

5160

U.S. PARK POLICE PAY COMPARABILITY

HEARING AND MARKUPS

BEFORE THE

SUBCOMMITTEE ON JUDICIARY

AND THE

COMMITTEE ON

THE DISTRICT OF COLUMBIA

HOUSE OF REPRESENTATIVES

NINETY-FOURTH CONGRESS

SECOND SESSION

ON

**H.R. 11131, H.R. 13250, H.R. 14322,
and H.R. 15276**

TO AMEND THE DISTRICT OF COLUMBIA POLICE AND
FIREMEN'S SALARY ACT OF 1958 TO PROVIDE PAY COM-
PARABILITY FOR THE U.S. PARK POLICE

AUGUST 25 AND SEPTEMBER 1, 1976

Serial No. 94-25

Printed for the use of the
Committee on the District of Columbia

NCJRS



AUG 5 1977

ACQUISITION

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1976

5

COMMITTEE ON THE DISTRICT OF COLUMBIA

CHARLES C. DIGGS, Jr., Michigan, *Chairman*
 DONALD M. FRASER, Minnesota
 W. S. (BILL) STUCKEY, Jr., Georgia
 RONALD V. DELLUMS, California
 THOMAS M. REES, California
 WALTER E. FAUNTROY, Delegate,
 District of Columbia
 JAMES R. MANN, South Carolina
 ROMANO L. MAZZOLI, Kentucky
 HERBERT E. HARRIS II, Virginia
 DAN DANIEL, Virginia
 HELEN S. MEYNER, New Jersey
 HENRY J. NOWAK, New York
 PHILIP R. SHARP, Indiana

EDWARD C. SYLVESTER, Jr., *Staff Director*
 RUBY G. MARTIN, *General Counsel*
 MARK MATHIS, *Minority Counsel*

JAMES T. CLARK, *Legislative Counsel*
 DALE MACIVER, *Staff Counsel*
 DANIEL M. FREEMAN, *Staff Counsel*
 DOROTHY ANDERSON, *Staff Assistant*
 EDWARD L. CLEVELAND, *Staff Assistant*
 DONOVAN GAY, *Staff Assistant*
 DIETRA GERALD, *Staff Assistant*
 KERRY G. HOLMAN, *Staff Assistant*
 WILBUR G. HUGHES, Jr., *Staff Assistant*
 BARBARA JACKSON, *Staff Assistant*
 GWENDOLYN KIMBROUGH, *Staff Assistant*
 MARGI MOSBAEK, *Staff Assistant*
 NELSON F. RIMENSNYDER, *Staff Assistant*
 INEZ ROUNTREE, *Staff Assistant*
 JACQUELINE E. WELLS, *Staff Assistant*
 JOAN WILLOUGHBY, *Staff Assistant*

SUBCOMMITTEE ON JUDICIARY

JAMES R. MANN, South Carolina, *Chairman*
 THOMAS M. REES, California
 ROMANO L. MAZZOLI, Kentucky
 HENRY J. NOWAK, New York
 WALTER E. FAUNTROY, Delegate,
 District of Columbia

CHRIS NOLDE, *Subcommittee Counsel*
 STUART JONES, *Minority Counsel*

(II)

CONTENTS

H.R. 14322 (by Mr. Zeferetti, et al.) to amend the District of Columbia Police and Firemen's Salary Act of 1958.....	Page 1, 29
H.R. 11131 (by Mr. Zeferetti, et al.) (Similar bill).....	4
H.R. 13250 (by Mr. Zeferetti, et al.) (Similar bill).....	7
Subcommittee print (in lieu of H.R. 11131, H.R. 13250, and H.R. 14322).....	1
H.R. 15276 (by Mr. Zeferetti, et al.) (Similar bill as approved by Subcommittee).....	43
H.R. 15276 (amendment in nature of a substitute).....	46
Interior Department report re H.R. 15276.....	48

HEARING AND MARKUPS

August 25, 1976 (Hearing).....	1
August 25, 1976 (Subcommittee markup).....	39
September 1, 1976 (Committee markup).....	43

STATEMENTS

International Conference of Police Associations, Robert D. Gordon, Secretary-Treasurer.....	3, 35
Policeman's Association of the District of Columbia: Finkelstein, Joel M., counsel.....	3, 33
Goldring, Joseph S., president.....	3
U.S. Park Police, Charles R. Stebbias III, member.....	3, 38
Zeferetti, Hon. Leo C., a Representative from the State of New York.....	3

MATERIAL SUBMITTED FOR THE RECORD

Congressional Budget Office, Alice M. Rivlin, Director, letter dated April 27, 1976 to Chairman Diggs, re cost estimate for H.R. 13250.....	40
---	----

SUMMARY OF TESTIMONY

Background of legislation.....	38, 44
Committee votes.....	47
Disability retirements.....	31
Home Rule Act.....	3
H.R. 11131.....	4
H.R. 13250.....	7
H.R. 14322.....	28
H.R. 15276.....	45
Justification for salary increase.....	37
Need for legislation.....	39
Salary adjustments 1975 and 1976.....	37
Substitute for H.R. 15276.....	45
U.S. Park Police.....	36, 37

COMMITTEE REPORT

House Report 94-1473 (Park Police Pay Comparability).....	49
---	----

(III)

2/1/81

FEDERAL PAY COMPARABILITY FOR THE U.S.
PARK POLICE FORCE

WEDNESDAY, AUGUST 25, 1976

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE JUDICIARY OF THE
COMMITTEE ON THE DISTRICT OF COLUMBIA,
Washington, D.C.

The subcommittee met, pursuant to notice, at 2:05 p.m., in room 1310, Longworth House Office Building, Hon. James R. Mann, presiding.

Present: Representative Mann, and Delegate Fauntroy.

Also present: Chris Nolde, subcommittee counsel; Stuart Jones, minority counsel; Edward C. Sylvester, Jr., staff director; Ruby G. Martin, general counsel; James T. Clark, legislative counsel; and Mark Mathis, minority counsel.

H.R. 14322 ET AL.—U.S. PARK POLICE

Mr. MANN. The subcommittee will come to order. This afternoon the Subcommittee on the Judiciary of the House District of Columbia Committee is meeting to hear testimony on the U.S. Park Police pay comparability legislation. A number of bills were introduced by our distinguished colleague and good friend, the Honorable Leo C. Zeferetti from New York.

These bills sought to transfer the U.S. Park Police out of the District of Columbia Police and Fireman's Act of 1958 and into the United States Code for pay, retirement, and other benefit purposes. Ultimately, in view of the time restraints imposed by the Budget Control Act of 1974 and the nearing of congressional adjournment, it was determined that a simplified bill would achieve the essential purpose of pay comparability, with the other issues to be dealt with at a later time. This determination was agreed to by all parties concerned, and a subcommittee draft dated August 25, 1975, reflecting this determination, will be considered by this subcommittee.

[The subcommittee print (in lieu of H.R. 11131, H.R. 13250, and H.R. 14322) follows:]

[Subcommittee Draft, 94th Cong., 2d sess., Aug. 25, 1976]

A BILL To amend the District of Columbia Police and Firemen's Salary Act of 1958 to provide for inclusion of officers and members of the United States Park Police force under the Federal pay comparability system and to require submittal of a report on the feasibility and desirability of codifying the laws relating to the United States Park Police

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

PURPOSE

SECTION 1. The purpose of this Act is to insure that officers and members of the United States Park Police Force are entitled to adjustments in basic compensation in the same manner as are other Federal employees under the Federal pay comparability system.

FEDERAL PAY COMPARABILITY FOR THE UNITED STATES PARK POLICE FORCE

SEC. 2. (a) Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-833) is amended—

(1) by striking out "The rates" and inserting "(a) Except as provided in subsection (b), the rates" in lieu thereof, and

(2) by adding at the end thereof the following new subsections:

"(b) The annual rates of basic compensation of officers and members of the United States Park Police force shall be adjusted only in accordance with the provisions of subchapter I, chapter 53, of title 5, United States Code (relating to the Federal pay comparability system).

"(c) Any reference in any law to the salary schedule in section 101 of this Act with respect to officers and members of the United States Park Police force shall be considered to be a reference to such schedule as adjusted in accordance with subsection (b)."

(b) Section 5301(c) of title 5, United States Code, is amended—

(1) by striking out "or" in paragraph (2);

(2) by striking out the period at the end of paragraph (3) and inserting "; or" in lieu thereof; and

(3) by adding at the end thereof the following new paragraph:

"(4) the District of Columbia Police and Firemen's Salary Act of 1958, but only with respect to the annual rates of basic compensation of officers and members of the United States Park Police force."

(c) Section 5303(a) of such title is amended by inserting immediately after paragraph (1) the following paragraph:

"(2) the pay scales for officers and members of the United States Park Police force under the District of Columbia Police and Firemen's Salary Act of 1958;"

(d) Section 5304 of such title is amended by inserting immediately after "Veterans' Administration," the following: "and those provisions of the District of Columbia Police and Firemen's Salary Act of 1958 relating to officers and members of the United States Park Police force."

REPORT ON THE FEASIBILITY OF CODIFYING LAWS RELATING TO THE PARK POLICE

SEC. 3. The Secretary of the Interior shall submit to Congress not later than one year after the date of enactment of this Act a report on the feasibility and desirability of enacting as a part of the United States Code those provisions concerning the powers, duties, functions, salaries, and benefits of officers and members of the United States Park Police force which presently are contained in several statutes and are compiled in the District of Columbia Code.

EFFECTIVE DATE

SEC. 4. The amendments made by this Act shall take effect on October 1, 1976.

Mr. MANN. We are pleased to have with us Congressman Zeferetti. He has had a long and distinguished career in law enforcement and crime control.

He has had an outstanding record of service in civilian life and more recently as a Representative of the people of New York. He was a decorated Navy man during World War II. Congressman Zeferetti, you may introduce the gentlemen accompanying you.

STATEMENT OF HON. LEO C. ZEFERETTI, A U.S. REPRESENTATIVE FROM THE STATE OF NEW YORK, ACCOMPANIED BY JOEL M. FINKELSTEIN, ESQ., COUNSEL, POLICEMAN'S ASSOCIATION OF THE DISTRICT OF COLUMBIA; JOSEPH S. GOLDRING, PRESIDENT, POLICE ASSOCIATION OF THE DISTRICT OF COLUMBIA; AND CHARLES R. STEBBINS III, MEMBER, U.S. PARK POLICE; AND ROBERT D. GORDON, SECRETARY-TREASURER, INTERNATIONAL CONFERENCE OF POLICE ASSOCIATIONS

Mr. ZEFERETTI. I would like to introduce Mr. Joel Finkelstein, the counsel for the District of Columbia Policeman's Association. Mr. Chairman, I have the privilege of having introduced H.R. 14322, legislation to grant a much needed salary increase to members of the United States Park Police and am indeed grateful for the opportunity to speak on its behalf. And I thank you, Mr. Chairman, for your invaluable assistance for making it possible to bring this long overdue measure before the subcommittee today.

In the fall of 1975 I was asked to introduce legislation designed to bring fairness and efficiency to the system of compensation and disability retirement of the over 800 members of the U.S. Park Police. What originally seemed like an uncomplicated matter led to some very important discoveries.

First I found that the three major police forces in the District of Columbia, the Metropolitan Police Department, the Executive Protection Service, and the U.S. Park Police, were governed by the same statutes, which have been codified in title IV of the District of Columbia Code.

To be more specific, I discovered that salaries and benefits for officers of all three forces are governed by the provisions of the Police and Firemen's Salary Act of 1958, which is also codified in title IV of the District of Columbia Code.

Prior to the enactment of the home rule legislation, it was logical to treat all three police forces jointly in a single piece of legislation. Because the Congress was directly responsible for determining the salaries and benefits of members of all three forces and because each force performed similar law enforcement functions, it was more efficient to treat the three forces jointly.

HOME RULE ACT

Home rule legislation, however, vested in the District of Columbia Government the power to determine, at least initially, matters relating to the salaries of members of the Metropolitan Police Department. In fact home rule legislation established a procedure which authorized the labor organization representing members of the Metropolitan Police Department to bargain directly with the Mayor of the District of Columbia for pay increases.

The effect of home rule legislation on members of the U.S. Park Police was twofold: First, it established a collective bargaining procedure for salaries from which they were precluded. To illustrate: If the Mayor and City Council agreed upon a 6-percent pay raise for mem-

bers of the Metropolitan Police Department, the legislation which would authorize such a pay increase would affect not only members of the Metropolitan Police Department but also members of the U.S. Park Police and the Executive Protective Service.

Second, it created the unseemly situation of having local government determine the salaries and benefits of Federal employees. Frankly I was amazed when I learned that the District of Columbia could determine the salaries of Federal employees who perform law enforcement functions on Federal property located throughout the United States.

Mr. ZEFERETTI. Initially I introduced H.R. 11131.

That bill was intended to amend certain provisions of the District of Columbia Code affecting the salaries and benefits of members of the U.S. Park Police.

For purposes of pay increases, it removed members of the U.S. Park Police from the provisions of the District of Columbia Police and Firemen's Salary Act and made their future pay increases subject to the Federal Pay Comparability Act of 1970.

It did this effective October 1974. It also amended certain longevity provisions of the Salary Act, provided for night and weekend differential pay at an increased rate, and established a retirement board in the Department of the Interior which would determine disability retirements for members of the U.S. Park Police. When H.R. 11131 was circulated among Members of the Congress, it brought to the attention of many Members of the Congress the need for comprehensive legislation which would have the effect of placing all matters affecting park policemen within the province of the Federal Government rather than the District of Columbia government.

Those sections of title IV of the District of Columbia Code which affect policemen's pay and benefits are terribly complicated. It would require a major undertaking to draft legislation which would have the effect of extracting all provisions of the District of Columbia Code affecting park policemen and codifying such sections so that the Federal Government rather than the District of Columbia government would be vested with the power of determining salaries and benefits for park policemen.

[The bill referred to follows:]

[H.R. 11131, 94th Cong., 1st sess., by Messrs. Zeferetti, Blagel, Phillip Burton, Murphy of New York, Scheuer, and Yates, on Dec. 11, 1975]

A BILL To amend the District of Columbia Police and Firemen's Salary Act of 1958 and other Acts to adjust the salary and other benefits received by the United States Park Police and others under those Acts, and to establish a United States Park Police Retirement and Relief Board

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "District of Columbia Police and Firemen's Adjustment Act of 1975".

PAY ADJUSTMENTS FOR UNITED STATES PARK POLICE BASED ON FEDERAL PAY COMPARABILITY SYSTEM

Sec. 2. (a) Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-833) is amended—

(1) by inserting "(a)" after "Sec. 501.";

(2) by striking out "The rates" and by inserting in lieu thereof the following: "Except as otherwise specifically provided and except that after September 1, 1974, any adjustments in the annual rates of basic compensation provided in the Salary Schedule in section 101(a) of this Act shall not be applicable to officers and members of the United States Park Police, the rates"; and

(3) by adding at the end thereof the following new subsection:

"(b) After September 1, 1974, the Secretary of the Interior shall make adjustments in the annual rates of basic compensation of officers and members of the United States Park Police in accordance with the provisions of subchapter I, chapter 53, of title 5, United States Code (Pay Comparability System)."

(b) The amendments made by subsection (a) shall not affect the classification of an officer or member of the United States Park Police as holding a position within or assigned to a salary class or service step provided under the Salary Schedule in section 101(a) of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-823(a)).

(c) (1) Section 5301(c) of title 5, United States Code, is amended by striking out the period at the end of paragraph (3) and inserting "; or" in lieu thereof, and by adding the following new paragraph at the end thereof:

"(4) section 101(a) (Salary Schedule) of the District of Columbia Police and Firemen's Act of 1958, effective as of September 1, 1974, but only with respect to the United States Park Police."

(2) The amendment made by this subsection shall take effect on September 1, 1974.

(d) Retroactive compensation or salary shall be paid by reason of the amendments made by this section only in the case of an individual in the service of the United States Park Police on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to an officer or member of the United States Park Police, who retired during the period beginning on the first day of the first pay period which begins on or after September 1, 1974, and ending on the date of enactment of this Act, for services rendered during such period, and (2) in accordance with the provisions of subchapter VIII of chapter 55 of title 5, United States Code (relating to settlement of accounts of deceased employees), for services rendered during the period beginning on the first day of the first pay period which begins on or after September 1, 1974, and ending on the date of enactment of this Act, by an officer or member who dies during such period.

AMENDMENTS RELATING TO PAY ADJUSTMENTS FOR THE UNITED STATES PARK POLICE

SEC. 3. (a) Section 405 of the Act approved June 20, 1953 (67 Stat. 72), as amended (D.C. Code, sec. 4-821) is amended by striking out "this Act or the District of Columbia Police and Firemen's Salary Act of 1958" and "this Act, or the District of Columbia Police and Firemen's Salary Act of 1958" wherever either occurs in such section and by inserting in lieu of each thereof the following: "this Act, the District of Columbia Police and Firemen's Salary Act of 1958, or the District of Columbia Police and Firemen's Adjustment Act of 1975".

(b) Section 101 (b) of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-823 (b)) is amended by inserting "or of the District of Columbia Police and Firemen's Adjustment Act of 1975" immediately after "of this Act".

(c) Section 301 of the District of Columbia Police and Firemen's Salary Act of 1918 (D.C. Code, sec. 4-827) is amended—

(1) by striking out "Except as provided in subsection (b)" in subsection (a) and by inserting in lieu thereof "Except as provided in subsections (b) and (c)", and

(2) by adding at the end thereof the following new subsection:

"(c) For purposes of this section with respect to officers or members of the United States Park Police, any reference in this section to the salary schedule in section 101 of this Act shall reflect such schedule as adjusted in accordance with the provisions of section 501(b) of this Act."

(d) Section 401(a)(1) of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-832(a)(1)) is amended by inserting "(as adjusted for officers and members of the United States Park Police according to section 501(b) of this Act)" immediately after "in the salary schedule contained in section 101 of this Act".

ADJUSTMENT OF PERIODIC STEP INCREASES FOR UNITED STATES PARK POLICE AND EXECUTIVE PROTECTIVE SERVICE

Sec. 4. Section 303 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, 4-829) is amended—

(1) by striking out "(a) Each officer and member," and inserting in lieu thereof "(a) Except for officers and members of the United States Park Police and of the Executive Protective Service, each officer and member,"

(2) by redesignating subsection (b) as subsection (c), and

(3) by inserting after subsection (a) the following new subsection:

"(b) Each officer and member of the United States Park Police and of the Executive Protective Service, if he has a current performance rating of 'satisfactory' or better, shall have his service step adjusted in the following manner:

"(1) Each officer and member in service step 1, 2, 3, 4, 5, 6, 7, or 8 of salary class 1 shall be advanced in compensation successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of fifty-two calendar weeks of active service in his service step.

"(2) Each officer and member in service step 9 of salary class 1 shall be advanced in compensation successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of one hundred and four calendar weeks of active service in his service step.

"(3) Each officer and member in service step 1, 2, 3, 4, 5, 6, or 7 of salary classes 2 and 3 shall be advanced in compensation successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of fifty-two calendar weeks of active service in his service step.

"(4) Each officer and member in salary classes 4 through 11 who has not attained the maximum service step rate of compensation for the class in which he is placed shall be advanced in compensation successively to the next higher service step rate for such class at the beginning of the first pay period immediately subsequent to the completion of one hundred and four calendar weeks of active service in his service step except that in the case of an officer or member in service step 4 or 5 of salary class 4, and service step 4 of salary class 5, such officer or member shall be advanced successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of one hundred and fifty-six calendar weeks of active service in his service step."

WEEKEND AND NIGHT DIFFERENTIAL PAY

Sec. 5. The first section of the Act approved August 15, 1950 (64 Stat. 447), as amended (D.C. Code, sec. 4-904) is amended—

(1) by striking out "(1)" in subsection (h) (1);

(2) by striking out paragraph (2) in subsection (h); and

(3) by adding at the end thereof the following new subsection:

"(1) Each officer or member who receives compensation at a rate based on that of salary class 1 through class 4, in section 101(a) of the District of Columbia Police and Firemen's Salary Act of 1958, shall be compensated by payment at one and one-tenth times the basic hourly rate of such officer or member for that part of a basic workweek which falls between 6 postmeridian and 6 antimeridian, Monday through Friday or which falls anytime on Saturday or Sunday, and one-eleventh of such compensation shall be considered premium pay."

UNITED STATES PARK POLICE RETIREMENT AND RELIEF BOARD

Sec. 6. (a) The Secretary of the Interior shall establish a United States Park Police Retirement and Relief Board (hereinafter in this section being referred to as the "Board") which shall carry out the responsibilities of the Commission of the District of Columbia under the provisions of the Policemen and Firemen's Retirement and Disability Act (D.C. Code, secs. 4-521 et seq.) but only with respect to retirement and disability determinations of officers and members of the United States Park Police, and functions related thereto.

(b) (1) The Board shall be composed of five members who shall be appointed, from time to time, by the Secretary of the Interior as follows:

(A) one member from the Office of Personnel of the National Park Service;

(B) one member from the Office of the Solicitor of the National Park Service;

(C) one member who is a physician or surgeon on the staff of the District of Columbia Police and Fire Clinic;

(D) one member who holds a rank no higher than sergeant in the United States Park Police; and

(E) one member who holds a rank of sergeant or above in the United States Park Police and who also holds a rank no lower than that of the prospective annuitant or survivor annuitant.

(2) The Secretary shall appoint such members within ninety days after the date of enactment of this Act.

(3) Each member of the Board may select an alternate, from the group from which the member was appointed, to serve in the member's absence.

(c) The Secretary of the Interior shall establish rules for the Board to insure that the Board functions fairly and equitably. The Secretary shall provide the staff necessary for the Board.

ADDITIONAL COMPENSATION FOR SERVICE LONGEVITY

Sec. 7. Section 401(a)(3) of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-832(a)(3)) is amended by striking out ", except that it shall" and all that follows down through "under the provisions of chapter 87 of title 5, United States Code".

ADDITIONAL COMPENSATION FOR OVERTIME ON HOLIDAYS

Sec. 8. The first section of the Act approved October 24, 1951 (65 Stat. 607), as amended (D.C. Code, sec. 4-807) is amended by striking out ": *Provided further*, That, when" and all that follows down through "of the Act approved August 15, 1950 (64 Stat. 447), as amended (D.C. Code, sec. 4-904(e))".

H.R. 13250

Mr. ZEFERETTI. Nevertheless I undertook such a task and on April 13, 1976, introduced H.R. 13250, which not only placed the matter of salaries and benefits of U.S. park policemen within the exclusive province of the Federal Government but it also provided for a 10.6-percent salary increase effective January 1, 1976, and further provided that future pay increases were to be governed by cost of living increases pursuant to the Federal pay comparability system.

While H.R. 13250 was pending before the Congress, the District of Columbia City Council approved a 6-percent pay increase for Metropolitan police officers effective October 1, 1975. When this pay increase became law, it applied not only to Metropolitan police officers but also to members of the U.S. Park Police and the Executive Protective Service.

[The bill H.R. 13250 follows:]

[H.R. 13250, 94th Cong., 2d sess., by Messrs. Zeferetti, Biaggi, Phillip Burton, Murphy of New York, Scheuer, Yates, Harris, Mrs. Spellman, Messrs. Russo, Addabbo, and Dent, on April 13, 1976.]

A BILL To amend the District of Columbia Police and Firemen's Salary Act of 1958 and other Acts to adjust the salary and other benefits received by the United States Park Police

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "United States Park Police Act".

TABLE OF CONTENTS

Sec. 1. Short title.
Sec. 2. Definitions.

TITLE I—UNITED STATES PARK POLICE

PART A—AUTHORITY AND ORGANIZATION

- Sec. 101. Powers and duties.
 Sec. 102. Organization of Park Police.
 Sec. 103. Equipment and Clothing of the Park Police.
 Sec. 104. Free medical assistance.
 Sec. 105. Appointment and powers of special policemen.
 Sec. 106. Arrests on or within roads, parks, parkways, and other Federal reservations in the environs of the District of Columbia.
 Sec. 107. Rules, regulations, and penalties.
 Sec. 108. Patrol of airports.
 Sec. 109. Reimbursement of tuition expenses.

PART B—COMPENSATION OF MEMBERS

- Sec. 111. Definitions.
 Sec. 112. Regulations and delegation of authority.
 Sec. 113. Basic salary schedule.
 Sec. 114. Computation of rates of compensation.
 Sec. 115. Limitation on compensation.
 Sec. 116. Rates for original appointments and reappointments.
 Sec. 117. Periodic step increases.
 Sec. 118. Rate of basic compensation in cases of promotions or transfers.
 Sec. 119. Rate of basic compensation in cases of demotions.
 Sec. 120. Basic workweek, rollcall time, and additional compensation for work on nights and weekends.
 Sec. 121. Compensation for working holidays.
 Sec. 122. Compensation and compensatory time-off for working overtime.
 Sec. 123. Additional compensation for special occupational assignments.
 Sec. 124. Additional compensation for service longevity.

PART C—PARK POLICE RETIREMENT AND DISABILITY

- Sec. 131. Definitions.
 Sec. 132. Credit for active service in military and naval forces in World War II.
 Sec. 133. Military and Government creditable service.
 Sec. 134. Deductions, deposits, and refunds.
 Sec. 135. Payment of medical and hospital expenses of temporarily disabled member.
 Sec. 136. Payment of medical expenses of totally disabled retirees.
 Sec. 137. Retirement for disability.
 Sec. 138. Optional retirement.
 Sec. 139. Involuntary separation from service.
 Sec. 140. Recovery from disability.
 Sec. 141. Survivor benefits and annuities.
 Sec. 142. Funeral expenses.
 Sec. 143. United States Park Police Retirement and Relief Board.
 Sec. 144. Retirement and annuity matters.
 Sec. 145. Payment of annuities.
 Sec. 146. Ineligibility under the Federal employees' compensation law.
 Sec. 147. Automobile increases of pension relief allowance or retirement compensation.
 Sec. 148. Authorization of appropriation.
 Sec. 149. Annuity rights of certain widows and children.

TITLE II—CONFORMING AND TECHNICAL AMENDMENTS AND EFFECTIVE DATES

- Sec. 201. Amendments to District of Columbia Code relating to clothing and uniforms.
 Sec. 202. Amendments to District of Columbia Code relating to the United States Park Police.
 Sec. 203. Amendments to District of Columbia Code relating to retirement and disability.
 Sec. 204. Amendments to District of Columbia Code relating to salaries.
 Sec. 205. Amendments to District of Columbia Code relating to salaries.
 Sec. 206. Amendments to District of Columbia Code relating to salaries.
 Sec. 207. Amendments to District of Columbia Code relating to overtime and tuition payments.
 Sec. 208. Amendments to District of Columbia Code relating to airport patrols.
 Sec. 209. Technical amendment on pay comparability.
 Sec. 210. Effective dates.
 Sec. 211. No reduction in existing relief.
 Sec. 212. Transfer of retirement funds.
 Sec. 213. Transfer of written resignations and waivers.
 Sec. 214. Transfer of retirement board functions.
 Sec. 215. Cooperation in transfer of functions.

DEFINITIONS

- Sec. 2. For the purposes of this Act, the term—
 (1) "Park Police" means the United States Park Police;
 (2) "Secretary" means the Secretary of the Interior;
 (3) "District" means the District of Columbia;
 (4) "Metropolitan Police" means the Metropolitan Police of the District of Columbia;
 (5) "Director" means Director of the National Park Service;

(6) "environs of the District of Columbia" means the counties of Arlington, Fairfax, Loudoun, Prince William, and Stafford, and the city of Alexandria in Virginia, and the counties of Prince Georges, Charles, Anne Arundel, and Montgomery in Maryland; and

(7) "member" means an officer or member of the Park Police.

TITLE I—UNITED STATES PARK POLICE

PART A—AUTHORITY AND ORGANIZATION

POWERS AND DUTIES

- Sec. 101. (a) The United States Park Police is continued as an entity under the jurisdiction of the Secretary of the Interior.
 (b) The members of the Park Police shall have and perform the same powers and duties as the Metropolitan Police.

ORGANIZATION OF PARK POLICE

- Sec. 102. (a) The Park Police shall be under the exclusive charge and control of the Director of the National Park Service.
 (b) The Park Police shall consist of an active officer of the United States Army, detailed by the Department of the Army, one lieutenant with grade corresponding to that of lieutenant of the Metropolitan Police, one first sergeant, five sergeants with grade corresponding to that of sergeant of the Metropolitan Police, and fifty-four privates, who shall have served—

- (1) three years to be given a grade corresponding to private, class three of the Metropolitan Police,
 (2) one year to be given a grade corresponding to private, class two of the Metropolitan Police, and
 (3) less than one year to be given a grade corresponding to private, class one of the Metropolitan Police.
 (c) It shall also consist of such others as the Director deems necessary.

EQUIPMENT AND CLOTHING OF THE PARK POLICE

Sec. 103. (a) The Director shall furnish members of the Park Police with uniforms, means of transportation, and such other equipment as may be necessary for the proper performance of their duties, including badges, revolvers, and ammunition.

(b) The uniform of members of the Park Police shall bear such distinctive patch, pin, or emblem depicting the flag of the United States or the colors thereof, as the Secretary may prescribe by regulation.

(c) The Chief of the Park Police is authorized to provide a clothing allowance, not to exceed \$300 in any one year, to a member assigned to perform duties in "plain-clothes". Such allowance may be discontinued at any time upon written notification by the Chief of the Park Police.

(d) A member detailed to motorcycle service shall receive an extra compensation of \$120 per annum.

FREE MEDICAL ASSISTANCE

Sec. 104. Members of the Park Police shall receive the same free medical attendance as is provided to members of the Metropolitan Police.

APPOINTMENT AND POWERS OF SPECIAL POLICEMEN

Sec. 105. (a) The Director, in his discretion, may appoint special policemen, without compensation, for duty in connection with the policing of the public parks and other reservations under his jurisdiction within the District.

(b) Such special policemen shall have the same powers and perform the same duties as the Park Police and Metropolitan Police, but such powers and duties shall be restricted to the public parks and other reservations under the control of the Director.

(c) Such special policemen shall be subject to such regulations as the Director may prescribe.

ARRESTS ON OR WITHIN ROADS, PARKS, PARKWAYS, AND OTHER FEDERAL RESERVATIONS
IN THE ENVIRONS OF THE DISTRICT OF COLUMBIA

Sec. 106. (a) Except as provided in subsection (b), on and within roads, parks, parkways, and other Federal reservations in the environs of the District of Columbia the members of the Park Police shall have the power and authority to make arrests without warrant for any felony or misdemeanor committed in the presence or view of such members in violation of any Federal law or regulation issued pursuant to law, or for any felony that in fact has been or is being committed in violation of any such law or regulation where they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony, and shall have power to take any person arrested by them, without unnecessary delay, before the Federal court having jurisdiction over the offense or before a United States commissioner specifically designated to try and sentence persons charged with petty offenses as provided in the Act of October 9, 1940, or before any other officer having authority to hold or commit for the offense. Such members shall also have power upon such roads and within such parks, parkways, and other reservations to execute any warrant or other process issued by a court or officer of competent jurisdiction for the enforcement of the provisions of any Federal law or regulation issued pursuant to law.

(b) The power and authority granted by subsection (a) shall not extend to military personnel for offenses committed on military reservations.

(c) The power and authority granted by subsection (a) shall not limit or restrict the investigative jurisdiction of the Federal Bureau of Investigation.

RULES, REGULATIONS, AND PENALTIES

Sec. 107. (a) The Secretary, with the approval or concurrence of the head of the agency having jurisdiction or control of any road, park, parkway, or other Federal reservation, or his duly authorized representative, is authorized to make all necessary rules and regulations for the regulation of traffic, for the protection of persons, property, health, and morals, to prevent breaches of the peace, to suppress affrays and unlawful assemblies, and to aid in the enforcement of any of the rules and regulations so promulgated.

(b) The Secretary may attach a reasonable penalty of a fine, not to exceed \$500, imprisonment, not to exceed six months, or both, for the violation of any rule or regulation made under subsection (a).

PATROL OF AIRPORTS

Sec. 108. Members of the Park Police may, at the request of the Administrator of the Federal Aviation Administration, be assigned by the Secretary, in his discretion, to patrol any area of Washington National Airport or any area of the airport known and referred to as Dulles International Airport, authorized by the Act approved September 7, 1950, and members of the Park Police so assigned are hereby authorized and empowered to make arrests within the limits of such airports for such offenses and in such manner and circumstances as are provided in section 4 of the Act approved June 29, 1940, and in section 8 of the Act approved September 7, 1950, respectively for such airports, with respect to employees designated by such Administrator.

REIMBURSEMENT OF TUITION EXPENSES

Sec. 109. If a member of the Park Police engages in educational course work in police or fire science or administration and if he is eligible for payments or reimbursements under section 4109(a)(2)(C) of title 5, United States Code, for tuition expenses for such course work, the Secretary shall, in accordance with such section, pay or reimburse such member for all his tuition expenses for such course work.

PART B—COMPENSATION OF MEMBERS

DEFINITIONS

Sec. 111. For purposes of this part, the term

(1) "calendar week of active service" includes all periods of leave with pay, and periods of nonpay status which do not cumulatively equal one basic workweek;

(2) "continuous service" includes, with respect to a member, any period of his service in the Armed Forces of the United States other than any period of such service

(A) determined not to have been satisfactory service;

(B) rendered before his appointment as a member; or

(C) rendered after his resignation as a member;

(3) "administrative workweek" means a period of seven consecutive calendar days;

(4) "basic workweek" means a forty-hour workweek, excluding rollcall time;

(5) "basic workday" means an eight-hour day, excluding rollcall time;

(6) "off-duty days" means the nonwork days when, when combined with the basic workdays, make up the administrative workweek;

(7) "off-duty time" means the time in any basic workday outside the regular tour of a member's duty;

(8) "rollcall time" means that time, not exceeding one and one-half hours each workday, which is in addition to each basic workday of the basic workweek for reading of rolls and other preparation for the daily tour of duty;

(9) "rate of basic compensation" means the rate of compensation fixed by law for the position held by a member exclusive of any deductions or additional compensation of any kind;

(10) "court duty" means attendance, including the first appearance in court on each case, by a member in his official capacity, excluding his appearance as a defendant, at court or at a quasi-judicial hearing;

(11) "special event" or "special assignment" means any planned activity or function which the Secretary designates in advance as such; and

(12) "overtime" means, with respect to a member, all officially ordered or approved hours of work (except rollcall time) performed by such member in excess of the basic workweek by any administrative workweek.

REGULATIONS AND DELEGATION OF AUTHORITY

Sec. 112. The Secretary may promulgate such regulations as he deems necessary to carry out the intent and purposes of this part, and may delegate, from time to time, to a designated agent or agents, any power or function conferred upon him under this part, except the power to promulgate regulations and the power to fix the rate of basic compensation of a member under section 4109(a)(2) of title 5, United States Code.

BASIC SALARY SCHEDULE

Sec. 113. (a) Subject to the limitation in section 535 on payment of compensation, the annual rates of basic compensation of members of the Park Police shall be fixed in accordance with the following schedule of rates:

Salary class and title	Service step									
	1	2	3	4	5	6	7	8	9	10
Class 1. Private	217 550	219 215	220 880	224 500	228 120	231 740	235 360	238 980	242 600	246 220
Class 3. Detective, assistant p. det., as startman, sergeant	22 250	22 500	22 750	23 000	23 250	23 500	23 750	24 000	24 250	24 500
Class 4. Police sergeant	27 425	27 700	27 975	28 250	28 525	28 800	29 075	29 350	29 625	29 900
Class 5. Police sergeant	29 240	29 540	29 840	30 140	30 440	30 740	31 040	31 340	31 640	31 940
Class 6. Marine sergeant, p. det.	22 005	22 100	22 200	22 300	22 400	22 500	22 600	22 700	22 800	22 900
Class 7. Police captain	28 580	28 950	29 320	29 690	30 060	30 430	30 800	31 170	31 540	31 910
Class 8. Police inspector	29 680	29 965	30 250	30 535	30 820	31 105	31 390	31 675	31 960	32 245
Class 9. Deputy chief of police	32 460	32 855	33 250	33 645	34 040	34 435	34 830	35 225	35 620	36 015
Class 10. Assistant chief of police	35 490	35 955	36 420	36 885	37 350	37 815	38 280	38 745	39 210	39 675
Class 11. Chief of police	42 515	43 215	43 915	44 615	45 315	46 015	46 715	47 415	48 115	48 815

(b) The Secretary shall make adjustments in the schedule of annual rates of basic compensation of members of the Park Police shown in subsection (a) in accordance with the provisions of subchapter I, chapter 53, of title 5, United States Code (relating to the Pay Comparability System).

(c) The Secretary is authorized to establish and determine, from time to time, the positions in salary classes 1 and 4 to be included as technicians' positions.

COMPUTATION OF RATES OF COMPENSATION

Sec. 114. (a) For all pay computation purposes affecting members covered by this part, basic per annum rates of compensation established by this part shall be regarded as payment for employment during fifty-two basic administrative workweeks.

(b) Whenever for any such purpose it is necessary to convert a basic annual rate established by this part to a basic biweekly, weekly, daily, half-daily, or hourly rate, the following rules shall govern:

- (1) the annual rate shall be divided by fifty-two or twenty-six, as the case may be, to derive a weekly or biweekly rate;
- (2) a weekly or biweekly rate shall be divided by five or ten, as the case may be, to derive a daily rate;
- (3) a daily rate shall be divided by two to derive a one-half daily rate; and
- (4) a daily rate shall be divided by eight to derive an hourly rate.

All rates shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

(c) For all members of the Park Police each pay period shall cover two administrative workweeks.

LIMITATION ON COMPENSATION

Sec. 115. Compensation may not be paid, by reason of any provision of this part except section 122, at a rate in excess of the rate of basic pay currently in effect for level V of the Executive Schedule (5 U.S.C. 5316).

RATES FOR ORIGINAL APPOINTMENTS AND REAPPOINTMENTS

Sec. 116. (a) Except as provided in subsection (b), all original appointments of members as police privates shall be made at the minimum rate set forth in the schedule in section 113(a), and the first year of service shall be probationary.

(b) Any member who separates from the Park Police and who is subsequently reappointed to the Park Police within three years after the date of such separation shall receive any scheduled rate of basic compensation provided in salary class 1 of the salary schedule in section 113(a) which does not exceed the scheduled rate of basic compensation being paid at the time of such reappointment for the class and service step he had attained at the time of his separation. For purposes of this subsection, no additional compensation authorized by this part shall be used in determining service step placement.

PERIODIC STEP INCREASES

Sec. 117. Each member of the Park Police who has a current performance rating of "satisfactory" or better shall be advanced in compensation successively to the next higher service step at the beginning of the first pay period immediately following the completion of the number of calendar weeks of active service in his service step specified in the following schedule:

Salary class and service step presently in:	<i>Number of calendar weeks of active service in salary class and service step before step increase:</i>
Class 1, steps 1 through 7.....	52
Class 1, step 8.....	104
Class 3, steps 1 through 5.....	52
Class 3, step 6.....	104
Class 4, steps 1 through 3.....	52
Class 4, steps 4 and 5.....	104
Class 5, steps 1 through 3.....	52
Class 5, step 4.....	104
Classes 6 through 9, steps 1 through 3.....	104
Class 10, steps 1 and 2.....	104
Class 11, step 1.....	104

RATE OF BASIC COMPENSATION IN CASES OF PROMOTIONS OR TRANSFERS

Sec. 118. Each member who is promoted or transferred to a higher salary class shall receive basic compensation at the lowest scheduled rate of such higher salary class which exceeds his existing scheduled rate of basic compensation by not less than the sum of one step increase of the next higher step of the salary class from which he is promoted or transferred and the amount of any additional compensation such member is receiving pursuant to subsection (b), (c) or (e) of section 123.

RATE OF BASIC COMPENSATION IN CASES OF DEMOTIONS

Sec. 119. Whenever any member is changed or demoted from any salary class to a lower salary class, the Secretary may, in his discretion, in changing or demoting such member, fix his rate of basic compensation at any rate provided for the salary class to which he is changed or demoted which does not exceed his existing rate of compensation, except that if his existing rate falls between two step rates provided in such lower salary class, he may receive the higher of such rates.

BASIC WORKWEEK, ROLL-CALL TIME, AND ADDITIONAL COMPENSATION FOR WORKING ON NIGHTS AND WEEKENDS

Sec. 120. (a) The Secretary shall establish a basic workweek of forty hours to be scheduled on five days.

(b) No member shall receive compensation or credit to the time of the basic workweek for rollcall time.

(c) Each member in a position assigned to salary classes 1 through 4 shall receive, in addition to his scheduled rate of basic compensation, one-tenth such rate for that part of a basic workweek which falls--

- (1) between 6 postmeridian and 6 antemeridian, Monday through Friday,

or

- (2) any time on Saturday or Sunday on a day other than a legal public holiday or a holiday designated under section 121.

COMPENSATION FOR WORKING HOLIDAYS

Sec. 121. Each member who works on a legal public holiday and on such other holidays as may be designated by Executive order, shall receive, in lieu of his scheduled rate of basic compensation, any additional compensation for working on nights or weekends, or any compensation or compensatory time-off for overtime, compensation at twice his hourly rate of basic compensation for each hour so worked, computed to the nearest hour, counting thirty minutes or more as a full hour.

COMPENSATION AND COMPENSATORY TIME-OFF FOR WORKING OVERTIME

Sec. 122. (a) (1) Except as provided in subsections (b) and (c), each member who works overtime, on a day other than a legal public holiday or a holiday designated under section 121, shall be entitled to compensatory time-off, as provided in this subsection, at a rate, except as provided in subsection (d), of one hour of compensatory time-off for each hour of overtime, not including overtime of less than thirty minutes resulting from the immediate continuation of such member's regular tour of duty.

(2) Upon the request of a member entitled to compensatory time-off, the Secretary may grant such member compensatory time-off from his scheduled tour of duty, if such time-off would not unreasonably diminish the number of members available to maintain law, order, and public safety.

(3) Any member entitled to compensatory time-off and whose request to take time-off has been denied may apply, within thirty days of such denial, for compensation, in addition to his scheduled rate of basic compensation and in lieu of compensatory time-off, at the hourly rate of his basic compensation for each hour of compensatory time-off to which he is entitled, computed to the nearest hour, counting thirty minutes or more as a full hour.

(4) Any compensatory time-offs to which a member is entitled shall be used within such period of time as the Secretary shall prescribe. If a member fails to take compensatory time-off to which he is entitled within such period,

unless such failure is due to an official denial of his request for such time-off, he thereby waives all right to such time-off.

(b) (1) Each member who, on a day other than a legal public holiday or a holiday designated under section 121--

(A) works overtime in connection with a special event or special assignment,

(B) performs court duty on any off-duty time, or

(C) performs work, as ordered or approved, on any off-duty day,

unless he elects to receive one hour of compensatory time-off for each hour of such work as provided in subsection (a), shall receive compensation for such work at a rate provided in paragraph (2).

(2) The rate of compensation for purposes of paragraph (1) shall be--

(A) if such member is in a position assigned to salary classes 1 through 4 of the schedule in section 113(a), an hourly rate of one and one-half times, or

(B) if such member is assigned to any other position, an hourly rate of his hourly rate of basic compensation for each hour of such work.

(c) No member shall be entitled to compensatory time-off or compensation under this section if his rate of basic compensation equals or exceeds the basic compensation for salary class 11, service step 1, contained in the schedule in section 113(a).

(d) Each member who works overtime at a time, on a day other than a legal public holiday or a holiday designated under section 121, which is not an immediate continuation of his regular tour of duty shall be entitled under this section to not less than two hours of compensatory time-off, or compensation in accordance with subsection (b), for such work.

ADDITIONAL COMPENSATION FOR SPECIAL OCCUPATIONAL ASSIGNMENTS

SEC. 123. (a) Each member assigned--

(1) to perform the duty of a helicopter pilot, or

(2) to render explosive devices ineffective or to otherwise dispose of such devices,

shall receive, in addition to his scheduled rate of basic compensation, \$2,270 per annum so long as he remains in such assignment.

(b) Each member--

(1) who immediately prior to the first day of the first pay period beginning on or after May 1, 1972, was in a position assigned, within the Salary Schedule in section 101(a) of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-833(a)), to subclass (b) of salary class 1 or 2 or subclass (c) of salary class 4, or

(2) whose position is determined under section 113(c) of this Act to be included in salary class 1 or 4 as a technician's position, shall receive \$735 per annum, in addition to his scheduled rate of basic compensation, until his position is determined under section 113(c) not to be included in salary class 1 or 4 as a technician's position or until he no longer occupies such position, whichever occurs first.

(c) Each member who immediately prior to the first day of the first pay period beginning on or after May 1, 1972, was in salary class 4 of the Salary Schedule in section 101(a) of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-833(a)) and was performing the duty of a dog handler shall receive, in addition to his scheduled rate of basic compensation, \$735 per annum until the position of dog handler is determined under section 113(c) not to be included in salary class 4 as a technician's position or until he no longer performs the duty of dog handler, whichever occurs first.

(d) No member who receives additional compensation under subsection (a) may receive additional compensation under subsection (b), (c), or (e). No member who receives additional compensation under subsection (c) may receive additional compensation under subsection (b).

(e) Each member who immediately prior to the first day of the first pay period beginning on or after May 1, 1972, was assigned as a detective sergeant in subclass (b) of salary class 4 of the Salary Schedule in section 101(a) of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-833(a)) or who is promoted after such date to the rank of detective sergeant shall receive, in addition to his scheduled rate of basic compensation, \$540 per annum so long as he remains in such assignment.

(f) The additional compensation authorized by this section shall be paid to a member in the same manner as he is paid the basic compensation to which he is entitled.

(g) Whenever any member receiving additional compensation authorized by subsection (b), (c), or (e) of this section is no longer entitled to receive such additional compensation, without a change in salary class, he shall receive, irrespective of any subsequent salary schedule or service step adjustment authorized by this part, basic compensation equal to the sum of his existing scheduled rate of basic compensation and the amount of such additional compensation until his schedule rate of basic compensation equals or exceeds such sum.

(h) The loss of additional compensation authorized by this section shall not constitute an adverse action for the purposes of section 7511 of title 5, United States Code.

ADDITIONAL COMPENSATION FOR SERVICE LONGEVITY

SEC. 124. (a) In recognition of long and faithful service, each member shall receive, so long as he remains in active service, in addition to his scheduled rate of basic compensation an amount computed in accordance with the following table:

If a member has completed at least:

15 years of continuous service.	He shall receive per annum an amount, fixed to the nearest dollar, equal to: 5 per centum of the rate of basic compensation prescribed for service step 1 of the salary class he occupies.
20 years of continuous service.	10 per centum of the compensation.
25 years of continuous service.	15 per centum of the compensation.
30 years of continuous service.	20 per centum of the compensation.

(b) The additional compensation authorized by this section shall be paid to a member in the same manner as he is paid the basic compensation to which he is entitled, except that it shall not be subject to deduction and withholding for insurance and shall not be considered as salary for the purposes of computing insurance coverage under the provisions of chapter 87 of title 5, United States Code.

(c) This section shall not entitle an individual not in active service to receive an increase in any pension relief allowance or retirement compensation provided for under this Act.

PART C--PARK POLICE RETIREMENT AND DISABILITY

DEFINITIONS

SEC. 131. For the purposes of this part, the term--

(1) "disabled" and "disability" mean disabled for useful and efficient service in the grade or class of position last occupied by the member by reason of disease or injury, not due to vicious habits or intemperance as determined by the Medical Board, or willful misconduct on his part as determined by the Secretary;

(2) "widow" means the surviving wife of a member or former member if--

(A) she was married to such member or former member (i) while he was a member, or (ii) for at least one year immediately preceding his death, or

(B) she is the mother of issue by such marriage;

(3) "widower" means the surviving husband of a member who was married to such individual while she was a member;

(4) "child" means an unmarried child, including (A) an adopted child, and (B) a stepchild or recognized natural child who lives with the member in a regular parent-child relationship, under the age of eighteen years,

or such unmarried child regardless of age who, because of physical or mental disability incurred before the age of eighteen, is incapable of self-support;

(5) "student child" means an unmarried child who is a student between the ages of eighteen and twenty-two years, inclusive, and who is regularly pursuing a full-time course of study or training in residence in a high school, trade school, technical or vocation institute, junior college, college, university, or comparable recognized educational institution;

(6) "basic salary" means regular salary established by law or regulation, including additional compensation for special occupational assignments and for service longevity, but excluding overtime, night or weekend, holiday, or military pay;

(7) "annuitant" means any former member who, on the basis of his service, has met all requirements of this part for title to an annuity and has filed claim therefor;

(8) "survivor" means a person who is entitled to an annuity under this part based on the service of a deceased member or of a deceased annuitant;

(9) "survivor annuitant" means a survivor who has filed claim for annuity;

(10) "Medical Board" means the Board of Police and Fire Surgeons of the District of Columbia, or such other board of physicians licensed to practice in the District as the Secretary may designate to carry out the duties specified in this part;

(11) "District police or fire department" means the Metropolitan Police, the Executive Protective Service, the Fire Department of the District, the Park Police, or the United States Secret Service Division;

(12) "department" means any part of the executive branch of the United States Government, or any part of the government of the District of Columbia whose members come under this part of the Policemen and Firemen's Retirement and Disability Act (D.C. Code, secs. 4-521 to 4-535);

(13) "Government" means the executive, judicial, and legislative branches of the United States Government, including Government-owned or controlled corporations and Gallaudet College, and the Municipal government of the District of Columbia;

(14) "service" means all police or fire service and such military and Government service as is creditable under this part prior to the date of separation upon which title to annuity is based;

(15) "Government service" means honorable active service in the Government for which retirement deductions, other than social security deductions, were made;

(16) "police or fire service" means all honorable service in a District police or fire department coming under the provisions of this part or of the Policemen and Firemen's Retirement and Disability Act;

(17) "military service" means honorable active service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States, but shall not include service in the National Guard except when ordered to active duty in the service of the United States;

(18) "average pay" means the highest annual rate resulting from averaging the member's rates of basic salary in effect over any twelve consecutive months of police or fire service, with each rate weighted by the time it was in effect, except that if the member retires under subsection (h) or (c) of section 137 and if on the date of his retirement under such subsections he has not completed twelve consecutive months of police or fire service, such term means his basic salary at the time of his retirement;

(19) "price index" means the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics;

(20) "base month" means the month for which the price index showed a percent rise, forming the basis for a cost-of-living annuity increase under section 141(g); and

(21) "benefit payments" includes relief, retirement compensation, pensions, and annuities and medical, surgical, hospital, and funeral expenses, provided for under this part.

CREDIT FOR ACTIVE SERVICE IN MILITARY OR NAVAL FORCES IN WORLD WAR II

Sec. 132. In determining eligibility for and the amount of benefits under this part, each member of the Park Police who left active employment in a District police or fire department to perform active service in the military or naval

forces of the United States, shall be credited with all periods of honorable active military or naval service performed on or after September 16, 1940, and prior to the termination of the war as declared by Presidential proclamation or concurrent resolution of the Congress.

MILITARY AND GOVERNMENT CREDITABLE SERVICE

Sec. 133. (a) Each member shall be allowed credit for periods of military service served prior to the date of the separation upon which the annuity is based; however, if a member is awarded retired pay on account of military service, such military service shall not be included, unless such retired pay is awarded on account of a service-connected disability (1) incurred in combat with an enemy of the United States or (2) caused by an instrumentality of war and incurred in line of duty during an enlistment or employment as provided in Veterans Regulation numbered 1 (a), part I, paragraph I, or is awarded under title III of Public Law 810, Eightieth Congress. Nothing in this part shall affect the rights of members to retired pay, pension, or compensation in addition to the annuity herein provided.

(b) Credit shall be allowed for leaves of absence granted a member while performing military service, excluding from credit so much of any other leaves of absence without pay as may exceed six months in the aggregate in any calendar year.

(c) (1) Except as provided in paragraph (2), a member who, during any war or national emergency as proclaimed by the President or declared by the Congress, has left or leaves his position to enter the military service shall not be considered, for the purposes of this part, as separated from his position by reason of such military service, unless he shall apply for and receive his salary deductions.

(2) A member shall not be considered under paragraph (1) as retaining such position beyond December 31, 1957, or the expiration of five years of such military service, whichever is later.

(d) Each member shall be allowed credit for government service performed prior to appointment in a District police or fire department, if such member deposits—

(1) before the effective date of this section, with the Collector of Taxes of the District of Columbia, for credit to the revenues of the District of Columbia, and

(2) on and after the effective date of this section, with the Secretary (in a lump sum or in equal monthly installments not exceeding 24, as the member elects) a sum equal to the entire amount including interest, if any, refunded to him for such period of government service. No deposit shall be required for days of unused sick leave credited under section 138(d) (2).

(e) The total service of a member shall be the full years and twelfth parts thereof, excluding from the aggregate any fractional part of a month.

(f) Notwithstanding any other provision of this section, any military service (other than military service covered by military leave with pay from a civilian position) performed by an individual after December, 1956, shall be excluded in determining the aggregate period of service upon which an annuity payable under this part to such individual or to his widow or child is to be based, if such individual or widow or child is entitled (or would upon proper application be entitled), at the time of such determination, to monthly old-age or survivors benefits under section 202 of the Social Security Act based on such individual's wages and self-employment income. If in the case of the individual or widow such military service is not excluded under the preceding sentence, but upon attaining retirement age (as defined in section 216(a) of the Social Security Act) he or she becomes entitled (or would upon proper application be entitled) to such benefits, the Secretary shall redetermine the aggregate period of service upon which such annuity is based, effective as of the first day of the month in which he or she attains such age, so as to exclude such service. The Secretary of Health, Education, and Welfare shall, upon the request of the Secretary, inform the Secretary whether or not any such individual or widow or child is entitled at any specified time to such benefits.

DEDUCTIONS, DEPOSITS, AND REFUNDS

Sec. 134. (a) There shall be deducted and withheld from each member's basic salary an amount equal to 7 per centum of such basic salary. Such deductions

and withholdings shall be paid to the Secretary, and shall be deposited in the Treasury to the credit of the Secretary.

(b) Any member coming under the provisions of this part who is separated from the Park Police, except for retirement as authorized by this part, shall be refunded the amount of the deductions made from his salary under this part. The receipt of payment of such deductions by such member shall void all annuity rights under this part, unless and until such member shall be reappointed to a District police or fire department. If such member is subsequently reappointed to a District police or fire department, he shall be required to redeposit with the appropriate official the amount of deductions so refunded to him.

(c) In order to facilitate the settlement of the accounts of each member coming under the provisions of this part who dies prior to retirement leaving no survivor entitled to receive an annuity under the provisions of this part, the Secretary shall pay all deductions for retirement made from the salary of such deceased member to the person or persons surviving at the time of death, in the following order of precedence, and such payment shall be a bar to recovery by any other person of amounts so paid:

First, to the beneficiary or beneficiaries designated in writing by such member, filed with the Secretary and received by him prior to the death of such member;

Second, if there be no such beneficiary, to the child or children of such deceased member and the descendants of deceased children by representation;

Third, if there be none of the above, to the parents of such member, or the survivor of them;

Fourth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased member, or if there be none to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased member.

If no natural person is determined to be entitled thereto under the preceding provisions of this subsection such payment shall escheat to the Federal Government.

(d) In order to facilitate the settlement of the accounts of each former member coming under the provisions of this part who dies after retirement (1) leaving no survivor entitled to receive an annuity under the provisions of this part and (2) before the aggregate amount of the annuity paid to such former member equals the total amount deducted and withheld for retirement from his salary as a member, the Secretary shall pay the difference to the person or persons surviving at the time of death in the following order of precedence, and such payment shall be a bar to recovery by any other person of the amount so paid:

First, to the beneficiary or beneficiaries designated in writing by such former member, filed with the Secretary and received by him prior to the death of such former member;

Second, if there be no such beneficiary, to the child or children of such deceased former member and the descendants of deceased children by representation;

Third, if there be none of the above, to the parents of such former member, or the survivor of them; and

Fourth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased former member, or if there be none to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased former member.

If no natural person is determined to be entitled thereto under the preceding provisions of this subsection such payment shall escheat to the Federal Government.

PAYMENT OF MEDICAL AND HOSPITAL EXPENSES OF TEMPORARILY DISABLED MEMBER

Sec. 135. Whenever an member becomes temporarily disabled by injury received or disease contracted in the performance of duty, to such an extent as to require medical or surgical services, other than such as can be rendered by the Secretary, or to require hospital treatment, the expense of such medical or surgical services, or hospital treatment, shall be paid by the Secretary upon his certification of the necessity for such services or treatment and the nature of the injury or disease which rendered the same necessary.

PAYMENT OF MEDICAL EXPENSES OF TOTALLY DISABLED RETIREES

Sec. 136. (a) Subject to the provisions of subsection (b), the Secretary shall pay the reasonable costs of medical, surgical, hospital, or other related health care services of any member of the Park Police who—

(1) retires after August 16, 1971, under subsection (b) or (c) of section 137, and

(2) at the time of such retirement, has a disability caused by injury or disease contracted or aggravated in the line of duty, which is determined by, or under regulations of, the Secretary to be a total disability.

(b) No payment may be made under this section for medical, surgical, hospital, or other related health care services provided a retired member unless—

(1) at the time such services are provided the disability of the retired member has been determined by, or under the regulations of, the Secretary to be a total disability;

(2) such services have been determined by, or under regulations of, the Secretary to be necessary and directly related to the treatment of the injury or disease which caused the disability of the retired member; and

(3) the retired member submits to such medical examinations as the Secretary may require.

(c) The Secretary may determine that the disability of a retired member is a total disability only if the Secretary finds that the retired member is unable (because of the injury or disease causing his disability) to secure or follow substantially gainful employment. In determining whether employment is substantially gainful employment the Secretary shall take into account the amount of expenses incurred by, or which can reasonably be expected to be incurred by, the retired member in securing the medical, surgical, hospital, or other related health care services necessitated by his disability, and such other factors as the Secretary deems advisable.

(d) In addition to any medical examination required under this part, the Secretary shall require, in each year that payments under this section are made with respect to any retired member, a medical review of the disability of such retired member.

(e) The Secretary may provide for payments under this section to be made either directly to the retired member or to the provider of the medical, surgical, hospital, or other related health care services.

(f) The Secretary shall prescribe such regulations as may be necessary to carry out the provisions of this section.

RETIREMENT FOR DISABILITY

Sec. 137. (a) (1) Whenever any member coming under this part completes five years of police or fire service and is found by the Secretary to have become disabled due to injury received or disease contracted other than in the performance of duty, which disability precludes further service with the Park Police, such member shall be retired on an annuity computed, except as provided in paragraph (2), at the rate of 2 percent of his average pay for each year or portion thereof of his service.

(2) An annuity provided under paragraph (1) shall be at least 40 percent, but not more than 70 percent, of the disabled member's average pay.

(b) (1) Whenever any member is injured or contracts a disease in the performance of duty or such injury or disease is aggravated by such duty at any time after appointment and such injury or disease or aggravation permanently disables him for the performance of duty, he shall upon retirement for such disability, receive an annuity computed, except as provided in paragraph (2), at the rate of 2½ percent of his average pay for each year or portion thereof of his service.

(2) An annuity provided under paragraph (1) shall be at least 66⅔ percent, but not more than 70 percent, of the disabled member's average pay.

(c) In any case in which the proximate cause of an injury incurred or disease contracted by a member is doubtful, or is shown to be other than the performance of duty, and such injury or disease is shown to have been aggravated by the performance of duty to such an extent that the member is permanently disabled for the performance of duty, such disability shall be construed to have been incurred in the performance of duty, and the member shall upon retirement

for such disability, receive an annuity computed at the rate and in the amount provided in subsection (b).

(d) (1) Except as provided in paragraph (2), a member may be retired under subsection (b) or (c) only upon the recommendation of the Medical Board and the concurrence therein by the Secretary.

(2) If a member seeks his own retirement under subsection (b) or (c) in the absence of a recommendation under paragraph (1), such member shall provide the necessary evidence to form the basis for the approval of such retirement by the Secretary.

OPTIONAL RETIREMENT

Sec. 138. (a) Except as provided in subsection (c), any member who completes twenty years of police or fire service may, after giving notice as provided in subsection (b), voluntarily retire from the Park Police and shall be entitled to an annuity computed, except as provided in subsections (e) and (f), at the rate of 2½ percent of his average pay for each of the first twenty years of service and at the rate of 3 percent of his average pay for each year of service thereafter.

(b) Unless the Secretary waives such notice, when, in his opinion, circumstances justify such waiver, a member shall give written notice of his intention to retire and of the date on which he will retire at least sixty days before the date on which he intends to retire.

(c) If the Secretary determines that there exists an emergency which is likely to endanger the safety of the public and that the public safety cannot be adequately protected except by suspending the retirement provisions of subsection (a), the Secretary may suspend the retirement provisions of such subsection until such time as, in the opinion of the Secretary, public safety can be adequately protected without such suspension.

(d) Any member having reached the age of sixty years shall, in the discretion of the Secretary, be retired from the Park Police and shall be entitled to receive an annuity as computed, except as provided in subsections (e) and (f), in accordance with subsection (a).

(e) Except as provided in subsection (f), an annuity provided under subsection (a) or (d) shall not exceed 80 percent of the average pay of the retiring member.

(f) For purposes of computing the amount of, but not the eligibility for, an annuity under this section for a member who retires on or after May 1, 1972, service shall include the days of unused sick leave credited to such member.

INVOLUNTARY SEPARATION FROM SERVICE

Sec. 139. If any member is injured or contracts a disease during the first five years of service in the Park Police which, in the judgment of the Medical Board, disables him from performing further duty in the Park Police, and if the Retirement Board established under section 143 finds that such injury or disease was not incurred in the performance of duty in the Park Police, such member shall, upon the approval of such findings by the Secretary, and without regard for the provisions of any other law or regulation, be separated from the service.

RECOVERY FROM DISABILITY

Sec. 140. (a) If any annuitant, who has retired under section 137 before reaching the age of fifty, recovers from his disability or is restored, as determined according to subsection (b), to an earning capacity fairly comparable to the current rate of compensation of the position occupied at the time of retirement, payment of the annuity shall cease—

(1) upon reemployment in the Park Police,

(2) one year from the date of the medical examination showing such recovery, or

(3) one year from the date of determination that he is so restored, whichever is earliest.

(b) Earning capacity shall be deemed restored if in each of two succeeding calendar years the income of the annuitant from wages or self-employment or both shall be equal to at least 80 percent of the current rate of compensation of the position occupied immediately prior to retirement.

(c) (1) Nothing in this section shall preclude a member from having an annuity reestablished if his disability recurs, or when his earning capacity is

less than 80 percent of the rate of compensation of the position occupied immediately prior to retirement for any full year thereafter.

(2) Whenever any member is reinstated with the Park Police it shall be at the same grade or rank held by the member at the time of his retirement.

(d) When an annuitant recovers prior to age fifty from a disabling condition for which he has been retired, and applies for reinstatement in the Park Police, if such applicant meets the current entrance requirements of the Park Police as to character, he shall be reinstated in the same or nearest equivalent grade and salary available as that received at the time of his separation from the service.

SURVIVOR BENEFITS AND ANNUITIES

Sec. 141. (a) If any member—

(1) dies in the performance of duty and the Secretary determines that (A) the member's death was the sole and direct result of a personal injury sustained while performing such duty, (B) his death was not caused by his willful misconduct or by his intention to bring about his own death, and (C) intoxication of the member was not the proximate cause of his death; and

(2) is survived by a survivor, parent, or sibling, a lump sum payment of \$50,000 shall be made to his survivor if the survivor received more than one-half of his support from such member or if such member is not survived by any survivor (including a survivor who did not receive more than one-half of his support from such member), to his parent or sibling if the parent or sibling received more than one-half of his support from such member. If such member is survived by more than one survivor entitled to receive such payment, each such survivor shall be entitled to receive an equal share of such payment; or if such member leaves no survivor and more than one parent or sibling who is entitled to receive such payment, each such parent or sibling shall be entitled to receive an equal share of such payment.

(b) (1) Except as provided in subsection (d), in case of the death of any member or retired member, leaving a widow or widower, such widow or widower shall be entitled to receive an annuity in the greater amount, except as provided in paragraph (2), of—

(A) 40 percent of such member's average pay at the time of death;

(B) 40 percent of the basis upon which the annuity, relief, or retirement compensation being received by such former member at the time of death was computed; or

(C) 40 percent of the corresponding salary for step 6 of salary class 1 of the salary schedule in effect for members of the Park Police at the time of such member's or retired member's death.

(2) An annuity received pursuant to paragraph (1) shall not exceed the current rate of compensation of the position occupied by such member at the time of death, or by such retired member immediately prior to retirement.

(c) (1) In the case of the death of any member or retired member survived by a wife or husband, each surviving child or student-child of such member or such retired member shall be entitled to receive an annuity equal to the smallest of—

(A) 60 percent of the member's average pay at the time of his death or of the basis upon which the former member's annuity at the time of his death was computed, divided by the number of eligible children,

(B) \$900, or

(C) \$2,088 divided by the number of eligible children.

(2) In the case of the death of any member or retired member not survived by a wife or husband, each surviving child or student-child shall be paid an annuity equal to the smallest of—

(A) 75 percent of the member's average pay at the time of his death or of the basis upon which the former member's annuity at the time of his death was computed, divided by the number of eligible children,

(B) \$1,200, or

(C) \$3,600 divided by the number of eligible children.

(d) (1) Each widow or widower who, on the first day of the first pay period on or after October 26, 1970, was receiving relief or annuity computed in accordance with the provisions of this section shall be entitled to receive an annuity in the greater amount of (1) \$3,144, or (2) 35 percent of the basis upon which such relief or annuity was computed.

(2) Each child who on such day was receiving relief or annuity computed in accordance with the provisions of this section, shall be entitled to benefits computed in accordance with the provisions of subsection (c) of this section.

(e) (1) The annuity of any widow or widower under this section shall begin on the first day of the month in which the member or retired member dies, and such annuity or any right thereto shall terminate upon the survivor's death or, except as provided in paragraph (4), upon the survivor's remarriage before the age of sixty.

(2) The annuity of any child under this section shall begin on the first day of the month in which the member or retired member dies, and such annuity of such child or any right thereto shall terminate upon (A) his attaining the age of 18, unless incapable of self-support, (B) his becoming capable of self-support after the age of 18, (C) his marriage, or (D) his death.

(3) The annuity of any student-child under this section shall begin on the first day of the month in which the member or retired member dies, and such annuity of such child or any right thereto shall terminate upon (A) his ceasing to be a student, (B) his attaining the age of 22, (C) his marriage, or (D) his death. Such student-child whose birthday falls during the school year (September 1 to June 30) shall be considered not to have reached the age of 22 until July 1 following his actual twenty-second birthday.

(4) An annuity terminated by remarriage, may be restored if such remarriage is later terminated by death, annulment, or divorce.

(f) (1) Any member retiring under section 137 or 138, may elect at the time of such retirement to receive a reduced annuity in lieu of full annuity, and to designate in writing either the surviving spouse or child of the retiring member to receive an increased annuity after such member's death.

(2) Whenever an election is made under paragraph (1), the annuity of the designee shall be increased by an amount equal to the amount by which the annuity of such retiring member is reduced, which shall be 10 percent of the annuity computed as provided in section 137 or 138. Such increase in annuity payable to the designee shall be reduced by 5 percent for each full five years the designee is younger than the retiring member, but such total reduction shall not exceed 40 percent. The increase in annuity payable to the designee pursuant to this subsection shall be paid in addition to the annuity provided for such designee pursuant to subsection (b) or (c) and shall be subject to the same limitations as to duration and other conditions as the annuity paid pursuant to such subsections and subsection (e) of this section.

(3) If, at any time after such member's retirement, the designee dies, and is survived by such retired member, the annuity payable to such retired member shall be increased to the amount computed as provided in section 137 or 138.

(g) (1) Each month the Secretary shall determine the percent change in the price index. On the basis of this determination, and effective the first day of the third month which begins after the price index has risen at least 3 percent for three consecutive months over the price index for the base month, each annuity payable under this section which has a commencing date not later than such effective date shall be increased by 1 percent plus the percent rise in the price index (calculated on the highest level of the price index during the three consecutive months) adjusted to the nearest one-tenth of 1 percent.

(2) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar, except that such installment shall after adjustment reflect an increase of at least \$1.

FUNERAL EXPENSES

Sec. 142. The Secretary is authorized to pay a sum not exceeding \$300 in any one case to defray the funeral expenses of any deceased member dying while in the service thereof.

UNITED STATES PARK POLICE RETIREMENT AND RELIEF BOARD

Sec. 143. (a) The Secretary shall establish a United States Park Police Retirement and Relief Board (hereinafter in this section being referred to as the "Retirement Board") which shall carry out the Secretary's responsibilities under this Act with respect to retirement and disability determinations of members of the Park Police, and functions related thereto.

(b) (1) The Retirement Board shall be composed of five members who shall be appointed, from time to time, by the Secretary as follows:

(A) one member from the Office of Personnel of the National Park Service;

(B) one member from the Office of the Solicitor of the National Park Service;

(C) one member who is a licensed physician;

(D) one member who holds a rank below the rank of police sergeant in the Park Police; and

(E) one member who holds a rank no lower than police sergeant in the Park Police and who also holds a rank no lower than that of the prospective annuitant or survivor annuitant, except that when the Chief of the Park Police is the prospective annuitant or survivor annuitant, the member serving on the Retirement Board under this subparagraph shall hold the rank of Assistant Chief of the Park Police.

(2) The Secretary shall appoint such members within ninety days after the date of enactment of this Act.

(3) Each member of the Retirement Board may select an alternate, from the group from which the member was appointed, to serve in the member's absence.

(c) The Secretary shall establish rules for the Retirement Board to insure that the Retirement Board functions fairly and equitably. The Secretary shall provide the staff necessary for the Retirement Board.

REVIEW OF RETIREMENT AND ANNUITY MATTERS

Sec. 144. (a) The Secretary shall consider all cases for the retirement of members and all applications for annuities under this part.

(b) In each case of retirement of a member the Secretary shall certify in writing the physical condition of the member for whom retirement is sought. The Secretary shall give written notice to any member under consideration by him for retirement to appear before him and to give evidence under oath. The proceedings before the Secretary involving the retirement of any member, or any application for an annuity under this part, shall be reduced to writing and shall show the date of appointment of such member, his age, his record in the service, and any other information which may be pertinent to the matter of such retirement or annuity.

(c) (1) The Secretary may administer oaths and affirmations and may require by subpoena or otherwise the attendance and testimony of witnesses and the production of documents at any designated place.

(2) In the event of contumacy or refusal to obey any such subpoena or requirement under this section, the Secretary may apply to the United States District Court for the District of Columbia for an order requiring obedience thereto. Thereupon the court, with or without notice and hearing, as it in its discretion may decide, shall make such order as is proper and may punish as a contempt any failure to comply with such order in accordance with the provisions of section 401 of title 18, United States Code.

(d) If a member is retired under section 137 and is employed on or after the first day of the first pay period beginning on or after August 29, 1972, such member shall, in accordance with such regulations as the Secretary shall prescribe, notify the Secretary of such employment. The Secretary shall, as soon as practicable after the receipt of such notice, require each such member to undergo a medical examination (satisfactory to the Secretary) of the disability upon which the member's retirement under such section is based. The Secretary shall not require employment questionnaires or the medical examination of such member after he reaches the age of 50.

PAYMENT OF ANNUITIES

Sec. 145. (a) Each annuity provided in this part is stated as an annual amount, one-twelfth of which, fixed at the nearest dollar, accrues monthly and is payable on the first business day of the month after it accrues.

(b) Any person entitled to an annuity under this part may decline to accept all or any part of such annuity by a waiver signed and filed with the Secretary. Such waiver may be revoked in writing at any time, but no payment of the annuity waived shall be made covering the period during which such waiver was in effect.

(c) In order to facilitate the settlement of the accounts of each person who, at the time of his death, was receiving or was entitled to receive, an annuity under

this part, the Secretary shall pay all unpaid annuity due such person at the time of death to the person or persons surviving at the date of death, in the following order of precedence, and such payment shall be a bar to recovery by any other person of amounts so paid:

First, to the widow or widower of such person;

Second, if there be no surviving spouse, to the child or children of such person, and descendants of deceased children, by representation;

Third, if there be none of the above, to the parents of such person of the survivor of them;

Fourth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased person, or if there be none, to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased person.

INELIGIBILITY UNDER THE FEDERAL EMPLOYEES' COMPENSATION LAW

Sec. 146. Notwithstanding any other provision of law, no person entitled to receive any benefit under this part on account of death incurred, an injury received, or disease contracted, or an injury or disease aggravated, in the performance of duty shall be entitled, because of such death, injury, disease, or aggravation, to benefits under subchapter I of chapter 81 of title 5, United States Code (relating to compensation to government employees for work injuries).

AUTOMATIC INCREASES OF PENSION RELIEF ALLOWANCE OR RETIREMENT COMPENSATION

Sec. 147 (a) Each member retired from active service and entitled to receive a pension relief allowance or retirement compensation under this part shall be entitled to receive, without making application therefor, with respect to each increase in the scheduled rate of basic compensation, granted by any law which takes effect after July 4, 1975, to which he would be entitled if he were in active service, an increase in his pension relief allowance or retirement compensation equal to the product of such allowance or compensation and the percent increase made by such law in the scheduled rate of compensation to which he would be entitled if he were in active service on the effective date of such increase in compensation.

(b) Each increase in pension relief allowance or retirement compensation made under this section because of an increase in the scheduled rate of basic compensation shall take effect as of the first day of the first month following the effective date of such increase in compensation.

AUTHORIZATION OF APPROPRIATION

Sec. 148. There are hereby authorized to be appropriated from revenues of the United States such sums as are necessary to reimburse the Secretary, on a monthly basis, for benefit payments made to or for members of the Park Police and to or for the surviving children and spouse of such members under the provisions of this part, to the extent that such benefit payments exceed the deductions from the salaries of such members pursuant to section 134.

ANNUITY RIGHTS OF CERTAIN WIDOWS AND CHILDREN

Sec. 149. (a) Each widow or child who receives or is entitled to receive relief or annuity by reason of service in a District police or fire department of a deceased former member who died in the service of any such department prior to October 1, 1956, or who retired prior to such date, shall be entitled to benefits computed in accordance with the provisions of section 147.

(b) Nothing in this section shall be deemed to reduce the relief or retirement compensation any person receives, or is entitled to receive, on August 24, 1962.

TITLE II--CONFORMING AND TECHNICAL AMENDMENTS AND EFFECTIVE DATES

AMENDMENTS TO DISTRICT OF COLUMBIA CODE RELATING TO CLOTHING AND UNIFORMS

Sec. 210. (a) Section 201 of Public Law 91-207 (D.C. Code, sec. 4-130a) is amended--

- (1) by striking out "the United States Park Police force," in subsection (a), and
 - (2) by striking out "Secretary of the Interior in the case of the United States Park Police force, the" in subsection (b).
- (b) Subsection (b) of the first section of the Act approved May 25, 1926 (D.C. Code, sec. 4-131) is amended--
- (1) by striking out the comma immediately after "Metropolitan Police force" and inserting in lieu thereof "and", and
 - (2) by striking out ", and the Commanding Officer of the United States Park Police force,".

AMENDMENTS TO DISTRICT OF COLUMBIA CODE RELATING TO THE UNITED STATES PARK POLICE

Sec. 202. (a) Section 3 of the Act approved December 5, 1919 (D.C. Code, sec. 4-201) is repealed.

(b) Sections 4, 6, and 9 of the Act approved May 27, 1924 (D.C. Code, secs. 4-202, 204, 208) are repealed.

(c) The paragraph beginning with "That the park watchmen now provided for under the above heading" and ending with "shall receive free medical attendance, the same as the Metropolitan Police of said District," of the Act approved April 28, 1902 (D.C. Code, sec. 4-206) is repealed.

(d) The act approved March 17, 1948 (D.C. Code, secs. 4-209, 210, 211) is repealed.

AMENDMENTS TO DISTRICT OF COLUMBIA CODE RELATING TO RETIREMENT AND DISABILITY

Sec. 203. (a) The Act of July 21, 1947 (D.C. Code, sec. 4-504a) is amended by striking out "The United States Park Police Force," and "force,".

(b) Subsection (a) (1) of section 12 of the Act approved September 1, 1916 (D.C. Code, sec. 4-521(1)) is amended by striking out "of the United States Park Police force,".

(c) Subsection (a) of the first section of the Act approved August 16, 1971 (D.C. Code, sec. 4-525a) is amended by striking out "the United States Park Police force,".

(d) Section 3 of the Act approved August 16, 1971 (D.C. Code, sec. 4-525a(g)) is amended by striking out "the United States Park Police force," and the comma which immediately follows "Executive Protective Service".

(e) Subsection (b) of section 12 of the Act approved September 1, 1916 (D.C. Code, sec. 4-528), is amended--

(1) by striking out "or the Chief of the United States Park Police force," from the second proviso in paragraph (1), and

(2) by striking out "or of the United States Park Police force" from paragraph (2).

(f) Clause (b) of the second sentence of section 6 of the Act approved August 21, 1957 (D.C. Code, sec. 4-537) is amended by striking out "such members of the United States Park Police force as are paid from funds of the United States,".

(g) The first section of the Act approved August 24, 1962 (D.C. Code, sec. 4-539) is amended by inserting "(other than an officer or member of the United States Park Police force)" immediately after "of a deceased former officer or member".

AMENDMENTS TO DISTRICT OF COLUMBIA CODE RELATING TO SALARIES

Sec. 204. (a) The last sentence of the first section of the Act approved October 24, 1951 (D.C. Code, sec. 4-807) is amended by inserting "and" before "the Executive Protective Service" and by striking out ", and the United States Park Police force".

(b) Section 3 of such Act (D.C. Code, sec. 4-809) is amended by striking out "and the United States Park Police force" and by striking out "and the Secretary of the Interior, respectively".

(c) Section 2 of such Act, as amended (D.C. Code, sec. 4-808) is amended by striking out "and the United States Park Police force".

AMENDMENTS TO DISTRICT OF COLUMBIA CODE RELATING TO SALARIES

Sec. 205. Section 405 of the Act approved June 20, 1953 (D.C. Code, sec. 4-821) is amended—

- (1) by inserting "(other than members or officers of the United States Park Police force)" in subsection (a) after "For all pay computation purposes affecting employees", and
- (2) by inserting "(other than members or officers of the United States Park Police force)" in subsection (c) after "For all officers and employees".

AMENDMENTS TO DISTRICT OF COLUMBIA CODE RELATING TO SALARIES

Sec. 206. (a) The salary schedule in section 101(a) of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-823(a)) is amended by striking out ", commanding officer of the U.S. Park Police" from the listing of class 10 under salary class and title.

(b) Section 201 of such Act (D.C. Code, sec. 4-824) is amended by inserting "(other than members and officers of the United States Park Police force)" immediately after "the rates of basic compensation of officers and members".

(c) Section 202 of such Act (D.C. Code, sec. 4-825) is amended—

(1) by striking out the comma immediately after "Metropolitan Police force" and inserting in lieu thereof "and", and

(2) by striking out ", and the United States Park Police force".

(d) Section 301(b) of such Act (D.C. Code, sec. 4-827) is amended—

(1) by striking out the comma immediately before "the Executive Protective Service" and inserting in lieu thereof "or", and

(2) by striking out ", or the United States Park Police force".

(e) Section 302(a) of such Act (D.C. Code, sec. 4-828) is amended—

(1) by inserting "and" immediately before "the Secretary of the Treasury", and

(2) by striking out "and the Secretary of the Interior, in the case of the United States Park Police force".

(f) Section 302 of such Act (D.C. Code, sec. 4-828) is further amended by inserting "(other than an officer or member of the United States Park Police force)" immediately after "Each officer or member" in subsection (b) and in subsection (c) wherever it occurs.

(g) Section 303 of such Act (D.C. Code, sec. 4-831) is amended—

(1) by inserting "and" immediately before "the Executive Protective Service",

(2) by striking out ", or of the United States Park Police force", and

(3) by striking out "or the Secretary of the Interior".

(h) Section 401 of such Act (D.C. Code, sec. 4-832) is amended by inserting "(other than an officer or member of the United States Park Police force)" immediately after "In recognition of long and faithful service, each officer and member".

(i) Section 501 of such Act (D.C. Code, sec. 4-833) is amended by striking out "of the United States Park Police".

(j) Section 506 of such Act (D.C. Code, sec. 4-837) is amended—

(1) by striking out the comma immediately before "the Secretary of the Treasury" and by inserting "and" in lieu thereof, and

(2) by striking out ", and the Secretary of the Interior".

AMENDMENTS TO DISTRICT OF COLUMBIA CODE RELATING TO OVERTIME AND TUITION PAYMENTS

Sec. 207. (a) The first section of the Act approved August 15, 1950 (D.C. Code, sec. 4-904) is amended—

(1) by striking out "the Secretary of the Interior in the case of the United States Park Police force," in subsection (a) (1),

(2) by striking out "the United States Park Police force," in subsection (a) (9), and

(3) by striking out "the Secretary of the Interior," in subsection (b).

(b) Section 117(a) of Public Law 92-410 (D.C. Code, sec. 4-910) is amended—

(1) by inserting "or" immediately before "the Executive Protective Service";

- (2) by striking out ", or the United States Park Police force";
 - (3) by inserting "and" immediately before "the Secretary of the Treasury";
- and

(4) by striking out ", and the Secretary of the Interior".

AMENDMENTS TO DISTRICT OF COLUMBIA CODE RELATING TO AIRPORT PATROLS

Sec. 208. (a) Section 4 of the Act approved June 29, 1940 (D.C. Code, sec. 7-1304) is amended by striking out subsection (c).

(b) Section 8 of the Act approved September 7, 1950 (D.C. Code, sec. 7-1408) is amended—

(1) by striking out subsection (c), and

(2) by redesignating subsection (d) as subsection (c).

TECHNICAL AMENDMENT ON PAY COMPARABILITY

Sec. 209. Section 5301(c) of title 5, United States Code, is amended by striking out the period at the end of paragraph (3) and inserting "; or" in lieu thereof, and by adding the following new paragraph at the end thereof:

"(4) Part B of title I of the United States Park Police Act."

EFFECTIVE DATES

Sec. 210. (a) Except as provided in subsections (b), (c), and (d) of this section, the provisions of this Act and amendments and repeals made by provisions of this Act shall take effect on the date of enactment of this Act.

(b) (1) Section 113(a) (relating to basic salary schedule), the amendment made by section 206(i) (relating to repeal of prior basic salary schedule) shall take effect on the first day of the first pay period beginning on or after January 1, 1976.

(2) Retroactive compensation or salary shall be paid by reason of section 113(a) only in the case of a member in the service of the Park Police on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid—

(A) to a member of the Park Police, who retired during the period beginning on the first day of the first pay period which begins on or after January 1, 1976, and ending on the date of enactment of this Act, for services rendered during such period, and

(B) in accordance with the provisions of subchapter VIII of chapter 55 of title 5, United States Code (relating to settlement of accounts of deceased employees), for services rendered during the period beginning on the first day of the first pay period which begins on or after January 1, 1976, and ending on the date of enactment of this Act, by a member who dies during such period.

(3) Retroactive pension relief allowance or retirement compensation shall be paid by reason of section 147 only in the case of a member retired from the service of the Park Police on the date of enactment of this Act, except that such retroactive allowance or compensation shall be paid to a member of the Park Police who retired during the period beginning on February 1, 1976, and ending on the date of enactment of this Act, for the portion of such period during which such member was retired and was receiving an allowance or compensation under section 12 of the Act approved September 1, 1916 (D.C. Code secs. 4-521 et seq.).

(c) (1) Section 117, and section 206(i) with respect to section 303 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-829), shall take effect at the end of the calendar week in which the date of enactment of this Act falls.

(2) Each member who, on the effective date of section 117, has completed more than the number of calendar weeks of active service in his service step on such date than he must complete for an immediate step increase in accordance with the schedule in such section, after being given such step increase shall be given as credit toward the subsequent step increase the difference between the number of such weeks served and the number of such weeks required for such immediate step increase.

(d)(1) Sections 120(b) (relating to weekend and night pay), 121 (relating to holiday compensation), 122 (relating to overtime compensation), 122 (relating to compensation for special occupational assignments), 124 (compensation for service longevity), and 134(a) (relating to retirement deductions) shall take effect on the first day of the first pay period beginning on or after the date of enactment of this Act.

(2) Section 203(b) with respect to section 12(d) of the Act approved September 1, 1916 (D.C. Code, sec. 4-524) (amending previous retirement deductions), 204 (amending previous holiday compensation), 206(c), 206(e) (amending previous compensation for special occupational assignments), 206(h) (amending previous service longevity), and 208(a) (amending previous overtime compensation) shall take effect on the first day of the first pay period beginning on or after the date of enactment of this Act.

NO REDUCTION IN EXISTING RELIEF

Sec. 211. Nothing in part C of title I shall be deemed to reduce the relief or retirement compensation to which any person is entitled under section 12 of the Act approved September 1, 1916, on the date of enactment of this Act and the rights of such persons and their survivors shall continue in the same manner and to the same extent as if such part had not been enacted.

TRANSFER OF RETIREMENT FUNDS

Sec. 212. The amount of any deductions or other payments made by members of the Park Police before the first day of the first pay period beginning on or after the date of enactment of this Act, pursuant to section 12(d)(1) of the Act approved September 1, 1916 (D.C. Code, sec. 4-524(1)) or pursuant to the first section of the Act approved June 14, 1935 (D.C. Code, sec. 4-502), and deposited into the Treasury to the credit of the District of Columbia shall be transferred to the credit of the Secretary for use pursuant to part C of title I of this Act.

TRANSFER OF WRITTEN DESIGNATIONS AND WAIVERS

Sec. 213. The Mayor of the District of Columbia shall deliver to the Secretary written designations and waivers filed with him by members pursuant to section 12(d)(3) or 12(n)(2) of the Act approved September 1, 1916 (D.C. Code, secs. 4-524(3), 4-534(2)), and such designations and waivers shall be deemed filed with the Secretary on the date of enactment of this Act for the purposes of sections 134(c) and 145(h), respectively.

TRANSFER OF RETIREMENT BOARD FUNCTIONS

Sec. 214. Prior to the appointment of the Retirement Board under section 143, the Police and Firemen's Retirement and Relief Board, created under section 122 of Public Law 93-407 (D.C. Code, sec. 4-533a), shall carry out the Secretary's responsibilities under this Act with respect to retirement and disability determinations of members of the Park Police, and functions related thereto.

COOPERATION IN TRANSFER OF FUNCTIONS

Sec. 215. The Mayor of the District of Columbia shall cooperate with the Secretary in the transfer of functions effected by this Act, and shall promptly provide the Secretary with such documents and information as he may have as the Secretary may need to carry out his duties under this Act.

H.R. 14322

Mr. ZEFERETTI. As time passed, it became evident to me that a shorter, less complicated piece of legislation stood a better chance of consideration than H.R. 13250. And so on June 10, 1976, I introduced H.R. 14322.

[The bill H.R. 14322 follows:]

H.R. 14322, 94th Cong., 2d sess., by Messrs. Zeferetti, Biaggi, Phillip Burton, Murphy of New York, Scheuer, Yates, Harris, Mrs. Spellman, Messrs. Russo, Addabbo, and Dent, on June 10, 1976]

A BILL To amend the District of Columbia Police and Firemen's Salary Act of 1958 to provide for an initial increase in the rates of compensation of officers and members of the United States Park Police force and for the future adjustment of such rates in accordance with the Federal pay comparability system, to establish a United States Park Police Retirement and Relief Board, and to require submittal of a proposed codification of laws relating primarily to the United States Park Police

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

PURPOSE

SECTION 1. The purpose of this Act is to insure that officers and members of the United States Park Police force are entitled to the same increases in basic compensation as are other Federal employees under the Federal pay comparability system.

SALARY SCHEDULE

Salary class and title	Service step--								
	1	2	3	4	5	6	7	8	9
Class 1: Police private	\$12,830	\$13,215	\$13,860	\$14,500	\$15,525	\$16,550	\$17,195	\$17,835	\$18,475
Class 3: Detective	16,035	16,840	17,640	18,445	19,245	20,045	20,850		
Class 4: Police sergeant	17,425	18,295	19,165	20,040	20,915	21,785			
Class 5: Police lieutenant	20,140	21,150	22,160	23,165	24,170				
Class 7: Police captain	23,860	25,055	26,250	27,440					
Class 8: Police inspector	27,550	29,045	30,430	31,820					
Class 9: Deputy chief of police	32,460	34,655	36,855	39,060					
Class 10: Assistant chief of police	38,490	41,055	43,620						
Class 11: Chief of police	44,515	47,215							

FEDERAL PAY COMPARABILITY FOR THE UNITED STATES PARK POLICE FORCE

Sec. 2. (a) Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-833) is amended by striking out "The rates" and inserting in lieu thereof "Except as otherwise provided in section 101(c) of this Act, the rates".

(b) Section 101 of such Act (D.C. Code, sec. 4-823) is amended by adding at the end thereof the following new subsection:

"(c)(1) Except as provided in subsection (b) and paragraph (2) of this subsection, the annual rates of basic compensation of the officers and members of the United States Park Police force shall be fixed in accordance with the following schedule of rates:

"(2) The rates of pay contained in the schedule in paragraph (1) shall be adjusted as prescribed in subchapter I of chapter 53 of title 5, United States Code (relating to the Pay Comparability System)."

FEDERAL PAY COMPARABILITY AMENDMENTS

Sec. 3. Section 5301(c) of title 5, United States Code, is amended--

(1) by striking out "or" in paragraph (2);

(2) by striking out the period at the end of paragraph (3) and inserting "; or" in lieu thereof; and

(3) by adding at the end thereof the following new paragraph:

"(4) section 101(c) of the District of Columbia Police and Firemen's Salary Act of 1958, relating to the United States Park Police force."

CONFORMING AMENDMENTS

Sec. 4. (a) Section 301 of the District of Columbia Police and Firemen's Act of 1958 (D.C. Code, sec. 4-827) is amended--

(1) by inserting in subsection (a) "applicable" immediately before "schedule", and

(2) by striking out in subsection (b) "the salary schedule in section 101(a)" and inserting in lieu thereof "the applicable salary schedule in section 101".

(b) Section 401 of such Act (D.C. Code, sec. 4-832) is amended by inserting "applicable" immediately before "salary schedule" wherever it occurs.

CODIFICATION

SEC. 5. The Secretary of the Interior shall submit to the Congress not later than one year after the date of enactment of this Act a proposed codification of all laws relating primarily to the powers, duties, functions, salaries, or benefits of the United States Park Police.

UNITED STATES PARK POLICE RETIREMENT AND RELIEF BOARD

SEC. 6. (a) The Secretary of the Interior (hereinafter in this section referred to as the "Secretary") shall establish a United States Park Police Retirement and Relief Board (hereinafter in this section being referred to as the "Retirement Board") which shall carry out the responsibilities of the Mayor of the District of Columbia under the Policemen and Firemen's Retirement and Disability Act (D.C. Code, secs. 4-521 et seq.) but only with respect to retirement and disability determinations of officers and members of the United States Park Police force, and functions related thereto.

(b) (1) The Retirement Board shall be composed of five members who shall be appointed, from time to time, by the Secretary as follows:

(A) one member from the Office of Personnel of the Department of the Interior;

(B) one member from the Office of the Solicitor of the Department of the Interior;

(C) one member who is a licensed physician;

(D) one member who holds a rank below the rank of police sergeant in the United States Park Police force; and

(E) one member who holds a rank no lower than police sergeant in the United States Park Police force and who also holds a rank no lower than that of the prospective annuitant or survivor annuitant, except that when the Chief of the United States Park Police force is the prospective annuitant or survivor annuitant, the member serving on the Retirement Board under this subparagraph shall hold the rank of Assistant Chief of the Park Police.

(2) The Secretary shall appoint such members within ninety days after the date of enactment of this Act.

(3) Each member of the Retirement Board may select an alternate, from the group from which the member was appointed, to serve in the member's absence.

(c) The Secretary shall establish rules for the Retirement Board to insure that the Retirement Board functions fairly and equitably. The Secretary shall provide the staff necessary for the Retirement Board.

EFFECTIVE DATES

SEC. 7. (a) Except as provided in subsections (b) and (c), this Act and the amendments made by this Act shall take effect on the date of enactment of this Act.

(b) Except as provided in subsection (c), the amendments made by sections 2 and 3 shall take effect on the first day of the first pay period beginning on or after January 1, 1976.

(c) (1) Except as provided in paragraph (3), the authority to make payment of the amount of the difference between—

(A) the amount of the salary and related compensation to which any individual is entitled for the period—

(i) beginning on the first day of the first pay period which begins on or after January 1, 1976, and

(ii) ending on October 1, 1976,

under the salary schedule contained in the amendments made by section 2, and

(B) the amount of the salary and related compensation to which such individual would be entitled for that period but for the enactment of the amendments made by section 2,

shall become effective on October 1, 1976, and such amount shall be paid on the date specified in paragraph (2).

(2) The amount specified in paragraph (1) shall be paid on—

(A) the last day of the first pay period which begins on or after October 1, 1976, or

(B) the last day of the pay period in which the date of enactment of this Act falls, whichever date occurs later.

(3) No increase in salary or related compensation for the retroactive period shall be paid by reason of subsection (b) of this section except for services rendered during such period by an individual who—

(A) is an officer or member of the United States Park Police force on the date of enactment of this Act;

(B) retired from such force during the retroactive period; or

(C) died while an officer or member of such force during such period.

As used in this paragraph, the term "retroactive period" means the period beginning on the first day of the first pay period which begins on or after January 1, 1976, and ending on the date of enactment of this Act.

(4) For the purpose of determining the amount of insurance for which an officer or member of the United States Park Police force is eligible under the provisions of chapter 87 of title 5, United States Code (relating to government employees group life insurance), all changes in rates of compensation or salary which result from the enactment of this Act shall be held and considered to be effective as of October 1, 1976.

Mr. ZEPHERETTI, H.R. 14322, like its predecessors, would amend the District of Columbia Police and Firemen's Salary Act of 1958.

It would provide for a 10.6 percent increase for members of the U.S. Park Police effective January 1, 1976. This increase would not be in addition to the 6 percent increase recently enacted pursuant to the authority of home rule legislation.

It would simply provide an additional 4.6 percent increase. The reasons H.R. 14322 legislation provides for an additional 4.6 percent salary increase is to grant to park policemen the same salary increases which had been granted to Federal employees since 1972.

Since 1972 Federal employees have received pay increases amounting to approximately 27 percent. On the other hand park policemen, since 1972, have received pay increases in the amount of 22 percent. Under H.R. 14322, future salary increases for park policemen would be controlled by the Federal Pay Comparability Act.

To subject future salary increases to the provisions of the Federal Pay Comparability Act insures that park policemen will be treated like all other Federal employees. In addition, it will alleviate the burden park policemen now have in obtaining new legislation each time an increase is warranted; and it will ease Congress burden in that Congress will not have to consider new pay legislation every year or two for park policemen, as it has in the past.

DISABILITY RETIREMENTS

H.R. 14322 also establishes a retirement board to be composed of members of the Department of the Interior whose function will be to determine disability retirements for park policemen. Under present law, disability retirements for U.S. Park Policemen are determined by a retirement board composed of employees of the District of Columbia Government and community. This, too, it seems to me is terribly unattractive. Federal officials, not District of Columbia personnel, should determine disability retirements of Federal employees.

H.R. 14322 is not complicated legislation. Its need, I think, is evident. I do not believe that we can tolerate a system that permits a local government, in this case the District of Columbia, to determine the rate of pay of Federal employees, especially Federal employees with law enforcement functions throughout the United States.

H.R. 14322 cures this evil. Very frankly I view the Federal Pay Comparability section of H.R. 14322 as the most important part of this proposed legislation. For the reasons which I have previously stated, I respectfully urge the members of this committee to support H.R. 14322.

Thank you very much.

Again, Mr. Chairman, I want to extend my very, very hearty and heartfelt thanks to you for your efforts.

Mr. MANN. Thank you, Mr. Zeferetti. I understand that the other portions of H.R. 14322 are not included in the subcommittee print here but are important, must be accomplished in due course and I know that you will be working on that during the next Congress to get not only the retirement section but various other cleaning up of the D.C. Code as well as the Federal statutes on the subject.

Mr. Finkelstein, you and I have discussed this matter and I would suggest in the interest of time, even though I recognize that you have put substantial work into your statement that we enter the statement as a part of the record and it is so ordered.

You can make any further comments that you wish. I would like to ask you a couple of questions, too.

Mr. FINKELSTEIN. For the sake of brevity, I will enter my remarks as part of the record. I will not read them at this time and I am open to questions.

Mr. MANN. Have you examined the subcommittee draft of August 25, 1976?

Mr. FINKELSTEIN. I have it before me and I have given it a brief perusal and I notice it contains sections 2 and 3 of what was originally H.R. 14322.

Mr. MANN. Right. I hope that section 3 will lead to the cleaning up that we have referred to with reference to the various powers, duties and functions that are now being left in a somewhat confused state. Do you feel that this subcommittee draft accomplishes the the transfer of the park police to the Federal pay comparability schedule?

Mr. FINKELSTEIN. Yes; I do.

Mr. MANN. Do you feel it is drafted in such a way that any general Federal pay increase coming along in October or later of this year, assuming the passage of this bill prior to that time, it will insure their receiving such an increase as all other Federal employees do?

Mr. FINKELSTEIN. I believe so, yes.

Mr. MANN. We have attempted to draw it in that fashion and I can state that there will be included in the committee report a statement that that is our intent.

Are there other witnesses that wish to be heard?

Mr. FINKELSTEIN. Yes.

Mr. MANN. Thank you very much, gentlemen.

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

Mr. MANN. Go ahead, sir.

[The documents referred to follow:]

PREPARED STATEMENT OF JOEL M. FINKELSTEIN, ESQUIRE, IN SUPPORT OF
H.R. 14322

Mr. Chairman, my name is Joel Finkelstein and I am counsel for the Policemen's Association of the District of Columbia. The Policemen's Association is a benevolent association composed of members of the United States Park Police, the Executive Protective Service, the United States Capitol Police and the Metropolitan Police Department. In 1974, the Policemen's Association became the exclusive bargaining agent for members of the United States Park Police.

Home Rule Act

When Congress passed Home Rule legislation, it became evident to the Association that there was a need to revise the District of Columbia Code. As you may know, salaries and benefits for members of the United States Park Police and the Executive Protective Service are governed by the same provisions of law that apply to members of the Metropolitan Police Department. Under Home Rule legislation, the District of Columbia government has jurisdiction initially to determine the time and amount of salary increases affecting all three forces. With this in mind, representatives of the Policemen's Association met with management officials of the Department of Interior more than one year ago for the purpose of discussing legislation which would vest the responsibility for determining salary increases of park policemen in the federal government.

Although discussions with members of the Department of Interior were open and candid, the Department never got beyond the discussion stage. It soon became evident that, if a bill was to be proposed affecting the salaries of park policemen, it would have to be on the initiative of the Policemen's Association rather than the Department of Interior.

U.S. Park Police

The United States Park Police is composed of approximately 500 men. It has law enforcement jurisdiction in the District of Columbia, its environs, and various national parks located throughout the United States. In addition to the District of Columbia, Maryland and Virginia, park policemen are assigned in New York, New Jersey, California and Nevada. In the District of Columbia, the United States Park Police has concurrent law enforcement jurisdiction with the Metropolitan Police Department. In addition, the United States Park Police patrols areas administered by the Department of Interior such as the Mall and the national monuments in and around the District of Columbia. It provides escorts for the President of the United States and maintains two helicopters staffed with paramedics for emergency assistance to victims of accidents in the local area.

The Policemen's Association supports H.R. 14322. In particular, it endorses Section III which provides that future pay raises for the United States Park Police will be governed by the provisions of the Federal Pay Comparability Act rather than the District of Columbia Police and Firemen's Salary Act. It is, we believe, crucial that future pay increases for members of the United States Park Police not be determined or controlled by the District of Columbia government. This year, members of the United States Park Police as well as members of the Metropolitan Police Department and the Executive Protective Service received 6% salary increases. The manner in which this increase was arrived at demonstrates the need for H.R. 14322, and particularly Section III.

In 1974, prior to Home Rule, the United States Park Police, the Executive Protective Service and the Metropolitan Police Department received salary increases of approximately 16 percent pursuant to an act of Congress. That pay raise reflected a cost of living increase which had occurred over the two year period dating from their last pay raise. The figure was arrived at through negotiations with the District of Columbia Government and this Committee of Congress. Representatives from all three forces participated in each of the proceedings which eventually produced the final bill. This year, however, the procedure changed drastically because of Home Rule. Under Home Rule legislation, the union which represents members of the Metropolitan Police Department negotiated with the Mayor of the District of Columbia for salary increase

for members of the Metropolitan Police Department only. The union which represents officers of the Metropolitan Police Department does not represent members of the United States Park Police. Negotiations began late in 1975. Members of the United States Park Police were not only denied representation in the negotiations but they had no input whatsoever in the negotiations and, indeed, were never advised of the progress or lack of progress throughout the course of the negotiations. For months they stood on the outside looking in, wondering if, when and how much. There were rumors which indicated that there may be favorable action and there were rumors that indicated there may be unfavorable action. Because they had no control over and no knowledge of the negotiations, they thrived on rumors. When the Mayor finally agreed upon a salary increase, the men for the first time learned what the negotiations were all about. Once the Mayor reached an agreement with the union, it became the responsibility of the city council to determine if it would accept the Mayor's recommendation and, if not, to what extent the Mayor's recommendation would be modified.

The action of the city council proved terribly frustrating. There were delays and threats of no salary increases. There were demonstrations in which the park policemen did not participate. The demonstrations were not always orderly (I am informed) and proved a source of embarrassment to many policemen. It could have created enough ill will to jeopardize the pay raise and could have denied park policemen their much deserved pay increases.

Eventually, the city council approved a 6% pay increase. Again, members of the United States Park Police had no control over and no input regarding the action of the city council. They simply had to assume a wait and see attitude.

While I cannot speak for the Department of Interior, I can tell you that they, too, had no control over and no input in the negotiations I just described. As unseemly as it may sound, the District of Columbia went through the process of enacting legislation which affected the budget of the Department of Interior.

There are many revisions of the District of Columbia Code that are needed so that park policemen will be treated as federal employees. The Association views H.R. 14322 as a starting point. It does the very minimum. It simply provides, as I previously discussed, that future pay increases for park policemen be governed by the Federal Pay Comparability Act. It also establishes a retirement board made up of personnel of the Department of Interior. The function of this retirement board is to determine whether a park policeman is disabled and thus qualified for disability retirement. Under present law, a board composed of members of the District of Columbia Government and community considers disability retirements for members of the United States Park Police. Under H.R. 14322, the Secretary of Interior would establish a retirement board composed of five members of the Department of Interior: one member from the office of personnel, one member from the office of the solicitor, one member who would be a licensed physician and two members of the United States Park Police, one of whom would represent management and one of whom would represent labor. The reason the board is composed of five members is that it attempts to represent the various interests within the Department of Interior and brings together the expertise that is needed for making an intelligent decision.

Section V of H.R. 14322 instructs the Secretary of Interior to submit to the Congress no later than one year after the enactment date of this proposed bill a proposed codification of all laws relating to the powers, duties, functions, salaries or benefits of the United States Park Police. Presently, these laws are scattered throughout the District of Columbia and United States Codes. When those of us concerned with the problem attempted to prepare a bill for consideration by this Congress which would codify the laws relating to the United States Park Police in one piece of legislation, we found that such laws were often obsolete, unworkable and placed throughout the District of Columbia and United States Codes without any rhyme or reason. The United States Park Police is growing both in numbers and in geographical assignments. It is a force which should be governed by an understandable and workable body of law. The proposed codification called for by Section V is drastically needed.

I want to thank you for giving me an opportunity to speak on behalf of the Policemen's Association of the District of Columbia. On behalf of the Association, I respectfully ask for your support of H.R. 14322.

UNITED STATES PARK POLICE PAY BILL LEGISLATION

The United States Park Police serving in Washington, D.C. and surrounding areas in Virginia and Maryland, New York and areas of New Jersey, San Francisco, California, and Utah, Texas, Iowa, Massachusetts, and any other geographical location designated by the Department of Interior.

Duties range from presidential security, public relations and community work, to the solitude of routine patrol.

AN INTRODUCTION TO THE UNITED STATES PARK POLICE

Since the year 1791, the U.S. Park Police have had a distinguished and unblemished record of service to our country. Its officers are carefully chosen and well trained, and are learned in the laws of the State and local jurisdictions in which they serve, as well as the Federal laws pertaining to the areas for which they have primary law enforcement responsibility.

As do other police, officers of the U.S. Park Police perform their duties under conditions which are hazardous and require the constant utilization of wisdom. In the over 70,000 Federal areas which they patrol, including those within the National Capital area, they have jurisdiction over the full range of criminal acts and are on call and ready to assist local and other Federal law enforcement agencies.

Beyond law enforcement, the Park Police provide other major services to the public in both community relations functions and hazard relief. For example, the Park Police maintain and operate two helicopters staffed with paramedics to provide emergency assistance to victims of accidents requiring immediate care or hospitalization.

In performing their duties, the Park Police serve people in all Federal areas administered by the Department of the Interior, including parks, malls, and rivers and waterways. Of major immediate importance is their visitor assistance function which will be especially vital during the nearing celebration of our Nation's Bicentennial.

In short, the U.S. Park Police exemplify the best and most admirable qualities of our various law enforcement personnel.

STATEMENT OF MR. GORDON

Mr. Gordon. Mr. Chairman and members of the committee for the record my name is Robert D. Gordon and I am secretary-treasurer of the International Conference of Police Associations.

The ICPA represents over 150,000 police officers throughout the United States and Canada, including the U.S. Park Police.

I appreciate having the opportunity to address this committee relative to H.R. 14322, a bill that would insure the officers and members of the U.S. Park Police force that they will receive the same increases and basic compensations as other Federal employees under the Federal pay comparability system.

I am sure that the members of this committee are aware that as far back as last December the Police Association of the District of Columbia representing the members of the U.S. Park Police for the purpose of collective bargaining, instituted legislation providing for pay increases and as far back as mid-summer 1974 management of the U.S. Park Police had made recommendations to the Office of Management and Budget to remove the U.S. Park Police from the D.C. Code because of the approval of the D.C. home rule.

The three major police departments in the District of Columbia, namely, the Metropolitan Police Department, the Executive Protective Service, and the U.S. Park Police were all on the same pay scale when the U.S. Congress was funding the salaries.

I believe you would have to agree that it is ridiculous to have the City Council of the District of Columbia control the pay and benefits of the U.S. Park Police; an independent Federal agency apart from the control of the U.S. Government.

We are also aware of the financial difficulties now confronting major cities in providing proper law enforcement and the layoffs of law enforcement personnel. We are also aware of the recent situation that the D.C. City Council found itself in—to secure funds to provide for the pay increases recently negotiated for the members of the Metropolitan Police Department by their union.

The argument has been presented that to provide any extra benefits or pay for the U.S. Park Police would indeed have an effect on the negotiated settlement with the D.C. police officers.

While this may be a fact of life, it is also a fact that the District of Columbia has no control over the salaries and benefits of the FBI, the Secret Service, the U.S. Marshalls, or the Federal Protective Service (formerly the GSA police) since they are all Federal agencies as is the Department of the Interior that employs the U.S. Park Police.

U.S. PARK POLICE

The U.S. Park Police now perform police services in seven States and the District of Columbia; a fact that is unknown by the majority of the Members of Congress as well as the general public at large.

The ICPA can see no justification in retaining the U.S. Park Police under the D.C. Code, or for that matter, to have them control the salaries and benefits at this time.

To belabor our position would take up the valuable time of this committee. I would sincerely hope that this committee would approve H.R. 14322 and send it to the full committee intact, as there is presently legislation pending, H.R. 13250, that will indeed remove the U.S. Park Police from the D.C. Code to coverage under the U.S. Code. If this bill is passed, it will no longer require the U.S. Park Police to appear before this committee on any future legislation affecting them.

Thank you.

Mr. MANN. Thank you, Mr. Gordon. That is very helpful. I appreciate your appearing before the subcommittee.

Joseph Goldring?

STATEMENT OF MR. GOLDRING

Mr. GOLDRING. Mr. Chairman and members of the committee, for the record, my name is Joseph Goldring and I am a detective in the Metropolitan Police Department of the District of Columbia.

I am the president of the Police Association of the District of Columbia, representing the U.S. Park Police, the Executive Protective Service, the Metropolitan Police Department, and the U.S. Capitol Police. I am here today with reference to H.R. 14322.

I appreciate this opportunity you afford me as always, and I thank you in advance.

The members of the Police Association have been coming to the Congress now for over 70 years and it has always been a warm reception by the committees and individuals concerned.

Substantial briefs were presented to Members of Congress on the vital issues of H.R. 14322. In carefully studying the material we have hopes that you were impressed. In the area of wages, there were some factors which I consider to be relevant and which must be weighed for an adjustment. I shall not review the reasons which apply at this time.

I shall endeavor to summarize what I consider to be the most important factors contained in evidence which I have carefully weighed.

U.S. PARK POLICE

The U.S. Park Police force continues to be regarded as being one of the very finest in respect to efficiency, integrity, acceptability, appearance, and procedures. The force being a fast growing unit throughout the United States, still retains a relatively peaceful atmosphere where citizens and visitors can work and enjoy themselves free from fear of interference, abuse, or physical harm.

While it appears that crime on a large scale has not yet infiltrated the park areas, the Park Police officer has many hardships that no other Metropolitan officer has to endure. The concentration of population in the parks grows and as a result the hazards and general problems faced by the officers becomes greater when attempting to cope with an increasing volume of violent crime. Among other things, drug problems are increasing. The types of crime which must be dealt with in such a large area are more difficult to handle than those found in many major cities.

The members of the Park Police should enjoy working conditions and benefits equal to those enjoyed by police officers anywhere in the country.

JUSTIFICATION FOR SALARY INCREASE

One is mindful of the substantial increases which have already been given, either through negotiations or arbitration to civil servants and other private sectors.

Since the time of the 1974 pay increase, there has been a substantial increase in the cost of living. There does not appear to be consistent views as to whether or not the inflationary spiral will level off in 1976. One must weigh the suggestion that there should be a comparison of wages paid to members of a police force and other workers in this country. A person must be paid for the job that he himself performs and his salary should reflect his work.

There are attempts to relate the services performed by police officers to those services performed by so many other members of a community such as social workers, nurses, ambulance drivers, and others. There is even an attempt to compare the restrictions on the private life on a police officer with the restrictions placed on nurses or a member of a newspaper.

In my opinion there is absolutely no validity in these comparisons.

SALARY ADJUSTMENTS 1975 AND 1976

The main thrust of H.R. 14322 is directed towards providing a wage adjustment for 1975 and 1976, which offset anticipated inflation, and

to place the U.S. Park Police in its proper place in the Federal Government.

There is no valid reason why the U.S. Park Police should be precluded from speaking for themselves in the areas of pay and benefits. They should not be a part of the D.C. Code or any other local government. If this was to be the way the U.S. Park Police would get wages and benefits, they would come under six jurisdictions, including the District of Columbia and in no way would it be comparable. They should be separate but comparable to this area's police departments, but not tied to any one particular department.

Thank you very much, sir.

Mr. MANN. Thank you, Mr. Goldring. As a detective of the Metropolitan Police and an executive of the Police Association, your concern is very real. I am sure.

Mr. Stebbins?

STATEMENT OF MR. STEBBINS

Mr. STEBBINS. Mr. Chairman and members of the committee, for the record my name is Charles R. Stebbins III, and I am a member of the U.S. Park Police. Today I am testifying as a legislative representative of the Police Association of the District of Columbia.

It would, I feel, be most appropriate to state at this time that I am a second generation U.S. Park Police employee. My father, Charles R. Stebbins, Jr., has been a member of the Park Police for over 26 years, while I have just over 6 years of active service. Together my father's family represents 32 plus years of service.

During these 32 years my father and I have watched salaries of all sectors of the work force throughout this wonderful country increase at a steady rate while members of the U.S. Park Police have received only a portion of the increases, belatedly.

We all must realize that the rate of inflation affects that buying power immediately and that a piecemeal pay adjustment every 2 or 3 years, but only antagonizes those affected. Those persons have not only been denied a just due increase but have had to make do with far less than his or her peers.

Many of you I am sure have been spared the experience of the perpetual absence of your father as he attempts to uphold the laws established by the legislators, and then maintain a second job just to uphold his pride and family.

I would venture to say that out of the 26 years of service that my father had that there may have been a total of 10 to 12 months of family oriented activities. The everyday stresses found in a police family are second to none. I know of no better way to present this than as is found in the book "My Daddy is A Policeman" by Elizabeth Ann Doll, a copy of which has been given to each of you.

BACKGROUND OF LEGISLATION

I would like to bring to your attention only a portion of the work that has gone into the legislation presented here today. In late 1974 Chief Wells of the U.S. Park Police attempted through National

Capital Parks, to obtain needed legislation to stabilize the salaries of his men, and to insure a competitive means to retain his personnel.

There was never any positive response from the National Capital Parks. In May 1975, the Police Association realizing the dilemma of Chief Wells and the needs of the officers began proceedings to alleviate these problems through legislative means.

Through many hours of conferences and personal contacts with legislative assistants, three different bills have emerged, each with the same basic concept, however containing different means by which to solve these problems. Of special interest is the concern expressed by many of your colleagues that Federal employees are being controlled by a local city government.

In fact I don't believe that there can be found any other Federal city agency with employees located throughout this great country that does not have control over their employees.

I feel, as do many others, that with a stabilization of the pay through an automatic cost of living, we can then address the more complex problem of completely removing the legislation found in the District of Columbia Code germane to the U.S. Park Police and replacing the same within the parameters of the United States Code.

Congressman Leo Zeferetti and Mr. Joel Finkelstein have brought to your attention the history and need for this legislation.

NEED FOR LEGISLATION

I can only hope to impress upon this committee the need for such legislation and how its effects will be felt throughout this country. It is known that there is an ever-increasing need for national parks to benefit all the citizens of our Nation.

In order to provide these national parks and then to maintain them for the enjoyment of the present as well as the future generations, it is evident that a professional, well-qualified group of men and women are needed to provide for the visitor's safety and well-being.

This is currently being accomplished by the officers and members of the U.S. Park Police in the Greater Washington, D.C. area, New York City, San Francisco, Glyneo, Georgia, and Lake Mead, Nevada.

It has been proposed and is under consideration then for future national parks to receive the members of the U.S. Park Police to provide the very sensitive, yet demanding service of visitor protection. In order for this to be accomplished so that all the citizens of this Nation can enjoy our national parks, the Chief of the U.S. Park Police must be able to recruit and retrain the most capable and professional people. With favorable consideration from this committee, as well as the Congress in general, you legislators will be showing to all the citizens of this country your concern for the future use of our national parks.

Thank you very much for this time you have given me to speak on behalf of the members of the Police Association employed by the U.S. Park Police.

SUBCOMMITTEE MARKUP

Mr. MANN. Thank you, Mr. Stebbins. As indicated in my opening statement, the committee is considering the subcommittee draft of August 25, 1976, as the basic vehicle for committee action. I now have

before me that draft and I note the need for a technical amendment on line 3 of section 1 where we need to strike the word "benefits" and substitute in lieu therefore "basic compensation."

If there is no objection, we will consider the amendment agreed to. Mr. FAUNTROY. Without objection, Mr. Chairman.

Mr. MANN. Mr. Zeferetti, it is my understanding that it is your intention to introduce a clean bill reflecting the exact language of the subcommittee draft as amended?

Mr. ZEFERETTI. Yes, sir, as amended, Mr. Chairman.

Mr. MANN. In that case, the Chair will put to the subcommittee the question of whether or not to report the bill to the full committee as represented by the subcommittee draft of August 25, 1976, with the bill being presented to the full committee as a clean bill which will be introduced by the Honorable Leo C. Zeferetti. The Chair will put the question.

Those in favor of reporting the bill to the full committee with the bill being a clean bill introduced by Mr. Zeferetti, precisely that of the subcommittee draft of August 25, 1976, as amended, signify by saying aye.

[Chorus of ayes.]

Mr. MANN. Opposed, no.

[No response.]

Mr. MANN. The ayes have it.

It is so ordered.

The subcommittee stands adjourned.

[Whereupon, at 2:35 p.m., the subcommittee adjourned subject to call of the Chair.]

[Subsequently the following cost estimates of H.R. 13250 were received:]

CONGRESS OF THE UNITED STATES,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., April 27, 1976.

Hon. CHARLES C. DIGGS, Jr.,
Chairman, Committee on the District of Columbia,
U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for H.R. 13250, United States Park Police Act.

Should the Committee so desire, we would be pleased to provide further details on the attached cost estimate.

Sincerely,

ALICE M. RIVLIN, Director.

CONGRESSIONAL BUDGET—COST ESTIMATE, APRIL 27, 1976

1. Bill Number: H.R. 13250.
2. Bill Title: United States Park Police Act.
3. Purpose of Bill:

The major purpose of H.R. 13250 is to consolidate federal jurisdiction over the U.S. Park Police. Although currently the U.S. Park Police receive federal appropriations, salary adjustment as well as retirement and disability determinations are under the jurisdiction of the District of Columbia. This legislation would have salary adjustments determined by the Secretary of the Interior in accordance with the Federal Pay Comparability Act of 1958. Jurisdiction over retirement and disability determinations would be the responsibility of a newly created Retirement Board appointed by the Secretary of the Interior.

Also included in this bill are operational modifications which include (a) a ten percent weekend and night pay differential; (b) shortened time periods for

service step increases applicable to privates, sergeants and lieutenants; and (c) a 10.6 percent increase in basic salary for all police officers.

This is an authorization bill and therefore requires subsequent appropriation action.

4. Cost Estimate:

The budget impact of the various provisions of the proposed legislation is summarized below.

[In thousands of dollars]

	Fiscal year—				
	1977	1978	1979	1980	1981
Weekend and night Differential.....	267	284	298	314	330
Service step increases.....	394	447	491	523	543
Retroactive costs.....	205				
Administrative costs.....	20	21	22	24	24
Total.....	886	752	811	861	897

5. Basis for Estimate:

All cost estimates were based on the salary schedule as specified in Section 113 of the proposed legislation. Because this schedule is designed to become effective January 1, 1976, it was necessary to apply a federal salary inflator to derive the costs for the subsequent fiscal years.

The cost for the weekend and night pay differential, as specified in Section 120 of the legislation, was based on two assumptions: (a) a U.S. Park Police estimate of 350,000 man-hours per year for the weekend shift and the weekday night period from 6:00 p.m. to 6:00 a.m.; (b) an estimated average police salary of \$15,863, or approximately \$7.60 per hour.¹ As specified in Section 120, the police officers on duty at night and weekends will receive a ten percent differential or approximately \$7.60 per hour above the scheduled hourly rate of compensation. This amounts to approximately \$267,000 in additional costs in the first fiscal year.

The costs for the service step advancements for privates, lieutenants and sergeants were based on the shortened time scheduled as specified in Section 117 of the legislation. The costs were determined for each group by comparing the difference in total salary costs under the proposed and current advancement schedule. The policemen were grouped into categories based on either the number of years with the Park Police or their current class and step status. Specifically, privates were grouped according to the number of years with the Park Police based on their date of appointment, while sergeants and lieutenants were grouped based on their current service step. To simplify the calculation, it was assumed there would be no promotions in any of the groups, i.e., from sergeant to lieutenant, but only service step advancements. Under these assumptions, the following additional costs (relative to the current system) for the groups were determined: privates—\$269,000, sergeants—\$98,000, lieutenants—\$27,000. This totaled \$394,000 for the first year.

The retroactive costs are based on the 10.6 percent salary increase assumed to be effective January 1, 1976, less the proposed 6 percent salary increase the U.S. Park Police are scheduled to receive from the District of Columbia retroactive to October 1, 1975. Under these assumptions, and based on a \$9.1 million salary base and a \$2.1 million pension payroll (pension adjustments are tied to salary adjustments), the retroactive costs are estimated at \$205,000.

In addition to the costs listed above, it was estimated that it would cost approximately \$20,000 to administer the pension payroll and other employee benefit programs now administered by the District of Columbia. This estimate was based on the current costs of administering the programs by the District of Columbia, as well as some minor start-up costs.

6. Estimate Comparison: None.

7. Previous CBO Estimate: None.

8. Estimate Prepared By: James V. Manaro (225-5275)

9. Estimate Approved By: James L. Blum, Assistant Director for Budget Analysis.

¹ Hourly rate based on 2080 man-hours for each man-year.

FULL COMMITTEE MARKUP OF H.R. 15276, PARK
POLICE PAY COMPARABILITY

WEDNESDAY, SEPTEMBER 1, 1976

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE DISTRICT OF COLUMBIA,
Washington, D.C.

The committee met, pursuant to notice, at 9:55 a.m., in room 1310, Longworth House Office Building, Hon. Walter E. Fauntroy presiding.

Present: Delegate Fauntroy, and Representatives Mann, Mazzoli, Harris, Gude, Biester, and Whalen.

Mr. FAUNTROY. The meeting of the full Committee on the District of Columbia will come to order. In the absence of the chairman, I as the ranking majority member, will preside and the Chair now recognizes the gentleman from South Carolina, Mr. Mann, for the purpose of calling up the first bill on the agenda, the Park Police pay bill, H.R. 15276.

[The bill referred to follows:]

[H.R. 15276, 94th Cong., 2d sess., by Messrs. Zeferetti, Biaggi, Phillip Burton, Murphy of New York, Scheuer, Yates, Harris, Mr. Spellman, Messrs. Russo, Addabbo, and Dent, on August 25, 1976.]

A BILL To amend the District of Columbia Police and Firemen's Salary Act of 1958 to provide for inclusion of officers and members of the United States Park Police force under the Federal pay comparability system and to require submittal of a report on the feasibility and desirability of codifying the laws relating to the United States Park Police

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

PURPOSE

SECTION 1. The purpose of this Act is to insure that officers and members of the United States Park Police force are entitled to adjustments in basic compensation in the same manner as are other Federal employees under the Federal pay comparability system.

FEDERAL PAY COMPARABILITY FOR THE UNITED STATES PARK POLICE FORCE

SEC. 2. (a) Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-833) is amended—

(1) by striking out "The rates" and inserting "(a) Except as provided in subsection (b), the rates" in lieu thereof, and

(2) by adding at the end thereof the following new subsections:

"(b) The annual rates of basic compensation of officers and members of the United States Park Police force shall be adjusted only in accordance with the provisions of subchapter I, chapter 53, of title 5, United States Code (relating to the Federal pay comparability system).

"(c) Any reference in any law to the salary schedule in section 101 of this Act with respect to officers and members of the United States Park Police force

shall be considered to be a reference to such schedule as adjusted in accordance with subsection (b)."

(b) Section 5301 (c) of title 5, United States Code, is amended—

(1) by striking out "or" in paragraph (2);

(2) by striking out the period at the end of paragraph (3) and inserting "; or" in lieu thereof; and

(3) by adding at the end thereof the following new paragraph:

"(4) the District of Columbia Police and Firemen's Salary Act of 1958, but only with respect to the annual rates of basic compensation of officers and members of the United States Park Police force."

(c) Section 5303 (a) of such title is amended by inserting immediately after paragraph (1) the following paragraph:

"(2) the pay scales for officers and members of the United States Park Police force under the District of Columbia Police and Firemen's Salary Act of 1958:"

(d) Section 5304 of such title is amended by inserting immediately after "Veterans' Administration," the following: "and those provisions of the District of Columbia Police and Firemen's Salary Act of 1958 relating to officers and members of the United States Park Police force,"

REPORT ON THE FEASIBILITY OF CODIFYING LAWS RELATING TO THE PARK POLICE

Sec. 3. The Secretary of the Interior shall submit to Congress not later than one year after the date of enactment of this Act a report on the feasibility and desirability of enacting as a part of the United States Code those provisions concerning the powers, duties, functions, salaries, and benefits of officers and members of the United States Park Police force which presently are contained in several statutes and are compiled in the District of Columbia Code.

EFFECTIVE DATE

Sec. 4. The amendments made by this Act shall take effect on October 1, 1976.

Mr. MANN. Thank you, Mr. Chairman, I do call up H.R. 15276, a bill to amend the D.C. Police and Fireman's Salary Act of 1958, to provide that future salary adjustments for officers and members of the U.S. Park Police be made in accordance with the Federal Pay Comparability Act. For many years the pay and benefits of the park police have been governed by this act.

Prior to the implementation of the Home Rule Act, it was logical to deal with salaries and benefits for the U.S. Park Police and the metropolitan police in a single piece of legislation because Congress had the direct responsibility for compensation of both police forces.

Now that the Council of the District of Columbia has the direct responsibility for the salary and benefits of the metropolitan police under the Home Rule Act, it appears reasonable to take the park police out of the compensation adjustment provisions of the D.C. Police and Fireman's Act and bring them under the relevant provisions of the U.S. Code.

Bringing the U.S. Park Police under the Federal pay comparability system, as H.R. 15276 does insure that the park police will be treated the same as other Federal employees and would eliminate the need for Congress to consider new pay legislation every year or two in order to provide the park police with appropriate cost-of-living increases as has been done in the past.

BACKGROUND OF LEGISLATION

The Subcommittee on the Judiciary considered several previous bills (H.R. 11131, H.R. 13250, and H.R. 14322) which provided for

Federal pay comparability for the park police, as well as a 10.6-percent pay increase, longevity amendments, increased night-weekend pay and other benefits. One of these bills took 65 pages to remove the park police from all the relevant provisions of the D.C. Code for pay, retirement, and other benefit purposes and to establish such benefit provisions in a single part of the U.S. Code.

Even then the Department of the Interior had reservations about certain parts of that bill. In the meantime during the pendency of these bills, the D.C. Council enacted a 6-percent pay increase for metropolitan police in the spring of this year and the park police began to receive this pay increase.

Consequently, with time running out under the September 15 deadline of the Budget Control Act of 1974, the committee decided not to attempt the complete transfer of the park police.

H.R. 15276

Instead, we reported H.R. 15276 which simply provides the essential element of pay comparability under the Federal system for the park police and calls for the Department of the Interior to submit to the Congress within one year comprehensive recommendations for the transfer of other matters affecting the park police.

Subsequently the Interior Department and the Office of Management and Budget questioned certain technical language contained in H.R. 15276 which might have had the effect of creating a new statutory pay system solely for the park police and within the Federal pay comparability system.

This would have resulted in additional administrative expenses not contemplated by the bill. After consultation with Interior Department representatives and the bill's cosponsors, substitute language has been drafted to avoid this unintended effect.

The substitute language is very similar to that used in Public Law 94-82, which was enacted earlier this year with respect to providing cost-of-living increases for Members of Congress, Federal judges, and executive officials.

It is my understanding that the Interior Department is in favor of the bill as amended by the substitute language. I am aware of no opposition to providing the Park Police salary adjustments in the same percentage as that granted Federal civil service employees.

SUBSTITUTE FOR H.R. 15276

Mr. Chairman, I think that it would expedite matters if at this time I offered an amendment in the nature of a substitute to H.R. 15276 so we can discuss the entire matter at that time.

The amendment in the nature of a substitute corresponds with H.R. 15276, sections 1, 2A, 3, and 4. It changes subsection B so as to clarify the confusion that I referred to earlier where it appeared that the language that we were using would require a separate system to be set up for the determination of comparability pay and cost-of-living increases.

We changed the language so as to insure that the treatment of the Park Police would be precisely the same as those under the general

Federal pay schedule without necessity of any separate actuarial and other treatment.

So, Mr. Chairman, I move the adoption of the substitute—the amendment in the nature of a substitute to H.R. 15276.

[The substitute referred to is as follows:]

Strike out all after the enacting clause and insert in lieu thereof the following:

PURPOSE

SECTION 1. The purpose of this act is to insure that officers and members of the United States Park Police force are entitled to adjustments in basic compensation in the same overall percentage as are other Federal employees within the General Schedule under the Federal pay comparability system.

ADJUSTMENTS IN BASIC COMPENSATION OF OFFICERS AND MEMBERS OF THE PARK POLICE FORCE

Sec. 2. Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-833) is amended—

(1) by striking out "The rates" and inserting in lieu thereof "(a) Except as provided in subsections (b) and (c), the rates" in lieu thereof, and

(2) by adding at the end thereof the following new subsections:

"(b) (1) Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5305 of title 5, United States Code, in the rates of pay under the General Schedule, the annual rate of basic compensation of officers and members of the United States Park Police force shall be adjusted by the Secretary of the Interior by an amount (rounded to the next highest multiple of \$5) equal to the percentage of such annual rate of pay which corresponds to the overall percentage (as set forth in the applicable report transmitted to the Congress under such section 5305) of the adjustment made in the rates of pay under the General Schedule.

"(2) No adjustment in the annual rate of basic compensation of such officers and members may be made except in accordance with paragraph (1).

"(c) Any reference in any law to the salary schedule in section 101 of this Act with respect to officers and members of the United States Park Police force shall be considered to be a reference to such schedule as adjusted in accordance with subsection (b)."

REPORT ON THE FEASIBILITY OF CODIFYING LAWS RELATING TO THE PARK POLICE

Sec. 3. The Secretary of the Interior shall submit to Congress not later than one year after the date of enactment of this Act a report on the feasibility and desirability of enacting as a part of the United States Code those provisions concerning the powers, duties, functions, salaries, and benefits of officers and members of the United States Park Police force which presently are contained in several statutes and are compiled in the District of Columbia Code.

EFFECTIVE DATE

Sec. 4. The amendments made by this Act shall take effect on October 1, 1976.

Amend the title so as to read:

"A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to provide for the same cost-of-living adjustments in the basic compensation of officers and members of the United States Park Police force as are given to Federal employees under the General Schedule and to require submittal of a report on the feasibility and desirability of codifying the laws relating to the United States Park Police force."

Mr. FAUNTROY. Mr. Harris?

Mr. HARRIS. Thank you, Mr. Chairman.

I am a cosponsor of this bill and have had a chance to review the Interior's recommendations and I just wanted to express my support for the bill and urge that the committee report it out.

COMMITTEE VOTES

Mr. FAUNTROY. I have heard the motion on the part of the chairman of the subcommittee that we amend in the nature of a substitute H.R. 15276. Without objection, we will take a vote.

All in favor of the motion by the subcommittee chairman, let it be known by saying aye.

[Chorus of ayes.]

Mr. FAUNTROY. Opposed?

[No response.]

Mr. FAUNTROY. The ayes have it. It is so ordered.

Mr. MANN. I move that the committee report H.R. 15276 as amended to the full House.

Mr. FAUNTROY. You have heard the motion by the chairman that we favorably report H.R. 15276 as amended in the nature of a substitute.

Any questions?

Mr. GRUBB. Mr. Chairman, I second the motion. With the advent of self-government it is no longer appropriate for the Park Police with its national scope of duty to be part of the system that is now operated by the locally elected officials of the District.

I second the motion.

I hope we will vote a favorable report.

Mr. MANN. Mr. Chairman, I overlooked a technical amendment. If I may, for the moment, withdraw my motion.

Mr. FAUNTROY. Without objection.

Mr. MANN. I move that the title be amended in accordance with the amendment handed to you. I will read it.

[The amendment title reads as follows:]

A bill to amend the District of Columbia Police and Fireman's Salary Act of 1958 to provide for the same compensation of officers of the United States Park Police Force as are given to Federal Employees under the schedule.

Mr. FAUNTROY. Mr. Mann offered the amendment to H.R. 15276. All in favor?

[Chorus of ayes.]

Mr. FAUNTROY. Opposed?

[No response.]

Mr. FAUNTROY. So ordered.

Mr. MANN. I renew my motion.

Mr. WILALEX. Will this involve introducing a clean bill in view of the changes in it?

Mr. MANN. I would suggest not. I don't think it is all that complex that we can't put it in the same report.

Mr. FAUNTROY. All in favor, say aye.

[Chorus of ayes.]

Mr. FAUNTROY. Opposed?

[No response.]

Mr. FAUNTROY. In the opinion of the Chair, the ayes have it, and H.R. 15276, as amended, is favorably reported.

The next item of course on the agenda is House Concurrent Resolution 674. I suggest that the committee recess at this time subject to the call of the Chair during the general debate this afternoon for purposes of considering that resolution.

The Chair recesses the committee subject to the call of the Chair this afternoon during the general debate.

[Whereupon, at 10:05 a.m., the committee adjourned subject to call of the Chair, later this same date.]

[Subsequently, the following report was received from the Department of the Interior on H.R. 15276, as amended:]

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., September 2, 1976.

Hon. CHARLES C. DIGGS, Jr.,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 15276, as amended, a bill "To amend the District of Columbia Police and Firemen's Salary Act of 1958 to provide for the same cost-of-living adjustments in the basic compensation of officers and members of the United States Park Police force as are given to Federal employees under the General Schedule and to require submittal of a report on the feasibility and desirability of codifying the laws relating to the United States Park Police."

We recommend that the amended bill be enacted.

H.R. 15276, as amended, would provide that officers and members of the United States Park Police be entitled to adjustments in basic compensation in the same overall percentage as are other Federal employees within the General Schedule under the Federal pay comparability system.

The bill would also require the Secretary of the Interior to submit to Congress within 1 year a report on the feasibility and desirability of enacting as a part of the United States Code those provisions affecting the United States Park Police which presently are contained in statutes compiled in the District of Columbia Code.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program, and that the Department of the Treasury opposes enactment of H.R. 15276.

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

94TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 94-1473

PARK POLICE PAY COMPARABILITY

SEPTEMBER 2, 1976.--Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. Diggs, from the Committee on the District of Columbia,
submitted the following

REPORT

[To accompany H.R. 15276]

The Committee on the District of Columbia to whom was referred the bill (H.R. 15276), to amend the District of Columbia Police and Firemen's Salary Act of 1958 to provide for inclusion of officers and members of the United States Park Police force under the Federal pay comparability system and to require submittal of a report on the feasibility and desirability of codifying the laws relating to the United States Park Police, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

PURPOSE

SECTION 1. The purpose of this Act is to insure that officers and members of the United States Park Police force are entitled to adjustments in basic compensation in the same overall percentage as are other Federal employees within the General Schedule under the Federal pay comparability system.

ADJUSTMENTS IN BASIC COMPENSATION OF OFFICERS AND MEMBERS OF THE PARK POLICE FORCE

Sec. 2. Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-833) is amended—

- (1) by striking out "The rates" and inserting in lieu thereof "(a) Except as provided in subsections (b) and (c), the rates" in lieu thereof, and
- (2) by adding at the end thereof the following new subsections:

"(b) (1) Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5305 of title 5, United States Code, in the rates of pay under the General Schedule, the annual rate of basic compensation of officers and members of the United States Park Police force shall be adjusted by the Secretary of the Interior by an amount

(rounded to the next highest multiple of \$5) equal to the percentage of such annual rate of pay which corresponds to the overall percentage (as set forth in the applicable report transmitted to the Congress under such section 5305) of the adjustment made in the rates of pay under the General Schedule.

"(2) No adjustment in the annual rate of basic compensation of such officers and members may be made except in accordance with paragraph (1).

"(c) Any reference in any law to the salary schedule in section 101 of this Act with respect to officers and members of the United States Park Police force shall be considered to be a reference to such schedule as adjusted in accordance with subsection (b)."

REPORT ON THE FEASIBILITY OF CODIFYING LAWS RELATING TO THE PARK POLICE

SEC. 3. The Secretary of the Interior shall submit to Congress not later than one year after the date of enactment of this Act a report on the feasibility and desirability of enacting as a part of the United States Code those provisions concerning the powers, duties, functions, salaries, and benefits of officers and members of the United States Park Police force which presently are contained in several statutes and are compiled in the District of Columbia Code.

EFFECTIVE DATE

SEC. 4. The amendments made by this Act shall take effect on October 1, 1976.

Amend the title so as to read:

A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to provide for the same cost-of-living adjustments in the basic compensation of officers and members of the United States Park Police force as are given to Federal employees under the General Schedule and to require submittal of a report on the feasibility and desirability of codifying the laws relating to the United States Park Police force.

PURPOSE OF THE BILL AS REPORTED

The essential purpose of H.R. 15276 is to remove the United States Park Police from the pay adjustment provisions of the D.C. Police and Firemen's Salary Act of 1958, and to provide that future adjustments shall be made pursuant to the pay comparability system of the Federal government. In making this change, the bill provides a beginning for the eventual transfer of Park Police salary, retirement, and other benefits out from the D.C. law and into the United States Code.

NEED FOR THE LEGISLATION

For many years the pay and benefits of the U.S. Park Police have been governed by the D.C. Police and Firemen's Act of 1958 (4 D.C. Code §§832 et seq). Prior to the full implementation of the "Home Rule" Act (Public Law 93-198) on January 2, 1975, it was logical to deal with salaries and benefits for the U.S. Park Police and the D.C. Metropolitan police in a single piece of legislation, because the Congress had the direct responsibility for compensation of both police forces. Now that the Council of the District of Columbia has the direct responsibility for the salary and benefits of the Metropolitan Police under the "Home Rule" Act, it appears reasonable to take the Park Police

out of the compensation adjustment provisions of the D.C. Police and Firemen's Act and bring them under the relevant provisions of the U.S. Code. Bringing the Park Police under the Federal pay comparability system, as H.R. 15276 does, would ensure that the Park Police would be treated the same as other Federal employees with regard to future pay adjustments, and would eliminate the need for Congress to consider new pay legislation every year or two in order to provide the Park Police with appropriate cost of living increases as has been done in the past.

PROVISIONS OF THE REPORTED BILL

Section 1 sets forth the purpose of the bill to entitle the Park Police to the same adjustments in basic compensation which civil service General Schedule employees receive under the Federal pay comparability system.

Section 2 amends the District of Columbia Police and Firemen's Salary Act of 1958 to provide for regular adjustments of the annual rate of basic compensation of officers and members of the Park Police only in the same overall percentage adopted for Federal civil service General Schedule employees under the Federal pay comparability system. The amendment adds two new subsections, (b) and (c). Paragraph (1) of subsection (b) is similar to language in Public Law 94-82, which provided for similar cost-of-living increases for Members of Congress, Federal judges, and certain Executive officials, all of whom were not covered under the pay comparability system. The paragraph has been drafted to ensure that adjustment in the Park Police's salary schedule conforms to that percentage actually adopted under the procedures provided in section 5305 of title 5, rather than to a percentage recommended in the various reports transmitted to Congress under the different subsections within section 5305. Paragraph (2) of subsection (b) makes clear that the foregoing procedure will be the exclusive method under which the Park Police will receive pay comparability increases. The Park Police would no longer be entitled to salary adjustments approved by the District of Columbia Council for the Metropolitan Police.¹ This paragraph is only intended to limit adjustments in the basic salary schedule and does not affect other provisions of the Salary Act providing for automatic step adjustments and for additional compensation for helicopter pilots, technicians, and others. Subsection (c) is intended to clarify the Committee's intent to use the adjusted salary schedule of the Park Police where other forms of additional compensation, such as overtime and service longevity, are calculated based upon basic rates of compensation provided in such schedule.

Section 3 requires the Department of the Interior to submit to Congress within one year a report reviewing the adequacy of all the laws relating to the U.S. Park Police powers, duties, functions, salaries and benefits which are presently contained in various statutes and compiled in the District of Columbia Code. This report should contain detailed recommendations and specific legislative proposals for amending, updating, and supplementing these existing authorities for enactment in a single part of the United States Code. One bill re-

¹ 15 U.S.C. Code §§ 833, 839.

viewed by the Committee, H.R. 13250, attempted to achieve some of these changes, and it should serve as a good starting basis for the required report.

Section 4 provides that the effective date of the amendments made by this bill shall be October 1, 1976. It is the intent of Congress to insure that the Park Police shall receive any adjustments under the Federal pay comparability system becoming effective on or after October 1, 1976.

BACKGROUND ON THE U.S. PARK POLICE

The Park Police is an organizational unit under the National Park Service, U.S. Department of the Interior. The Park Police is composed of approximately 500 uniformed officers. It has law enforcement jurisdiction in the District of Columbia, its environs, and various national parks located throughout the United States. In addition to the District of Columbia, Maryland and Virginia, Park Police are assigned in New York, New Jersey, California and Nevada. In the District of Columbia, the Park Police has concurrent law enforcement jurisdiction with the Metropolitan Police Department. Park Police patrol areas administered by the Department of Interior such as the Mall, the Jefferson and Lincoln Memorials, the Washington Monument, Ford's Theatre, the Kennedy Center, the Golden Gate National Recreation Area in San Francisco, the Gateway National Recreation Area in New York City, various National Battlefields, Parks, and Highways. They also provide escorts for the President of the United States and maintain two helicopters staffed with paramedics for emergency assistance to victims of accidents in the local area.

The steadily increasing number of visitors to these recreation areas within the jurisdiction of the Park Police in recent years has resulted in a proportionately greater increase in major crimes such as homicide, rape, robbery and assault. Thus the enforcement and investigation responsibilities of the Park Police have extended well beyond Park rules and regulations to serious crimes usually associated with urban areas. Park Police perform their duties under conditions which can be as hazardous as those under which urban police forces operate. Their basic compensation should permit continued recruitment of high calibre officers.

Testimony at the hearings indicated that since 1972, Federal employees have received pay increases amounting to approximately 27 percent. By comparison, since 1972 the Park Police has received pay increases of 22 percent, including the most recent increase of 6 percent enacted by the D.C. Council in March of this year, effective retroactively to October, 1975. When the 6 percent increase adopted by the Council for the Metropolitan Police went into effect, the Park Police became entitled to the same increase pursuant to the provisions of the Police and Firemen's Act of 1958. (The Park Police began receiving this increase in their first regular paycheck in July, 1976.)

LEGISLATIVE HISTORY

The Subcommittee on the Judiciary considered several previous bills (H.R. 11131, H.R. 13250, H.R. 14322) which provided for Federal

pay comparability for the Park Police, as well as a 10.6 percent pay increase, longevity amendments, increase night and weekend differential pay, establishment of a new and separate Retirement Board within the Department of the Interior, and other benefits. One of these bills took 65 pages to remove the Park Police from all the relevant provisions of the D.C. Code for pay, retirement and other benefit purposes, and to establish such benefit provisions in a single part of the U.S. Code. Even then, the Department of the Interior had reservations about certain parts of that bill. As previously indicated, during the pendency of these bills in July of this year, the Park Police received the 6 percent increase granted the Metropolitan Police. Consequently, with time running out under the September 15 deadline of the Budget Control Act of 1974, the Subcommittee determined not to attempt the complicated and complete transfer of all the Park Police pay, retirement and other benefits.

Hearings and markup on the legislation were held by the Subcommittee on the Judiciary on August 25, 1976, at which representatives of the Interior Department, the Park Police, and the Policemen's Association were invited to testify. All comments received by the Subcommittee were in support of the legislation. The Subcommittee reported to the Committee H.R. 15276, providing for the essential element of Federal pay comparability for the Park Police, and calling for the Department of the Interior to submit to Congress within one year comprehensive recommendations for transfer of the other matters affecting the Park Police. The Full Committee met on September 1, 1976 and adopted an amended version of the bill reflecting mainly technical improvements suggested by the Department of the Interior and the Office of Management and Budget.

DEPARTMENTAL RECOMMENDATION

The Department of the Interior letter in support of H.R. 15276, as amended, follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., September 2, 1976.

HON. CHARLES C. DIGGS, Jr.,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 15276, as amended, a bill "To amend the District of Columbia Police and Firemen's Salary Act of 1958 to provide for the same cost-of-living adjustments in the basic compensation of officers and members of the United States Park Police force as are given to Federal employees under the General Schedule and to require submittal of a report on the feasibility and desirability of codifying the laws relating to the United States Park Police."

We recommend that the amended bill be enacted.

H.R. 15276, as amended, would provide that officers and members of the United States Park Police be entitled to adjustments in basic compensation in the same overall percentage as are other Federal employees within the General Schedule under the Federal pay comparability system.

The bill would also require the Secretary of the Interior to submit to Congress within 1 year a report on the feasibility and desirability of enacting as a part of the United States Code those provisions affecting the United States Park Police which presently are contained in statutes compiled in the District of Columbia Code.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program, and that the Department of the Treasury opposes enactment of H.R. 15276.

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

COMMITTEE VOTE

On September 1, 1976, the Full Committee approved by voice vote H.R. 15276, as amended.

STATEMENTS REQUIRED BY RULE XI(1)(3) OF HOUSE RULES

OVERSIGHT FINDINGS AND RECOMMENDATIONS

The Committee's oversight findings with respect to the matters with which the bill is concerned remain as a part of its continuing Congressional oversight required by the Constitution and specifically provided for in the Home Rule Act (Sections 601, 602, 604 and 731 of Public Law 93-198).

BUDGET AUTHORITY

This local legislation for the District of Columbia creates no new budget authority or tax expenditure by the Federal Government. Therefore, a statement required by Section 308(a) of the Congressional Budget and Impoundment Control Act of 1974 is not necessary.

CONGRESSIONAL BUDGET OFFICE ESTIMATE AND COMPARISON

No estimate and comparison of costs of the amended bill has been received by the Committee from the Director of the Congressional Budget Office, pursuant to Section 403 of the Congressional Budget and Impoundment Control Act of 1974. See cost estimate below by this Committee.

COMMITTEE ON GOVERNMENT OPERATIONS SUMMARY

No oversight findings and recommendations have been received which relate to this measure from the Committee on Governmental Operations under Clause 2(b) (2) of Rule X.

Costs

The enactment of this proposed legislation may involve some additional costs to the Federal Government, contingent upon and determined by any adjustments under the Federal pay comparability system becoming effective on or after October 1, 1976, in comparison with

any adjustments enacted by the D.C. Council which would be applicable to the Park Police under present law.

INFLATIONARY IMPACT

The bill, if enacted into law, will have no foreseeable inflationary impact on prices or costs in the operation of the national economy.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 501 OF THE DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1958

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. [The rates] (a) *Except as provided in subsections (b) and (c), the rates of basic compensation of officers and members of the United States Park Police and the Executive Protective Service shall be the same as the rates of compensation, including longevity increases, provided in this Act, for officers and members of the Metropolitan Police force in corresponding or similar Classes.*

(b) (1) *Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5305 of title 5, United States Code, in the rates of pay under General Schedule, the annual rate of basic compensation of officers and members of the United States Park Police force shall be adjusted by the Secretary of the Interior by an amount (rounded to the next highest multiple of \$5) equal to the percentage of such annual rate of pay which corresponds to the overall percentage (as set forth in the applicable report transmitted to the Congress under such section 5305) of the adjustment made in the rates of pay under the General Schedule.*

(2) *No adjustment in the annual rate of basic compensation of such officers and members may be made except in accordance with paragraph (1).*

(c) *Any reference in any law to the salary schedule in section 101 of this Act with respect to officers and members of the United States Park Police force shall be considered to be a reference to such schedule as adjusted in accordance with subsection (b).*

○

END