ability and competence which limits the kinds of people with adequate experience that we are able to recruit from outside sources at our salary standards. We are particularly concerned over our limited ability to meet the ever-increasing competition for talent and hope you find our justification sufficiently adequate to favorably consider our request. We are forwarding a copy of our report to the Chairman, Subcommittee on Manpower and Civil Service.

Sincerely yours,

(Signed) ELMER B. STAATS,
Comptroller General of the United States.

THE LIBRARIAN OF CONGRESS,
Washington, D.C., November 4, 1969.

Hon. THADDEUS J. DULSKI,
Chairman, Committee on Post Office, and Civil Service, U.S. House of Representatives, Washington, D.C.

DEAR MR. DULSKI: This is in reply to your recent request for the Library's comments with respect to H.R. 12476, a bill to provide for additional positions at grades GS-16, GS-17, and GS-18.

As you know, the Congress in 1966 approved a bloc of 28 supergrade positions for the Library of Congress. By that time the Library had been allocated 22 such positions by the Civil Service Commission. Therefore, our net gain was six positions in grades GS-16, 17, and 18. This allocation by the Congress only enabled us to assign to supergrades, after review by the Commission, four positions that were already pending before the Commission but for which they did not have vacant slots and to meet two other especially urgent needs.

At the time that legislation was being considered, I requested that Congress assign a bloc of 60 supergrade positions for the Library of Congress. This request was also made when the Congress considered supergrade legislation during the last session of Congress. H. R. 12476 would provide for an allocation of 44 grades GS-16, 17, and 18 for the Library of Congress—a gain of 16 such positions. This would, I believe, provide for our management needs for the next two years.

I would like to review briefly some of the new programs being carried on by the Library that have had an effect on our executive staffing needs.

The Library has, since 1963, been directing its attention to applying automated techniques with the ultimate goal of controlling through automation the massive store of bibliographic information about its collections, now totaling some 59,000,000 items. This program is divided into several phases. First of all, we have developed a nationally and, increasingly, an internationally accepted communications format for machine-readable bibliographic data, known as MARC II. A weekly distribution of magnetic tapes containing current cataloging information for English-language titles is now available to libraries on a subscription basis. A similar project is underway to put retrospective cataloging information on magnetic tape. A machine-readable format that would be compatible with the MARC II format is being developed for bibliographic information about periodicals, of which there are estimated to be 1,300,000 published throughout the world. Automation projects and feasibility studies are underway in the Geography and Map Division, the Music Division, the Copyright Office, the Order

Division, and the Legislative Reference Service of the Library of Congress. It is anticipated that in the future research institutions in this country and cooperating institutions abroad will be able to utilize the machine-readable data produced at LC and that the Library itself, with this enormous data bank and utilizing the new technology, will be an information center of greater scope and service than ever before.

Automation activities being carried on in the Legislative Reference Service, for example, are directed toward the goal of being able to provide the Members and Committees of Congress with information essential to them in their decision-making processes, quickly and completely. LC is currently preparing the *Digest of Public General Bills* and the *Legislative Status Report* with the use of a computer and the data contained in these publications will in the future be retrievable for other purposes, such as legislative histories, etc. The House Judiciary and Banking and Currency Committees have terminals tied to this system to produce and update their calendars. During this Congress a selective dissemination of information system was installed to provide a weekly printout of new articles, Congressional and other government publications, and books of interest to individual specialists in LRS.

The Library's Card Division sells over 72,000,000 printed catalog cards a year. In order to meet the demands of the some 25,000 libraries and other institutions who buy these cards, an elaborate automation program has had to be instituted. Optical character recognition equipment has been installed to sort the incoming order slips by stock number and to sort completed orders and the catalog cards themselves by account number for mailing back to the customer. In May 1969, the Joint Committee on Printing gave the Library formal approval to proceed with the acquisition of equipment to begin phase II of the card automation program. This equipment when fully operational will print cards automatically on demand, thus eliminating the necessity of stocking cards in scarce, indeed nonexistent space.

Because of these broad-ranged automation activities at the Library, it is necessary that we recruit the most talented information specialists as well as highly trained technical librarians to work with them. Private industry has recognized that more effective services can be made possible by automation and, as a result, is paying top-management salaries to these specialists. Additional supergrade positions would enable the Library of Congress to be on a somewhat competitive basis with private industry in recruiting these technical managers.

Our far-flung acquisitions programs, which have been greatly stepped up in the last decade, have presented us with new problems with respect to management of the Library. In sheer numbers, we are receiving over 3,800 items per working day. This material must be organized and cataloged if it is to be of use to the Congress, other Government agencies, and the Nation at large.

In addition to regular channels of acquisition, including international exchange and orders from established book dealers, the Library of Congress has in recent years been given by legislative enactment far greater international acquisitions responsibilities. First, an amendment to Public Law 480—the Agricultural Trade Development and Assistance Act—made the Librarian of Congress responsible for acquiring, with U.S.-owned foreign currencies, research materials not only for its own collections but for those of other libraries. We are currently obtaining for 329 institutions in all 50 States about two million pieces per year from seven countries, chiefly the developing ones where the book trade is not organized. Secondly, Title II-C of the Higher Education Act of 1965 and the expanded program under the Higher Education Amendments of 1968 have charged the Librarian of Congress with the responsibility to acquire copies of all published material of value to scholarship throughout the world, to catalog this material promptly, and to make the cataloging information available to other libraries through printed catalog cards or through other means, such as magnetic tape. In order to implement this program, cooperative arrangements have been made in 37 countries on six continents to acquire the material, as well as to utilize the cataloging information produced in the country of origin, in order that printed cards may be available to college, university, and other libraries almost as soon as they acquire the books. Title II-C has also given the Library authority to serve as an acquisitions agent for other libraries in this country by obtaining materials for them from countries where books are not readily available through normal trade channels.

This broad acquisitions and cataloging program will continue to be implemented and expanded insofar as funds are available. The impact of this on the

research and scholarly communities has already been great. The centralized cataloging operation, for example, has been described as one of the most important developments in librarianship in this century. As this international program continues to develop, we will need additional top-level managers versed in scholarly needs and library techniques to carry out its objectives.

The Copyright Office is one of the six departments of the Library. A general revision of the Copyright law passed the House during the last Congress. A bill has been introduced in the Senate and action on it is expected to take place during this Congress. To administer this new law, which is the first major revision of the copyright law since 1909, as well as to provide staffing for the proposed National Commission on New Technological Uses of Copyrighted Works, requires persons with the highest degree of specialized legal and technical knowledge in such diverse fields as cable television, public broadcasting, and computer technology. Because of advances in communications during the last quarter century, the international implications of copyright have increased greatly. The need for attorney-advisers thoroughly acquainted with the many international copyright conventions is therefore essential, yet we have not been able to recruit persons with this specialized knowledge because of our lack of supergrade slots.

We are of necessity now giving increased attention to the highly technical field of the preservation of printed materials. Not only is LC faced with the rapid deterioration of materials published since 1870, but libraries all over the country are expressing deep concern over this problem. A national preservation program has become a must if this material is not to be lost forever. The Library of Congress is attempting to seek solutions to this problem and currently is expanding its preservation program to include research and development in this specialized area. Our need for the best talent available for this national program is apparent if this deteriorating material is to be salvaged for posterity.

The Law Library has responsibility for the administration, development, maintenance, and service of the largest collection of legal literature of all known legal systems in the world, both ancient and modern, gathered in one place. In addition to providing traditional law library service in American law, research in depth involving the use of more than 40 languages is provided on foreign law materials for Members and Committees of Congress and the Federal agencies. Yet this department has only one supergrade assigned to it. Because of the Law Library's national significance, the Library of Congress should certainly be in a competitive position with respect to salary to attract attorneys knowledgeable in the legal systems of the world with the large university law schools and law libraries.

Because of the uniqueness of our collections, the Library gives reference services of a highly specialized nature in every field, from Orientalia to Slavica and from African studies to science and technology. To obtain nationally known scholars to provide services in these fields, it is necessary that we be in a position to compete on the basis of salary with major learned associations and universities.

The Division for the Blind and Physically Handicapped through 42 regional libraries throughout the country provides reading materials to the Nation's blind and physically handicapped residents. This service, which from 1932 to 1966 was provided for blind persons only, was expanded in 1966 to include all the physically handicapped. As a result, this reading program has been greatly accelerated in the last 3 years. In addition the Division is responsible for research and development in the area of talking books, machines on which to play them, tapes and tape cassettes, as well as books in braille. Talented and imaginative managers are required in order to insure that the best reading service possible is available for those unable to read conventional printed material.

In conclusion, I would like to say that these are only highlights of programs being carried on at LC that demand the best in specialized management personnel. The Library of Congress has, through Congressional enactment and appropriations, become the national center—as is fitting for the national library—of library development and of information science as applied to libraries. The complexities of our society have made it imperative that the information available in our libraries be exploited to the fullest. Without the national leadership of the Library of Congress, I doubt that the libraries of this country will be able to meet this immense responsibility. Yet, if LC is to give this direction and meet the needs of the Congress and of the Government, we must be in a position to recruit top-level personnel on a somewhat comparable basis with large industrial

and university libraries, as well as with the world of scholarship. We will continue, of course, to be most selective in recommending to the Commission those positions that should be placed in grades GS-16, 17, and 18, and, in accordance with the intent of the Congress, we will select only those individuals who are highly qualified for the approved positions. I urge that your Committee approve H.R. 12476.

Sincerely yours,

L. QUINCY MUMFORD, *Librarian of Congress.*

NATIONAL SECURITY AGENCY,
Fort George G. Meade, Md., November 3, 1969.

Serial: N-1139

HON. THADDEUS J. DULSKI,
*Chairman, Committee on Post Office and Civil Service, House of Representatives,
Washington, D.C.*

DEAR MR. CHAIRMAN: Your Committee's Associate Staff Director, Mr. Bun Bray, has advised that the Committee will hold public hearings beginning 5 November on the needs of Federal agencies for legislation to provide additional high level positions.

The National Security Agency urgently needs statutory authorization to establish additional top level positions involving research and development functions and professional positions in the cryptologic sciences. The Civil Service Commission has recommended that the Congress extend to NSA essentially the same authority to establish positions of this nature as is now provided to most other departments and agencies by Section 5108 of Title 5 of the U.S. Code. NSA is not subject to the provisions of 5 U.S.C. 5108 (formerly a part of the Classification Act). Chairman Hampton of the Civil Service Commission plans to set forth the basis for this Agency's legislation in his testimony during your open hearings. Should you require additional detailed justification, I would be happy to appear before the Committee. Since my testimony would necessarily include classified information, however, it would be necessary for me to testify in private session.

The interest of your Committee in the needs of the National Security Agency for these key positions is greatly appreciated.

With great respect,

NOEL GAYLER,
Vice Admiral, U.S. Navy, Director.

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H. H. Miller

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