

employees. Currently there is no provision in House rules, or in public law, for the lump sum payment of accrued leave, and on January 11, 1995, as the gentleman well knows, the Committee on House Oversight passed a motion to instruct the chairman of the committee to introduce this particular resolution that is in front of us.

The resolution that we are looking at, House Resolution 35, authorizes compensation to departing committee and administrative support employees in the form of a lump sum payment for any accrued leave, up to a maximum of 30 days, as certified by their committee chairmen or the relevant employing authority. It also allows Members, not just committees, but Members, in this Congress to compensate any departing personal office staff for any annual leave accrued under each Member's office policy. Any employee who is rehired in the legislative branch within 30 days will not receive that accrued leave payment since there was a simple interruption of employment rather than termination.

Accrued leave compensation for departing committee staff will be paid out of the appropriate House account. Compensation for departing Member office employees will be paid from the Member's 1995 clerk hire account. Compensation for departing administrative support employees will be paid from funds already appropriated for the relevant employing authority for fiscal year 1995 operations. Further, any committee or administrative support employee who is terminated prior to July 1, 1995, as a result of the continuing restructuring will also be entitled to compensation under this resolution for accrued leave up to 30 days.

I will also tell the gentleman that there is an amendment at the desk, which I will offer at the appropriate time, which makes a date change in the resolution from January 3, 1995, which was the date in the motion that passed the committee, to December 31, 1994. It was not the intent of the committee to exclude from eligibility for accrued leave payments those employees who may have been taken off the payroll between December 31 and January 3, and so the amendment simply backs up the time from January 3 to include December 31, January 1, and January 2.

Mr. HOYER. Mr. Speaker, further reserving the right to object, I want to congratulate the chairman of the Committee on House Oversight for bringing this legislation forward. There have been a lot of discussions. We have a lot of individuals who, as a result of the changeover in terms of the Republican leadership of the House of Representatives, there has been a substantial change of personnel. This policy was very important, in my opinion, and shared on this side of the aisle, and shared, I think, in a bipartisan fashion to treat those departing employees

fairly so that in, at minimum, they received consideration for the annual leave they had accrued during the course of their service for the Congress and for individual members, and I congratulate the gentleman from California [Mr. THOMAS] for his leadership in this effort in a bipartisan fashion.

We have adopted this; it is a good policy.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from California.

Mr. THOMAS. Mr. Speaker, I thank the gentleman from Maryland [Mr. HOYER] for yielding, and I do want to underscore the fact that, as the gentleman knows, and he was very cooperative in moving this forward, we have actually extended this policy beyond the specific discussion of those committee and administrative personnel who were leaving to make sure that the Members' personnel offices were treated in a similar fashion. Since there is no policy on the books, this is a policy which will now be established which I do believe is useful, not only in the transition, but in the professional handling of staff which will be further seen in the bill on accountability to come up just after this, and I thank the gentleman.

Mr. HOYER. Mr. Speaker, further reserving the right to object, I understand the gentleman has no further speakers on this issue. If that is the case, I will withdraw my reservation of objection.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 35

Resolved,

SECTION 1. LUMP-SUM PAYMENT FOR ACCRUED ANNUAL LEAVE.

(a) IN GENERAL.—An eligible employee of the House of Representatives—

(1) who is separated from employment involuntarily;

(2) whose last day of employment is during the period beginning on January 3, 1995, and ending on June 30, 1995; and

(3) who is not reemployed by the House of Representatives, the Senate, or an agency of the legislative branch within 30 days after such last day of employment;

shall be paid a lump sum for the accrued annual leave of the employee.

(b) PAYMENT.—The lump sum—

(1) shall be paid, as certified under subsection (c), in an amount equal to the value of the total accrued annual leave of the employee or the value of 30 days of accrued annual leave of the employee, whichever is less;

(2) shall be paid—

(A) for clerk hire employees, from the clerk hire allowance of the Member for calendar year 1995;

(B) for committee employees, from amounts appropriated for committees; and

(C) for other employees, from amounts appropriated to the employing authority for fiscal year 1995; and

(3) shall be computed using the rate of pay in effect with respect to the employee on the last day of employment of the employee.

(c) CERTIFICATION.—For purposes of this resolution, accrued annual leave of an employee shall be certified by the appropriate employing authority—

(1) as of December 31, 1994, in the case of an employee whose last day of employment is January 3, 1995; and

(2) as of the last day of employment of the employee, in the case of an employee whose last day of employment is after January 3, 1995, and before July 1, 1995.

SEC. 2. REGULATIONS.

The Committee on House Oversight shall have authority to prescribe regulations to carry out this resolution.

SEC. 3. DEFINITIONS.

As used in this resolution—

(1) the term "eligible employee" means, with respect to the House of Representatives, an employee whose pay is disbursed by the Clerk of the House of Representatives or the Chief Administrative Officer of the House of Representatives, as applicable, except that such term does not include—

(A) an employee under the clerk hire allowance whose appointing Member is not a Member of the House of Representatives in the One Hundred Fourth Congress; or

(B) a uniformed or civilian support employee under the Capitol Police Board; and

(2) The term "agency of the legislative branch" means the Office of the Architect of the Capitol, the Botanic Garden, the General Accounting Office, the Government Printing Office, the Library of Congress, the Office of Technology Assessment, and the Congressional Budget Office.

AMENDMENT OFFERED BY MR. THOMAS

Mr. THOMAS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMAS: Page 1, line 9, strike out "January 3, 1995" and insert in lieu thereof "December 31, 1994".

Page 3, beginning on line 5, strike out "January 3, 1995" and insert in lieu thereof "December 31, 1994, or January 1, 2, or 3, 1995".

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from California [Mr. THOMAS].

The amendment was agreed to.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall vote, if postponed, will be taken after debate has concluded on the motion to suspend the rules, but not before 5 p.m. today.