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AUTHORIZATION FOR THE WHITE HOUSE STAFF

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HEARING

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SUBCOMMITTEE ON
EMPLOYEE ETHICS AND UTILIZATION

OF THE

COMMITTEE ON
OFFICE AND CIVIL SERVICE
HOUSE OF REPRESENTATIVES

NINETY-FIFTH CONGRESS

FIRST SESSION

ON

H.R. 6326

A BILL TO CLARIFY EXISTING AUTHORITY FOR EMPLOYMENT OF PERSONNEL IN THE WHITE HOUSE OFFICE AND THE EXECUTIVE RESIDENCE AT THE WHITE HOUSE, TO CLARIFY EXISTING AUTHORITY FOR EMPLOYMENT OF PERSONNEL BY THE PRESIDENT TO MEET UNANTICIPATED PERSONNEL NEEDS, AND FOR OTHER PURPOSES

APRIL 26, 1977

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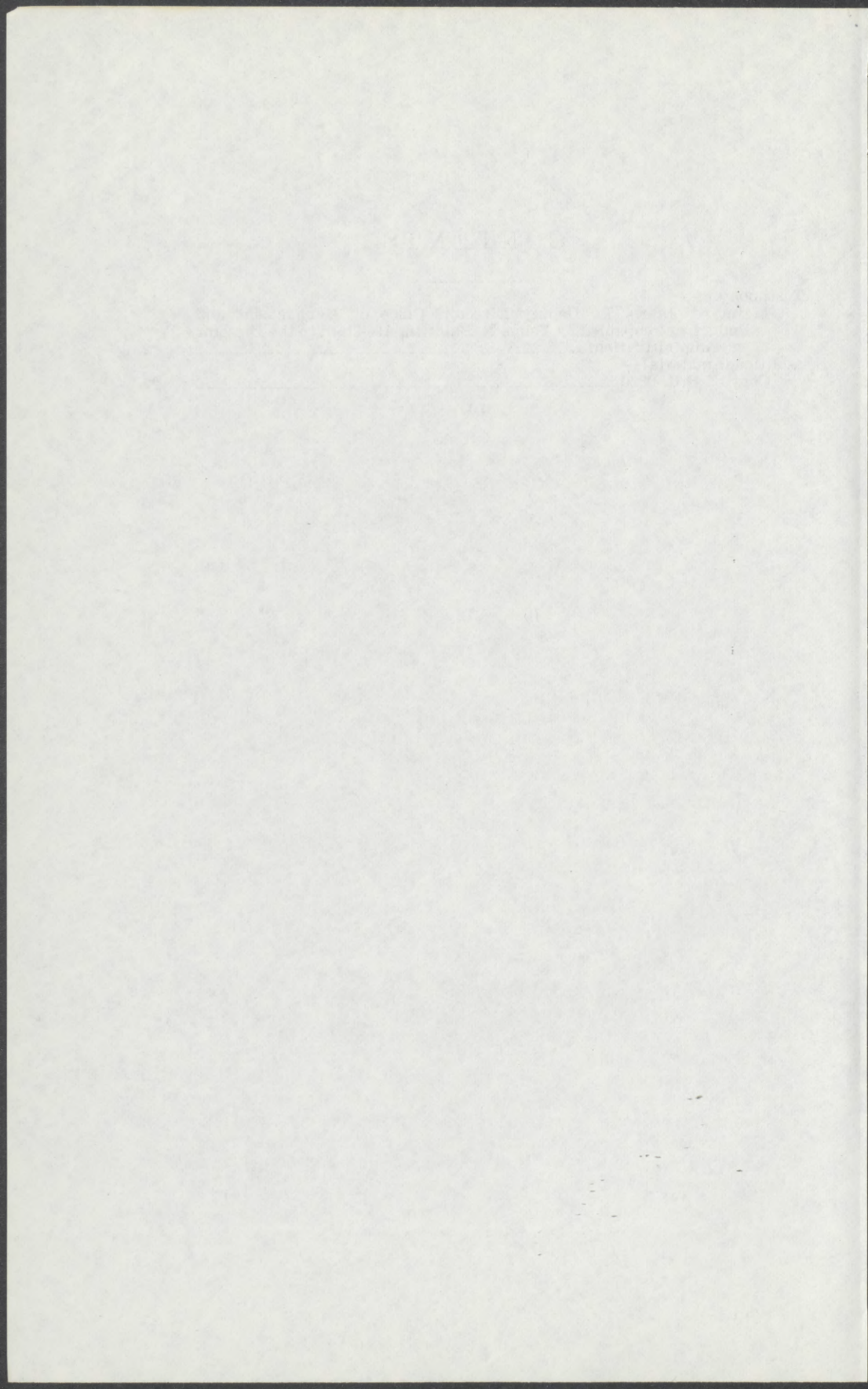
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AUTHORIZATION FOR THE WHITE HOUSE STAFF

TUESDAY, APRIL 26, 1977

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
SUBCOMMITTEE ON EMPLOYEE ETHICS AND UTILIZATION,
Washington, D.C.

The subcommittee met at 9:40 a.m. in room 311, Cannon House Office Building, Hon. Patricia Schroeder (chairwoman of the subcommittee) presiding.

Mr. SCHROEDER. This morning the subcommittee is going to be considering H.R. 6326, which would authorize and set limits on the number and pay of White House personnel on the President's and Vice President's staffs.

The law now authorizes the President to have 14 helpers, and he has, by best estimate, over 500. The law authorizing White House staff was last updated in 1948, and for one reason after another, has not been updated since.

The last few Presidents have violated the law by hiring more staff members, and Congress has appropriated funds that had not been authorized. However, the bill we are considering today will meet these problems by authorizing 401 positions at the White House and spelling out the rate of pay for these employees.

Our witness this morning is Jim McIntyre who is the Deputy Director at the Office of Management and Budget.

We are delighted to see you again, and will be looking forward to your statement this morning.

Do you have an opening statement, Mr. Harris?

Mr. HARRIS. Madam Chairwoman, I would like to make a couple of comments on this because the chairperson and I, and counsel, have woked hard on this for 1½ years. It is not something just of recent interest to us.

And it's a matter, really, of just getting Congress and the White House back on the track with regard to a very important governmental function, and that's the staffing of the White House.

It's not right for an appropriations committee to have to go to the floor, year after year, for an appropriation that is not authorized. I think the Appropriations Committee feels this way, and I know the chairman of the Appropriations Subcommittee feels this way.

He's expressed himself to me so strongly. It's not right for him to have to bear up under this burden year after year, being accused of having appropriations that are not authorized.

As the Chair knows—anyone that has followed this action knows—year after year many of these appropriations are subjected to a point of order which are upheld by the Chair, and the provisions are stricken from the bill.

They are then restored in the Senate, which then puts the money back in in the Conference Committee, and we go through a charade, I think, that does not portray the proper picture to the country.

To me it's a very fundamental question. It's a very simple question of whether, in fact, we're going to have government by Cabinet-level officials—designated with certain responsibility and held responsible for that before the public—or whether we have Government behind the high walls of the White House.

I think, over the past several years, we have suffered as our Government has more and more tended toward a palace-guard type of operation.

I think Congress has a responsibility it can't duck, and that's the responsibility to designate what staff the President can have. It should be reasonable, but it should be clear. It should be open. It should be authorized.

I think this is the job we have to do. We developed a bill last year. It passed the House, probably not as strict as it should have been, but it passed the House and was not acted upon in the Senate. And I think it's incumbent upon us to move such legislation this year.

I want to compliment the chairperson and express my appreciation for the scheduling of these hearings. I think the new administration should be anxious to move on this, too, and I think it's good that our subcommittee is holding hearings.

Ms. SCHROEDER. Thank you, Mr. Harris.

I just see Mr. Gilman coming in. Did you have an opening statement, Mr. Gilman?

Mr. GILMAN. No.

Ms. SCHROEDER. All right.

I then welcome you, Mr. McIntyre. I do know I would like to underline what Mr. Harris says. We have been talking with the Subcommittee Chairman of Appropriations. He is delighted we are having hearings, and we're delighted that you're up here making comments about the bill.

At this point we're glad to hear what you have to say.

STATEMENT OF JAMES T. McINTYRE, DEPUTY DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET, ACCOMPANIED BY VELMA N. BALDWIN, ASSISTANT TO THE DIRECTOR FOR ADMINISTRATION

Mr. McINTYRE. Thank you.

Madam Chairwoman, we have been asked to testify before this subcommittee concerning legislation which would clarify the existing authority for the employment of personnel and the procurement of goods and services for the President and the Vice President.

The appropriations for which authorizations are being sought are: for the White House Office Executive Residence, Special Assistant to the President, Domestic Counsel, and Unanticipated Needs.

I'm sure that the members of the subcommittee are aware that the President has requested a study to be conducted with the objective of reorganizing the entire Executive Office of the President, including the White House office.

This study should be completed in June. Pending the outcome of the study, it is impossible for us to comment in any definitive way on the size or structure of the staff.

I realize the constraints from the Budget Act, which require all authorization bills to be reported by May 15. We'll want to cooperate in every way possible; however, until we are able to make a proposal, we believe that any authorization language should support the language of the President's budget request.

We do not seek any new authority which differs from the language of the Budget. That language permits the President to appoint members of his staff and to fix salaries without regard to the usual procedures which regulate the employment and compensation of employees under the general schedule.

The nature of his office, and the increased complexity of his responsibilities, require unique flexibility in the organization and administration of his staff.

Two other important areas are also provided for in the appropriations bill: Presidential travel and official entertainment. We believe that these items should be continued as in past appropriations.

The final item I would like to mention is the amount appropriated to the President for Unanticipated Needs. This fund is used for unforeseen problems and unanticipated needs which affect the national interest, security, or defense.

Such funds have been provided to the President under various names since 1940. Funds are appropriated on an annual basis, and any unexpended funds lapse at the end of the fiscal year.

These funds are necessary to meet exigencies that arise from time to time and must be dealt with quickly.

In summary, until the Reorganization Study of the Executive Office of the President is completed, we urge the support of the language in the current Budget request.

Further, we urge that the committee give due recognition to the fact that—the staff is the personal staff of the President—that the practice of comity and requirements of the Office necessitate that the President have maximum flexibility in staffing his office.

The size of the Office, and the salaries of the staff, will, of course, continue to be presented to the Congress—and requests for appropriations—along with any backup materials that this subcommittee or any other congressional committee finds necessary for proper review.

We'll be pleased to answer any questions that you or members of the committee may have.

And I'd like, at this time, to introduce to the members of the subcommittee Mrs. Velma Baldwin, who is our administrative officer, and who will be available to help me in answering any questions that you might have.

Ms. SCHROEDER. Thank you, Mr. McIntyre.

I'll let the other members ask questions first.

Mr. Harris?

Mr. HARRIS. Thank you, Madam Chairwoman.

I heard you say about three times, but I couldn't understand what you meant. You want an authorization to back up the current budget request? Is that what you're saying?

Mr. McINTYRE. I think, Mr. Harris, what we're saying is that we recognize the point of order problem that exists.

We would urge that the authorization back the type of language in the current budget request.

Mr. HARRIS. What does that mean? What is the type of language in the budget request? What does that mean?

Mr. McINTYRE. Pardon?

Mr. HARRIS. What does that mean?

Mr. McINTYRE. That means that the basic language that we have in the budget be the guiding language until we can get our reorganization completed.

Mr. HARRIS. What is that language though?

Mr. McINTYRE. Well, it varies from the various appropriations accounts.

For example, it's the language that authorizes the necessary expenses for the White House Office, for personnel services, and it continues to say: "at such per diem rates for individuals as the President may specify for other personnel services without regard to the provisions of law regulating the employment and compensation of persons in the Government service."

Mr. HARRIS. Well, there's no limitation on that language.

Mr. McINTYRE. Well, there's limitation on the amount appropriated, so he can only expend for personnel services the amount that is appropriated to the White House Office for that purpose.

Mr. HARRIS. You're suggesting we have an authorization bill that just has that language and a dollar amount in it?

Mr. McINTYRE. Well, my understanding, Mr. Harris, is that the authorization legislation for most of the agencies and departments fixes a maximum number of executive-level positions, and then the remainder of the positions hired below the executive level are not limited by the authorization bill.

Mr. HARRIS. Are you suggesting that we pass an authorization bill that just gives a dollar amount and does nothing more?

Mr. McINTYRE. I'm suggesting we treat the White House Office the same as other offices.

Mr. HARRIS. Let's don't run around the ball park on this.

Are you suggesting that we do that or not?

Mr. McINTYRE. I'm suggesting, Mr. Harris, that if you want to limit the number of executive-level positions, that that would be in accordance with the practice that Congress has used in treating other offices.

Mr. HARRIS. And you feel like that's what we should do for the White House. Is that what you're saying?

Mr. McINTYRE. Yes, sir.

Mr. HARRIS. OK, thank you. I'm trying to tie it down. If that's what you want for the White House, then I'd like to know that's what you want for the White House.

Now, the idea of waiting until you complete your study in June is just going to delay things. That's what you want after June, too, isn't it?

Mr. McINTYRE. What do you mean by that: It is what we'd want after June?

Mr. HARRIS. Language that just gives you a dollar amount and complete flexibility on staffing.

Mr. McINTYRE. For those positions below the executive level I think the President deserves to be treated the same way as the other agencies of the Federal Government.

Mr. HARRIS. How about those in the executive level?

Mr. McINTYRE. I would say that the White House probably should have those fixed, as other agencies have them fixed.

Mr. HARRIS. At the specific executive level?

Mr. McINTYRE. As to number.

Mr. HARRIS. So, after June, to be able to come back to the committee and tell us what those numbers are?

Mr. McINTYRE. Yes, sir.

Mr. HARRIS. Have you looked at the numbers in the authorization bill? Do you feel like they're reasonable?

Mr. McINTYRE. I only got the completed version of the bill this morning when I got here and have worked; basically, from your draft. And so I haven't had an opportunity to compare the final version of the bill to the draft.

Mr. HARRIS. You've not had a chance to look at the bill before this morning?

Mr. McINTYRE. That's correct.

Mr. HARRIS. As far as I know, the draft of the bill is exactly the same, so I think you can rely upon the draft.

Mr. McINTYRE. Then according to my figures, we have asked for 546 positions in 1978. According to your bill—at least the draft bill—would authorize 44 executive level II positions. We now have 14 authorized.

It would authorize 21 GS-18's, these are all "up to." And then, it would authorize 336 positions not to exceed GS-15, with a total of 401 positions.

As you can see, the bill would cut approximately 145 positions out of the 1978 budget request.

Mr. GILMAN. Would the gentleman yield?

Mr. HARRIS. Yes, for a question, Mr. Gilman.

Mr. GILMAN. Just for one question. How would that cut compare to the prior administration's of employment figures?

Mr. McINTYRE. I'm sorry, I didn't hear the first part of your question.

Mr. GILMAN. How would that cut from 500 to 400 employees, as suggested in the gentleman's measure—Mr. Harris' bill that's before us—how would that cut compare to the employment figures of the Ford administration?

Mr. McINTYRE. I don't know.

Mr. GILMAN. Well, how many individuals did President Ford employ?

Mr. McINTYRE. I don't know; I didn't work for him, so I really don't know. And I haven't gone back to check.

Mr. GILMAN. Don't you know any of that information?

Mr. McINTYRE. I'll let Mrs. Baldwin answer that question. She might have it.

Let me say this also, that we would, certainly, provide you with that information.

Mr. GILMAN. You don't have it now?

Mr. McINTYRE. I'm going to let Mrs. Baldwin respond.

Mrs. BALDWIN. In 1976 there were 477; in 1977 there were 485 positions.

Mr. GILMAN. Thank you.

Mr. BALDWIN. This figure Mr. McIntyre mentioned also includes the Executive Residence, which I don't have with me.

Mr. GILMAN. Madam Chairwoman, with your permission, could the OMB people supply for us at this point in the record, a comparison of the positions utilized by the Ford administration alongside the recommendations that are being made by Mr. Harris in his bill?

Ms. SCHROEDER. Yes; it will be placed in the record when received. [The information follows:]

WHITE HOUSE OFFICE AND EXECUTIVE RESIDENCE

	Dec. 1, 1976	May 1, 1977	H.R. 6326
Unclassified—executive level II-V equivalent.....	62	34	44
GS-15 to executive level V equivalent (classified and unclassified).....	19	43	21
Below GS-15 (classified and unclassified):			
White House Office.....	408	402 }	336
Executive Residence.....	86	86 }	

Mr. HARRIS. I've got to express complete amazement that you say you don't know what the previous administration had.

How in the world can you make a judgment on what current staffing should be without any reference to what the past administration had? Was it just a figure pulled out of the air or what?

Mr. McINTYRE. Congressman Harris, first of all, I might point out that I didn't make that judgment, and the folks that are presently involved in the study of reorganization of the Executive Office of the President would have those figures.

Mr. HARRIS. Who makes that judgment?

Mr. McINTYRE. The judgment about the staffing?

Mr. HARRIS. Yes.

Mr. McINTYRE. The President would make the ultimate decision.

Mr. HARRIS. He doesn't have any staff advice?

Mr. McINTYRE. Yes; he does.

Mr. HARRIS. Who is that?

Mr. McINTYRE. Mr. Hardmen.

Mr. HARRIS. Who is that?

Mr. McINTYRE. Richard Hardmen.

Mr. HARRIS. Why isn't he here this morning?

Mr. McINTYRE. I don't know.

Mr. HARRIS. Now, the figure you used is 546. This, actually, is a figure that includes the White House staffing and the Executive Residence maintenance people; isn't it?

Mr. McINTYRE. Correct.

Mr. HARRIS. Now, when you refer to the figure in my bill, which is really 401, I think you can compare that to a figure I had understood the administration was going to try to achieve in White House staffing.

Is that still the objective of the administration?

Mr. McINTYRE. Yes, sir, it is an objective of the administration to reduce the overall staffing of the White House by 30 percent.

Mr. HARRIS. Good.

There was one point that has really, in the past as we've studied this, caused so much confusion, and we've had the issue on the floor quite a bit.

And it's the question of detailees. Now, I'm just expressing my own opinion. I think the President should have the capacity to have as many detailees as he needs in the White House.

But it's been my observation that when the detailee formally comes over to the White House, that the detailee should be paid out of the White House budget, not out of some other agency's budget, so that it becomes clear in the budget what the total staffing requirement of the White House is.

I was wondering if you objected to that philosophy, or if you thought this was a correct philosophy on detailees.

Mr. McINTYRE. Well, the current law, as I understand it, does provide authorization for detailees, and the White House has a policy of paying for the detailees who would be working on detail for over 6 months.

In my discussions with the people responsible for handling the paperwork in the White House with respect to detailees, they indicate that it would be very difficult and create a tremendous amount of paperwork to keep up with the number of detailees that might be brought over on a short-term basis—a day, a week, 2 weeks, or a couple of months.

And, according to their calculations, this would just impose a tremendous paperwork burden upon the White House Administrative Office to handle this.

And, as a result, we do feel that if we could keep the current policy of paying detailees that come for over 6 months, this would be the preferable posture for us to be in.

Now, a good example, where we've had to bring some detailees in for a very short-time basis, has been to handle this tremendous increase in the volume of mail that we've been receiving.

And as soon as we get that mail workload down, these detailees will certainly go back to the agencies. They will only be there for a very short period of time.

Mr. HARRIS. Where do the detailees come from?

Mr. McINTYRE. Various and sundry agencies. If you want a list, I'll be glad to get a list of those for you.

Mr. HARRIS. I'd like you to provide a list for us, for the record, indicating the agencies.

[The information follows:]

PERSONNEL ON DETAIL TO WHITE HOUSE OFFICE—MAY 1, 1977

<i>Name and Agency</i>	<i>Name and Agency</i>
Cynthia L. Bienvenue, GSA.	Donald C. Legates, ERDA.
Ann Laura Ford, GSA.	Frances Mackert, ERDA.
Frances Wasser, GSA.	Lois E. Madden, DOA.
Brenda Wood, GSA.	Cynthia Martin, ERDA.
Doretha Barnes, HEW.	Gloria Millberry, ERDA.
Avis Baxter, HEW.	Dolores Moore, FEA.
Grace Hunolt, HEW.	William A. Morrill, HEW.
Dorothy R. Bluestein, VA.	Kathleen Morris, ERDA.
Gayle E. Griffith, VA.	Frank R. Pagnotta, ERDA.
Patricia A. Haverstick, VA.	Barbara R. Pearl, ERDA.
Alexina V. Hawkins, VA.	Martha M. Pifer, FEA.
Carol Savage, VA.	Karen L. Poore, ERDA.
Paula S. Tanenbaum, VA.	Margaret S. Sellers, DOA.
Estelle H. Thompson, VA.	W. Jackson Silvey, USA.
Wayman B. Walker, VA.	Lang D. Soo-Hoo, ERDA.
Fred Walden Wright, VA.	Frank A. Townsend, ERDA.
Sam Candelaria, Agriculture.	Kathleen Winn, FEA.
Mary Ann Taylor, Agriculture.	Robert R. Nordhaus, FEA.
Kathy Allesi, Justice.	Shelda Weinstein, HEW.
Sandra Belt, Justice.	Leila Baylor, VA.
Diane Carter, Justice.	Debra Braxton, VA.
Patricia A. Farrell, Justice.	Frances Campbell, GSA.
Frank Moreno, Justice.	Joseph Cherry, Commerce.
Bertha Estrada, Interior.	Nora Dewdney, VA.
Patricia Kinsey, Interior.	Tony Edwards, Treasury.
Gloria Williams, Transportation.	Rose Free, Treasury.
Frances Anderson, Defense.	Michael Gervin, CSA.
Larkin E. Bobo, Defense.	Rosamond Gitzen, Interior.
Carol Johnston, Defense.	Michael Grant, DOD.
Lois A. Green, Treasury.	Linda Grier, VA.
Renita A. Johnson, Treasury.	Odessa Izzard, VA.
John F. Ahern, DOD.	Valentina Jackson, EEOC.
Alvin Alm, EPA.	Frances Kensinger, GSA.
Harry E. Bergold, State.	Daniel Kling, FCC.
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James A. Craig, FEA.	James Sasser, HEW.
Esther G. Cusato, ERDA.	Emily Shaketoff, DOD.
S. David Freeman, ERDA.	Mary Valentino, Postal Service.
Leslie J. Goldman, FEA.	Teheriska Wood, VA.
Carole J. Gorry, ERDA.	James P. Nach, State.
Deborah M. Gottheil, Transportation.	Ellen M. Jones, VA.
Vivian M. Graff, NSC.	Joseph W. Cornelison, U.S. Army.
Ann M. Fuentes, EPA.	Mary T. Beckman, DOD.
Coletta L. Jones, ERDA.	Ernest H. Preeg, State.
Hanna M. Jones, ERDA.	Lawrence D. Gilson, ACIR.
George R. Hall, DOD.	Stephen D. Page, HEW.
Frederick P. Hitz, DOD.	Doris Michel Gibbon, CIA.
Mildred Kikta, FEA.	Gwendolyn I. Schroeder, OSD.
Martha E. Kimball, DOD.	Mary Louise Odom, NSA.
Muriel King, ERDA.	Lionel Olmer, Cmdr.
Nancy Kowalski, ERDA.	Charlotte Spence, OSD.

Mr. HARRIS. If we could just get philosophical here for a minute, as I say, I have no problem when you hit a period like this where, you know, the mail load is—I know it is—so heavy in the White House.

We're trying to achieve transition, start a new administration, and we want to move people with experience in. It just makes good sense to move them in from other agencies.

But it just doesn't seem right for the Department of Agriculture to pay people as long as 4 or 5 months when they are actually working in the White House.

Just as a matter philosophy, do you think that's a good policy?

Mr. McINTYRE. Well, I think that the time frame is one—it's certainly subjective, and it comes down to just making a decision as to where the cutoff is—if it's 3 months, 4 months, 6 months.

Mr. HARRIS. I guess what I'm trying to get you all to do is not to accept the past as dictating your policy now.

When you've got that 6 months detailee to be charged to any agency of Government, you can hide a considerable cost in running the White House.

Now, I'm going to be frank with you: I think that's what past administrations have done. And I just hope the new administration doesn't pick up that philosophy.

I think, you know, the fantastic amount of paperwork involved, and what have you. We can really understand the problems of charging the guy's salary from one budget to another. That may be a fantastic amount of paperwork; but as far as I can figure out, it just takes one entry.

And I don't see why we can't change things as we move along, just because it's been done that way in the past, why we can't change things?

Look, if we've got a person working in the White House, he or she ought to be charged against the White House operations. Now, that's good government, isn't it?

Mr. McINTYRE. In theory, yes, sir; it's good government.

Now, let me expand on that just one minute though.

Mr. HARRIS. That's what I want you to do. I want you to philosophize with me.

Mr. McINTYRE. I'm not a philosopher, but—

Mr. HARRIS. We need more in the Government. I'm sorry to hear it.

Mr. McINTYRE. I hope I'm an implementer rather than a philosopher.

Mr. HARRIS. We need more philosophy than implementing, as a matter of fact. We really do.

Mr. McINTYRE. I don't want to put too much emphasis on the reorganization study, but I do think it's significant, and I think it's important, Congressman Harris.

And I would hope that we could reserve judgments on what past policies need to be changed until such time as we complete our study.

And if you have some ideas, which you obviously do, I would be glad to come up and sit down and discuss them with you, and to the extent that we can incorporate them in our final proposals, we will certainly do that.

But I think it's important we be given an opportunity to analyze the current practices in the Executive Office of the President and to make recommendations to the President for the organization and the management of the Executive Office.

Mr. HARRIS. I appreciate that offer.

I can say that my ideas are contained in H.R. 6326, so if you want to use that as a guideline as you do that study, it would probably help you a whole lot.

And I shouldn't even tell you this, but I guess you know: with regard to the transition authorization there is the Harris amendment in that, too, which said that the ones that were detailed from other agencies had to go against the appropriation for the transition also.

So, you see, that's consistent with that philosophy—just carrying it on through—whether you're incoming President, outgoing President, incumbent President, it's the same philosophy, and I think that gives us a good consistency.

I think the White House should have a great deal of flexibility, but I think the White House in this day wants to make it clear to the country what the costs are, and by agency, so that it's not possible in the future when some other President comes in that might want to hide these things, to have a system set up where these costs could be hidden.

That's the thing I'm interested in. Thank you.

Thank you, Madam Chairwoman.

Ms. SCHROEDER. Thank you, Mr. Harris.

Mr. Gilman?

Mr. GILMAN. Thank you, Madam Chairwoman.

I'm very much interested in your statistics and your comparative analysis, and hope you'll be able to provide that for us as we consider the legislation by our colleague, Mr. Harris.

Could you comment for me on the following recent observations? One is an editorial in the Christian Science Monitor, dated April 4, 1977, which was entitled, "Bulging White House Staff," and I quote:

Remember all that popular campaign talk about bloated bureaucracy in Washington when Jimmy Carter promised that after the election he would reduce the White House by 30 percent? The public sure liked it, but words do not translate easily into deeds, and the White House staff is now 30 percent larger than it was in the Ford administration.

And then, the Washington Post on March 31, 1977, in an article entitled, "White House Staff Swells Despite Carter's Pledge To Make Deep Cutbacks"—article by Edward Walsh—and I quote:

Three months after taking office, President Carter is presiding over a White House staff that is larger than that of his predecessor, and has all but abandoned his promise to make a deep cut in the size of the White House staff.

And then it goes on to say that the Carter White House now has 490 full-time employees—just under the 510 full-time White House employees at the end of the Ford term, but on top of the 490. Hardmen acknowledged the new administration has hired about 175 detailees from other Government agencies, swelling the size of the Carter White House so that it is now 30 percent larger than the Ford White House.

And then the New York Times article, dated March 31, 1977, entitled, "Carter, Despite Cuts, Has a Staff 30 Percent Larger Than Ford's."

There's a comment that:

Mr. Hardmen predicted that as a special problem of the new Administration's transition into office were resolved in the coming weeks, the workers let to the White House by other governmental departments would return home by their parent agencies, but, ultimately, he said, the President would probably be able to cut only about 10 to 12 percent of the White House inherited from President Ford. And he acknowledged that even this would be difficult if the mail volume continued.

There's a great deal of comment about the mail volume. Can you tell us how it compares in this administration to the Ford administration?

Mr. McINTYRE. I do not have those statistics available, Congressman Gilman, but I'll certainly be glad to provide them. I know that our own mail has more than tripled.

Mr. GILMAN. Madam Chairwoman, I would request that the agency provide us with that information and to insert it at this portion of the record.

Ms. SCHROEDER. Without objection.

[The information follows:]

The current volume of mail at the White House is about three times heavier than it was at the close of the previous administration.

Mr. GILMAN. How many detailees have the Carter administration brought into the White House?

Mr. McINTYRE. I checked last night, and as I recall, I believe it was 130 detailees right now.

Mr. GILMAN. And what are the total number of employees as of today at the White House, including with detailees?

Mr. McINTYRE. I don't have that information. I'll be glad to get it for you.

Mr. GILMAN. Would you supply that for us?

Mr. McINTYRE. Yes, sir.

[The information follows:]

As of May 1, 1977, the White House Office had 626 people on the rolls, including detailees.

Mr. GILMAN. How long is it anticipated that these detailees will be assigned to the White House?

Mr. McINTYRE. Well, they got assigned to help handle the mail—opening and answering the mail—and will be very temporary, until we can get the mail situation handled.

As you know, some of the detailees have been working on the energy proposals, and, hopefully, as soon as we get the energy proposals completed, then we'll no longer need those detailees.

Those are two big areas in which the detailees are assigned. I'm not familiar with the other areas in which we would have detailees right now.

Mr. GILMAN. How many detailees are working on the energy proposal?

Mr. McINTYRE. I think that there are approximately 40 detailees working on the energy proposal.

Mr. GILMAN. Would you comment for us on the recommendation that's been made by the Harris legislation, that suggests the abolition of the Domestic Council?

Mr. McINTYRE. I think that that provision—at this time to be commented on—would be premature, because, as I have indicated on several occasions, we do have a comprehensive study of the Executive Office of the President underway.

And any recommendations in the area of what should be done to the Domestic Council should be held in abeyance until such time as the comprehensive study is completed. And we expect that to be done sometime in June.

Mr. GILMAN. Is that a report that the OMB is completing?

Mr. McINTYRE. Yes; it's part of the overall effort of the reorganization of Government.

Mr. GILMAN. Will that report then be circulated to the Congress?

Mr. McINTYRE. Well, it would be submitted to the Congress in the nature of a reorganization plan.

Mr. GILMAN. By the President?

Mr. McINTYRE. Yes. And you would, of course, have the time period allowed under the law to consider the plan.

Mr. GILMAN. And is OMB making recommendations, then, to the President on reorganization?

Mr. McINTYRE. Well, the reorganization effort is being staffed in OMB.

We have, as you are aware, I'm sure, a special project called, "President's Reorganization Project," that is working out of the Office of Management and Budget; a part of our staff assigned in OMB.

There is pending a supplemental appropriation for this project which will be conducted out of the Office of Management and Budget.

Mr. GILMAN. And do you know what the recommendation is with regard to the Office of Domestic Council? Has that been resolved yet?

Mr. McINTYRE. There is no recommendation at this time on any of the offices. We are preparing a comprehensive analysis of all the activities of the Executive Offices of the President, and out of that analysis will come recommendations.

Mr. GILMAN. Who, in the OMB, is working on this special study? How many people are assigned to this in executive level type positions?

Mr. McINTYRE. There are in the neighborhood of 20 people working on this particular study in the Office of Management and Budget under the President's project.

Mr. GILMAN. Who is in charge of that study?

Mr. McINTYRE. Well, I guess Bert Lance has the ultimate responsibility for it. On the working level Mr. Wellford is in charge of the overall reorganization project, and A. D. Frazier is in charge of the Executive Office of the President's team.

Mr. GILMAN. Will that study, then, go directly to the President, or will it go to some other type of office for a legal opinion?

Mr. McINTYRE. Well, there are a number of people who will have an opportunity to review the analysis before any final recommendation is submitted to the President; but the ultimate decision on what plans to recommend to the Congress would be the President's decision.

Mr. GILMAN. Are you going through a hearing process in the reorganization plan?

Mr. McINTYRE. We intend to.

Mr. GILMAN. And would that be a public hearing process?

Mr. McINTYRE. We intend to have some public hearing processes. We intend to involve the Members of Congress in this process by working with the appropriate committees and staff of these appropriate committees to get their thoughts and ideas on various reorganization recommendations.

We intend for this to be a very open, public process, to get as much input as possible in the reorganization effort.

Mr. GILMAN. And do you anticipate being able to conclude the hearing process in time in order to make a report of these recommendations by June?

Mr. McINTYRE. I would think so. Now, I said "in June," not "by June."

Mr. GILMAN. Just so that I clearly understand this, you're recommending, then, that we not approve the limitations on White House staffing that are being recommended by the Harris legislation because, basically, you feel there is a need for additional personnel in the White House at the present time?

Mr. McINTYRE. No, sir, I did not say that.

Mr. GILMAN. Then would you clarify your statement for me?

Mr. McINTYRE. I'll be glad to. There are two basic points that relate to the personnel question.

First of all, as I indicated to Congressman Harris, we would like to see the White House treated like all other agencies; that is, that the number of executive level positions, if you want to limit those, that's in keeping with what's being done with other agencies.

But those positions that fall under the executive level, it's my understanding that there's no number or figure limit on the amount of people that could be hired under the general schedule.

So, in that respect, you would be limited by the amount of your appropriation.

The second point that I have made with respect to personnel is that before any final number is picked, we would like to have the opportunity to complete our reorganization study so that we can determine the amount of personnel that's needed to run the White House.

So, I think those are the two points that I have made today about personnel.

Mr. GILMAN. The additional personnel in the White House is, essentially—from the reasons you're telling us—because of the additional mail; is that correct?

Mr. McINTYRE. Well, not just mail; the energy proposal and other basic projects that we have underway in the transition process.

Mr. GILMAN. All right, the energy proposal, which is a very temporary situation, until the new department is created.

Mr. McINTYRE. That's correct.

Mr. GILMAN. Are all of these additional personnel mostly clerical or stenographic for example?

Mr. McINTYRE. I do not know of my own personal knowledge the various categories they fall into. My understanding is that they are, basically, clerical and support staff personnel.

Mr. GILMAN. You don't need additional executive types for that kind of responsibility?

Mr. McINTYRE. That's my understanding.

Mr. GILMAN. Thank you.

Thank you, Madam Chairwoman.

Ms. SCHROEDER. Thank you very much.

Well, let me go through some of the bill and see if I've got some sort of an idea as to where we are.

First of all, can you tell me where the study began, the one that is to be done in June?

Mr. McINTYRE. Yes; as I recall, it began in March.

Ms. SCHROEDER. And what you're saying is, you want us to hold up on manpower levels because of the study and recommendations on the Domestic Council.

Mr. McINTYRE. Essentially that's correct, except that under the personnel that are hired below the executive level positions, we would hope that the White House would be treated like all other agencies and not have a maximum number.

Ms. SCHROEDER. Now, supergrades, you know, are limited by the Congress. There is a supergrade limit, say, you would be below.

Mr. McINTYRE. As I understand, isn't that a total limit Government-wide?

Ms. SCHROEDER. Yes; there's a quota, now, we understand OMB puts limits on each agency. Doesn't OMB set manpower limits?

Mr. McINTYRE. Well, ceilings are set.

Ms. SCHROEDER. So, would OMB be treating the White House, you think, equally with other agencies on the ceiling requirement for lower than the supergrades?

Mr. McINTYRE. Well, we have treated all agencies in the Executive Office of the President the same as all other agencies in establishing ceilings.

Ms. SCHROEDER. But you don't think that there might be a temptation to treat it more equitably than others?

Mr. McINTYRE. Well, I don't know. You know, sometimes the President has certain situations that require him to have certain needs that are unique, unusual, or of an emergency nature, and I think that's an important consideration in dealing with the White House.

Ms. SCHROEDER. Well, let me be candid with you. Here is our problem: We are looking at a May 15 target deadline on the budget.

I think this subcommittee is committed to turning out some sort of authorization. To begin with, if we allow everyone to get out by starting a study, we'd have the maximum escape clause of the whole world, you know, that you could drive 85,000 trucks through.

So, I don't think we can utilize that as a reason why the White House gets special consideration. This bill has been around: We passed it last time. Congress has no secrets, so I think anybody would be anticipating this was coming.

And when I heard your request for us just to substitute the language that is in the budget, I must say that I was a little displeased, because it is incredibly general. That's what we've been doing; that's what we're complaining about.

I have a paragraph here, and I can read it, but what it is is just, you know, we'll give you all this money and you can go out and spend it for services authorized, per diem rates, and whatever the President specifies, and other personnel services, without regard to provisions of law, regulating employing compensation, Government service, and so forth and so on.

Now, I hear what your request is. I'm hoping you can move on a little further though from that, because I really don't think you're going to be able to sell that to this committee.

So, if you'll bear with me, let me ask you a few very specific things in the bill that lets me route the manpower thing and ask some other things, and see if we can find any area where we might be able to reach some agreement.

In the bill, as you know, there is one section that gives the President each year \$500,000 for unanticipated needs to be expended at his own discretion, which is just about for anything that he can think of.

Now, do you have any comment on that section—again, as to give him \$500,000 a year for any unanticipated needs for the next 3 years?

Mr. McINTYRE. Well, the first comment I would make is that this is a 50-percent cut in the appropriations for the "Unanticipated Needs." The present appropriation for the unanticipated needs fund is \$1 million, which is a very, very small amount when you consider the total size of the U.S. budget.

Ms. SCHROEDER. Do you know how much prior administrations have spent of that \$1 million?

Mr. McINTYRE. I could get that. Yes; Mrs. Baldwin says that we have it. We can give it to you for the record.

Ms. SCHROEDER. All right, we could appreciate it.

Mr. McINTYRE. Would you like to hear it?

Mr. HARRIS. Let's hear it now. Excuse me.

Ms. SCHROEDER. So, your position, then, is that you would want at least \$1 million and not \$500,000?

Mr. McINTYRE. Well, I would think that that would be in keeping with the current appropriation.

Ms. SCHROEDER. My understanding was that prior administrations had not spent the \$1 million, and that's why the \$500,000.

Mr. HARRIS. She has the total figure.

Ms. SCHROEDER. Do you have the figure?

Mrs. BALDWIN. In 1977, \$87,000 has been spent.

Ms. SCHROEDER. \$87,000 in 1977?

Mrs. BALDWIN. \$210,000, I'm sorry. This is a 1-year appropriation, and money that is not spent, of course, goes back to the Treasury.

In 1976, about \$752,000.

Ms. SCHROEDER. OK. Well, that gives us some working basis, then, for what we're talking about.

Do you feel that it's reasonable, every 3 years, to have a congressional review or would you make that 5 years or 1 year or what kind of a change do you see in the Government?

Mr. McINTYRE. Well, obviously I think the most desirable thing would be to not have this reauthorized periodically since it is an unanticipated need, since it is reported, since it does lapse if it is not spent.

I would think that, by definition, this is a fund that is available for unanticipated needs. As I indicated, in comparison with the total budget, it is a very, very small amount.

I think that, in the most desirable circumstances, it would be best not to have this reauthorized every 3 years. If the subcommittee feels that reauthorization is necessary, a reasonable time frame could be determined.

Mr. GILMAN. Will the chairwoman yield?

Ms. SCHROEDER. Yes.

Mr. GILMAN. I do have to leave, Madam Chairwoman, and I just want to get more matter clarified if I might.

Will the gentleman from OMB please explain to us: Under the present system it's my understanding there is no reimbursement for detailees when they are assigned to the White House. Is that correct?

Mr. McINTYRE. Not entirely. If they are assigned to the White House for more than 6 months, the White House does reimburse the agency for the detailees.

Mr. GILMAN. For more than 6 months.

Mr. McINTYRE. Yes.

Mr. GILMAN. Well, does that happen very frequently? I understand detailees are usually for a period of less than 6 months.

Mr. McINTYRE. In most instances, I think they are for a very short period of time.

Mr. GILMAN. Then under the present system, there is no way of reimbursing any of the agencies; is that correct?

Mr. McINTYRE. Well, that's under the present policy. The agencies are not reimbursed.

Mr. GILMAN. Well, then, what is your comment with regard to what I think sounds like a very constructive proposal by Mr. Harris, to mandate a reimbursement for detailees to the other agencies?

Mr. McINTYRE. Mr. Harris and I had a very lengthy discussion about that a few moments ago.

Mr. GILMAN. I'm sorry if I may have been preoccupied with another topic.

Mr. McINTYRE. Basically, on detailees, the preferable position would be to use the current authorized language and the current White House policy of reimbursing agencies for detailees that are kept on for 6 months or longer.

Mr. GILMAN. What about for those employed less than 6 months?

Mr. McINTYRE. Those that are kept on for less than 6 months are paid by the agencies.

Mr. GILMAN. Well, what about the Harris proposal? Don't you agree to the worth of the idea to reimburse them if there's a raid on an agency for, say, 30 to 40 employees; or for up to a 6-month period there should be an opportunity to reimburse that agency?

Mr. McINTYRE. Mr. Harris and I got into a philosophical discussion about that point.

Mr. HARRIS. You said you agreed.

Mr. McINTYRE. You know, from a very philosophical point of view it certainly makes sense. From a practical point of view of having to keep records on every detailee that comes over on a short period of time, does impose some burdens.

Mr. GILMAN. What sort of burden would that impose? It would seem to me to require only an entry in the books and records of being assigned to another agency. I can't understand how that would be a burden.

Mr. McINTYRE. Well, if they come over for a few days at the time, and we use a number of different detailees, it does increase the administrative workload—keeping up pay records, making fund transfers either to the individual or to the agency, however the account would be set up, whether the White House would pay the individual or whether it would reimburse the agency and the agency would pay the individual.

Mr. GILMAN. I think what we're talking about is just some simple bookwork, really.

Mr. HARRIS. Madam Chairwoman, may I just intrude on this point?

Mr. GILMAN. Yes; I am pleased to yield.

Mr. HARRIS. First of all, in the legislation, I'm sure you both know, we were just talking about full-time detailees.

Let me state some specific examples that I think my colleague would be interested in.

One of Mr. Nixon's defense counsels was hired by the Department of Justice, assigned to the Department of Agriculture, and detailed to the White House.

Now, it would have taken a little bit more bookkeeping, maybe, to have charged him to the White House, but don't you think that would have been better?

Mr. McINTYRE. Well, it would certainly reflect where the person worked and where the funds came from.

Ms. SCHROEDER. If I might ask a question about the 6 months on detailing.

Is it possible, say, at the end of 5 months to send one person back to the agency and pull another one out to avoid paying? My understanding was that it was possible, so that you never had to pay if you played that rotation game.

Mr. McINTYRE. I suppose it is possible; I don't know whether that is in practice or not. I'm not aware of it if it is.

Ms. SCHROEDER. It's my understanding that that's one of the reasons the committee felt so strongly about accounting, was that there was, again, one of these escape clauses.

Well, let me continue with some of the other provisions of the bill that I'm concerned about: the entertainment expenses and the official travel expenses for the President.

As you know, there is no ceiling set by the bill. It basically just asks that they account for them and that the books are given to the Comptroller General relating to the expenditure of such sums.

Now, do you have any problem with those sections—since there is no ceiling—for entertaining and official travel expenses?

Mr. McINTYRE. Well, I think that on the entertainment expenses they raise some particular problems in that the White House has, of course, to entertain many guests, both from home and from abroad, and that, certainly, if these figures, or the amount spent on entertaining guests, are regularly disclosed, that it could cause some potential problem in that maybe the White House spends more on one guest than on another guest. To that extent we have some concern about this provision.

Ms. SCHROEDER. I would think that we could probably work that out with the Comptroller General so that we don't have one country figuring that that got a \$2 a plate better dinner than another country. I think we could work that out.

But if we could deal with that diplomatic issue, is there any other problem that you would foresee?

Mr. McINTYRE. I'm not aware of any.

Ms. SCHROEDER. What about the consulting fees?

In the bill it asks that the President be given \$75,000 for each 3 years to hire experts and consultants.

Do you know what has been spent by the White House in the past in this area, and does that appear to be a reasonable amount?

Mr. McINTYRE. I would not have those figures. I would be glad to provide them to the committee.

Ms. SCHROEDER. OK.

[The information follows:]

In fiscal year 1976 and the transition quarter, approximately \$433,000 was spent on consultants.

Ms. SCHROEDER. Do you have any idea how much of the unanticipated expenses might have come from consultants? Is there any way of breaking out that \$210,000 unanticipated expense thing to find out how much of that was for consultants?

Mr. McINTYRE. Yes; but we don't have it broken down.

Ms. SCHROEDER. If you could do that it might be helpful also in deciding whether or not we have these categories correct.

What is your opinion regarding the requirement for the statement of expenditures for employees.

Mr. McINTYRE. Well, we don't understand the need for that. We feel it's unnecessary.

You know, if any Member of Congress wants this information we'll provide it upon request; and, of course, it is public information and we continue to provide it to any Member of Congress.

In general, we feel like it's unnecessary.

Ms. SCHROEDER. Congressman Corcoran, do you have any questions you would like to ask?

Mr. CORCORAN. Thank you.

How long have you been associated with the Office of Management and Budget, Mr. McIntyre?

Mr. McINTYRE. Since January 21.

Mr. CORCORAN. You're familiar, I presume, with the comments of the new President before he took office regarding—

Mr. McINTYRE. Let me correct that. It's probably January 31 or February 1 since I've been associated with the Office of Management and Budget.

Mr. CORCORAN. I presume that you're familiar with the comments of the new President before he took office, regarding the size of the White House staff.

Mr. McINTYRE. Yes.

Mr. CORCORAN. I find it rather surprising that a person with your responsibility in the Office of Management and Budget is having some difficulty with the kind of accounting requirements that would be provided for in this bill.

I can understand from the standpoint of policy why it might be that the White House staff would now have some desire to have more time to determine exactly what their program is going to be, and exactly what the financial requirements would be, in order to implement that program and for the new President to make his imprint on the executive branch, of course, and the Government as a whole.

But it seems to me that, from the standpoint of the Office of Management and Budget—we have had a number of years of experience with Chief Executives—that we ought to be in a position to determine exactly what new changes might have to be made in order to carry the program forward.

Would you care to comment on that?

Mr. McINTYRE. Well, we are, certainly, making a study of the Executive Office of the President. The outgrowth of that study will be a plan to be submitted to the Congress under the reorganization authority for the restructuring of the Executive Office of the President.

And, as a part of the overall study, we will be looking into personnel requirements. And, as I stated earlier, the President is, certainly, committed to staff reduction.

We have a number of people on the White House staff who are there temporarily until the energy legislation is adopted and until we can get the mail workload reduced.

And, at the same time, we are studying the other needs of the White House Office, and it certainly will be included in our overall study of the Executive Office of the President.

Mr. CORCORAN. What kind of timetable do you have for the overall study?

Mr. McINTYRE. We expect the study to be completed in June.

Mr. CORCORAN. At that time, will you be making recommendations for some line item budgeting requirements for the Office of the President for the coming fiscal year?

Mr. McINTYRE. I'm not sure I follow what you mean.

Mr. CORCORAN. What I'm suggesting is that once you have a study and evaluation of just what the size and precise composition and financial requirements will be for the Office of the President—the Chief Executive Office—will you, sometime after June, have some specific recommendations for a line item budget for the Chief Executive for fiscal year 1978?

Mr. McINTYRE. Well, I think that before I could give you an answer to that question, I would have to know what the recommendations would be.

If you're suggesting that we would be coming in for a budget amendment, that's certainly a possibility.

Mr. CORCORAN. Thank you very much.

Ms. SCHROEDER. I just have one last question, and then I'll yield to Mr. Harris.

I know that the White House is already requiring certain financial disclosure in conflict-of-interest examinations by its people, and I'm wondering whether section 112 would cause a duplication.

Mr. McINTYRE. Are you referring to the statement of expenditures for employees, in section 112?

Ms. SCHROEDER. Yes, section 112, page 9.

Mr. McINTYRE. I believe that they would be different.

Ms. SCHROEDER. If you could look into that and let us know for the record, I would appreciate that, because I think that might help us.

Mr. McINTYRE. I'll be glad to.

[The information follows:]

It is difficult to know what is called for in section 112. The bill says "expenditures for employees" and "appropriated moneys paid to each such individual so employed" will be reported. This could include any travel, transportation expenses, or similar payments to an individual. It is not clear whether the request goes beyond just salaries but we would propose to report salaries only unless the language is clarified. This report would involve only a minimum duplication of the financial disclosure requirements for some of the staff.

Ms. SCHROEDER. Mr. Harris?

Mr. HARRIS. Thank you, Madam Chairwoman.

The bill, as is currently drafted, has no time limit on the personnel section, in general authorization language; it would be a permanent authorization.

Do you think it should have 1 year, 3 years, indefinite, or what kind of authorization should it have?

Mr. McINTYRE. We would prefer to see a permanent authorization.

Mr. HARRIS. I was not clear with regard to the chairperson's questions on the consultants. Do you feel like \$75,000 a year for consultants is adequate?

Mr. McINTYRE. I don't know how much is being spent in that area, and I told Ms. Schroeder that I would provide that information to the committee. And at that point, we will be able to make a determination as the amount.

Mr. HARRIS. And your question with regard to entertainment. Were you able to come up with a figure as to what the proper authorization for entertainment was? Or do you want to hold on that, too?

Mr. McINTYRE. I believe that that should be controlled by the appropriations rather than being specifically stated in the authorization legislation.

Mr. HARRIS. If that's the ease, you'd be directly in conflict with the legislation. Legislation now authorizes any amount that may be appropriated. Do you feel that should be kept that way?

Mr. McINTYRE. Yes.

Mr. HARRIS. Do you see any problem with the authorization requiring reporting of the expenses, or at least keeping track of the expenses?

Mr. McINTYRE. We do keep track of those expenses, and of course, it's done on the certificate of the President. And, as I explained to the chairperson, I feel like a public display of those types of figures could cause some problem, particularly in the international area, because the President does entertain guests from various foreign countries.

It could impose certain problems that I would think that the committee would want to carefully evaluate before requiring any type of public display of the amount spent on various guests at the White House.

Mr. HARRIS. I happen to think the administration would look very good in comparison if they did make the figures public.

Mr. McINTYRE. It's not an issue of openness, in my opinion, Congressman Harris; it's a question of what effect does it have when the record shows that you spend a certain amount on one guest, and you spent a different amount on another guest. What potential problems does that create? That's the real issue.

Mr. HARRIS. Page 3, lines 8 and 9 of the bill provides some authorization or the procurement of goods and services for the care, maintenance, repair, alteration, improvement, and preservation of the Executive Residence.

What do you think would be a realistic figure on that? Do you think we could come up with a realistic figure with regard to procurement of goods and services, care and maintenance?

Mr. McINTYRE. If you're asking me if we could go back and construct a figure, certainly we can look at what has been spent in the past and see what would be a reasonable amount.

We would prefer to see the authorization general, and that the control be exercised through the appropriations process.

Mr. HARRIS. OK. There are other agencies of Government that do provide for the care and maintenance in addition to this authorization; the National Park Service, for example. Is that correct?

Mr. McINTYRE. I'll have to let Mrs. Baldwin answer that.

Mrs. BALDWIN. Well, the Interior Department handles the Executive Residence account, and the Interior Department also takes care of the grounds as a national park.

Mr. HARRIS. What I'm asking though is, when they do that, that comes out of the Interior budget; that doesn't come out of this account, does it?

Mrs. BALDWIN. Well, Executive Residence account is part of this, yes. Interior, though, handles it.

But then there's another account for the grounds, and visitors stands, and all of that.

Mr. HARRIS. What you are saying is there are, in fact, two ways that the Executive Residence is taken care of: one is that of this account, and one is that of Interior's own account; is that correct?

Mrs. BALDWIN. Yes, sir.

Mr. HARRIS. The bill increases the current travel authorization for the President from \$40,000 to \$100,000.

Do you think this is realistic and sufficient?

Mrs. BALDWIN. It has been \$100,000 for 5 years now. That much has been appropriated for the past 5 years.

Mr. HARRIS. I was wondering if you all felt this to be realistic and sufficient.

Mr. McINTYRE. Well, that's what we requested, so I would say that it's realistic and sufficient.

Mr. HARRIS. I'm going to start walking softer here in a minute, Madam Chairwoman. Let me plead that this subcommittee is not in the business of making sure that what's been going on in the past is what's continuing.

We want to see a revolution of new ideas and new approaches here, some new concepts, as far as the way the things are run.

You know, I really hope that we will look at these issues, not as the way they have been done in the past, but as the way they should be done in the future. I think this is the thrust the Carter administration brings to this Government. It's the one that this committee wants to help carry out.

Just because we spent \$100,000 in the past doesn't mean it should be \$100,000. I want to see you all make new judgments, new ideas, not just what the Ford, or the Nixon, or somebody else's administration did in the past, but what we should do in the future.

Mr. McINTYRE. Congressman Harris, that's one philosophical statement I can wholeheartedly agree with you on.

Mr. HARRIS. Good. Is \$100,000 enough or not?

Mr. McINTYRE. Again, let me point out to you one reason that, of course, I'm obviously unable to answer some lines of your questions. It takes time and experience in dealing with these problems to make the types of decisions that you, obviously, have been working with and around for years.

I would hope, and I would think that you would understand, that the budget is, basically, the Ford budget with some Carter amendments to it.

I would expect that if you would ask me these questions, after we've had the opportunity to develop our own budget recommendations for all agencies in the Federal Government, I would be able to answer you more definitively. And I would do so.

I hope you would understand that we are attempting this in depth study of the operations of the Executive Office of the President: and many of the questions that you have asked, and other members of the Subcommittee have asked, are simply the questions that we haven't had the time to develop our own recommendations on in order to determine whether these policies need to be changed. I can assure you that we are changing past policies everyday in our operation, and we will continue to do this.

I do hope that you would understand that we do need this time to complete our comprehensive analysis of the Office in order to answer the kinds of questions the members of this subcommittee are interested in.

Mr. HARRIS. Well, you and I both probably have the same notion of what a budget is. A budget is not what you spent last year.

Mr. McINTYRE. Absolutely.

Mr. HARRIS. A budget is what you want to spend in the coming year, and that budget is predicated on objectives and goals, both as to your financial plan and as to what you want to do. And when you sit down with a budget, that helps to focus on what the goals and objectives are going to be.

I guess what I'm pressing for now, is not to say next year, after you've found out how much you spend, come back and say, "Yeah, that was right." But to start out in the beginning of the year and say, "This is what we're going to do. This is how we're going to cut back here. This is now we're going to expand here. This is how we're going to achieve our goals in a more efficient way."

This is all I'm pressing for at this point.

Mr. McINTYRE. By using zero-base budgeting and reorganization, we expect to give Congress a lot of opportunities next year to make those types of decisions.

Mr. HARRIS. But we don't want to wait until next year. We want to start right now by saying, "Things are going to be different; we're going to plan it differently in the future."

That's what you all are doing, and we just want to know what it is that you're doing.

Mr. McINTYRE. As soon as we know, we'll let you know.

Mr. HARRIS. That's good.

The bill has a variety of reporting requirements which are basically what we've just been talking about, of letting us know what you're doing.

Do you have any comments with regard to reporting requirements? Do you think they're too severe?

Mr. McINTYRE. That's a very broad question. I'll try to answer some of the specific questions.

In some of the categories, such as the entertainment category, we would like to have serious discussions about the merits of that proposal.

We feel, basically, that the requirements carried in the bill with respect to reporting all of the expenditures and so forth is basically unnecessary. The information is public; it is available.

We will certainly supply any information with respect to those expenditures that are requested. It does, of course, appear in the audit report. I realize they are not annual audits, but it does appear in the audit report; and if the information were needed more frequently, we would, certainly, provide that information.

Mr. HARRIS. Does the White House Office have any staff subject to classification under the general schedule provisions of title 5, United States Code?

Mr. McINTYRE. According to Mrs. Baldwin, of the staff that works in the White House Office, a large number is under the general schedule, probably over 200. We'd be glad to get that number if you desire.

Mr. HARRIS. I'd like to have that number at this point in the record.

Ms. SCHROEDER. Without objection.

[The response follows:]

As of May 1, 1977, there were 267 persons on the White House Office staff that were classified.

Mr. HARRIS. There is section 3101 in the code, of chapter 31, which gives each executive agency of the Government the power to employ classified employees.

And I would like, Madam Chairwoman, if I may, to point out to our witnesses that this bill authorizes the employment of nonclassified people; and that to compare, as I think the witnesses have tried to do, the ability of the President to hire, just like any other executive agency, classified employees, and the ability of the President to hire nonclassified employees, is comparing apples and oranges.

I'm not sure that there's anything in this bill that would limit, as such, employment of classified employees; maybe there should be.

What we are talking about is the authority of the President to hire outside the classified system; and, so, I'm not sure the comparison of saying other executive agencies can hire this many employees is comparable. Wouldn't you agree?

Mr. McINTYRE. Let me answer. We were interpreting the 336 employees to include the classified or the general schedule employees.

Mr. HARRIS. I think you're right.

Mr. McINTYRE. If that's not your intent, then, that's good news. That is your intent?

Mr. HARRIS. Well, this is a question, of which way we should go on this. If, in fact, we're going to need in addition to these, another group of classified employees; or if, in fact, you're going to interpret the law differently.

You said in your testimony that if you had the same authority as any other executive agency to hire as many merit system employees as possible, then maybe those other figures have to be adjusted.

Mr. McINTYRE. I didn't say merit system employees; I said under the general schedule.

Mr. HARRIS. That's the same thing.

Mr. McINTYRE. Well, I didn't intend it to be.

Mr. HARRIS. I don't want to get technical with you, but if you're talking about general schedule employees, that's merit system.

Mr. McINTYRE. I'm learning a lot up here about the technical language that the Federal Government—

Mr. HARRIS. Well, I think we've got to be careful about this, as we do pass authorization language, that we're both talking about the same thing. And if, in fact, the White House, in the hiring, wants the same authority as other executive agencies under section 3101, then we've got to make sure these other figures are correct, too. We don't want an authorization bill that would duck the authorization of the White House staff or something like that.

I know you wouldn't want that, would you?

Mr. McINTYRE. Not with the current statements the President has made. Let me say this: I wouldn't want that statement to be misinterpreted as to saying we would also like to have a limit on the number of personnel in the bill.

We still would not like to have that limit except if for executive level positions, unless that is the desire of the committee.

Mr. HARRIS. Thank you very much.

Ms. SCHROEDER. Thank you very much. Let me just mention that several things that have dismayed me just a tad, and the subcommittee chairman, and I think other members have expressed them, too.

I want to make it very clear that we are going to have some kind of an authorization. The Appropriations Committee is going to demand

it this year. I think the subcommittee staff has been communicating with OMB for 6 weeks that we were going to do the hearing. There's going to be a bill and we're faced with a May 15 deadline.

Mr. McINTYRE. May I just interrupt just a minute, Madam Chairwoman?

I am not aware of that; if they have been communicating with the OMB staff, it has not been communicated to me.

Ms. SCHROEDER. My understanding is that Mr. Linder—

Mr. McINTYRE. He is not on the OMB staff; he is a member of the White House Office.

Ms. SCHROEDER. Well, that's very interesting, but there have been communications going back and forth with the White House or OMB think we are really committed to having an authorization.

I think the subcommittee is going to be just a tad upset about their cavalier attitude of, "Just give us what's happened in the past and in a year or so we'll get it together."

It seems to me that if you're really doing a study, and a thorough reorganization, you ought to have some opinions going, some data backup, and some prospective budgeting, and so forth and so on, to get a move on that. I'm not really sure we gained a whole lot today on how to mark up this bill. If, in the interim between now and May 15, you come up with some idea, we would be very happy to have them. I that we were going to have an authorization.

I remind you that an authorization does not preclude reorganization. I think HEW will be operating under an authorization while they reorganize, and every other agency of Government will be operating under an authorization while they reorganize.

So, we would like to work with the administration to come up with some kind of an authorization because we feel that's a very important new way to show that the White House is not going to be more equal than anyone else, and that they, too, can operate under an authorization, and they can also reorganize. And, hopefully, we'll end up with long-term goals of the President's staff and many other things.

If you come up with more comments about any sections of the bill in the interim, we'd be happy to have them. Otherwise, we'll be having a markup to deal with it before the May 15 deadline.

Does anyone else have any further questions before we adjourn?

[No response.]

Ms. SCHROEDER. Well, I thank you again for your attendance.

The subcommittee is adjourned.

[Whereupon, at 10:55 a.m., the subcommittee was adjourned, subject to the call of the Chair.]

[The article which follows was ordered placed in the record:]

[From the New York Times, May 2, 1977]

ON BREAKING PROMISES

(By William Safire)

WASHINGTON.—Jimmy Carter owes his election to narrow victories in two states: Louisiana and Texas. He squeaked through in each of those states thanks to his often-repeated campaign pledge to remove government controls on newly discovered natural gas.

But when the moment came for him to deliver on his promise, his Malthusian energy program—properly labeled a “monstrosity” by Nobel Laureate Milton Friedman—went to precisely the opposite direction.

The point of interest is not that President Carter broke a campaign pledge, which happens to every politician, but that he resolutely refuses to face up to it. His explanation is that he never said *when* he would keep his promise on decontrol.

That is less than honest; it is the wriggling-off-the-hook of the sharp practitioner who says that you didn’t read the fine print. And that fine-print syndrome appears elsewhere.

For over two years on the campaign trail, Mr. Carter railed at the swollen size of the White House staff. In his Feb. 2 fireside chat, he warmed our hearts with the report that “I am reducing the size of the White House staff by nearly one-third.”

The White House staff he inherited consisted of 510 people. Since his “nearly one-third” was translated into a directive ordering a 30 percent cut, the number—by his own announcement—should now be 357.

Don’t hold your breath. According to the White House press office, the size of the White House staff as of last week was not the targeted 357, not the Ford level of 510, but 608.

The revealing point, again, is not the broken promise, but the deceptive explanation. At a recent press conference, Mr. Carter told the nation that the reason for the extra staff was “this enormous influx of mail.” He led trusting reporters to believe that the staff increase was a temporary measure to handle the four-times-normal flow of mail.

That was doubly deceptive. The mail increase was deliberately stimulated by the President; when he urged his countrymen on television to get in touch with him directly, many took him seriously: As a result, the White House has never received so many plaintive “touch letters”—piteous appeals from children who have lost their dogs and want replacements or letters saying “My wife is pregnant and I need \$1,300 and I am desperate, please help me.”

An independent mail solicitation—operated from a separate post office box—was a direct-mail advertising effort in connection with the energy hype. The White House is not willing to give out costs to the taxpayer of the preparation of the extensive mailing list, production of letters from the President, stuffing and franked mailing, opening, collating, counting and analyzing replies. The cost could run the yacht Sequoia for quite a while.

What makes the President’s explanation doubly deceptive is not only that he reached out for the mail-flow, increase, but that his stated reason is false. Mail-handling is not the reason for the difference between the promise 357 and the present 608. Not even nearly.

Follow the numbers: In that 608, there are 129 “detailees”—people on the payroll of other agencies, but working at the White House, which is how Lyndon Johnson used to conceal the growth of the White House staff.

Of these detailees, only 31 now work in the mail room. Thus, if Mr. Carter stops asking for the touch letters and the mail room comes back down to its pre-Carter size, the White House staff will still number 577. That’s a long, long way from his announced goal, which simple arithmetic puts at 357.

What are the rest of those White House staffers doing? Well, you see, um, they had to hire a whole bunch of guys to come up with an energy program that broke our promise to Texas and Louisiana. And, uh, they still have to do a lot of screening for new appointees, which may take a while.

What can we expect after the Carter mail-room excuse loses its credibility? That’s when the fine print will make its appearances: When Mr. Carter promised to cut “that bulging White House staff,” we will be told, he only meant the political appointees, not “permanent staff” like the White House barber. So 30 percent of those—well, say 20 percent, that’s in the ball park—would be 40 people, leaving a White House staff of 470, plus a few dozen detailees for emergencies, which would sort of keep the President’s promise.

That sort of flim-flam—like the I-never-said-when fine print in invisible-ink on the deregulation pledge—is far worse than the broken promise itself.

What if a President were to say this: “Look, I’m sorry about breaking my word on deregulation—it just was not politically expedient. And I was wrong about criticizing the size of the White House staff—I need it to run the Government.”

It won’t happen—Presidents do not do that. On minor matters like breaking promises—and even, as we shall see, on graver matters like breaking laws—they tend to hang tough and brazen it through.

IN THE HOUSE OF REPRESENTATIVES

Mr. HARRIS (for himself, Mr. UDALL, and Mrs. SCHROEDER) introduced the following bill; which was referred to the Committee on Post Office and Civil Service.

A BILL

To clarify existing authority for employment of personnel in the White House Office and the Executive Residence at the White House, to clarify existing authority for employment of personnel by the President to meet unanticipated personnel needs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That (a) section 105 of title 3, United States Code, is
4 amended to read as follows:

5 "ASSISTANCE AND SERVICES FOR PRESIDENT AND

6 VICE PRESIDENT

7 “SEC. 105. (a) Subject to the provisions of subsection
8 (b) of this section, the President is authorized to appoint
9 and fix the pay of employees in the White House Office and

1 the Executive Residence at the White House, without regard
2 to the provisions of title 5 governing appointments in the
3 competitive service. Those employees shall perform such
4 official duties as the President may prescribe.

5 “(b) Notwithstanding any other law, the President
6 may appoint and fix the pay of not more than—

7 “(1) 44 employees at rates not to exceed the
8 rate of basic pay then currently in effect for level II
9 of the Executive Schedule of section 5313 of title 5;
10 and in addition

11 “(2) without regard to chapter 51 and subchapter
12 III of chapter 53 of such title—

13 “(A) 21 employees at rates not to exceed
14 the maximum rate of basic pay then currently paid
15 for GS-18 of the General Schedule of section 5332
16 of such title, and in addition,

17 “(B) 336 employees at rates not to exceed the
18 maximum rate of basic pay currently paid for GS-
19 15 of the General Schedule of section 5332 of such
20 title.

21 “(c) For fiscal years 1978, 1979, and 1980, there is
22 authorized to be appropriated to the President an amount
23 not to exceed \$75,000 for each such fiscal year to enable
24 the President to procure for the White House Office and
25 the Executive Residence at the White House temporary

1 or intermittent services of experts and consultants, as de-
2 scribed in and in accordance with the first two sentences of
3 section 3109 (b) of title 5, at respective daily equivalents for
4 individuals which are not more than the daily equivalent of
5 the rate of basic pay then currently paid for GS-18 of the
6 General Schedule of section 5332 of title 5.

7 “(d) For fiscal years 1978, 1979, and 1980, there is
8 authorized to be appropriated to the President such sums
9 as may be necessary for each such fiscal year to enable
10 the President to procure goods and services for the care,
11 maintenance, repair, alteration, improvement, and preserva-
12 tion of the Executive Residence at the White House.

13 “(e) For fiscal years 1978, 1979, and 1980, there are
14 authorized to be appropriated to the President for each such
15 fiscal year such sums as may be necessary to pay official
16 reception, entertainment, and representation expenses to be
17 expended in the discretion of the President, except that the
18 Comptroller General shall be furnished information requested
19 by him relating to the expenditure of such funds and access
20 to all necessary books, documents, papers, and records, re-
21 lating to any such expenditure, in order that he may deter-
22 mine whether the expenditure was for payment of official
23 reception, entertainment, and representation expenses.

24 “(f) In order to enable the Vice President to provide
25 assistance to the President in connection with the perform-

1 ance of functions specially assigned to the Vice President by
2 the President in the discharge of executive duties and respon-
3 sibilities, the Vice President is authorized to appoint, with-
4 out regard to the provisions of title 5 governing appoint-
5 ments in the competitive service, and fix the pay of not
6 more than—

7 “(1) 5 employees at rates not to exceed the rate of
8 basic pay then currently in effect for level II of the
9 Executive Schedule of section 5313 of such title; and in
10 addition

11 “(2) without regard to chapter 51 and subchapter
12 III of chapter 53 of such title—

13 “(A) 5 employees at rates not to exceed
14 the maximum rate of basic pay then currently paid
15 for GS-18 of the General Schedule of section 5332
16 of such title, and in addition

17 “(B) 12 employees at rates not to exceed the
18 maximum rate of basic pay currently paid for GS-
19 15 of the General Schedule of section 5332 of such
20 title as he may determine to be appropriate.

21 “(g) Notwithstanding any provision of law, other than
22 the provisions of this chapter, no employee in the White
23 House Office or the Executive Residence at the White
24 House, nor any employee under the Vice President appointed
25 under subsection (f), may be paid a rate of basic pay in

1 excess of the maximum rate of basic pay then currently paid
2 for GS-15 of the General Schedule of section 5332 of title
3 5.”.

4 (b) The table of sections at the beginning of chapter 2
5 of title 3, United States Code, is amended by striking out—

“105. Compensation of secretaries and executive, administrative, and staff
assistants to President.”

6 and inserting in lieu thereof—

“105. Assistance and services for President and Vice President.”.

7 SEC. 2. (a) Section 106 of title 3, United States Code,
8 is amended to read as follows:

9 “ASSISTANCE TO PRESIDENT FOR UNANTICIPATED NEEDS

10 “§ 106. (a) For fiscal years 1978, 1979, and 1980,
11 there is authorized to be appropriated to the President an
12 amount not to exceed \$500,000 for each such fiscal year to
13 enable the President, in his discretion, to meet unanticipated
14 needs for the furtherance of the national interest, security, or
15 defense, including personnel needs and needs for services
16 described in section 3109 (b) of title 5, and administrative
17 expenses related thereto, without regard to—

18 “(1) the provisions of such title governing appoint-
19 ment in the competitive service;

20 “(2) chapter 51 and subchapter III of chapter 53
21 of such title; and

22 “(3) section 5 of title 41.

1 An individual may not be paid under the authority of this
2 section at a rate of pay in excess of the rate of basic pay then
3 currently paid for level II of the Executive Schedule of
4 section 5313 of title 5.

5 “(b) No amount may be allocated under any appro-
6 priation authorized by subsection (a) unless, prior to such
7 allocation, the President has submitted to the Congress a
8 report setting forth—

9 “(1) the specific purpose for which such allocation
10 is to be made, and

11 “(2) that there has been a Presidential determina-
12 tion that the necessary delay which would normally
13 occur in enacting appropriations for such purpose, or
14 appropriation authorization and appropriations for such
15 purpose, as the case may be, would be detrimental to
16 the national interest, security, or defense.”.

17 (b) The table of sections at the beginning of chapter 2
18 of title 3, United States Code, is amended by striking out
“106. Administrative assistants.”

19 and inserting in lieu thereof—

“106. Assistance to President for unanticipated needs.”.

20 SEC. 3. Section 107 of title 3, United States Code, is
21 amended to read as follows:

1 "DETAIL OF EMPLOYEES OF EXECUTIVE DEPARTMENTS TO
2 OFFICE OF PRESIDENT

3 "§ 107. At the request of the President, the head of any
4 department, agency, or independent establishment of the
5 executive branch of the Government shall detail, from
6 time to time, employees of such department, agency, or
7 establishment to serve in the White House Office. The White
8 House Office shall reimburse each such department, agency,
9 or establishment, for the compensation of each employee
10 thereof so detailed for full-time duty on a continuing basis."

11 SEC. 4. Section 103 of title 3, United States Code,
12 relating to travel expenses of the President, is amended by
13 striking out "\$40,000 per annum" and inserting in lieu
14 thereof "for fiscal years 1978, 1979, and 1980, \$100,000
15 for each such fiscal year", and by striking out "and accounted
16 for on his certificate solely" and inserting in lieu thereof "
17 except that the Comptroller General shall be furnished such
18 information relating to such expenditures as the Comptroller
19 General may request and access to all necessary books, docu-
20 ments, papers, and records, relating to such expenditure in
21 order that the Comptroller General may determine whether
22 the expenditure was for payment of traveling expenses of
23 the President".

1 SEC. 5. (a) Section 102 of title 3, United States Code,
2 is amended by striking out "Executive Mansion" and in-
3 serting in lieu thereof "Executive Residence at the White
4 House".

5 (b) (1) Section 109 of title 3, United States Code, is
6 amended—

7 (A) by striking out from the section caption
8 "EXECUTIVE MANSION" and inserting in lieu thereof
9 "EXECUTIVE RESIDENCE AT THE WHITE HOUSE"; and

10 (B) by striking out from the text "Executive
11 Mansion" each place it appears and inserting in lieu
12 thereof "Executive Residence at the White House".

13 (2) The item relating to section 109 in the table of
14 sections for chapter 2 of such title 3 is amended by striking
15 out "Executive Mansion" and inserting in lieu thereof "Executive
16 Residence at the White House".

17 (c) (1) Section 110 of title 3, United States Code, is
18 amended—

19 (A) by inserting in the section caption, immedi-
20 ately before "WHITE HOUSE" the following: "EXECU-
21 TIVE RESIDENCE AT THE";

22 (B) by striking out "President's House" and in-
23 serting in lieu thereof the following: "Executive Resi-
24 dence at the White House"; and

25 (C) by striking out "White House" each place it

1 appears and inserting in lieu thereof "Executive Resi-
2 dence at the White House".

3 (2) The item relating to section 110 in the table of
4 sections for chapter 2 of such title is amended by inserting
5 immediately before "White House" the following: "Executive
6 Residence at the".

7 (d) Section 202 of such title is amended by striking
8 out "Executive Mansion" and inserting in lieu thereof
9 "White House".

10 SEC. 6. (a) Chapter 2 of title 3, United States Code, is
11 amended by adding at the end thereof the following new
12 section:

13 "STATEMENT OF EXPENDITURES FOR EMPLOYEES

14 "§ 112. (a) The President shall transmit to each House
15 of Congress, and make available to the public, reports with
16 respect to expenditures for employees in the White House
17 Office and the Executive Residence at the White House.
18 Each such report shall be transmitted no later than 60 days
19 after the close of each fiscal year and shall contain a detailed
20 statement of such expenditures during the most recent com-
21 plete fiscal year.

22 "(b) Each report required under subsection (a) shall
23 contain—

24 "(1) the name of every individual detailed to or
25 employed in (including any expert or consultant whose

1 services are procured under this chapter) the White
2 House Office, the Executive Residence at the White
3 House or the Vice President's Office;

4 “(2) the amount of appropriated moneys paid to
5 each such individual so employed;

6 “(3) the amount of reimbursement made by the
7 White House Office for employees detailed to the White
8 House Office under section 107; and

9 “(4) a general title and general job description for
10 each individual detailed to or so employed in the White
11 House Office or the Executive Residence at the White
12 House.”.

13 (b) The table of sections for chapter 2 of title 3, United
14 States Code, is amended by adding at the end thereof the
15 following new item:

“112. Statement of expenditures for employees.”.

16 SEC. 7. Effective 6 months after the date of the enact-
17 ment of this Act, the Domestic Council, established in the
18 Executive Office of the President by Reorganization Plan
19 Numbered 2 of 1970, effective July 1, 1970 (5 U.S.C. App.
20 note), is hereby abolished.

21 SEC. 8. In the case of any employee whose position
22 would be terminated or whose rate of basic pay would be re-
23 duced (but for this section) by reason of the limitations con-
24 tained in section 105 (b) or 105 (f) of title 3, United States

1 Code (as amended by this Act), such employee may be al-
2 lowed to continue to hold such position and receive basic pay
3 at the rate in effect on the date of the enactment of this Act
4 during the period which begins on such date and ends 2
5 years after such date so long as such employee continues to
6 perform the duties of the position the employee occupied on
7 such date.



