



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

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The Honorable Abraham Ribicoff
Chairman, Governmental Affairs
Committee
United States Senate

Dear Mr. Chairman:

This letter is in response to your request for our comments on S. 2327 a bill to provide that certain employees of the Drug Enforcement Administration be entitled to pay and benefits similar to pay and benefits granted to members of the Senior Executive Service (SES) under the Civil Service Reform Act of 1978. The bill would entitle the Drug Enforcement Administration administrative law judge (ALJ) to pay and benefits similar to SES members. ALJs are excluded from the SES by section 3132(a)(2)(ii) of Title 5, United States Code.

The Committee on Governmental Affairs currently has before it several bills, S. 262, S. 755, and S. 2147, which would change the ways in which all ALJs are selected, evaluated, and, in the case of S. 755, paid. We have previously testified and commented on those bills. Rather than repeat our concerns here, I am enclosing our statement to the Senate Subcommittee on Administrative Practice and Procedure, Senate Judiciary Committee, on ALJ provisions of S. 262 and S. 755.

We do not favor a statutory change in ALJ personnel management practice such as that proposed in S. 2327. The change would affect only one ALJ position, and is not consistent with the provisions we favor in S. 262.

Sincerely yours,

SIGNED ELMER B. STAATS

Comptroller General
of The United States

Enclosure

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