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COMMITTEE ORGANIZATION IN THE HOUSE

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HEARINGS

BEFORE THE

SELECT COMMITTEE ON COMMITTEES

HOUSE OF REPRESENTATIVES

NINETY-THIRD CONGRESS

FIRST SESSION

ON THE SUBJECT OF

COMMITTEE ORGANIZATION IN THE HOUSE

An Inquiry Under the Authority of H. Res. 132

SEPTEMBER 12, 13, 14, 19, 20, 21; OCTOBER 3, 4, 5, 10, AND 11, 1973

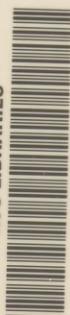
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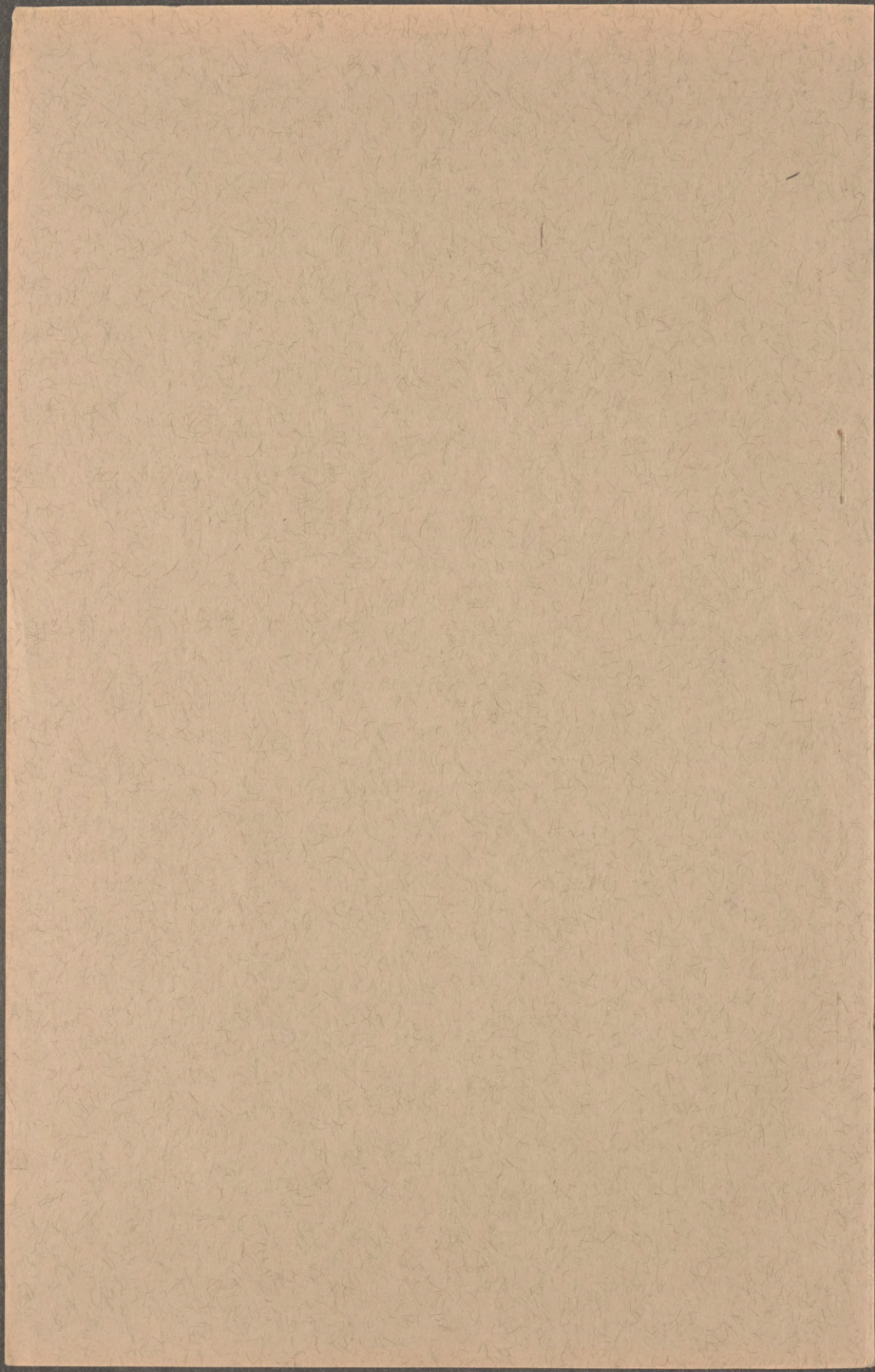


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U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1973

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COMMITTEE ORGANIZATION IN THE HOUSE

THURSDAY, OCTOBER 11, 1973

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON COMMITTEES,
Washington, D.C.

The committee met, pursuant to notice, at 10:40 a.m., in room 345, Cannon House Office Building, Hon. Richard Bolling [chairman] presiding.

Present: Representatives Bolling [presiding], Sarbanes, Meeds, Stephens, and Steiger.

Staff members present: Charles S. Sheldon II, chief of staff, Melvin M. Miller, deputy chief of staff, Gerald J. Grady, Linda H. Kamm, Walter J. Oleszek, Linda G. Stephenson, Dennis J. Taylor, and Joan Bannon Bachula.

Chairman BOLLING. The committee will be in order.

We are very pleased today to have as our last witness a man who has great familiarity with the Congress of the United States, and all of the Government. He has been involved in one way or another in Washington affairs for a good deal longer than I have, and I have been here 25 years; a man who is an old friend of mine with whom I am delighted to renew acquaintance. He represents a very distinguished and progressive, in the best sense of the word, organization, an organization that has played a significant intellectual role in improving the work of the Federal Government. I think one of its great contributions had to do with the Employment Act, and there have been many others.

Mr. Klutznick, we are delighted that you are here.

Mr. Klutznick is the chairman of the Research and Policy Committee of the Committee for Economic Development.

I hope you will introduce your colleagues to us. You may proceed with your statement in any way that you wish. I have read it and, of course, it is excellent. I have had an opportunity to read the supporting documents connected with it.

You may read it or summarize it. In any event, it will appear in full in the record. You may proceed as you wish, sir.

STATEMENT OF HON. PHILIP M. KLUTZNICK, CHAIRMAN, RESEARCH AND POLICY COMMITTEE, COMMITTEE FOR ECONOMIC DEVELOPMENT, ACCOMPANIED BY ROBERT STEADMAN AND ROBERT LENHART

Mr. KLUTZNICK. Thank you, Mr. Chairman. I must say personally it is a delight to be here under your chairmanship. I was at least born in Kansas City and you represent part of it.

I am equally happy to have at my right Dr. Robert Steadman, who for a long period of time, was the director of the Committee for Improved Management in Government, in the CED, and who still continues to serve us in his youthful seventies.

And to my left I am pleased to present Robert Lenhart, who is in charge of the CED office in Washington and is concerned with many of the research activities of the Committee for Economic Development.

Mr. Chairman, I understand this is a difficult day for you and others, and perhaps I would suggest that I start to present my statement and if at any point you or any member of the committee or staff wishes to interrupt me and get into a discussion I will feel, I think, perfectly comfortable, having served once down here and been interrupted frequently by committees.

First of all, on behalf of the trustees of the Committee for Economic Development, I wish to express our appreciation for your invitation to present our views on the subject matter under your consideration. The quality of our governmental institutions is vital to the Nation at large and to the business community which increasingly must look to the public sector to create the environment in which free enterprise can survive and prosper.

You have referred to this, Mr. Chairman, but, really, since its establishment in 1942, the Committee for Economic Development has been deeply concerned with the role of Congress in our society. The need for effective leadership in Congress, and by Congress, has been fully recognized by those of us who have worked within the committee.

For some time there has been mounting anxiety about difficulties Congress faces in meeting its fundamental obligations. Many of these grow out of congressional organization and procedures. Correction of such defects is within the competence of the Congress itself. Convinced of this premise, the Committee for Economic Development has undertaken serious efforts to study, devise, and advance proposals calculated to improve the structure and procedures that inhibit or prevent timely and effective congressional action. We strongly feel that steps such as we have proposed can be helpful in checking the erosion of public confidence in Congress and other governmental institutions, which we consider to be one of the prime concerns of this day.

Among the CED statements on national policy bearing on the subject matters before your committee, two have special application. "Budgeting for National Objectives" was issued in January 1966, and "Making Congress More Effective" came out 3 years ago, in September 1970. The Committee for Improvement of Management in Government, which consisted of those CED trustees with significant experience and knowledge in government, particularly the National Government, prepared these documents. That committee was assisted by an array of highly qualified advisers, and a very competent director whom I have already introduced, Dr. Steadman.

In each case, 2 years or more were spent in a study of the issues involved before the positions were recommended. Moreover, the documents were reviewed with customary care—and this is a kind of self-serving declaration—by the Research and Policy Committee of CED and then issued under its authority. That committee consists of 60 trustees, very carefully selected, with a regular turnover to be sure they don't get too old and too stodgy on the job.

The lists of those who took part in these extended and careful deliberations may be found on pages 5 and 6 of the document entitled "Making Congress More Effective."

The recommendations advanced in these statements rest upon strong convictions concerning the appropriate role of Congress within the American system. We set our views forth in "Budgeting for National Objectives" and reemphasized them again in "Making Congress More Effective":

The primary function of Congress is to decide major issues of public policy, reconciling and compromising divergent interests in a forum of open debate to the end that the informed will of the people may prevail.

A second major function is to provide continuous review of program execution and agency performance in order to check any tendency toward exercise of improper authority in the executive branch.

The Constitution of the United States calls upon Congress, very simply, to legislate. It is expected to formulate and define public policy.

The President is obligated to see that the laws are faithfully executed. This imposes upon the Executive a responsibility for attention to intricate, meticulous detail which is beyond the capacity of a legislative body. But policy decisions are properly the product of debate, deliberation, and compromise; characteristic of a legislative body. Execution of such decisions is achieved with best effect administratively through the offices of a single chief executive. The line cannot always be sharply drawn between these two functions. But the principle involved underlies the CED posture.

In practice a strange inversion of these roles appears to have developed. Presidents are more and more preoccupied with the formulation of public policy, to the extent that an emphasis upon efficient administration is oftentimes neglected or ignored.

Conversely, the congressional committee system leads individual Members to become so absorbed in the intimate details concerning operations, management, and personnel of specific executive agencies that Congress as a whole seems at times to have abdicated its primary obligation to establish sound public policies. The thrust of our position is that Congress should reorganize and restructure itself to enable it to decide basic national policies.

There is no lack of urgent national issues demanding the attention of Congress. There is an abundance of crises and problems. On other occasions we call them challenges. Certainly, some of the blame for this predicament, in which many of these problems get ignored—even the crisis in the competence of Government, reaching to all levels—certainly some part of the blame for this predicament must rest on the doorstep of Congress, which is not suitably organized to deal with these and other challenges expeditiously or effectively.

In our statement on Making Congress More Effective we offered a variety of related recommendations. But, first, I would comment on the progress made by Congress in some areas in the past 3 years. New voting procedures in the House of Representatives are a step forward. Assertion of caucus control over committee chairmanships provides some hope for relief of rigid seniority rules, in theory if not yet altogether in practice. This could lead eventually to better recognition of the need for leadership quality.

The movement toward open hearings is good, although it should surely go farther. The changes that have been made in respect to ethical standards, disclosure, and campaign finance show movement in the right direction. But there is a long way still to go. These changes, taken together, constitute a good beginning on a task still far from complete.

However, these constructive beginnings contrast to the absence of significant change in the congressional committee structure. Twenty-seven years ago, the Legislative Reorganization Act of 1946 reduced the number of committees in the two Houses from 81 to 34. This step received wide acclaim from press, public, and students of government. But since then the number of standing committees has again grown and the number of subcommittees has skyrocketed. At our last count, in 1970, there were 219 standing subcommittees and 49 select or special subcommittees. The number is doubtless larger today.

In our view it will be still larger next year and the year after unless a basic structural reorganization is undertaken. There are just too many committees. They are too fragmented internally. Inevitably this creates overlapping and conflict and makes it difficult if not impossible to focus sharply upon pressing major issues confronting the Nation.

Both history and nostalgia suggest that in the 19th century, the Congress enjoyed greater prestige, with shorter sessions, fewer committee chores, and its remarkable debates. In all fairness it must be recognized that congressional responsibilities are incomparably heavier and more complicated today. We were then a predominately rural, agricultural society, self-confident and isolationist in outlook. Our population has trebled. It is now overwhelmingly concentrated in great metropolitan centers.

Science, technology, industry, commerce, transportation, agriculture, communications, and financial arrangements have all undergone revolutionary transformations. Self-sufficiency has given way to international interdependency, drawing us inevitably into the vortex of international trade with its vast network of multinational corporations and institutions, and into world politics.

One result is that our Armed Forces have grown from little more than 100,000 in 1900 into the gigantic military-industrial complex we now maintain, costing 500 times as many dollars as in 1902. Meanwhile, there has been an enormous expansion in the Nation's productive capacity, based on intricate new interrelationships and arrangements that make our enormous economy and our high standard of living far more vulnerable than in earlier times.

These vast changes have made the role of Government more significant than ever before in our history. Since Congress holds the central position of power and authority in the entire system of American Government, it is clearly imperative that it should structure itself properly to discharge its obligations in full in this very different era.

Major adjustments have been made in the executive branch, designed to deal with the explosive growth in the range and magnitude of governmental activities. There have been repeated administrative reorganizations, particularly under the pressures of World Wars I and II, and further changes are under active consideration.

One of the most meaningful of all was the establishment of the Bureau of the Budget, now known as the Office of Management and

Budget. The device known as the "Executive Office of the President"—with which I became personally acquainted during the war when I served in what I thought was the Executive Office of the President—has enhanced the capacity of the President to cope, flexibly and competently, with emergencies and special problems. The White House staff has been expanded from President Franklin Roosevelt's six assistants "with a passion for anonymity" to the present number of 500 or 1,000 people, depending upon which statistic you take. This may be too many, but the President has been provided strong support for the whole sweep of his official duties.

In the view of many—and I count myself as one of those—this history is marred by the tragic demise of the National Resources Planning Board, which was designed to provide a long-range perspective for the consideration of major policy issues. If that board, or something comparable, had continued in existence, it is likely, although not certain, that this country would be better prepared to face its energy, environmental, and urban challenges.

But whatever the weaknesses and deficiencies of the executive branch may be, Congress has been far slower in adjusting its organization and procedures to massive domestic and universal change. We have already enumerated some changes. In all fairness there have been others. The General Accounting Office, created in 1921, has grown into a major staff resource. The Legislative Reference Service—now renamed the Congressional Research Service—is increasingly valuable. The Congress has divested itself of many intricate technical issues through establishment of such quasi-legislative agencies as the Interstate Commerce Commission, the Federal Reserve System, the Federal Trade Commission, the Federal Power Commission, the Federal Communications Commission, the Civil Aviation Board, the National Labor Relations Board, and the Securities and Exchange Commission. But, the crucial regulatory functions of these independent units are not always as well monitored or supervised by Congress as their vital concerns demand.

Staff support for individual Members of Congress has been greatly increased in recent years. But staff support for key committees appears to be quite inadequate, in many cases, both in numbers and in the necessary qualities of expertise to meet the burdens of modern legislation. Engineers, physical scientists, social scientists, and accountants—for a few examples—seem to be as necessary to Congress as the type of technicians it now uses. Much has been said in recent years about the possibilities involved in application of computer techniques to congressional problems, but little progress in this direction is reported.

As one who has been from time to time distressed about the inefficiency of the computer in my business affairs, I must say that without it we could make little progress, and I am sure that the Congress can make little progress until it gets into this mechanized area.

But, withal, the main problem Congress has in exercising its great powers effectively is the archaic nature of its committee system. This can best be illustrated in the congressional approach to public finance. In the public, as well as the private sector—and this I believe to be very important—real policy is determined not necessarily by words or speeches, but most often by our allocation and application of fiscal resources.

Authorization without appropriation can even be a cruel hoax when the programs involved affect urgent human needs. By now we should recognize the basic reality—no nation, even the wealthiest, possesses enough assets and current income to meet all of the demands made upon it. Inescapably the legislative process must make difficult priority choices either deliberately or by default.

Nearly 30 years ago I headed a Federal agency. As a young man from the Midwest the specter of administering hundreds of millions of dollars at first frightened me until I realized more zeros at the end of a line of figures do not materially change the need to make choices in the use of the funds. Nor do zeros change the need for monitoring management and providing for accountability.

There is nothing so damaging to the public image of Congress as the way it handles money matters—the money the Nation's taxpayers provide for the services rendered to the public. The inordinate and often paralyzing delays in financial decisionmaking are only minimally due to the enormity of the \$268 billion annual budget. We may use it as an excuse on occasion. They also stem from the increasing use of annual authorizations and the resulting contention between substantive and appropriating committees. These struggles add to the obvious problems created by the separation of revenue raising from the committees concerned with spending, and to those involved in reconciliation of differences between the two Houses of Congress.

It is obvious that the President of the United States does submit an annual executive budget in January. Whether that budget is good, bad, or indifferent, it provides—along with his state of the Union message and his annual Economic Report—a blueprint for governmental action over the year beginning on July 1, 5 months later. It is a comprehensive program, presumed to be internally consistent. It is an agenda subject to modification, revision, or reversal by Congress in the exercise of its constitutional powers. But, under present procedures the annual budget initiates a congressional process of fragmentation, fumbling, and prolonged delay.

If I may belabor the obvious, Congress provides no forum for consideration of the executive budget as a whole.

Appearances by individual Members of Congress, including chairmen of key committees, on Meet the Press, Face the Nation, or Issues and Answers are no substitute for a forthright confrontation in the give and take of free debate on the major substantive issues implicit in an annual budget. This Nation has nothing to compare with the budget debates that take place in the British House of Commons every year. I am aware of the bill that was introduced recently in the Senate which attempts to focus on that issue.

Instead, the Joint Economic Committee (established by the Employment Act of 1946) undertakes a review of the Nation's economic situation and the implications of the budget in that connection, but without power to introduce specific legislation. Revenue and debt proposals are referred to the Ways and Means Committee of the House. The Finance Committee of the Senate also takes these proposals under advisement, and the Joint Committee on Internal Revenue Taxation has its role to play. Expenditure plans go to the House Appropriations Committee, where they are subdivided among a dozen or more separate subcommittees, each with considerable autonomy.

But appropriation bills are held back, awaiting action on annual authorization bills, each under the jurisdiction of one of the 18 House "substantive" committees and their numerous subcommittees. The Senate has a similar pattern. The Appropriations Committees do not even have responsibility for all expenditure patterns, since social security and other elements of expenditure are within the jurisdiction of the Ways and Means and Finance Committees.

Mr. Chairman and members of the committee, as you are fully aware, may I stress that one of the things that increasingly disturbs our trustees as we review these matters, is that final authorization measures have encountered increasing delays and are often postponed for months beyond the beginning date of the new fiscal year. The 1974 Budget Scorekeeping Report, No. 7, as of September 28, 1973, issued by the Joint Committee on Reduction of Federal Expenditures, reports that of \$43 billion in the executive budget requiring legislative authorizations prior to enactment of appropriations, only \$16.5 billion—or less than 40 percent—had been enacted by Congress 3 full months into the current fiscal year. The situation on the main appropriation bills for the current year is even worse. Of \$169.6 billion in new budget authority requested, only \$39.4 billion had been acted upon by Congress—less than 25 percent.

Meanwhile, governmental operations have been conducted by congressional resolutions permitting temporary continuation of past levels of activity. Such delays damage the capability of the National Government to function, and have a paralyzing effect upon the State and local governments waiting for Congress to decide the grants-in-aid that may or may not be made available. This regrettable practice of continuing resolutions is comparable with the scheme of "provisional twelfths" used by the Parliament of the Third and Fourth French Republics—a practice that led to the sharp curtailment of all parliamentary power in the present Republic.

The diffusion of congressional authority over comprehensive economic plans extends beyond matters of "fiscal policy" involving income, outgo, and debt. Monetary, banking, and credit policies are of profound importance; these are under the wholly separate jurisdiction of the House and Senate Banking and Currency Committees. Oversight of actual administrative operations pursuant to funding is not in fact handled primarily by the substantive committees, as provided under the rules in both Houses. Instead, the main responsibility for this is lodged in practice in the House and Senate Committees on Government Operations, which seems to give more attention to special investigations into subjects of high popular interest than to objective and thorough audits of agency performance.

Mr. Chairman, if there is anything I have found, both in my work in the Federal Government and in an agency like the United Nations—where, for a while, I served on a special committee of 14 nations to try to find out what goes on in the fiscal pattern of that complex institution—if there was anything I found it was that there is a tendency to resist evaluation.

It raises a lot of questions and sometimes the executive agencies are grateful, as indeed they are in the United Nations, I know, to have no evaluation of many programs on which we spend a lot of money.

Under these conditions, congressional decisionmaking becomes pluralistic to an extreme degree. There are over 200 subcommittee chairmen with jurisdiction over some aspect of the authorization and appropriation process. Scores of other committee and subcommittee chairmen have some share in fiscal-monetary-credit policy matters. Chance may play a role, through the seniority system, in the placement of chairmanship powers in unsuitable hands. The resulting congressional environment invites pressure tactics—of either carrot or stick variety—by lobbying forces representing all manner of private interest groups, since action may be stopped or modified at any one of many legislative stages.

Various solutions have been proposed for the dilemma now confronting Congress. I have read quite a number in testimony you have received to date. Several are dealt with in the CED statement of July, this year, through its Program Committee on Improving Federal Budget Control. Copies are available to you. The statement on Making Congress More Effective recommended—

Eventual consolidation of legislative jurisdiction over all revenue, expenditure, and related fiscal issues under a single Finance Committee of the House of Representatives, and that the Senate committee structure should follow parallel lines.

This proposal deserves serious consideration, but if it is unacceptable for any reason the least that should be done is to follow another approach contained in that statement.

We recommend that the House of Representatives make specific provision for an annual budget review by its Appropriations and Ways and Means Committees, attended by Members of the Joint Economic Committee, to hear and question the head of the new Office of Management and Budget, the Secretary of the Treasury, the Chairman of the Council of Economic Advisers, and other officials concerning the entire range of fiscal and monetary issues as presented by the President. This combined body should be required to define expenditure and revenue targets for the coming year, for House action.

But beyond this minimum change, the problem of annual authorizations must be faced. If the fiscal year is to be retained on a July to June basis the authorization process has to be moved out of the path of appropriations and tax measures. It would help to follow the statement's recommendation that authorizations be made for a minimum of 4 years, subject to periodic review.

The private sector with much simpler problems and choices finds itself increasingly unable to budget annually except against a 3- to 5-year set of estimates. The Nation's business because of its complexity desperately needs forward estimates (3 to 5 years) based on advance planning out of which authorizations can come subject to annual review and adjustment as needed.

Unless authorizations based on long-range estimates are made in advance, Congress should face the consequences on a realistic basis. Making Congress More Effective urged that the fiscal year be changed to conform with the calendar year. That would allow 10 or 11 months for congressional action on the executive budget (which requires 2 years or more of preparatory effort in the executive branch). A tentative schedule offered as a suggestion ran as follows:

January.—Receipt of presidential "State of the Union" message.

February or March.—Receipt of executive budget and economic report.

March-April.—Hearings before the Joint Economic Committee and report to Congress by that committee.

March-May.—Hearings before legislative committees on new proposals and on those programs requiring periodic authorizations.

April.—Hearings before joint session of House Ways and Means and Appropriations Committees.

May.—Adoption of congressional budget resolutions setting targets for revenues, expenditures, and debt levels.

April-June.—Consideration and adoption of authorizing legislation, following receipt of performance audits and evaluation reviews from GAO and the executive branch.

April-July.—Hearings before the Appropriations Committees.

July.—Interim report from the President on revised revenue and expenditure estimates and changes, if any, if appropriation recommendations.

June-September.—Preparation, consideration, and enactment of revenue legislation.

July-October.—Appropriation bills reported and enacted.

September-November.—Supplemental appropriations enacted.

The arguments in support of this position are set forth in *Making Congress More Effective*. In the absence of a major change in the authorization process I find them even more persuasive today than they were 3 years ago when the document was issued. I was one of those who raised some questions about the arguments themselves. The position taken then was summarized as follows:

We strongly urge that the Federal fiscal year be changed to coincide with the calendar year and that all congressional and executive patterns be revised in conformity. Congress should establish its own deadlines for adoption of authorization and appropriation bills. After some specific date each year the House of Representatives should be free to consider appropriations for purposes recommended in the executive budget, even in the absence of any other statutory authorization. If it becomes necessary, legislation should be enacted to give automatic effect to each appropriation proposed in the annual executive budget on which Congress has taken no formal action before January 1.

It should not be supposed that all trustees of CED are committed to any one rigid formula for solution of what we term the existing chaotic procedures. The quest is for better plans, whether for biennial or 5-year budgets, perhaps revised annually, or any other constructive solution. Neither our Nation nor its regard for the Congress can tolerate present arrangements much longer.

Although fiscal management and the condition of the national economy has been the main focus of attention of the Committee for Economic Development since its foundation, the weaknesses in the present committee system of Congress have unfortunate effects in many other fields. I will offer just a few examples, in brief. The limitations of time prevent extensive development of any of them.

Consider the field of national security and foreign affairs. In the executive branch, the National Security Council has been established within the Executive Office of the Presidency, to bring together for central examination the concerns of the Defense Establishment, the State Department, the Central Intelligence Agency, and other elements. But the congressional contribution to public policy in these matters is split up among Armed Services Committees, Foreign Relations and Foreign Affairs Committees, Appropriations Committees, and committees with authority over taxation.

The relationships requiring balanced judgments in the formulation of national policy are nowhere brought together for review. I was privileged to serve in a branch of the State Department. I learned through experience, some of it sad, how interlaced are diplomacy, defense and the allocation of resources.

Or take the entire field of Federal financial aid to the State and local governments. This suffers from unbelievable confusion, involving \$45 billion in this year's executive budget. The Advisory Commission on Intergovernmental Relations, which is deeply concerned with correcting this situation, provides the following information:

The need for consolidation of Federal assistance programs is even greater now than it was in 1967. The number of categorical grants has increased steadily since that time, resulting in duplication, confusion, and waste. The June 1973 edition of the Catalog of Domestic Assistance issued by the Office of Management and Budget lists 868 grant-in-aid programs administered by 49 different Federal departments, independent agencies, commissions, and councils. For example, there are 158 grants for community development purposes (including 45 for planning, research, and training, 5 for housing and urban renewal, 25 for rural development, 11 for recreation, and 9 for historic preservation); 157 grants for health related activities (including 21 for facility planning and construction, 16 for health services planning and technical assistance, 5 for communicable diseases, 10 for maternity, infants, and children, 13 for mental health, 10 for narcotic addiction and drug abuse, and 28 for general research); 63 grants for environmental quality programs (including 17 for water pollution control, 12 for air pollution control, 4 for solid waste management, and 7 for pesticides control); and 30 grants for transportation (including 8 for urban mass transit and railways, 11 for roads and highways, and 6 for water navigation.)

These 868 programs are scattered among the whole roster of substantive committees for review, and split up among Senate and House Appropriation Subcommittees for annual appropriations. Revenue sharing was supposed to bring some order out of this chaos, but Congress is not presently structured to bring this about. Intergovernmental relations have reached a degree of importance in terms of Federal finance that the entire spectrum would seem to deserve intensive consideration by a single major committee in each House of Congress.

A similar comment could be made with respect to the energy and environmental problems, mutually interrelated, that must have concentrated rather than fragmented examination. And then there is the continuing and intensifying urban problems on which a direct focus should be placed at long last.

We do not presume to suggest any precise arrangement of the congressional committee structure. But I would repeat and emphasize, if I may, the urgent need to rearrange and consolidate where possible the committee structures of both Houses of Congress to deal with the present and potential challenges facing us as a Nation.

We are well aware of the difficulties involved in shifting or adjusting any vested power structure, whether in the private or public sector. Each chairman of the 250 or more subcommittees of Congress may understandably resist loss of a title. But I would urge that the restoration and elevation of public respect for Congress as an institution will enhance the prestige and reputation of each Senator and Representative far more than any title a subcommittee chairman has could possibly do. We cannot afford the deadly gamble that the Congress, the valued safeguard of our freedoms and liberty, will be whittled down in stature and acceptability by curable self-inflicted ineffectiveness. No foreign enemy could endanger our national future as much as continued decline in the role of our national legislature.

The renewal of Congress as an impressive center of our system of Government, making timely decisions on public policy in the spirit of a democratic society with due regard for the Constitution and the institutions of this Republic, is a worthy goal for all thinking citizens.

This motivated the trustees of CED who voluntarily devoted their time and energies to the development of the document entitled Making Congress More Effective.

Again, may I express my gratitude for your invitation to meet and discuss with you the crucial issues you have under consideration. Thank you, Mr. Chairman.

Mr. STEPHENS (presiding). Thank you very much for that fine statement. I followed it as you proceeded. It has a wealth of thought-provoking ideas. I am sure that your experience has gone into this, in your observations.

Following the rules that we have adopted in this committee, recognition for comments and questions is based upon the time members arrive in the committee.

Under that circumstance, I shouldn't ask any at the present time. Mr. Sarbanes was here before me, and I will call upon him at this time.

Mr. SARBANES. Thank you, Mr. Chairman.

That is, one example of a change in procedures that might be adopted in the Congress: how this committee goes about its questioning.

Mr. Klutznick, I want to start out by thanking you and the Committee for Economic Development not only for your very thoughtful statement, but also for the studies you have furnished to us.

At the same time I really want to thank the committee for the careful thought and analysis which it has given to so many public issues over the years.

I think you have made a great contribution by elevating the debate over very important issues of national policy. The breadth and depth of the committee's analysis of many issues and the thoughtfulness of their recommendations has made a great contribution to the development of sound national policies in many areas.

Let me turn to some of the specifics of your recommendations and explore them a little bit with you.

If there were a committee in each House which set overall spending and also had the revenue responsibility, which of course would put back together two functions that have been separated for quite some time, and if that committee were also to make allocations or suballocations of expenditures in program areas so that they would set a total figure and also the sub-figures, do you think the appropriate legislative committee could then allocate those sub-figures within a program area?

In other words, would we need the intercession of an Appropriations Committee between the comprehensive finance committee that you talk about and the authorizing committees, assuming the authorizing committees were given a total dollar figure for their program area?

Mr. KLUTZNICK. Congressman, first of all, let me thank you very much for saying the nice things you have said about our committee. It makes those of us who have been with it for many years feel better to know that we are appreciated by others than ourselves.

Let me address myself to your specific question. You have alluded to it in the fashion in which it is presented, I think, in the support for the bill that Senators Ervin and Percy introduced not so long ago, 10 days ago.

I would think, and here I want to be very careful, I don't believe that concentration and consolidation should go so far in anything that

we do within the Congress or within the Government that we create the danger of an oligarchy rule by one committee.

As one who has been in business and in Government, I don't think you can say they both operate the same or should operate the same. There are certain rules that apply to both.

I would believe that it is altogether possible, based on the President's submission, for the committee to arrive at a total figure broken down into subject matter and subchapters, but I think it would be most vital to have that examined carefully by Appropriations Committees, or committees of whatever type, in greater detail, because within those total figures there are questions of priorities and programs that would be important one year and less important another year.

Of course, as I understand the process that is being recommended in this bill—and there may be other ways of doing it—after that was done there is a general reserve established that may become necessary because of changes that take place in the economy in a period of a few months. We have seen what can happen to our country's economy.

It would be necessary then to go into the general reserve and to make changes. I certainly think there ought to be committees that would get into greater detail to the point where they could challenge, perhaps, a category or you would not have an adequate budgeting process in my judgment.

Mr. SARBANES. Let's say we have a Committee on Education that that passes authorizing legislation for educational programs. At the moment, the appropriations for education are handled by a subcommittee of the Appropriations Committee. If we have an overall Budget Committee to set total spending and then set a general spending figure for education, should that figure then be allocated by the Education Committee that authorizes education programs, or should it, instead, be allocated by something comparable to an Appropriations Subcommittee?

Mr. KLUTZNICK. I would think that one of the advantages of the system that you are discussing would be that you would have one committee instead of two. You wouldn't need an authorization committee if there was an overall authorization.

I must say that I know the reasons for the authorization and the appropriations, the history, but when I headed an agency here during the war I spent a lot of time before the authorization committees and then started all over again with a subcommittee of the Appropriations Committee.

I remember in 1946, the last 6 months I was here, I would dare say that 5 months of that time was devoted in trying to answer questions or to find answers for questions. We were in the midst of a watershed, changing from war to peace, or what we thought would be peace. Really, it seems a duplicated activity on the part of a Government official who has, after all, a job to do on a day-to-day basis.

Certainly, if you had an overall Budget Committee, I don't care whether you would call the subcommittees "subject matter committees" or whatever you would call them, but there ought to be only one, it would seem to me, that would then examine into it and would have the responsibility for overview, which is so often neglected.

Mr. SARBANES. On page 13 of your statement, you make a very valid point that we have been unable to get out budget into position by the beginning of the fiscal year, which is a very significant shortcoming.

Then you say:

If it becomes necessary, legislation should be enacted to give automatic effect to each appropriation proposed in the annual executive budget on which Congress has taken no formal action before January 1.

I am concerned to know what you mean by the phrase "No formal action." Specifically, I am concerned to know what that would mean in the event the Congress had acted but the President had vetoed the congressional action. There is then no law, no effective law, as a consequence of the constitutional process. I would like to know whether, under such circumstances, the executive budget would automatically take effect?

Mr. KLUTZNICK. I can speak only for myself. The committee did not go into that much detail. I would say that if the Congress had acted and the President had vetoed, this would not apply. There had been a formal act on the part of the Congress and what was happening was, in effect, a controversy between the Congress and the Executive.

I don't think this kind of a provision, personally, should become applicable under those circumstances.

Mr. STEPHENS. Would the gentleman yield on that particular point you are making?

Mr. SARBANES. Yes.

Mr. STEPHENS. I would like to ask a question with what you just read on page 13 about the automatic effect of appropriations.

We have a U.S. Senator from Georgia who helped his candidacy based upon the operation of our automatic appropriation law in the State of Georgia. We had an automatic appropriation law—and I would like for you to think of what you said in the light of what I am about to say—we had an automatic appropriation bill. It said that if the legislature did not alter the appropriation bill or did not pass an appropriation bill, the prior appropriation bill would pertain and would stay in effect until such time as the legislative body acted.

Georgia had a certain number of automatic allocations, earmarked appropriations, like the gasoline tax to highways. If we had had an appropriation bill the automatic allocation of the gasoline tax would have jumped up to approximately double what it was during the wartime period.

As a result, we had the Governor ask for no new appropriation bill and he had a terrific surplus because of 10 automatic allocations in the existing appropriation laws. So we didn't have an appropriation bill for 4 years, except the prior appropriation bill.

So the Governor undertook a large program of building construction and so forth that he didn't have to get any monetary approval for from the legislative body. We had a magnificent program.

Based on the goodness of his administration, plus the fact, as you pointed out, money is very effective, he built the foundation by which he is now U.S. Senator. He will acknowledge that himself.

I bring that out to ask you isn't that a danger that if Congress doesn't act automatically the prior one goes into effect? You could find an item that would affect things the same as it did in our State. How would you get around that?

Mr. KLUTZNICK. Let me first start out by saying that if this kind of a rule was adopted and made effective, I would hope it would never apply. The purpose of the whole thing is to compel action. For one who has lived in this environment, I can only say that it is quite distressing to the head of an agency who in good intention comes to the President's office and shows him what the needs are that have to be met, and he comes up and makes his presentation to both committees.

Staffing in the public sector is even more difficult than in the private sector. The whole year goes and he can't get yes or no on the program. I think this is extremely wasteful. You may be continuing programs that should have been dropped.

I believe the Executive generally is in a better position, should be in a better position, to come to the Congress and say, "This is what I need." I think the burden is on the Congress to staff itself to prove what he doesn't need. That is rather than to say, "Look, you did so and so last year. Be a good boy and continue to do the same thing next year."

What he may be doing next year may be a complete waste. This is what we are trying to get at. Therefore, I look upon this provision, if you don't mind my saying so, sir, as a means of putting the feet of the Congress to the fire in the absence of anything else.

I hope that the adverse effects that you describe would only have to take place once.

Mr. STEPHENS. Thank you for yielding to me, Mr. Sarbanes. I thought this would be appropriate to bring in at this time.

Mr. SARBANES. I think I will defer questions because I know time is running short right now, Mr. Chairman.

Mr. STEPHENS. I believe Mr. Meeds is the next member to be recognized.

Mr. MEEDS. Thank you, Mr. Chairman.

Please accept my apology for not being here to hear all of your testimony, Mr. Klutznick. I went over it very quickly. I also have had the opportunity, when I first started on this committee, to read the CED publication, Making Congress More Effective.

I would like to commend your organization for that very helpful document.

Mr. KLUTZNICK. Thank you.

Mr. MEEDS. As a matter of fact, my questions really stem from your CED publication, Making Congress More Effective.

I first would like to ask you a question about your statement. You talk about the need for better budgeting processes. This is somewhat along the lines of the questions asked by Mr. Sarbanes.

I don't read in your statement or, indeed, in the Improving Federal Budget Control publication, whether you think it is essential that the budgeting or appropriating, whichever way you look at it, be pulled all together at one time and one place so that Members of the House have the opportunity to vote for or against some appropriations as opposed to other appropriations.

As you know, the process now is that you adopt an appropriation for the Defense Department and then you adopt the appropriations for HEW and then you adopt the appropriation for State, Justice, and so forth. Nowhere do we have the opportunity to compare these large general categories against each other.

I would be interested in your comment on whether or not you feel it is essential that there be some kind of consolidated consideration of either budget or appropriation at some time.

Mr. KLUTZNICK. I hope that what we have said here supports the view there should be. In order to make my position perfectly clear, I don't know how you can possibly do justice to the magnitude of the Federal budget without an overall look in the manner we discussed just a short while ago.

I recall a few years ago—it was in 1965 or 1966—when the Bureau of the Budget started the campaign for program budgeting.

I was intrigued with the proposal. If you have not read some of those proposals, and I assume most of you have, you should. At that precise moment, I was representing the United States on a committee of 14 having to do with the budgeting of the United Nations system.

Surprisingly, we sold that idea there. They don't practice it too well but we sold it there. I have never seen it operate effectively in our own Government. Not only do you need an overall look at the budget, in my judgment, but you need an overall advance look, not only of this year's proposals, but how they relate to several years into the future.

We have said in some places that there ought to be contract authorizations that run the life of the contract. I don't know. My company today is a subsidiary of Aetna Life and Casualty Co. That is a very complex, diverse financial institution. It has a very complex budget, with a number of subsidiaries and agencies. Each of us is required to present a 5-year forward look.

Then the corporate office, comparable to the Congress, looks at the whole thing. Then we get into an argument and then we have to tell them what we can get along without. When you commit against a total look at the budget, you know when you are saying \$1 billion in fiscal 1974, you are really talking about \$3 billion in the next year, or else you ought not to spend the first \$1 billion.

These are the kinds of things that we have tried to read in there. Therefore, our conclusion has been you must have an overall look to do the best job.

Mr. MEEDS. Very fine.

You have a recommendation for fewer standing committees with broader jurisdictions for each.

Why do you conclude that it is necessarily better to have fewer standing committees than we presently have with broader jurisdictions? Why not have more with narrower jurisdictions?

Mr. KLUTZNICK. That is a very fair question about which there has been considerable debate, including a footnote I think you will find in this document to which you allude.

Our process is such where we get to a conclusion and then our trustees take a look at it and some of us say, "Well, that may be your conclusion, but we don't agree with it." You will find some of that here. It is not very much.

Mr. MEEDS. We have the same problem with our staff sometimes.

Mr. KLUTZNICK. Indeed you do.

It doesn't follow that consolidation—I tried to say that by way of interpretation—is necessarily better in some areas. Too many committees tend to make for fragmentation. I understand the problem of the Congress. We want to keep everybody busy working, understanding,

and if you have too large a committee, a junior member may never get a chance to even open his mouth. I understand that.

Therefore, I would kind of hedge in answering your proposition by saying that personally I am less concerned with the actual number as much as I am concerned with the reexamination of the function and the way you relate them to the total subject matter.

If you are going to have, for example, a budgeting process of the kind we discussed, it might take 5 years to get 250 subcommittees to put their appropriate product input into such a process.

The danger of having too many committees is that there is a reluctance to change any of them. One of the problems I think we have tried to point up here is that there are new subject matters that arise regularly that should call for a reexamination of the committee structure.

Mr. MEEDS. Isn't the tendency, though, when you have fewer standing committees, to just have more subcommittees so you are in effect, covering the same subject matter?

Mr. KLUTZNICK. Congressman, that has been the history.

Mr. MEEDS. It certainly has, since the last reorganization.

Mr. KLUTZNICK. That is correct. We were somewhat critical of it, I think more critical than one would be if the processes proved to be better.

When all these delays take place, you look for a number of reasons. If we were effective with 250 committees, we wouldn't be saying today that you should have 220. But I do think Congress should take a good look at whether or not they aren't diffusing the limited time that any Congressman has by tossing him into too many subject matters. This is one of the problems.

Mr. MEEDS. That brings me to my last question. Should the Congress as a whole have some control or input—let's make it control first—some control as to whether or not a standing committee can create a certain subcommittee?

Should that control lie with the Congress or with the committee itself, as it presently does?

Mr. KLUTZNICK. I would think there ought to be a limitation of how much of that can be done. I would be the first to say there are occasions when it is necessary to create a subcommittee for a short period of time to make a special examination into something and you wouldn't want to involve the total Congress in deciding whether that subcommittee should be available or not available.

You can't take 40 members, for example, to examine one issue that may be up that involves talking to some people in confidence, and occasionally you do that in the Congress.

Mr. MEEDS. The Ways and Means Committee does it all the time.

Mr. KLUTZNICK. I would be one of those who would be reluctant to see the kind of tight control over the standing committees that would prohibit completely, but I do think there ought to be control within certain reasonable figures.

Mr. MEEDS. So you opt for some kind of control but not absolute by the House as a whole.

Mr. KLUTZNICK. I don't think you would make anything work that could be absolute anyway.

Mr. MEEDS. Thank you very much.

Mr. KLUTZNICK. Thank you.

Mr. STEPHENS. Mr. Steiger?

Mr. STEIGER. Thank you, Mr. Chairman.

By way of an aside, I will say that I am delighted that the CED organization has entered the fray on college higher education costs. I have noted with some interest the reaction of some of my colleagues who have dismissed your recommendations out of hand.

I think they are wrong. I think your recommendations are very worthy of pursuit. I would simply say to you that I, for one, hope we do not lightly dismiss you or the Carnegie Commission on Higher Education or other more thoughtful groups that have attempted to pique the curiosity of the American people the implications of the costs of higher education.

One of your responses to Lloyd Meeds' question raises an issue. Would I be correct in presuming that it is your basic framework that the number is less important than the effort to rationalize committee jurisdiction by subject area, to the extent that is possible?

Mr. KLUTZNICK. Congressman, may I first thank you about what you said about our report because some of us already have scars on that higher education report, and I suspect we will continue to have some.

I think it is all to the good. I think we need to have a good, forthright debate on that very serious question.

The report, itself, speaks for itself. My own judgment is that you have gotten the sense of what I thought I was for when I voted for this report. It is impossible for those of us who are outsiders to fix an absolute limit on the number of committees.

We think there are too many as a matter of fact, but we do think it is very important to rationalize the committee structure. I think that is where the primary emphasis has to rest.

Mr. STEIGER. You have also, on page 44 of the report, Making Congress More Effective, suggested that subchairmanships and member assignments be rotated or reallocated in accordance with immediate priorities.

Are you, by that, suggesting that there should be membership rotation or are you suggesting that the subcommittees' subject matters be rotated?

Mr. KLUTZNICK. You are referring to the dark type on page 44 where we urge the Congress to clarify and rationalize its committee structure, reallocating jurisdictions along lines based on substantive programs and national goals?

Mr. STEIGER. No. I am referring to the black print in the paragraph below that.

"When a new Congress organizes itself," and so forth.

Mr. KLUTZNICK. Yes, we have said that. For other members of the committee, I will read the whole of it.

We recommend that subcommittee arrangements and assignments be made flexible, subject to revision every two years when a new Congress organizes itself with sub-chairmanships and member assignments rotated or reallocated in accordance with immediate priorities.

The most important sentence in that is the last one: "The entire committee structure must be brought into harmony with the changing needs of the Nation."

The idea of rotation of membership, of changing every 2 years, is in order to achieve that end, namely the entire committee structure must be brought into harmony with the changing needs of the Nation.

Mr. STEIGER. In Mr. Gardner's testimony before the committee there was a suggestion of rotation by Members from committee to committee every 6 years.

Mr. KLUTZNICK. We don't go that far. We leave some latitude for the realities of the situation. I can't say that I personally would disagree with that recommendation, made by John Gardner. I think it would be good to have Congressmen become, in addition to being specialists, generalists, by knowing more of what goes on in other areas.

Mr. STEIGER. Let me go on, then, if I may, and I do appreciate your comment on that. You have made specific recommendations on the use of joint and select committees, an idea that at least from my standpoint has great appeal, and one that I think has received a fair amount of attention in the testimony before this committee.

You have specifically suggested Joint Committees on Social and Environmental Problems and Science and Technology.

Are there other areas that you might wish to either personally or on behalf of CED suggest that this take place?

Mr. KLUTZNICK. In my statement this morning, Congressman. I think I referred to energy and environment as representing at this day and at this moment, a few years after this was published, very logical candidates. For one involved in the urban field and in the development field, and who is conversant with what has happened from day to day in the last 2 years, a failure to consider these two matters together is probably going to result in the failure on both ends of the subject matter.

There is a lot happening in the country, as you gentlemen know only too well, where important developments are being delayed for environmental consideration, and where important environmental matters are being shoved aside because of energy considerations.

It would seem to me, just as I think when you talk about the State Department function and the Defense Department function, it is only in the Congress that they get completely divided.

In the executive branch, the function of defense is to back up your foreign policy and to relate itself to affairs of State. That is another area where we have suggested there should be a look jointly, as the National Security Council looks at it in the executive branch.

There are from time to time different developments that suggest the importance of being in a flexible position of change. It was not very long ago that nobody even talked about environment, and we kept the energy issue pretty well under cover, not to the welfare of this country.

I think that is where the Congress can play such a great role, by opening up these areas and opening up new policies, even when the Executive may have neglected to do so. You are the people in our Government who are in touch, by the very nature of things, with the environment.

You have to go back to it regularly. And you are in touch with the problems which upset your constituents. You are closer to your constituency than the Executive. Therefore, when there comes a new development, as we have had in environment and in energy, and with the persistence of the urban affairs, I can illustrate it.

I wrote a paper where the three are tied together and no one has tied them together yet. We may see a change in the whole suburban growth in this country because of energy and environment and we may see a reawakening of the centers of our cities as a result of those problems emerging today as being key problems.

It seems to me that the Congress should be looking at subjects like that together.

Mr. STEIGER. Would it be fair to say there is implicit in all that you have said this morning, in your statement, in the booklet, in your response to questions, a belief that we should not, no matter what direction this committee recommends, make too rigid the structures and function of Congress? Is that fair?

Mr. KLUTZNICK. I would say from where I sit it is very fair. The country is not rigid and I don't think the instruments that serve it should be so rigid that they can't change. We have seen that there has been no change since 1946, except of a modest kind. The country has changed decidedly since 1946.

Mr. STEIGER. In that regard, have you, during the time that you were preparing "Making Congress More Effective" given any thought to this concept of establishing a mechanism to allow Congress to create new committees, joint committees, select committees, and changing the jurisdictions of committees so that we don't have to go from 1946 to 1973 before we begin to understand what, in fact, needs to be done?

Mr. KLUTZNICK. If I understand your question, you are asking us if we would be prepared to delve into the subject further and make some suggestions?

Mr. STEIGER. Yes, sir.

Mr. KLUTZNICK. I have to turn to my colleagues who do the day-to-day work. Bob?

We would like to accommodate the Congress. We want to see if we can be helpful.

Mr. LENHART. I am sure we could work with the staff of the committee. We would be glad to do that, to make further suggestions.

Mr. STEIGER. If you would be willing to do it, yes. We seek all the help we can get.

Mr. KLUTZNICK. I can only promise this: As chairman of Research and Policy, if the committee and the staff want it, we will do it.

Mr. STEIGER. Thank you. It would be valuable, frankly, because this is a matter which, I think by and large, all members of the committee believe is one of the things that we ought to do, regardless of what other actions we take.

Along the line we have missed in not establishing a system that would allow changes to be made rationally and reasonably, as new priorities and new problems arise.

One last question, if I may, Mr. Chairman.

Along the lines of the budget process, one of the recommendations that I have made is that not only should we begin looking down the road as to what the budget may be, whether it is 5 years, 4 years, or 3 years in advance, but also the Congress ought to have access to the executive department budgets as they are presented to OMB and the President.

You served in an executive branch agency. Would you agree that in order to enable Congress to make decisions on a reasoned basis that the work that each agency goes through in the preparation of its budget ought to be available equally to the legislative and executive branches?

Mr. KLUTZNICK. Congressman, in light of recent history, I would say that there might be a question of executive privilege involved. As one who has gone through the process from the agency side, the head of an agency and his staff come to what used to be the Bureau of the Budget, now OMB, with ideas that if I were the President and I would have a Bureau of the Budget, I would want to make sure they were laundered pretty well before they got to the legislative process.

Let me take the private sector as an example. In my company there are a lot of department heads who have grandiose notions of what contributions they can make to the profitability and the future of that company.

Before I would let that go to the corporate office I would want to be very certain that those ideas were related to the priorities which I feel as the executive of that company must be served in a given year.

I would be inclined to think that you might be finding yourself doing a lot of useless work in the Congress if you got too much advance information.

There might be a stage at which you ought to get it, if you were properly staffed. This is the other thing that I think is most important. That would be where you ought to get it before the final presentation. But I would not think it would serve you well to have the first submissions that go simultaneously to OMB come to your budget committee because they will come ultimately looking very different and there may be a lot of work done that could be saved by your staff people, if you had the proper staff, by getting them at another stage.

My guess would be that the stage at which you would be entitled to have them would be before they go to final print, at which time they have been reviewed and coordinated.

I don't think the executive branch ought to be in the position of giving you raw data before it has had an opportunity to determine priorities for itself.

This is one of the complaints we have about the process as it takes place now at the legislative branch. I think it would destroy the effectiveness of the executive branch if they had to come to the legislative branch early in the game with raw data that was not coordinated or not laundered sufficiently to give you an indication of which way the Executive would go.

My experience has been that there are major changes that take place between the agency submission in its first instance and the time that it comes out as a product of the Executive.

Mr. STEIGER. I will simply say by way of comment that most State legislatures, and CED has made a study of the State legislatures, use the system. In Wisconsin, our budget when we get it has three columns: the submission by the agency to the Governor, the Governor's submission to the legislature, and finally the legislature's decision about that budget. It works well. It is effective.

As a matter of fact, I would expect that if the President were to operate as the Governor tends to operate, and I think most would, he would take great pride in announcing how much he refused the requests

of the agencies. That is a matter of great pride on the Governor's part as he submits the budget to the legislature.

It works in almost every State because that is the system that they use, and I would find it difficult to believe that you couldn't use it just as effectively at the national level.

Mr. KLUTZNICK. I think there is a slight difference between a typical State budget and the Federal budget, at least in some aspects. For example, there are quite a few of the States where the heads of departments are still independently elected. They are, in effect, accountable to the people.

Here you have a situation in which, with very few exceptions, the people who are making up the budget are appointees of the man who says, "I am the one who is going to decide what you spend, or I am going to get rid of you if you start going into a different way."

I don't think the situation is altogether comparable. The other thing, of course, is that until very recently—fortunately the States are getting involved into more complicated matters than they used to and their budgets are beginning to resemble a little bit more that of the Federal Government—the States had routine matters, where the attorney general would say, "I have to have so many," and the Governor would say, "I am not going to let you have that many," and the legislature would have to resolve it.

We have that situation at this moment in my State. We have an attorney general of an opposite party to the Governor. Every so often they have their differences of opinion. Even if you didn't submit the budget with three columns, it would get submitted to the legislature by the independent head of the department elected by the people.

Our comptroller is in the same position. He is elected by the people. Of the Office of Budget and Management, as the Congress knows you tried to get the subject to confirmation and that didn't work out.

He is really supposed to be working for the President, if he becomes an official of the total Government, if that were to happen, then I think you would have a different picture. I think we underestimate the complexity of the agency budgeting process and its relationship to OMB and the President's office.

I would think that the Congress would get involved in a lot of little disputes of really no material consequence if there weren't a preliminary laundering, in my judgment.

Mr. STEIGER. I appreciate very much your willingness to come here today and your candid comments. Thank you.

Thank you, Mr. Chairman.

Mr. STEPHENS. Mr. Sarbanes?

Mr. SARBANES. I am prompted to follow up on the question Congressman Steiger was just pursuing. I find a very interesting sort of tension between your statement and your answers.

On the one hand, Congress ought to be a policymaking body and is the forum for the resolution of issues of great national dispute; on the other hand, there is the desire for the Congress to be a streamlined, efficient, timely, functioning institution.

In between somewhere is the need for coordination in congressional handling of policy. Those things don't always mesh together very happily. You stated somewhere that authorizations without appropriations are simply words, so that budget decisions are the fundamental

place where so much of our policy is made. I really don't quite understand why the significant policy disputes within the executive branch, which may involve very fundamental questions of national direction, should not be surfaced and made available to the legislature as a way of sharpening up our understanding of that conflict.

Your response to Congressman Steiger was, "Well, your staff is really going to be overwhelmed with a lot of detail." But that is really our staff's problem and if we get overwhelmed and can't digest it, then it is our problem.

In the course of undertaking that process we might really come to understand much more thoroughly some very fundamental policy disputes. It is not quite clear to me what would really be impeded, except the Executive's capacity to come to the Congress as a monolith.

What would be impeded by having congressional access to the preliminary budget submissions by the agencies to OMB?

Mr. KLUTZNICK. First we must recognize that there is no reason not to have a difference of opinion on some of these things. I think what is impeded is really the function of the Congress. That is my judgment.

As much as we think that the Congress has stayed out of policy, we have also said here any number of times it ought to stay out of a lot of unnecessary detail. One can disagree as to what that unnecessary detail is. But as one who lived here for 6 years, I would say there would be no difficulty in having any major policy disputes within the Executive to get aired in the Congress or the committee of the Congress. They get aired whether the papers are sent up or not.

I shall not say anything more than that. There are any number of ways that these things surface. Quite often they surface simply because a Congressman who is a specialist, let's say in the field of housing, wants to know why there isn't a subsidy program, and the staff goes to work on it. It comes up with answers that are different from those of the Executive.

Just as much as it is important to insure the dignity and status of the Congress, to advance it, it is equally important to give the Executive a chance to function.

If the Executive has 400 or 500 key people, I think really his policy is made by 100 or 150.

In 1960, when the Government was being reorganized, George Ball wrote a paper and said the President could run this Government with 500 appointments. If he has that many people on whom he must rely and he puts them in key positions and they have ideas that they share at the same moment of time with the Congress, which is concerned with the broad policy, and with Executive, who is concerned with the relationship between what that man is doing in his operation, with other people, and what his own judgment is as to what the administration should do, for which the people have elected him, if it is shared I think the Congress gets into the act prematurely—that is my judgment—and it may be arbitrating or creating organizational conflicts within the executive branch that are altogether unnecessary, or if they are necessary I have an abiding conviction that in Washington those issues will get aired.

Mr. SARBANES. Suppose they don't? Your answer suggests it is not serious because in a serious situation there will be either a leak or some kind of access to information that will bring the dispute to the surface.

In effect, you are justifying the existing arrangement not on the basis of the way it stands, but on the basis of the fact that there is an escape hatch. In other words, disputes will, in fact, surface.

That does happen from time to time. One wonders whether it happens to the extent that it ought to happen, and one wonders whether that process, in and of itself, is a good thing, to have it done that way.

Mr. KLUTZNICK. If I left the impression that it happens all the time, that something won't be missed, I didn't intend to leave that impression. But in my experience in Government and in business you always miss something anyway. Anyone who runs a perfect government or a perfect business, I haven't run into yet.

The question is how do you take the elements that are involved and get the maximum out of each element? How do you get the maximum input of that element?

I think you have to concern yourself with the maximum input of the Executive and the maximum input of the Congress. We have said we think the Congress ought to free itself of the kind of detail that will enable it to engage in major debates and to face up to priorities and to handle national policy. Everything that a little agency does is not national policy, although one little item could be.

I have said that in the exploration by the Congress of whatever the Executive submits, the chances are very good that any issue of importance to the public and to the Nation, whether you had the papers early or late, would be exposed, if it was of real importance.

Each one has a different judgment as to what may be of real importance. There is nothing to stop a committee, for example, that would receive the original allocation, say it is the Education Committee, from examining the Secretary of HEW, or the Commissioner, or the Assistant Commissioner, and saying, "Is this what you submitted? Is this your best notion?"

Look what used to be done to me when I was here time and again when I was supporting the war housing program. The congressional committee would say to me, "What is this based on? Is this what you submitted? Is this your judgment as to how this program should be run?"

No administrator worthy of his salt would hesitate to say, "I had different notions, but in the consolidation this is what we came up with."

What I am afraid of is that if you get raw data before it is processed in the Executive, you will be more overloaded with minutiae than you will be with issues. I may be wrong. This is a personal thought. The committee did not get into this.

Mr. SARBANES. Thank you.

Mr. STEPHENS. I have one or two thoughts I would like to get your idea on. We have been talking about the fact that we should have a budget committee. I think you feel like the Congress needs a budget committee. In your statement, on page 11, you lead to the idea that has been proposed and which is now actually before the Rules Committee.

You say, "We recommend that the House of Representatives make specific provision for an annual budget review by its Appropriations and Ways and Means Committee" attended by other members of other committees.

The Ullman-Whitten proposal is basically that. Instead of having a loose organization, by this legislation part of the Ways and Means Committee, part of the Appropriations Committee, and part from the Members at-large, would be required to meet as a budget committee. That is meeting opposition, to some extent, by some who think there should be a budget committee, but not composed of the people who are going to raise the taxes and the people who will make the allocations by appropriations.

Then we have a third thought that has been combined with some of those others, and that is that we do away with the Appropriations Committee entirely. When I say that, I don't mean the physical membership, but its jurisdiction. Well, let's say abolish the Appropriations Committee and form a new budget committee. That is a detail that would either be based upon the present membership or create a new budget committee and abolish the Appropriations Committee.

Would you care to comment on whether or not you feel we ought to have as a budget committee, a committee composed of those who belong to other committees, or whether we should have a budget and appropriations committee?

Mr. KLUTZNICK. I suffer from the willingness to comment on anything, Mr. Chairman. But I must say if this comment is to be considered at all, it must be considered in the light of being a personal comment.

Mr. STEPHENS. I understand that.

Mr. KLUTZNICK. When we prepare a report of this sort, we try to avoid the political implications of the report, but we don't try to avoid the practical implications of the report. Therefore, we are sometimes inclined to hedge on the theory that certain things that are desirable are not necessarily practical or possible.

Mr. STEPHENS. We are facing that every day.

Mr. KLUTZNICK. Indeed. If I were being asked as to what I would personally prefer, if it were feasible I would prefer a budget committee. There are a lot of our people who would disagree with that.

Second to that I would prefer the approach of bringing them all together.

Mr. Chairman, I roomed with a Congressman when I lived here during the war before my family came down. I won't identify him. I remember he always used to say, "The only way I can really face my constituency is to vote for every appropriation and against every tax measure."

Mr. STEPHENS. They say that is the best way to get reelected.

Mr. KLUTZNICK. Yes.

We would like to make it more difficult. I think the Congressmen who vote for appropriations ought to face up to the taxes that are involved. I think you do that in a budget approach. I think you do it better in the Ullman approach. I don't think you do it very well when you separate the two completely because by the time you get down to the last days of the session when you are going to have to act, there is no time to really take a look at the total picture, as a practical matter.

Mr. STEPHENS. The bells have rung, but I have one other thought I would like to get your opinion on. We have seen in the papers and talked much among ourselves and had lawsuits filed about impoundment.

Isn't the basic issue not that the President has the power to impound, but that the Office of Management and Budget is abrogating unto itself both the authorization and appropriation of expenditures? Of course, we say that the Appropriations Committee appropriates, and we say that the substantive committees authorize.

But the real conflict is that in the final analysis the authorization and appropriation are made by the Office of Management and Budget. When we receive a report in the Interior Committee, in the back of every one of those reports is "This has been cleared by the Office of Management and Budget and it is approved," or vice versa.

Mr. KLUTZNICK. On the issue of impoundment, sir, I don't like the word. I think there are times when the Congress has appropriated funds and set up programs where it becomes practically lacking in feasibility to execute them and the Executive would be negligent if it failed to drop a program.

I remember in those days we used to come up and tell the committee that we just couldn't do it, tell them informally.

This is one of the things that grows out of the kind of system we are in now. I don't think that the Executive, having had his chance to submit a program, the Congress having considered it in relation to the total needs of the country, that that policy, which is effected by the Congress approval of the program and the appropriation should be charged by the Executive without a review by the Congress.

That is what we are saying here. We are saying the Congress has to be effective enough so that its position can be clear, and the Executive ought to stay on his side of the fence and the Congress on its side of the fence.

Mr. STEPHENS. I know we have to adjourn, but I have one other final thought.

I have seen it operate, so far as the Office of Management and Budget is concerned, that it operates as a means sometimes for the Congress to avoid the setting up of a priority. I have been to see members of the Appropriations Subcommittees and I have said I would like to ask that there be included a certain appropriation for a certain installation of some kind.

The answer that you get there is, "It is not in the budget and we are not going to put in anything that is not in the President's budget." For example, in the military construction appropriation. I have had that happen.

That is an abdication of the setting of priorities, based upon the fact that you are using the budget of the President and saying, "We don't want to fight that because it is not in the budget." That is setting priorities by the Office of Management and Budget.

Mr. KLUTZNICK. I guess that happens, but if I were administering it, I would try to avoid it.

Mr. STEPHENS. I tried to avoid it, because when the time came I had to get it put in by the Senate.

Thank you very much. We certainly appreciate your appearance today.

Mr. KLUTZNICK. Thank you.

Mr. STEPHENS. The committee stands adjourned.

[Whereupon, at 12:25 p.m., the committee adjourned the hearing on committee organization in the House.]

[The following statements and letters were received by the committee for inclusion in the record:]

SUPPLEMENT TO THE TESTIMONY OF HON. CARL D. PERKINS, OF
MAY 9, 1973

APPENDIX I

TABLES OF PUBLIC BILLS AND RESOLUTIONS ENACTED INTO LAW OVER WHICH THE
COMMITTEE ON EDUCATION AND LABOR HAS OVERSIGHT RESPONSIBILITY¹

The following tables of public bills and resolution enacted into law from the 42nd through the 2nd session of the 92nd Congress under the jurisdiction of the Committee on Education and Labor over which the committee has oversight responsibility.

Number of bill	Title	Number of law, Public Law—
AGED AND AGING		
89th Cong.: H.R. 3708.....	To provide assistance in the development of programs to help older persons through grants to States for Community Planning and to develop in the Department of Health, Education, and Welfare an operating agency to be known as the "Administration of Aging"	89-73
90th Cong.: H.R. 10730.....	To amend the Older Americans Act of 1965 so as to extend its provisions..	90-42
91st Cong.: H.R. 11235.....	To amend the Older Americans Act of 1965, and for other purposes.....	91-69
ARTS AND HUMANITIES		
89th Cong.: H.R. 4714.....	To amend the National Arts and Cultural Development Act with respect to the authorization of appropriations.	89-125
H.R. 9460.....	To establish the National Foundation on the Arts and Humanities to promote progress and scholarship in the humanities and arts in the United States.	89-209
90th Cong.: H.R. 11308.....	Extends the appropriation authorization for the National Foundation on the Arts and Humanities Act.	90-348
91st Cong.: S. 3125 H.R. 16065.	To amend the National Foundation on the Arts and Humanities Act of 1965..	91-346
CENSUS		
75th Cong.: S. 2705.....	To provide for the taking of a census of partial employment, unemployment and occupations.	75-409
CHILD LABOR		
53d Cong.: H.J. Res. 94.....	To provide for an investigation relative to the work and wages of women and children.	2-38
64th Cong.: H.R. 8234.....	To prevent interstate commerce in the products of child labor.....	64-249
CIVIL RIGHTS		
88th Cong.: H.R. 6060.....	To prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or the production of goods in commerce.	88-38
90th Cong.: H.R. 13054.....	Relative to age discrimination in employment.....	90-202
92d Cong.: H.R. 1746.....	Equal Employment Opportunities Commission.....	92-261

¹ This material submitted in response to request by Mr. Martin.

² Public resolution.

Number of bill	Title	Number of law, Public Law—
COMPENSATION		
74th Cong.: H.R. 12599.....	To provide more adequate protection to workmen and laborers on property belonging to the United States by allowing States to apply their Workmen's Compensation Acts on all property belonging to the United States.	74-814
80th Cong.: H.R. 6647.....	To increase certain benefits payable under the Longshoremen's and Harbor Workers' Compensation Act.	80-757
81st Cong.: H.R. 3191.....	To extend the coverage to civilian officers of the United States and by making benefits more realistic in terms of the present wage rates under the act of Sept. 7, 1916, with regard to injuries suffered by U.S. employees.	81-357
84th Cong.: H.R. 10765.....	To provide increased benefits in case of disabling injuries under the Longshoremen's and Harbor Workers' Compensation Act.	84-803
85th Cong.: H.R. 13021....	To provide a system of safety rules and safety inspection under the Longshoremen's and Harbor Workers' Compensation Act.	85-742
86th Cong.: H.R. 451.....	To amend the Longshoremen's and Harbor Workers' Compensation Act with respect to the payment of compensation in the cases where third persons are liable.	86-171
H.R. 12574.....	To provide that an injured employee shall have the right to select his own physician under the Longshoremen's and Harbor Workers' Compensation Act.	86-757
H.R. 12383.....	To amend the Federal Employees' Compensation Act to make benefits more realistic in terms of present wage rates.	86-767
87th Cong.: H.R. 1258.....	To amend the Longshoremen's and Harbor Workers' Compensation Act to provide increased benefits in case of disabling injuries.	87-87
88th Cong.: H.R. 7662.....	To provide appeal rights to employees of the Canal Zone Government and the Panama Canal Company under the Federal Employees Compensation Act.	88-508
89th Cong.: H.R. 10721.....	To amend the Federal Employees Compensation Act to improve its benefits...	89-488
92d Cong.: H.R. 9212.....	Black Lung Benefits.....	92-303
S. 2318, ^a H.R. 12006...	Longshoremen's and Harbor Workers' Compensation Act Amendments of 1971.	92-576
CONVICT LABOR		
49th Cong.: H.R. 1622.....	To prohibit any officer, agent, or servant of the U.S. Government to hire or contract out the labor of prisoners incarcerated for violating the laws of the U.S. Government.	49-70
70th Cong.: H.R. 7729.....	To divest goods, wares, and merchandise manufactured, produced or mined by convicts or prisoners of their interstate character in certain cases.	70-669
74th Cong.: H.R. 7940.....	To prohibit the interstate transportation of prison made products in certain cases.	74-215
76th Cong.: S.J. Res. 59.....	Authorizing the Bureau of Labor Statistics to collect information as to amount and value of all goods produced in State and Federal prisons.	^a 85
DRUG ABUSE		
91st Cong.: H.R. 14252.....	Drug Abuse Education Act.....	91-527
ECONOMIC OPPORTUNITY		
88th Cong.: H.R. 11377.....	Economic Opportunity Act of 1964.....	88-452
89th Cong.: H.R. 8283.....	To expand the War on Poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964.	89-253
H.R. 15111.....	To provide for continuing progress in the Nation's War on Poverty.....	89-794
90th Cong.: S. 2388.....	To provide an improved opportunity act, to authorize funds for the continued operation programs and to authorize an Emergency Employment Act.	90-222
Footnotes at end of table.		
91st Cong.: S. 3016, * ^a H.R. 12321.....	Economic Opportunity Amendments.....	91-177
92d Cong.: H.R. 12350.....	Economic Opportunity Act Amendments of 1972.....	92-424

^a Public resolution.^a Denotes bill number passed.

Number of bill	Title	Number of law, Public Law—
ELEMENTARY AND SECONDARY EDUCATION		
81st Cong.: S. 2317.....	To authorize grants to the States for surveying their need for elementary and secondary school facilities and to authorize grants for emergency school construction to school districts with enrollment due to Federal activities.	81-815
83d Cong.: H.R. 4496.....	To authorize the conveyance of certain lands to the Board of Education of Prince Georges County, Upper Marlboro, Maryland, so as to permit construction of public educational facilities.	83-505
85th Cong.: H.R. 7540.....	To make the provisions of Public Law 815 81st Cong., relating to school construction in federally affected areas applicable to Wake Island.	85-161
89th Cong.: H.R. 2362.....	To improve educational quality and opportunities in the elementary and secondary schools.	89-10
H.R. 5874.....	To amend Public Law 81-815 with respect to the construction of school facilities for children in Puerto Rico, Wake Island, Guam, or Virgin Islands.	89-77
H.R. 9022.....	To provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by major disasters and to make uniform eligibility requirements for school districts under Public Law 81-874.	89-313
H.R. 13161.....	To strengthen and improve programs of assistance for our elementary and secondary schools.	89-750
90th Cong.: H.R. 7819.....	To strengthen and improve programs of assistance for elementary and secondary education by extending the authority for allocation of funds to be used for Indian children's education and children in overseas dependent schools, the National Teacher Corps program and for other purposes.	90-247
91st Cong.: H.R. 514.....	Elementary and Secondary Education Amendments of 1969.....	91-230
U.S. EMPLOYMENT SERVICE		
73d Cong.: H.R. 3905.....	For the relief of unemployment through the performance of useful public work.	73-5
H.R. 4559.....	To establish a national employment system and to provide for State cooperation in the promotion of such system.	73-30
74th Cong.: S. 147.....	To alter the amount apportioned to certain States for public employment offices affiliated with the United States Employment Service.	74-54
75th Cong.: S. 3516.....	To alter the ratio of appropriations to be apportioned to the States for public employment offices affiliated with the U.S. Employment Service.	75-782
76th Cong.: H.R. 4108.....	To provide for the transfer of U.S. Employment Service records, files and property in local offices to the States.	76-390
81st Cong.: S. 3546.....	To extend the act of June 6, 1933 (48 Stat. 113) as amended to Puerto Rico and the Virgin Islands.	81-775
ENVIRONMENTAL EDUCATION		
91st Cong.: H.R. 13260.....	Environmental Education Act.....	91-516
FARM LABOR		
89th Cong.: H.R. 6242, S. 524. ³	To provide for the registration of contractors of migrant agricultural workers.	88-582
GALLAUDET COLLEGE		
74th Cong.: S. 1180.....	To amend sec. 4865 of the Revised Statutes, as amended.	74-158
83d Cong.: H.R. 6655.....	To change the name of the Columbia Institution for the Deaf and define its organization and administration.	83-420
86th Cong.: H.R. 12699.....	To cancel a deed of trust to the United States from the predecessor in name of Gallaudet College and to quite the college's title in property belonging to it.	86-776
89th Cong.: H.R. 17190.....	To authorize the establishment and operation by Gallaudet College of a model secondary school for the deaf to serve the National Capitol region.	89-694
90th Cong.: H.R. 18203.....	To amend the Charter for the Gallaudet College.	90-415
91st Cong.: S. 4083.....	To authorize Gallaudet College to operate the Kendall School as a demonstration elementary school for the deaf.	91-587

³ Denotes bill number passed.

Number of bill	Title	
HANDICAPPED		
66th Cong.: H.R. 2847.....	To provide additional aid for the American Printing House for the Blind.....	24
69th Cong.: H.R. 13453.....	To amend the act providing additional aid for the American Printing House for the Blind.....	584
74th Cong.: H.R. 4688.....	To authorize the operation of stands in Federal buildings by blind persons to enlarge the economic opportunities of the blind.....	732
75th Cong.: H.R. 4582.....	To amend the act approved Aug. 4, 1919, as amended, providing additional aid for the American Printing House for the Blind.....	339
81st Cong.: H.J. Res. 228....	Authorizing an appropriations for the work of the President's Committee on National Employ the Physically Handicapped Week.....	81-162
82d Cong.: H.R. 1499.....	Providing additional aid for the American Printing House for the Blind.....	82-354
84th Cong.: S. 3259.....	To authorize wider distribution of books and other special educational material for the blind.....	84-922
85th Cong.: H.R. 13678.....	To provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf.....	85-905
H.R. 13840.....	To aid expansion of teaching in the education of mentally retarded children through grants to schools of higher learning and to State educational agencies.....	85-926
86th Cong.: H.R. 12458.....	To increase the amount authorized to be appropriated for the work of the President's Committee on the Employment of the Physically Handicapped.....	86-772
87th Cong.: H.R. 9011.....	To make available to children who are handicapped by deafness the specially trained teachers of the deaf needed to develop their abilities.....	87-276
H.R. 9030.....	To authorize wider distribution of books and other special instruction materials for the blind and to increase the appropriations authorized for this.....	87-294
88th Cong.: S.J. Res. 103....	To increase the amount authorized to be appropriated for the work of the President's Committee on Employment of the Physically Handicapped.....	88-321
89th Cong.: H.R. 7031 T.....	To provide for the establishment of a National Technical Institute for the Deaf.....	89-36
S. 2232.....	To provide a loan service of educational media for the deaf.....	89-258
90th Cong.: H.R. 18763.....	To authorize preschool and early education programs for handicapped children.....	90-538
91st Cong.: S. 1611.....	To amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped, and for other purposes.....	91-61
HEALTH AND SAFETY		
80th Cong.: H.J. Res. 244....	Relating to safety in bituminous-coal and lignite mines of the United States.....	80-328
82d Cong.: H.R. 7408.....	To provide for the prevention of major disasters in coal mines.....	82-552
87th Cong.: H.R. 8341.....	To authorize the Secretary of Interior to conduct a study covering the causes and prevention of injuries and health and safety conditions in metal and nonmetallic mines (excluding coal and lignite mines).....	87-300
89th Cong.: H.R. 3584.....	To amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines.....	89-376
H.R. 8989.....	To promote health and safety in metal and nonmetallic mineral industries.....	89-577
91st Cong.: H.R. 10946.....	To promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects.....	91-54
S. 2917, H.R. 13950.....	Federal Coal Mine Health and Safety Act.....	91-173
S. 2193, H.R. 16785.....	Occupational Health and Safety Act.....	91-596
HIGHER EDUCATION		
51st Cong.: S. 3714.....	To establish an educational fund and apply the proceeds of the public lands to the more complete endowment and support of colleges for the advancement of scientific and industrial education.....	249
83d Cong.: S. 1515.....	Granting the consent of Congress to certain Western States and the Territories of Alaska and Hawaii to enter into a compact relating to higher education and establishing the Western Interstate Commission for Higher Education.....	83-226
H.R. 9712.....	Grants the consent of Congress to certain New England States to enter into compacts relating to higher education in such State and establish the New England Board of Higher Education.....	83-719
84th Cong.: H.R. 12237.....	To assist the States in the establishment of State committees on education beyond the high school.....	84-813
88th Cong.: H.R. 6143.....	To authorize assistance to public and other nonprofit institutions of higher education in financing the construction or improvement of academic facilities in undergraduate institutions.....	88-204

Number of bill	Title	Number of law, Public Law—
HIGHER EDUCATION—Continued		
89th Cong.:		
H.R. 9567.....	To strengthen the educational resources of our colleges and universities and to provide financial assistance for students in higher education.	89-329
H.R. 14644.....	To amend the Higher Education Facilities Act to extend it for 3 years and to authorize assistance to developing institutions.	89-752
90th Cong.:		
H.R. 10943.....	To amend and extend Title V of the Higher Education Act of 1965.	90-35
H.R. 11945.....	To amend the college work-study program with respect to institutional matching and permissible hours of work.	90-82
H.R. 15067 (S. 3769)...	To amend the Higher Education Act of 1965, the National Defense Education Act, the National Vocational Student Loan Insurance Act of 1965, and Higher Education Facilities Act, and related Acts.	90-575
H.R. 16729.....	To extend for 2 years certain programs providing assistance to students at institutions of higher education and to provide for planning evaluation.	90-460
91st Cong.: H.R. 13194.....	To amend the Higher Education Act of 1965 to authorize Federal incentive payments to lenders with respect to insured student loans when necessary, in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education.	91-95
92d Cong.:		
S. 659, ^a H.R. 7248.....	Education Amendments of 1972.	92-318
S.J. Res. 260, ^a H.J. Res. 1286.....	Delay effectiveness of interest subsidy provisions of the student loan program.	92-391
H.R. 16883.....	National Commission on the Financing of Postsecondary Education.	92-531
HOWARD UNIVERSITY		
70th Cong.: H.R. 279.....	To amend sec. 8 of an act entitled "An Act to Incorporate the Howard University in the District of Columbia", approved Mar. 2, 1867.	70-634
75th Cong.: H.R. 9042.....	To amend section 2 of the act to incorporate the Howard University.	75-512
87th Cong.: H.R. 6302.....	To establish a teaching hospital for Howard University, to transfer Freedmens Hospital to the University.	87-632
IMPACT AID		
80th Cong.:		
H.R. 3682.....	To extend the period for providing assistance for certain war-incurred school enrollment.	80-317
H.R. 6527.....	To provide assistance to certain local school agencies over-burdened with war-incurred or post-war national defense incurred enrollment.	80-839
81st Cong.:		
H.R. 3829.....	To provide assistance to certain local school agencies with war-incurred enrollments where such agencies received similar assistance in any prior fiscal year.	81-306
H.R. 7940.....	To provide financial assistance for local educational agencies in areas affected by Federal activities.	81-874
83d Cong.:		
H.R. 6049.....	To provide a temporary program of assistance in the construction of minimum school facilities in areas affected by Federal activities.	83-246
H.R. 6078.....	To improve and extend for 2 years the provisions of Public Law 874 of the 81st Cong.	83-248
84th Cong.:		
H.R. 7245.....	To provide assistance to local educational agencies in areas affected by Federal activities under Public Law 815 and 874, 81st Cong.	84-382
H.R. 11695.....	To extend until June 30, 1958, the programs of financial assistance in the construction and operating of schools in areas affected by Federal activities.	84-949
85th Cong.:		
H.R. 8679.....	To provide a 1 year extension of the programs of financial assistance in the construction and operation of schools in areas affected by Federal activity.	85-267
H.R. 11378.....	To make permanent the programs providing financial assistance in school areas affected by Federal activities where such programs relate to children of persons who work on Federal property and to otherwise extend such programs until June 30, 1961.	85-620
INTERGOVERNMENTAL PERSONNEL EDUCATION		
91st Cong.:		
S. 11.....	Intergovernmental Personnel Act.	91-648

^a Denotes bill number passed.

Number of bill	Title	Number of law, Public Law—
JUVENILE DELINQUENCY		
87th Cong.: H.R. 8028.....	To provide Federal assistance for projects which evaluate and demonstrate techniques leading to the prevention and control of juvenile delinquency and youth offenses.	87-274
89th Cong.: H.R. 8131.....	To amend the Juvenile Delinquency and Youth Offenses Control Act of 1961..	89-69
90th Cong.: H.R. 12120.....	To assist courts, correctional community agencies to prevent, treat, and control juvenile delinquency to support research and training efforts in the prevention, treatment and control of juvenile delinquency.	90-445
92d Cong.: S. 1732, H.R. 6247.....	To extend the Juvenile Delinquency Prevention and Control Act of 1968.....	92-31
H.R. 15635.....	Juvenile Delinquency Prevention Act.....	92-381
DEPARTMENT OF LABOR		
74th Cong.: S. 857.....	To authorize the Department of Labor to continue to make special statistical studies upon payment of the costs.	34
76th Cong.: H.R. 5226.....	To authorize the Department of Labor to continue to make special statistical studies upon payment of the costs thereof.	35
87th Cong.: H.R. 6882.....	To provide for one additional Assistant Secretary of Labor in the Department of Labor.	87-137
LABOR-MANAGEMENT RELATIONS		
49th Cong.: H.R. 6034.....	To legalize the incorporation of national trade unions.....	90
59th Cong.: H.R. 25605.....	Establishes the Foundation for the Promotion of Industrial Peace.....	217
60th Cong.: H.R. 19662.....	To amend an act entitled "An Act to Establish the Foundation for the Promotion of Industrial Peace".	242
62d Cong.: H.R. 21094.....	To create a commission on industrial relations.....	300
72d Cong.: S. 4661.....	To repeal an act entitled "An Act to Legalize the Incorporation of National Trade Unions", approved June 29, 1886.	306
74th Cong.: S. 1958.....	To prevent causes of labor disputes burdening interstate or foreign commerce and to create a National Labor Relations Board.	198
80th Cong.: H.R. 3020.....	To protect the rights of workers in their relations with labor organizations, to prescribe equitable rules of conduct for labor and management and to recognize the public interest in labor disputes affecting commerce.	80-101
82d Cong.: S. 1959.....	To amend the National Labor Relations Act, as amended.	82-189
86th Cong.: H.R. 8342.....	To provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employees and to provide standards with respect to the election of officers of labor organizations.	86-257
89th Cong.: H.R. 5883.....	To amend the bonding provisions of the Labor-Management Reporting and Disclosure Act and the Welfare and Pension Plans Disclosure Act.	89-216
91st Cong.: S. 2068, ^a H.R. 4314.	To amend the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds for establishment of child day care centers.	91-86
92d Cong.: S.J. Res. 197, ^a H.J. Res. 1025.	To resolve the West Coast dock strike.....	92-235
LABOR STANDARDS		
50th Cong.: H.R. 1645.....	To limit the hours that letter-carriers in cities shall be employed per day...	103
52d Cong.: H.R. 8537.....	Relating to the limitation of the hours of daily service of laborers and mechanics employed upon the public works of the United States and of the District of Columbia.	193
62d Cong.: H.R. 9061.....	Limiting the hours of daily service of laborers and mechanics employed upon work for the United States or any Territory or the District of Columbia.	199
H.R. 18787.....	Relating to the limitation of hours of daily service of laborers and mechanics employed upon a public work and of persons employed on river or harbor work in the United States or District of Columbia.	408
71st Cong.: H.R. 16619.....	Relating to the rate of wages for laborers and mechanics employed on public buildings of the United States by contractors and subcontractors.	798
74th Cong.: S. 3303.....	To amend an act approved March 3, 1931 relating to the rate of wages for laborers and mechanics employed by public building contractors and sub-contractors.	403

^a Denotes bill number passed.

Number of bill	Title	
LABOR STANDARDS—Continued		
75th Cong.: H.R. 7274.....	To enable the Department of Labor to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices and to cooperate with the States in the promotion of such standards.	308
S. 2475.....	To provide for the establishment of fair labor standards in employment affecting interstate commerce.	718
76th Cong.: S. 1234.....	To amend sec. 15(e) of the Fair Labor Standards Act of 1938.	344
H.R. 9021.....	To require the payment of prevailing rates of wages on Federal public works in Alaska and Hawaii.	633
81st Cong.: H.R. 858.....	To clarify the overtime compensation provisions of the Fair Labor Standards Act as applied in the stevedoring and building-construction industries.	81-177
H.R. 5856.....	To provide for the amendment of the Fair Labor Standards Act of 1938 and for other purposes.	81-393
84th Cong.: H.R. 7214.....	To make the minimum wage \$1 an hour as of Mar. 1, 1956, under the Fair Labor Standards Act.	84-381
H.R. 11799.....	To amend the Fair Labor Standards Act, as Amended.	84-1023
85th Cong.: H.R. 7458.....	To amend the Fair Labor Standards Act to restrict its application in certain overseas areas.	85-231
H.R. 12967.....	To amend the Fair Labor Standards Act with respect to the frequency of review of minimum wage rates for Puerto Rico and the Virgin Islands.	85-750
87th Cong.: H.R. 3335.....	To provide coverage for employees of large enterprises engaged in retail trade or service and other employees engaged in commerce and to increase the minimum wage to \$1.25 under the Fair Labor Standards Act.	87-30
H.R. 10786.....	To establish standards for work hours and overtime pay of laborers and mechanics related to federally employed work.	87-581
88th Cong.: H.R. 6041.....	To amend the prevailing wage section of the Davis-Bacon Act and related sections of the National Housing Act and Federal Airport Act.	88-349
89th Cong.: H.R. 10238.....	To provide labor standards for certain persons employed by the Federal contractors to furnish services to Federal agencies.	89-286
H.R. 13712.....	To extend protection to additional employees and to raise the minimum wage under the Fair Labor Standards Act.	89-601
92d Cong.: H.R. 15376.....	To amend the Service Contract Act of 1965 to revise the method of computing wage rates under such act, and for other purposes.	92-473
S.J. Res. 197.....	To resolve the West Coast Dock Strike.	92-235
H.R. 9212.....	Black Lung Benefits.	92-303
S. 2318, ^a H.R. 12006.....	Longshoremen's and Harbor Workers' Compensation Act Amendments of 1971.	92-576

LIBRARIES

84th Cong.: H.R. 2840.....	To promote the development of public library service in rural areas.	84-597
86th Cong.: H.R. 12125.....	To amend the Library Services Act in order to extend for 5 years the authorization for appropriations.	86-679
88th Cong.: H.R. 4879.....	To amend the Library Services Act to increase the Federal assistance for the improvement of public libraries.	88-269
89th Cong.: H.R. 14050.....	To extend and amend the Library Services and Construction Act.	89-511
90th Cong.: H.R. 13048.....	To make certain technical amendments to the Library Services and Construction Act.	90-154
91st Cong.: S. 1519, ^a H.R. 10666.....	National Commission on Libraries and Information Science.	91-345
S. 3318, ^a H.R. 19363.....	Library Services and Construction Act.	91-600

MANPOWER DEVELOPMENT AND TRAINING

87th Cong.: S. 1991.....	Relating to the occupational training, development, and use of the manpower resources of the Nation.	87-415
S. 3529.....	To amend the Manpower Development and Training Act with regard to reimbursement of the railroad unemployment insurance account.	87-729
89th Cong.: H.R. 2263.....	To provide for a nationwide analysis of the extent and means of resolving the critical shortage of qualified manpower in the field of correctional rehabilitation.	89-178
H.R. 4257.....	To amend the Manpower Development and Training Act of 1962, as amended.	89-15
H.R. 16715.....	To amend the Manpower Development and Training Act of 1962.	89-729
91st Cong.: H.R. 497.....	To amend section 301 of the Manpower Development and Training Act of 1962, as amended.	91-4
92d Cong.: S. 3054 ^a	To amend the Manpower Development and Training Act.	92-277
H.R. 11570.....		
S. 31 ^a	Emergency Employment Act of 1971.	92-54

^a Denotes bill number passed.

Number of bill	Title	Number of law, Public Law—
MEMORIALS		
92d Cong.: H.R. 3613.....	To provide funds in honor of Dwight D. Eisenhower, the 34th President of the United States, to be used for construction of educational facilities at Eisenhower College as a memorial to his life and deeds.	90-563
MISCELLANEOUS		
92d Cong.: S.J. Res. 265....	To provide grants for Allen J. Ellender fellowships to disadvantaged secondary school students and their teachers to participate in a public affairs program.	92-506
NATIONAL DEFENSE EDUCATION		
85th Cong.: H.R. 13247.....	To strengthen the national defense to assist in improving educational programs to meet critical national needs.	85-864
87th Cong.: H.R. 9053.....	To amend Title II of the National Defense Education Act with respect to the periods for which loans may be made.	87-400
88th Cong.: H.R. 11904.....	To amend and extend the National Defense Education Act of 1958.....	88-665
NATIONAL EDUCATION ASSOCIATION		
59th Cong.: H.R. 10501.....	Incorporates the National Education Association of America.....	59-398
66th Cong.: H.R. 10917.....	To amend an act entitled "An Act to Incorporate the National Education Association", by adding an additional section.	66-206
75th Cong.: S. 709.....	To amend the act entitled "An Act to Incorporate the National Education Association of the United States", approved June 30, 1906, as amended.	75-146
NUTRITION		
82d Cong.: H.R. 1732.....	To amend the National School Lunch Act with respect to the apportionment of funds to Hawaii and Alaska.	82-518
87th Cong.: H.R. 11665.....	To revise the formula for apportioning cash assistance funds among the States under the National School Lunch Act.	87-823
89th Cong.: S. 3467.....	To strengthen and expand food service programs for children.....	89-642
90th Cong.: H.R. 15398.....	To amend the National School Lunch Act to strengthen and expand food service programs for children.	90-302
91st Cong.: H.R. 11651.....	National School Lunch Act.....	91-207
H.R. 515.....	National School Lunch Act and the Child Nutrition Act.....	91-248
92d Cong.: H.R. 5257.....	Providing a 2 year extension of school breakfast program and certain other special child feeding programs.	92-32
H.J. Res. 923,* S.J. Res. 157	School lunch and breakfast programs for needy children.....	92-153
S. 1163.....	Nutrition for the Aging.....	92-258
H.R. 14896.....	To assure that adequate funds are available for the conduct of Summer food service programs for eligible children.	92-433
RESEARCH AND DEMONSTRATION		
83d Cong.: H.R. 9040.....	To authorize cooperative research in education.....	83-531
89th Cong.: H.R. 14643.....	To provide for the strengthening of American educational resources for international studies and research.	89-698
ST. ELIZABETH'S HOSPITAL		
80th Cong.: H.R. 3870.....	To authorize certain expenditures from the appropriations of St. Elizabeth's Hospital.	80-353
H.R. 6289.....	To provide for the voluntary admission and treatment of mental patients at St. Elizabeth's Hospital.	80-737
81st Cong.: S. 2227.....	To enlarge the classes of persons admitted into St. Elizabeth's Hospital....	81-613
86th Cong.: H.R. 8127.....	To provide for the hospitalization at St. Elizabeth's Hospital in the District of Columbia and elsewhere of certain nationals of the United States found insane or mentally ill in foreign countries.	86-571

* Denotes bill number passed.

Number of bill	Title	
VOCATIONAL EDUCATION		
63d Cong.:		
S.J. Res. 5.....	To provide for the appointment of a commission to consider the need and report a plan for national aid to vocational education.	2 16
S.J. Res. 142.....	Authorizing the Vocational Education Committee to employ such stenographic and clerical assistants as may be necessary.	2 26
64th Cong.: H.R. 11250.....	To provide for the promotion of vocational education, to provide for cooperation with the States in the preparation of teachers and vocational subjects, and to authorize money to regulate its expenditure.	347
65th Cong.: S. 5038.....	Extending the use of the special fund for vocational education and authorizing the Federal Board for Vocational Education to accept gifts and donations for specific purposes.	279
70th Cong.: S. 1731.....	To provide for further development of vocational education in the several States and Territories.	702
71st Cong.: S. 5139.....	To extend the provisions of certain laws relating to vocational education and civilian rehabilitation in Puerto Rico.	791
73d Cong.: H.R. 7059.....	To provide for the further development of vocational education in the several States and Territories.	245
74th Cong.: H.R. 12120.....	To provide for the further development of vocational education in the several States and Territories.	673
79th Cong.: S. 619.....	To provide vocational education and retraining for youths and adults, including persons demobilized from essential war work, in order that individuals and the Nation may attain economic stability and security.	586
81st Cong.: H.R. 3105.....	To extend the benefits of the Vocational Education Act to the Virgin Islands.	81-462
87th Cong.: H.R. 4104.....	To amend Title II of the Vocational Education Act relating to practical nurse training.	87-22
88th Cong.: H.R. 4955.....	To improve the quality of vocational education opportunities in the Nation.	88-210
89th Cong.: H.R. 7743.....	To establish a system of loan insurance and a supplementary system of direct loans to assist students to attend post-secondary business, trade, technical, and other vocational schools.	89-287
90th Cong.: H.R. 18366 (S. 3770).	To amend the Vocational Education Act of 1963, and for related purposes.	90-576
VOCATIONAL REHABILITATION		
65th Cong.: H.R. 12212.....	To provide for vocational rehabilitation and return to civil-employment of disabled persons discharged from the United States military and naval forces.	178
66th Cong.: H.R. 4438.....	To provide for the promotion of vocational rehabilitation of persons disabled in industry and their return to civil employment.	236
68th Cong.: H.R. 5478.....	To amend sec. 1, 3, and 6 of an act entitled "An act to provide for the promotion to vocational rehabilitation of persons disabled in industry and their return to civil employment".	200
70th Cong.: H.R. 13251.....	To provide for the vocational rehabilitation of disabled residents of the District of Columbia.	801
71st Cong.: H.R. 10175.....	To amend an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry and their return to civil employment", approved June 2, 1920.	317
H.R. 12901.....	To extend the provisions of certain laws relating to vocational rehabilitation and civilian rehabilitation to Puerto Rico.	791
72d Cong.: H.R. 4743.....	To amend an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry and their return to civil employment," approved June 2, 1920, as amended.	222
78th Cong.: H.R. 2536.....	To amend the act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry and their return to civil employment," approved June 2, 1920, as amended.	113
83d Cong.: H.R. 9640.....	To assist in the extension of vocational rehabilitation services and to provide for more effective use of available Federal funds under the Vocational Rehabilitation Act.	83-565
84th Cong.: S. 3875.....	To amend sec. 4(a) of the Vocational Rehabilitation Act as amended.	84-937
85th Cong.:		
H.R. 7155.....	To amend sec. 4(a) and 7(a) of the Vocational Rehabilitation Act.	85-198
H.R. 8429.....	To amend the Vocational Rehabilitation Act.	85-213
89th Cong.: H.R. 8310.....	To assist in the financing and administration of State rehabilitation programs particularly with regard to the mentally retarded and other groups presenting special vocational rehabilitation problems.	89-333
90th Cong.:		
H.R. 12257.....	To amend the Vocational Rehabilitation Act to extend and expand the authorization of grants to States for rehabilitation services, and to provide assistance for migrant workers and to establish a National Center for Deaf-Blind Youth and Adults.	90-99
H.R. 16819.....	To amend the Vocational Rehabilitation Act to extend the authorization of grants to States for rehabilitation services and to broaden the services available for the handicapped under that act.	90-391
91st Cong.: H.R. 19401.....	Extension of the Vocational Rehabilitation Act.	91-610

2 Public resolution.

Number of bill	Title	Number of law, Public Law—
WELFARE AND PENSION PLANS		
85th Cong.: H.R. 13507.....	To provide for reporting and disclosure of employee welfare and pension plans.	85-836
YOUTH CONSERVATION CORPS		
91st Cong.: S. 1076,* H.R. 15361.	Youth Conservation Corps.....	91-378
92d Cong.: S. 2454,* H.R. 16563.	To expand the Youth Conservation pilot program.....	92-597

* Denotes bill number passed.

APPENDIX 2

ESTIMATE OF DIVISION OF TIME AND EFFORT SPENT BETWEEN EDUCATION BILLS AND LABOR BILLS ¹

The committee work does not lend itself to division into the education and labor categories. Some committee subjects are both education and labor, some fit neither category.

Attached is a breakdown of bills referred to the Committee during the 92d Congress by subject, and a summary of the action taken on each of these bills.

During the 92d Congress 1,118 bills were referred to the Committee on Education and Labor. These bills may be placed in the following categories:

Aged and aging.....	102
Arts and humanities.....	4
Compensation:	
Federal employees.....	20
General.....	39
Longshoremen's and Harbor Workers' compensation.....	7
Workmen's compensation.....	2
Discrimination.....	12
Economic Opportunity Act of 1964 (poverty).....	43
Education:	
Adult education.....	4
Elementary and secondary education.....	41
Federally impacted areas.....	10
General.....	174
Higher education.....	72
International education.....	2
National Defense Education Act.....	12
Vocational education.....	8
Fair Labor Standards Act.....	23
Government contracts.....	21
Juvenile delinquency.....	8
Labor:	
Davis-Bacon.....	4
Labor-management relations.....	87
Libraries.....	5
Manpower.....	65
Migratory labor.....	12
Miscellaneous.....	73
Noxious and obscene materials.....	2
Physically handicapped.....	49
Safety.....	123
School lunch.....	30
Welfare and pension plans.....	30

A more detailed statement of the disposition of bills referred to the Committee on Education and Labor is given below.

¹ This material submitted in response to request by Mr. Martin and Mr. Wiggins.

Full committee

Forty-eight days of hearings were held on legislation to extend the Economic Opportunity Act of 1964 involving 43 similar, related, or identical bills. The major bills considered were H.R. 40, H.R. 6394, H.R. 6360, H.R. 8163, H.R. 10351, and H.R. 12350.

The end result was the "Economic Opportunity Act of 1972" (P.L. 92-424). A legislative history of this Public Law follows:

August 3, 1971—H.R. 10351 introduced.

September 8, 1971—Reported to House (H. Report 92-471).

September 30, 1971—Passed House, amended.

December 7, 1971—House adopts conference report.

December 9, 1971—Vetoed by President.

December 15, 1971—H.R. 12350 introduced.

February 4, 1972—Report filed in House (H. Report 92-815).

February 17, 1972—Passed House.

September 5, 1972—Conference report passed in House.

September 19, 1972—Approved, Public Law 92-424.

Eleven days of oversight hearings were held on the Elementary and Secondary Education Act. Forty-one bills were introduced on that subject during the 92nd Congress. The major bills considered by the committee were H.R. 7796, The Education Revenue Sharing Bill and H.R. 981, H.R. 1491, H.R. 44, H.R. 6179, and H.R. 12695.

Three days of hearings on School Lunch and Child Nutrition legislation were held by the full committee. In the field of child nutrition 36 bills were referred to the committee and hearings were held on H.R. 13452, H.R. 14494, and H.R. 14896. Three Public Laws were enacted in the 92nd Congress.

Special Subcommittee on Education

Seventy-two bills on Higher Education were introduced during the 92nd Congress. The Special Subcommittee on Education held 12 days of hearings on this subject. The hearings resulted in the passage of H.R. 7248 (S. 659) by the House which was approved by the President on June 23, 1972. (Public Law 92-318.)

The legislative history of the Education Amendments of 1972 follows:

April 6, 1971—H.R. 7248 introduced.

October 8, 1971—Reported to House (H. Report 92-554).

November 4, 1971—Passed House.

June 23, 1972—Approved, Public Law 92-318.

The subcommittee also held 2 days of hearings on the Guaranteed Student Loan Program. (H.R. 15884.)

Special Subcommittee on Labor

The Special Subcommittee on Labor held hearings on the following subjects:

Nine days of hearings on the Service Contract Act. (H.R. 6244, H.R. 6245, H.R. 11884 and 3 related bills);

Fourteen days of hearings on the National Labor Relations Act. (H.R. 7152, H.R. 11357 and 39 related bills);

One hearing on Joint Industry Promotion (H.R. 6195);

One hearing on Terms of Office of local union officials (H.R. 9 and H.R. 567 and related bills);

Four bills were introduced on the Day Labor Protection Act on which 2 days of hearings were held;

Ten resolutions were introduced on the West Coast Dock strike and 3 days of hearings were held on that subject;

Ten days of hearings on Labor-Management Relations in the Public Sector on 13 bills introduced on that subject; and

Two days of hearings on Trust Funds for Legal Services (H.R. 13938).

Action by this Subcommittee resulted in 2 Public Laws:

Public Law 92-235—To Resolve the West Coast Dock Strike.

Public Law 92-473—To amend the Service Contract Act of 1965 to revise the method of computing wage rates under such act.

General Subcommittee on Labor

Six bills were introduced proposing legislation to promote Equal Employment Opportunities for American workers. On March 24, 1972 the President signed H.R. 1746 which became Public Law 92-261.

Three bills were introduced, and five days of hearings were held, on legislation to amend the Federal Coal Mine Health and Safety Act with respect to the requirement for notification and reports to the Secretary where coal mine accidents occur.

Twenty-two bills were introduced to extend minimum wage coverage and increase the wage level. The General Subcommittee on Labor held 5 days of hearings on H.R. 7130 and related bills. Both the Senate and House passed legislation to increase the minimum wage but the House refused to send the bill to conference.

Two days of oversight hearings were held on Private Welfare and Pension Reform. (H.R. 1269 and 18 related bills.)

Twenty-four bills were introduced on Black Lung during the 92nd Congress and a hearing was held on extension of Black Lung Benefits. This resulted in Public Law 92-302.

Oversight hearings were held on unemployment problems in the film industry and on the Mobile Teachers Retirement Act.

General Subcommittee on Education

The General Subcommittee on Education held 5 days of hearings on eight bills dealing with various provisions of the Juvenile Delinquency Prevention and Control Act. This resulted in Public Law 92-31.

The subcommittee and the full committee held 15 days of hearings on the Equal Educational Opportunities Act, H.R. 13915. This legislation was passed by the House on Aug. 17, 1972.

Nine days of hearings were held on the financing of Elementary and Secondary Education and 2 days of hearings were held on H.R. 16202, the Public and Private Education Assistance Act of 1972.

The subcommittee also held extensive hearings on several subjects which were later incorporated into the Education Amendments of 1972 (P.L. 92-318). These included: 4 days of hearings on Emergency School Aid Act of 1971 (H.R. 2266); 6 days of hearings on the Indian Education Act of 1971 (H.R. 8937); and a hearing on Vocational Education.

Select Subcommittee on Labor

Twenty bills were introduced on Emergency and Public Employment. Six days of hearings were held on the subject. On July 21, 1971 the President signed Public Law 92-54 (Emergency Employment Act of 1971).

Sixty-five bills were introduced to amend the Employment and Manpower Act of 1971. Following 22 days of hearings by the subcommittee the President signed S. 3054 which became Public Law 92-277.

Three days of oversight hearings were held on the Federal Metallic and Non-metallic Safety Act, and on the Sunshine Silver Mine Disaster.

The subcommittee held hearings on the Youth Conservation Corps (H.R. 10456 and 11 other similar and related bills) which resulted in Public Law 92-597. Three days of hearings were held on bills to amend the Longshoremen's and Harbor Workers' Compensation Act which resulted in Public Law 92-576. Eight bills were introduced on the subject.

Two days of hearings on Youth Camp Safety (H.R. 1264) were held during the 92nd Congress. Public Law 92-318 includes a provision for the Secretary of H.E.W. to report to the Congress by March 1, 1973 on existing conditions in youth camps and the need for Federal standards. All told, six bills were introduced on the subject.

Select Subcommittee on Education

Eight days of hearings were held on legislation to establish a National Institute of Education. A National Institute was created by Public Law 92-318 (Education Amendments of 1972).

Two days of hearings were held on the Comprehensive Child Development Program. The provisions of H.R. 6748 (Comprehensive Child Development Act)

were incorporated in S. 2007 (Economic Opportunity Act Amendments) which was vetoed by the President. Thirty-two child care and child development bills were introduced during the 92nd Congress.

Forty-nine bills were introduced on Vocational Rehabilitation. The subcommittee held 4 days of hearings on providing vocational rehabilitation services for the disabled. H.R. 8395, the major legislation to come out of these hearings, was later vetoed by the President.

The subcommittee also held hearings on other pieces of legislation including 2 days of oversight hearings on the Drug Abuse Education Act, 2 days of hearings on the Museum Services Act (H.R. 18677) and 2 days on Environmental Quality Education Act.

Subcommittee on Agricultural Labor

The subcommittee held hearings on the following subjects:

Four days of hearings were held on the Farm Workers Bill of Rights (H.R. 5010 and 4 other bills).

Five days of hearings were held on the Agricultural Child Labor Act of 1971 (H.R. 10499).

The Farm Workers' Compensation Act (H.R. 11007 and related bills) was reviewed at 4 hearings.

The subcommittee held oversight hearings on farm workers occupational safety and health problems and held 2 days of hearings on wage-setting procedures under the Sugar Act.

APPENDIX 3

PERSONNEL AND OFFICES OF THE COMMITTEE ON EDUCATION AND LABOR, MAY 1973

Standing Committee Staff	12
Majority	9
Minority	3
Investigating Committee Staff	29
Majority	18
Minority	11
Subcommittees	43
General Subcommittee on Education	3
Special Subcommittee on Labor	6
General Subcommittee on Labor	3
Pension Task Force of the General Subcommittee on Labor	6
Majority	4
Minority	2
Select Subcommittee on Labor	5
Select Subcommittee on Education	5
Special Subcommittee on Education	4
Subcommittee on Equal Opportunities	5
Subcommittee on Agricultural Labor	6
Total	84
Total Majority	68
Total Minority	16

[NOTE. This material is submitted in response to Mr. Wiggins.]

ROOMS ASSIGNED FOR THE USE OF THE COMMITTEE ON EDUCATION AND LABOR

Rayburn Building.—2100, 2174, 2175, 2176, 2178, 2181, 2451, B-345-A, B-345-B, B-346-A, B-346-C.

Longworth Building.—1040.

Cannon Building.—320, 402.

Hotel Annex.—616, 617, 618, 619.

STATEMENT OF HON. BELLA S. ABZUG, A REPRESENTATIVE IN CONGRESS FROM THE
STATE OF NEW YORK

Mr. Chairman, I appreciate this opportunity to present testimony to this committee. You are coping with the almost impossible job of studying the committee system of the House and recommending changes. It is an impossible job because the present committee structure itself is almost impossible. I would like to make a recommendation which might simplify your job and all our lives:

That we abolish the present committee system entirely and replace it with a system of ad hoc committees.

I realize that this suggestion may seem startling but I assure you it is not facetious.

Other witnesses have pointed out the last major reorganization of our Committee structure occurred in 1946, at which time 80 active committees existed as well as many minor, largely inactive committees. At the most recent count there were 34 House standing and special committees, and 148 House standing and special subcommittees. The 435 House Members must fill 2,452 committee and subcommittee slots—an average of 5.6 per Member. Obviously no Member can devote sufficient attention to all these assignments in addition to other work. Nor is there even a coordinating body to prevent the scheduling of subcommittee meetings of the same committee at the same time.

It has been suggested that there should be fewer standing subcommittees and that each Member should be limited to serving on only one subcommittee of a standing committee. In lieu of more sweeping change, this might be a good beginning.

I feel, however, that much more fundamental change is needed. The present system perpetuates each committee as an institution in its own right. Rather than allowing the flexibility needed for these fast-changing times, it freezes the legislative process. Each year, each committee handles bills quite similar to those of previous years; the same committee members and the same staff go over much the same ground, with results never too much at variance from earlier bills. Only the addition every two years of one or two new members brings new thinking—and then, as Mr. Drinan testified, new members feel voiceless and powerless.

It is the Chair that decides on legislation to be considered, the number and kind of staff required, the witnesses at hearings. If the Chair refuses to move on a bill, other members have very little recourse.

Committee seniority and eventual chairmanship conveys enormous power—so much so, in fact, that articulate members of the minority party urge strengthening party leadership at the expense of committee leadership. The views of the Chair are crucial to the fate of any piece of legislation. They are vital to the careers of other members who may or may not get the assignment they desire. In both these ways they are determining factors in the nation's history.

Most of us take our committee responsibilities very seriously and feel a real sense of accomplishment in securing a good piece of legislation. But the built-in frustrations of the present system could be lessened, I feel, if we adapted our methods to the realities of present times. To do this we must cease to institutionalize the process. We must make it possible to appoint committees to fill urgent, specific needs, and to dissolve them when their function is fulfilled.

As just one example, if there was ever a need for the House Internal Security Committee, that need has long since ceased to exist. Yet year after year this committee, receives huge sums of money to bark up the same old tree, while our real internal security is being destroyed by corrupt men at the head of Government. The Senate's Committee on Watergate and related issues is a good example of a temporary committee filling an urgent need.

Suppose, further, that we had been working for some time with a system of ad hoc committees. Along about 1963 there would have been a committee in the House, and one in the Senate, on Maintaining Peace in Indochina. Such a committee would have held hearings on the desirability of U.S. support for the various regimes in the area; on the cost of such support, and its impact on domestic and foreign relations. Pentagon and White House spokespersons would have been listened to, but so would peace groups and specialists in Asian affairs. It is conceivable that the Congress would have passed legislation then, a decade ago, prohibiting the use of American men and money in Indochina—and the world's history would have been different. As it was, the Congress never dealt directly

with the total situation, but only with bits and pieces such as the Tonkin Gulf Resolution, the Cambodian bombing and the almost automatic appropriations for the Department of Defense. There was no coordinated effort to take a broad national view of this greatest of national issues. Yet it is our responsibility, along with the Senate, to set the course for the country, not merely to react to administration actions. The plan I propose might make this possible.

If party caucuses could meet immediately after election to evaluate the Nation's priorities, we could then appoint—or perhaps even elect—members of ad hoc committees, or “sub-caucuses” on these issues. These groups would be responsible for guiding every phase of relevant legislation through the Congress, and could deal with crises before rather than after the fact. Terms should be limited, perhaps to two years. Staff could be drawn from a central pool, because the talents acquired through committee work are transferable to some extent; the expertise need not be lost. But the “buddy” relationship that inevitably grows up between long-term staff and members would be lessened, hence less influential.

I would like to concur in the recommendation of other witnesses, that the authorization and appropriations functions should be combined. The present system amounts to a cumbersome and time-consuming duplication of effort. Worse, the all-powerful Appropriations Committee often succeeds in thwarting the will of the Congress as expressed in authorization bills.

For instance, in Fiscal Year 1970, the Committee appropriated only 45 percent of the funds authorized for the Department of Health, Education and Welfare and only 74.8 percent for the Department of Housing and Urban Development. How can the 55 members of this committee rescind the judgment of the 435 Members of Congress? Is there any valid reason why the House, and also the Senate, could not at one and the same time vote to authorize and appropriate funds recommended by the ad hoc committees in their areas? This would give us one period of hearings and debate rather than two and should cut the time spent almost in half.

If I may turn briefly to another facet of these hearings:

There has been much discussion of committee staffing and minority party representation. I would like to point out another minority problem: that of women on committee staffs.

The Capitol Hill Women's Caucus has analyzed the positions as of December 1972, and reports the following situation:

The 21 Standing Committees of the House had 189 male employees and 103 female employees. As usual, the female employees' salaries ranged from an average low of \$6,456.43, to a high around \$11,000 with the single exception of the Education and Labor Committee, where the employment of professional women brings the average up to \$16,303.32.

By contrast, the lowest average for men is \$11,000—the highest, over \$17,000. Two committees have only one woman employee; two others have two. The average is 9 male employees and 4.9 female employees.

Obviously, while approving affirmative action programs for other agencies, the Congress has applied no such standards to the staffing of its own Committees.

I am including the full report in my testimony, with the hope that next year's report will look very different: (See Appendix A).

I hope that this Committee will give some thought to the proposals presented here. If we are to reclaim congressional authority, it is imperative that we accelerate our pace.

It is often said that the Founders deliberately set up a slow-moving vehicle to prevent hasty and unwise decisions. This is a sound principle if we do not let it immobilize us. The Founders were planning for times they could foresee; they could not have imagined a world in which we could travel at the speed of sound, walk on the moon, choke on our own pollution, overpopulate the globe, consume resources faster than produce them, and invent many ways of destroying the entire human race. It wasn't like that in 1776.

When we defend our plodding ways on the basis of the Founders' intent, we demean their intelligence. Jefferson, that inventive genius, would have been the first to insist that we modernize—for example, using computers as we have at last begun to do. But when we compare our new toy for recording votes with the hundreds of computers used by the State Department, the Department of Defense and almost every other agency, we begin to see how backward we truly are.

Our physical tools, our organizational structure, and most of all, our attitudes, must begin to reflect the future, not the past.

APPENDIX

STUDY LIMITED TO—6 MONTHS, JULY 1, 1972, TO DEC. 31, 1972; FULL-TERM EMPLOYEES

Overall, 21 standing committees of House	Number	Male		Number	Female	
		Total	Average		Total	Average
Agriculture	5	\$70,220.76	\$14,044.15	6	\$58,795.62	\$9,799.22
Appropriations	43	508,158.62	11,817.64	14	90,390.06	6,456.43
Armed Services	12	157,764.78	13,147.04	10	79,758.06	7,975.80
Banking and Currency	8	135,101.82	16,887.72	1	11,346.12	11,346.12
District of Columbia	8	89,159.58	11,144.94	1	8,540.64	8,540.64
Education and Labor	8	138,976.50	17,372.06	3	48,909.96	16,303.32
Foreign Affairs	8	118,354.92	14,794.36	5	57,670.68	11,534.13
Government Operations	5	87,147.78	17,429.55	5	41,711.16	8,342.23
House Administration	8	122,559.68	15,319.96	3	19,553.11	6,517.70
Interior and Insular Affairs	6	102,529.98	17,088.33	4	34,551.24	8,637.81
Internal Security	9	132,011.80	14,667.97	2	18,554.52	9,277.26
Interstate and Foreign Commerce	12	190,533.24	15,877.77	3	26,250.66	8,750.22
Judiciary	7	115,518.16	16,502.59	6	63,019.98	10,503.33
Merchant Marine and Fisheries	8	114,580.91	14,322.61	3	28,797.96	9,599.32
Post Office and Civil Service	7	115,591.59	16,513.08	3	30,943.35	10,314.45
Public Works	7	110,360.28	15,765.75	5	47,847.00	9,569.40
Rules	1	10,999.98	10,999.98	5	52,905.00	10,581.00
Science and Astronautics	7	112,793.52	16,113.36	4	29,018.16	7,254.54
Standards of Official Conduct	3	51,792.60	17,264.20	2	15,825.00	7,912.50
Veterans Affairs	6	97,771.50	16,295.25	5	40,127.04	8,025.40
Ways and Means	11	176,064.14	16,005.83	13	90,510.99	6,962.38

Note: 189 male employees, 9 per committee; 103 female employees, 4.9 per committee. 2 employees where the sex was not indicated by the name were excluded.

STATEMENT OF HON. THOMAS LUDLOW ASHLEY, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF OHIO

Dear Mr. Chairman, the purpose of this communication is to propose the establishment of a Joint Committee on National Growth and Land Use Policy to provide guidance and to oversee and monitor Federal and federally-sponsored activities and programs that collectively shape our patterns of national land use and development. Presently, this is a matter of vital interest to many standing committees but the single responsibility of none.

I'm pleased to advise that this proposal has the support of the Advisory Commission on Intergovernmental Relations, the American Institute of Architects, the American Institute of Planners, the Urban Land Institute, the Governors Conference, the National League of Cities, the Conference of Mayors and the Conservation League.

The decision to propose this joint committee, either by a separate resolution or as an amendment to the land use bill soon to be reported by the Committee on Interior, was not taken lightly. We are all well aware of the unusual demands on every Member's time. Just keeping up with our work within the standing committees is difficult enough. But it has grown increasingly apparent during the last several years that there is many a slip between the cup and the lip when it comes to what Congress intends when it enacts major legislation and the actual results we get when the Act is implemented. This is not solely the fault of the executive agencies. All too often the Congress itself has acted without full awareness of the possible connections between a bill brought to the floor by one committee to achieve a special purpose and a bill brought before us for a separate purpose by still another committee. Yet it is the overall impact of such legislation that shapes the way the country develops.

If we are to maintain the balance of powers so essential to the successful functioning of this Government, Congress is going to have to have the instruments it needs to evaluate the consequences that flow from the legislation it enacts. We are at the mercy of the specialized agencies of the executive branch in the information we receive about these special programs and the effects they are having on the country. The standing committees are excellently equipped to evaluate the activities of the agencies over which they preside.

But many Members are coming to realize that the actions and programs of the agencies when all taken together are what really shape the way this country has grown. Sometimes what we have authorized in good conscience for a special purpose conflicts with something else we have also authorized. The total result is often less than we hoped for, but we do not hear about it because each of the

agencies, reporting to its own standing committee, looks at the problem from its own narrow point of view. We do not get all the facts because no one knows the facts. And Congress must have facts to legislate. We cannot blame the executive branch entirely for this state of affairs. The fault is in ourselves and the way we are organized to deal with these questions when they involve the interests of more than one or two of the standing committees.

No better example of the need to have the facts is likely to come before us than this bill to establish a national land use policy. Its subject and concerns touch the interests of the majority of standing committees.

Nearly every legislative committee has responsibilities which affect the Nation's future development and land use.

The Committee on Interior and Insular Affairs has brought this vital legislation before us at the same time that it is deeply concerned with closely related questions involving our future sources of energy and supplies of material.

The Committee on Banking and Currency is urgently concerned with assuring that land is available in the right places and the right times for the future housing and development needs of the country. The committee has urged for several years the development of national policies on urban growth—policies very much related to the matters at issue in the land use legislation presently before us. It was because of this that the House approved the Urban Growth and New Community Development Act (42 U.S.C. 4501) in the 1970 housing bill calling upon the President to submit recommendations that would lead to the development of a national urban growth policy.

The Committee on Agriculture and Forestry has been much concerned for many years with the problems created in our rural areas as the population has drifted away to the metropolitan areas. On the recommendation of that committee we approved a Rural Development Act in 1972 that has as its purpose the achievement of balanced national growth. Over in the other body, the Committee on Agriculture and Forestry has before it legislation concerning this same matter.

Just recently, the Committee on Merchant Marine and Fisheries issued the results of its extensive hearings into the over-arching problems of national growth.

The Committee on Public Works in both the House and Senate, given their concerns with regional development, the development of our highway system, the management and quality of our air and water, and the construction of major public projects have a profound interest in these same matters and have considered over the last several years the need for a national development policy to harmonize the many activities of the national Government in this field.

The Committee on Interstate and Foreign Commerce has had equally great interest in connection with the impact of the transportation and communication activities of the Federal Government.

The responsibilities of nearly all other standing committees have an equally important bearing on the problem. As a matter of fact, last year the Committee on Interior and Insular Affairs in the other body inventoried the committees of the House and Senate with direct interests in land use policies and practices and found 11 in each House, plus one joint committee, which have continuing responsibilities in issues relating to national land use policies and practices.

That same study found that 23 Federal departments and Federal agencies have programs related to land use policy and planning. There were 112 Federal land oriented programs.

Each of us has a good idea of what should be accomplished under the separate bills with which we are concerned, but Congress has no way of knowing what the cumulative consequences of all these separate actions on the future growth and development of the country might be. There is little doubt that most of us are disappointed with the results we have sometimes achieved in the past and we are frustrated when the executive branch is unable to fully apprise us about what the over-all impact of Federal programs is on the way the country is growing.

Some of the European nations are trying to sort out these problems. They are trying to put together policies that are harmonized so they do not have some of the accidental results of the kind that we have had within this country.

Most Members are concerned over the unbalanced development of the Nation which has occurred during the past five or six decades. Most of us recognize that much of rural America has been decimated as the country has become more metropolitan. Most of us are concerned with the enormous economic and social costs of

central city decay. Most of us worry over the mismatch between where people who need jobs the most can live and where most of the new jobs are located. Most of us are well aware that we are in an environmental and resource crisis because of our unbalanced approach to national development. Most of us know that a policy on land use and a policy on national growth are closely linked. And most of us readily acknowledge that Federal policy has a heavy influence over all this.

But the fact is, Mr. Chairman, that we are not adequately equipped to do very much about making collective sense out of these policies. It is little wonder then that some of these programs have results we did not and could not anticipate.

Back in 1970, the Office of Management and Budget and the Economic Development Administration in the Department of Commerce tried to identify how the expenditure of Federal dollars was affecting the Nation's patterns of growth. They measured the proportion of the country's population living in the poorest and richest counties, the slowest-growing and fastest-growing counties, the metropolitan areas of more than one million and those less than one million. They measured those living in rural counties and those living in central cities and those living in suburban versus those living in depressed counties.

They then measured the proportion of Federal dollars flowing into each of those categories. They found twice as much proportionately flowing into the rich, fast-growing areas as into the poorest. The largest proportion by far is flowing into the most congested, fastest developing areas. The flow of Federal dollars in most cases reinforces the existing trends of development and land use in the country.

A few other studies have tried to identify which of the Federal programs have the heaviest influence on the location of population and economic growth.

It would surprise none of us that these studies discovered that of all programs involving direct Federal expenditures, the national highway program, under the jurisdiction of the Committee on Public Works, has the most profound effects on land use and patterns of growth.

The sewer and water programs, which are scattered among several Federal agencies and among the jurisdictions of several standing committees, rank next in impact among Federal direct grant programs.

Several other programs, all under the jurisdiction of the Committee on Banking and Currency, have important influence as well, particularly the housing guarantees of the Federal Housing Administration, urban renewal—and, looking into the future, new community assistance. One of the most important influences on the use of land for housing, however, falls under the jurisdiction of the Ways and Means Committee—housing interest deductions under the Internal Revenue Code.

The most disturbing thing about these studies carried out for the Economic Development Administration by the Center for Political Research is that of the 42 direct Federal assistance programs surveyed, only these few programs seemed to have had or will potentially have moderate or heavy influence on national land use and settlement patterns. Most others although they might have great local significance appear to have only a light or negligible effect nationally. Yet Congress has enacted a great many programs in the past decade and a half specifically intended to ameliorate some of the lack of balance in our national growth patterns.

We have passed rural development programs. We have created special urban and regional development programs. We have launched special programs in housing. We have approved special planning assistance and environmental programs. But few of these, if we can believe the studies, seem to have had any major national impact on the way the country is growing and the way our land is being used.

An analysis of the budget provides one of the principal explanations for our disappointment. Until recently, one third of our Federal outlays have gone for space, and defense, and international relations, a little more than an additional one third has gone for the general functions of Government. Most of these expenditures—nearly 70 percent of our total outlays go to the richest, fastest growing, most intensively developed sections of the country. There is a direct correlation between these expenditures and where the fastest growth has been.

The remaining one third of our outlays have been allocated to resource and environmental programs (about seven percent), social development programs (a little over 10 percent) and urban and regional development programs (just under 15 percent). Responsibilities for this vast array of separate programs are spread throughout the executive branch and among many of the standing committees of Congress. Analysis of their separate objectives finds them in conflict or

redundant in many cases; one program giveth while another taketh away. The fact is that Congress is not equipped at the moment to look at all these Federal programs as a coherent whole and to assure that they make collective sense.

Even if they did add up to a whole, however, under our present approach we are expecting programs financed with less than a third of Federal outlays to dampen or ameliorate the effects achieved with expenditures made under the other two-thirds of the budget. I submit that therein lies one of the key sources of disappointment in many of these domestic programs and their seeming inability to achieve the results we wish.

But this does not necessarily mean that our only recourse is to drastically increase our expenditures for domestic programs and cut way back on our international and military obligations. These same studies seem to indicate that the most powerful tools at the disposal of Congress for restoring some balance to national growth and land use are not those we achieve through appropriations for assistance to State and local government, but the direct actions of the Federal Government itself.

Much of our evidence about the success or failure of Federal policy in terms of its influence on achieving more orderly national growth is uncertain and fragmentary. We lack the mechanisms we need to make such an evaluation.

This bill, which would establish a whole new thrust in our continuing attempt to bring some order out of our patterns of national growth and land use should provide for the establishment of a new instrument to strengthen the hand of Congress in these matters. This is why this amendment authorizing the establishment of a Joint Committee on National Growth and Land Use Policy is proposed.

Twenty-seven years ago, at the conclusion of World War II, Congress faced the need to devise instruments of economic policy that would help us get through the transition from a war-time to a peace-time economy. That led to the Employment Act of 1946. Congress recognized then that economic policy was a pervasive subject involving many of the committees of Congress and many of the executive departments and agencies. In recognition of that fact, Congress established the Joint Economic Committee to provide advice and direct studies that would benefit all of the standing committees in carrying out their legislative responsibilities.

We are now at another watershed in national policy. We are concerned not just with the fiscal and monetary aspects of economic policy, but with its implications for the distribution of economic activity across the face of the land as well.

We are concerned with the interactions between economic policy and environmental and resource development policy. We need to assure the adequate provision of land for housing and urban development while at the same time minimizing disruptions of the national environment and the waste of national resources. We want to measure the best ways to meet our continuing commitment to the improvement of social conditions and the quality of national life while protecting our natural wealth. We want to restore some balance, urban and rural, to our national system.

And we cannot do that unless we have the means to determine what problems we wish to correct, what cause and effect linkages exist between Federal policies and these problems, what decision levers we have at our disposal, and the possible consequences likely to flow from alternative actions that Congress might take.

Congress has already directed the Executive to prepare or have prepared environmental impact statements in connection with major public or publicly related projects as one step in this direction. We have authorized the establishment within Congress of a new office to help us assess the future consequences likely to flow from the introduction of specific technologies. The President is required, under the Housing and Urban Development Act to submit a report on urban growth every two years and the present bill requires regular reports from the Council on Environmental Quality.

But Congress must have means for scanning the broad landscape of Federal actions and responsibilities and the means for informing itself of the probable consequences of actions we have taken or are about to take for national growth and development. We also need a means for overseeing the relevant Federal activities and providing reports to the relevant standing committees. In these years of rapid social and economic change we have no alternative but to move toward an "anticipatory democracy" that tries to clearly see where it is going.

Without such mechanisms in such an era Congress cannot maintain the legislative initiatives and the effective checks and balances required to make our form of government work.

It is proposed that the Joint Committee on National Growth and Land Use Policy have three principal functions:

(1) To file with the House of Representatives and the Senate, beginning with the second year of its existence, an annual report containing its findings and recommendations with respect to the actions of executive agencies, States, and local governments that will have a significant impact on national development and land use.

(2) Provide broad oversight for all major Federal and federally-financed programs having a significant impact on national growth and development. To assist in this oversight, the Council on Environmental Quality shall report to the joint committee each year on the extent to which executive policies and actions have been harmonized toward the development of policies for future national growth. The joint committee could call such other witnesses from executive agencies and the general public as it deems appropriate to obtain the information it requires in its report to Congress.

(3) Conduct special studies to assist the standing committees of Congress in determining means for improving and harmonizing national policies and programs to achieve more desirable patterns of national growth and development so as to conserve our national environment and resources, promote balanced development of the country, and assist in achieving the Nation's economic and social objectives.

It is essential that the provision for establishing such a mechanism be included in this bill.

The legislation is designed to provide major incentive to State and local governments to develop policies and processes for more effective land use planning. It will require substantial professional skills in the executive branch to assure that the objectives of the legislation will be achieved successfully.

The bill requires consultations among the Departments of Agriculture, Commerce, Defense, Health, Education, and Welfare, Housing and Urban Development, Transportation as well as the Atomic Energy Commission; the Federal Power Commission, and the Environmental Protection Agency. Past experience with such interagency consultations offers little hope for successful coordination and policy. For the most part, such committees have functioned as committees of peers more interested in accommodating their separate agency interests than in obtaining the innovative objectives of the legislation. Conflict is steadily distilled out of their deliberations until the lowest common denominator of agreements is reached. Too often our hopes for past legislation have foundered on the rocks of these interagency committees, particularly when they are chaired by a cabinet officer who can attain authority only by negotiation over activities in another agency.

If the Executive is not to be properly structured to meet the comprehensive responsibilities envisioned under this bill, then Congress must have a greatly strengthened hand to oversee execution of the programs authorized under the bill and to assure effective orchestration of these programs with those authorized under other closely related, but separate legislation.

A highly competent oversight of Federal, State, and local activities assisted under this bill can help assure Congress that the objectives it has in mind will be achieved.

No existing committee in Congress, with all deference to the splendid staff of both Committee on Interior and Insular Affairs, has the resources, time, or staff to monitor the Land Use Policy and Planning Act on a continuing basis on behalf of all the standing committees of Congress that have a legislative concern for the manner in which the program is administered and the impact it is having on programs within their own jurisdictions.

The precedent of the Joint Economic Committee clearly serves us well.

The membership of the joint committee should be appointed by the Speaker of the House and President of the Senate from among the members of each of the relevant standing committees much in the same manner as the Joint Economic Committee.

Chairmanship of the committee should be rotated between the two Houses following the procedure with the Joint Economic Committee.

The committee should be assigned competent professional staff and funds as necessary.

By establishing such a mechanism Congress will be better equipped to assess its past and future potential for promoting the balanced and orderly growth of the country.

With this kind of information and support we should be far better able to achieve the outcomes we desire in both urban and rural America.

STATEMENT OF HON. LEE HAMILTON, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF INDIANA

Mr. Chairman and Members of the committee, Henry Adams said, "You can't use tact with a Congressman. You must take a stick and hit him on the snout." With that sage advice in mind, which most of us in Congress would acknowledge contains much truth, I would like to hit you with several simple, but far-reaching, thoughts on how restructuring of committee jurisdictions can streamline congressional consideration of the national budget.

I make one key assumption—that within the next few months Congress will approve legislation creating new budget committees along lines proposed by the Joint Study Committee on Budget Control.

If such action occurs, I suggest that the House committee structure be revised to combine the authorizing and appropriating functions within the authorizing committees.

THE PRESENT SYSTEM

The heart of congressional reform lies in restructuring the process by which Congress deals with the budget. I share the view of many Congressmen and observers of the Congress, that current budgetary procedures are inefficient, outmoded, and generally inadequate.

No procedure presently exists which allows the Congress to review the President's entire budgetary program. No one committee reviews both revenue and expenditure proposals. By fragmenting its decisions on the budget, the Congress is prevented from considering the impact of spending on the national economy.

Under the present system, the overall impact of the budget is established by the cumulative result of a series of separate actions. The Appropriations Committees of the House and Senate do not, as a matter of regular procedure, review the budget as a whole and determine what its impact is or should be.

As a result of the present fragmented system, Congress has no adequate method for dealing with the critical questions of priorities. Only with great difficulty does it alter the President's priorities.

Should housing programs receive more funds and national defense less? Could day care programs take up the slack from reduced farm payments? Under current procedures, such questions go largely unanswered.

Under present procedures long-term implications of funding decisions are neglected by Congress. We in Congress do not know what the budget might—or should—look like two or three years from now.

THE PROPOSED BUDGETARY COMMITTEES

The proposed budgetary committees would help alleviate these problems. As proposed by the Joint Study Committee these budget committees would:

- Review the President's budget in its totality;
- Determine a total expenditure ceiling and sub-ceilings;
- Recommend major allocations within functional categories; and
- Reconcile spending legislation with fiscal goals.

Although the proposed budget committees, if thoughtfully structured, can eliminate many of the ills of the present Congressional budgetary system, they threaten to create other problems which may be just as troublesome—unless other reforms are undertaken by the Congress.

If the budget committees are placed atop the present system, the result will be three layers: budget committee, authorizing committee and appropriations committee. The present two-layer system is cumbersome; three layers would be almost unworkable.

In my judgment, the budget committees' work will duplicate much of what the appropriations committees are doing or are supposed to do.

The budget committees will establish overall congressional control of revenues and outlays, and also will establish spending ceilings for the authorizing committees—ceilings which the Appropriations Committees now, in effect, apply to the amounts authorized.

I would suggest, therefore, that if budget committees are created the authorizing and appropriating function should be united in the authorizing committees. Those committees would both authorize and appropriate funds for the range of programs within their jurisdiction.

REASONS FOR THE PROPOSAL

Several reasons prompt this suggestion:

(1) An unnecessary layer in the budget process would be eliminated. The new budget committees would take over fiscal management decisions now made by the appropriations committees and would set the financial parameters within which the new program committees would operate. These committees could then concentrate on the allocation of funds within their jurisdictions. Under the present system, with both authorizing and appropriating committees participating, much duplication of effort and unclear jurisdictional lines exist. If another layer is added the duplication and confusion would be compounded.

(2) The procedure I propose would eliminate confusion in the public mind about the way Congress funds programs. Congressmen often have to explain that a news article on authorization levels for a particular program does not mean that that amount will be available, and that the appropriations bill must still be enacted. We would eliminate the unreal atmosphere in which Congressmen work, bandying around authorization figures like so much *Monopoly* money when what really counts is the appropriation.

(3) Eliminating the appropriations committees would also improve the credibility of Government by avoiding the misleading appearance of a large authorization figure which prompts rising expectations, only to have a stingy appropriation dash those expectations.

(4) The proposal would help make a useful distinction between budgetary allocations for broad functional categories and program allocations within those categories. That distinction is now blurred since authorizing and appropriating committees enter both of these areas.

Under the new system, the budget committees would deal with broad *budgetary* considerations, such as how much should be spent in each functional category.

The new program committees would act on *program* allocations within their respective ceilings: how the money should be spent and through which programs. Their actions would not be second-guessed by the budget committees.

Mr. Chairman, I realize this proposal is far-reaching. But I view it to be the responsibility of this committee to consider unusual proposals to improve this Congress which we all view with respect and affection. The chairman and members of this committee were selected with care, and you have the confidence of your colleagues in the difficult task before you. I have appreciated the opportunity to appear.

STATEMENT OF HON. MICHAEL J. HARRINGTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS

Mr. Chairman. Thank you for allowing me to submit a statement before this committee concerning the need for a restructuring of congressional committees. It seems to me that the major problem with the existing committee structure is that it no longer reflects today's needs. In jurisdictional matters, it is so fragmented that our present committee structure, in some cases, has outlived its usefulness and has often failed completely to cope with modern problems.

I wish to restrict my example to one area—that of children. Nearly 70 million Americans—34 percent of our population—are under the age of 18 and are legally defined as children. The future of America depends on this segment of society. Yet it is ironic that this Nation, with all its technology, natural resources, industrial might, and wealth cannot meet the needs of its number one resource—its children. Too many of our children are poor, too many are in

broken homes without adequate parental supervision, too many are malnourished, too many have physical and emotional problems, and too many cannot read.

Children have no effective voice in Congress to make their needs known. They cannot lobby for their interests on Capitol Hill. And we, as legislators and representatives of the people, have failed to adequately speak for them.

Our approach to problems such as education, nutrition, health, family planning, and child care are uncoordinated. The Senate has a Subcommittee on Children and Youth which tries to assimilate the problems of children and make recommendations to that body. Although it has legislative authority, its areas of responsibility are restricted because of jurisdictional conflicts with other committees. No such subcommittee even exists in the House. Our efforts are fragmented and jurisdiction is scattered among various committees and subcommittees in the House. Among them are: the Subcommittee on Labor, Health, Education, and Welfare of the Appropriations Committee; the Judiciary Committee; the Ways and Means Committee; the Government Operations Committee; the Subcommittee on Public Health and Environment of the Interstate and Foreign Commerce Committee; and the Subcommittees on General Education, Select Education, and Special Education of the Education and Labor Committee. Although we profess to be concerned about the problems of our children, our efforts in the House have been extremely fragmented, as just noted, and therefore, unsatisfactory.

Mr. Chairman, I would like to describe briefly some of the problems which our children in this country face.

Reading is a critical problem which seems to grow more severe and widespread as children get older. For example, 12 percent of all nine-year-old children read at or below the level of a seven-year-old. But 25 percent of all eleven-year-olds read at or below the level of a nine-year-old. The reading problem is heightened in schools in the nation's poor areas. In those schools in which one half of the children are poor, more than one fifth of the enrollment requires special instruction in reading—instruction which the students very often do not receive. This situation leads to a high percentage of adults who are unable to read. In 1970 and 1971, 18.5 million adults were unable to fill out practical forms that society demands, such as driver's license forms, tax forms, and social security forms. Clearly, we need to improve our teaching methods in this vital area.

To cite another area—mental health—we find that at the present time, about 500,000 children as young as two or three years of age suffer from the most serious forms of mental illness. Ten percent of all school-age children have emotional problems requiring psychiatric help, yet the number of special education classes and programs does not begin to meet the need. The number of boys aged 10-19 in mental hospitals has increased sixfold since 1950, with only a twofold increase in population. In 1969, over one fourth of the total additions to outpatient services in community mental health centers were children 17 or under. From 1966-1968, the most prevalent increases in first admissions to state and county mental hospitals were among those 18 and under.

These statistics are frightening. We must find out why mental illness in children is on the rise and what can we do to combat it.

One of the most pressing problems children in this country face is poverty. One sixth of the Nation's zero to six-year-olds live in poverty; another one sixth live in near poverty. Children born into this cycle of poverty face obstacles that almost program them for failure. Their chances of getting the proper nutrition, health care, and education are slim. They must face psychological handicaps as well: children raised in a ghetto, where violence can happen at any time, where they are often neglected or raised apathetically, grow up thinking they are not worth very much as human beings and that the world is not a good place in which to live.

Studies have shown that early childhood development programs can offset some of these barriers to emotional and physical health. Yet these programs are simply not available to meet the need. Too many of the available day care programs are custodial in nature—they simply provide food, supervision and safety, which are often only minimal, while the real need is for education and enrichment.

It is not only the children of the poor who need day care services. There is growing public support for day care on a broader basis—for those children whose mothers work, for those children who have handicaps, and for those children

whose parents are in education or training programs that provide opportunities for work. Today, one-third of the mothers of preschool children—a total of 4. million women—are working at full- or part-time jobs. This means there are more than 5 million preschool children who need full- or part-time day care centers while their mothers are away from home. Yet there are less than 700,000 spaces in licensed day care programs to serve them.

Juvenile delinquency, which has been steadily increasing for the past decade, is a very serious problem. In 1971, 25.8 percent of all arrests made in this country involved children under 18, according to Federal Bureau of Investigation statistics. That means that 1,700,942 children were arrested. Auto theft was a major area of crime: 53 percent of all persons arrested for stealing cars in 1971 were under 18. The number of children arrested for running away from home was 269,000—and that figure is only a fraction of the actual number of runaways. Each year, increasing numbers of teenagers and even younger children leave home and are lost in the bustling cities. These children have become a symbol of the growing alienation between young people and adults, and make it clear that the problems of children cannot and should not wait. Their problems should be recognized and dealt with early.

Another pressing problem relating to children is the need for good, reliable information about the reproductive process and contraception. It is estimated that some 5 million women need financial assistance in order to get this kind of information. There is also a great need for free or inexpensive clinics which provide prenatal and postnatal care.

We have cited just a few of the many, complex problems which affect children. There are many more.

It seems to me that if Congress is to realistically face these problems and enact legislation to meet the needs of our future leaders, it must have a coordinated and unified forum. The creation of a Select or Subcommittee on Children would provide such a forum. Not only would this benefit the House, but it would also provide a single forum for public input. I have introduced H. Res. 396, presently pending before the House Committee on Rules, which would establish a Select Committee on Children. Its functions would be to hold hearings and make investigations in order to keep the House better informed in this area and make recommendations for legislation. I would hope that this committee could be short-lived, perhaps no more than one Congress in length. During that time, I would also hope that a formal Subcommittee would be created charged with the responsibility for children and having legislative power. Whether it be a select committee or a permanent committee, it makes no difference, but we owe it to our future to provide such a committee.

As I said initially, the area of children's legislation is but one example of the need to restructure the committees. In other areas as well, we look around us and see fragmented jurisdiction with little or no coordination. We already have such committees as the Select Committees on the House Beauty Shop, the House Restaurant, and Parking. Surely, children are as important as these areas and deserve a place in the formal structure of the House.

I would hope that this Committee will thoroughly scrutinize the existing committee structure with the objective of restructuring the jurisdictions of the committees to allow them to meet today's demands in a coordinated manner. Not only we, as legislators, would thank you for making our jobs more efficient, but our future leaders would greatly be the beneficiaries of your efforts.

Thank you.

STATEMENT OF HON. BERTRAM L. PODELL, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF NEW YORK

I am grateful for the opportunity to present this testimony to the select committee on a subject which is of prime importance to me as a Member of Congress from an urban area—mass transit. The responsibilities of House committees with regard to urban mass transportation affairs have grown indirectly and incrementally through the years, with no systematic assessment of the best division of such responsibilities among House committees. The Banking and Currency Committee first became involved with urban problems in 1937, when public housing legislation was referred to that Committee, the rationale being the connection between money and credit and the building and purchasing of homes.

Similar linkages between mortgage financing and more general problems of urban development led the Banking and Currency Committee into ever broader areas of urban programs in subsequent years. In 1965, it became the main legislative committee for the newly-established Department of Housing and Urban Development (HUD), the successor to the Housing and Home Finance Agency, with legislative and oversight responsibilities for nearly all HUD programs.

One of these programs was concerned with aid to urban mass transportation, which began in the 1961 Housing Act. The program gradually increased in scope and budget, especially after the basic Urban Mass Transportation Act of 1964.

With the establishment of the Department of Transportation (DOT) in 1967, questions arose over just where the Federal assistance programs for urban mass transportation should be placed. The arguments were largely resolved within the executive branch by the President's Reorganization Plan Number 2 of 1968, effective on July 1 of that year. The plan established the Urban Mass Transportation Administration (UMTA) within DOT and moved the bulk of urban mass transportation program responsibilities from HUD to the new UMTA.

This shift in departmental responsibilities was soon reflected in the House Committee of Appropriations, in that the new UMTA submitted its budget estimates to the Subcommittee on Transportation of the Appropriations Committee, rather than to the Subcommittee on Housing and Independent Offices, as was the former practice for mass transportation budget estimates.

Legislative oversight for urban mass transportation did not undergo a similar change, however, and has remained within the purview of the Subcommittee on Housing of the House Banking and Currency Committee. Despite major legislative enactments concerning urban mass transportation in 1970, and continuing critical debate on mass transit-related issues in subsequent years, only in February 1973 did the Banking and Currency Committee establish a separate Subcommittee on Urban Mass Transportation. Concurrently, the Committee on Public Works has reviewed highway legislation and authorizations, including urban extensions and recently some non-rail aspects of urban transportation, through its Subcommittee on Transportation (formerly the Subcommittee on Roads). All other transportation-related matters, except those dealing with merchant marine but including aspects of urban air pollution, fall within the jurisdiction of the Committee on Interstate and Foreign Commerce.

SOME DEFICIENCIES CAUSED BY PRESENT COMMITTEE ARRANGEMENTS

Significant aspects of urban mass transportation problems currently are considered by at least three major committees, none now in a position to directly and comprehensively assess issues of urban mass transit either as a central part of the full committee's work, nor as a significant component of total national transportation problems. The current fragmentation of urban transportation problems among committees reflects to a degree the historical neglect of urban mass transportation by the transportation industry itself, governments at all levels, and the transportation research and academic community. Mass transit always has tended to be isolated from the larger transport industry. Indeed, for years transit was viewed simply as a subsidiary of the power utility industry, until the Holding Company Act of 1934 separated transit operations from parent utility companies. This relative neglect by the larger transport industry and other responsible interests has helped create some troublesome deficiencies both in transit industry structure and in congressional attempts to successfully attack the massive problems of urban mobility. Some examples:

After more than twelve years of Federal legislation and appropriations intended to assist urban mass transit, there still are no generally accepted, uniform, industry-wide measures of performance and efficiency of transit operations. Although Federal aid to urban mass transportation is now at an annual level of one billion dollars, no government agency is charged with the responsibility for setting and overseeing uniform accounting procedures, as is required for other modes of transportation, nor to develop some reasonable measures for performance. Efforts to assist urban transit have suffered from lack of reasonably precise data revealing true conditions of mobility in urban areas and the rates and directions of change in conditions.

Transit labor problems have been addressed only indirectly, never comprehensively and systematically, although labor costs comprise from 65 to 85 percent of transit company total operating costs.

Freight is the lifeblood of this industrialized society, yet urban goods movements have in the past received only peripheral interest in urban transportation legislation. Urban freight problems of course are critical not only to intra-urban goods movement, but to interstate and foreign commerce as well, since the bulk of freight traffic has origins and destinations and transfer points within urban areas.

Finally, regulatory problems can present severe impediments to improving urban mass transportation services, as well as to the realization of a national transportation policy, yet little or no systematic information is available to the Congress concerning the diffuse legal, institutional and regulatory mechanisms which directly affect transit operations and services in each urban area.

RECOMMENDATIONS FOR COMMITTEE CHANGES

Considering even the partial list of deficiencies outlined above, the need for a change in House committee oversight responsibilities seems apparent. Much more effective use of existing committees and staff resources should be realized than is now possible within current committee responsibilities.

In recent years several resolutions to establish new standing or select committees to deal specifically with all transportation matters have been introduced. All have failed to be adopted. One problem with such approaches is that, important as the transportation function is, it is not an end in itself. Transportation instead of a fundamental, essential supporting part of the commerce and industry of the nation, and it must be considered in that broader context.

If significant progress is to be made in future years in ameliorating urban mass transit problems, the plea by leading transit industry spokesmen should be heeded: mass transit is an essential aspect of national transportation problems, and should be so considered by Congress. It is more than a question of investment in fixed works and facilities; it is more than merely an adjunct to housing or urban development problems. The need is for a broadly comprehensive, integrated and systematic view of urban mass transit as a component of the total national transportation system, a view reflected to large extent by the subcommittee structure of the House Appropriations Committee.

Aside from the technical fact that 28 of the nation's Standard Metropolitan Statistical Areas (SMSA's) including more than one State within their boundaries, the national or interstate ramifications of rail, motor and air freight and passenger transportation within urban areas are apparent. Thus a logical and effective location for all legislative oversight of urban mass transportation within the House is the Committee on Interstate and Foreign Commerce. Only by bringing review of urban mass transport problems together with problems of commuter rail, railroad, air, and motor transport, all within the context of commerce and public health aspects, is it likely that the needed progress in improving conditions of urban travel will be realized.

STATEMENT OF HON. DONALD W. RIEGLE, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN

I don't think it is necessary to stress at length the benefits of good committee organization in my testimony to this committee. Well thought out organizational plans are a hallmark of American life and almost any chief executive will testify to the numerous benefits accruing from good organizational practices. We in the Congress witness almost daily the results (outside the Congress) that can be achieved with the optimum organization of an institution's resources. In such an endeavor the problem is always one of balancing conflicting interests or goals. How does one, for example, achieve stability and preserve flexibility at the same time; or design the proper incentives for performance by building the kind of responsiveness in an organization that is properly channeled and which at the same time protects individual creativity and initiative.

EVENTS OUTPACE CONGRESS

These are difficult tasks indeed and I commend the committee for its work in examining the House committees. Reorganization is a difficult job even in the most disciplined of organizations. It is doubly difficult in the Congress because of the

complexity of the country's problems and the competing interests that lay claim to the country's resources. In spite of these constraints, I believe there is much that can be done to make the Congress a more vital and effective institution. We have a great history and tradition to build on and I would like to suggest several structural changes in committee organization that I believe would be consistent with this tradition and at the same time help to regain some of the power lost to the executive branch.

We have seen during the 1960's how events can outpace the Congress and how our existing committee structure actually prohibited effective congressional examination and treatment.

ANNUAL PRESENTATION TOO INFREQUENT

As a member of the Foreign Affairs Committee I have come to realize that the "feedback mechanism" in the committees must be strengthened. Congress can no longer wait for a once a year presentation by the executive branch before it drafts legislation or approves an expenditure. This is too infrequent—events move too fast—bills should be written in such a way that it is incumbent upon the counterpart agency of the executive branch to report monthly on those events or decisions that affect the public interest or the administering of a legislative program. Such progress reports or summaries would help create a better working relationship between a committee and an agency and make our committees a more potent force in government. We all know that events do not have a predetermined pattern and legislation can be adversely affected the day after it is signed into law. I do not believe the committee should have to wait a year for this information.

ADOPT TWO AND FIVE YEAR PLANNING

In the development and evaluation of legislative proposals, committees should begin to think in two and five year periods. The current one year authorization and appropriation cycle is too short. Such short term consideration can destroy a program's continuity or hide surprises or reversals that may occur at a later date. Furthermore it is very difficult with the time delays inherent in any administrative area—i.e. procurement, construction, recruitment—to plan around a one year time period. Two and five year planning periods can bring in elements of a problem that might never be considered in a one year authorization. Thus tracking of legislative progress is made easier and future adjustments to legislation can be made that would be less disturbing to the program's direction and thrust. But the most important advantage of two and five year committee work would be the necessity for executive agencies to give more thought to the future implications of their recommended programs.

ROTATION OF COMMITTEE CHAIRMANSHIPS

I would hope that some thought could be given to the rotation of committee chairmanships. The Congress was intended to be a body of equals and the assumption of a chairmanship for life is inconsistent with this principle. Certainly the wisdom and experience gained through seniority should be recognized in some manner, but equal attention should be given to interest, ability, energy and leadership. A time limit of something like five years should be established on a chairman's tenure. That would balance senior members' learning and skills and still allow for the faster development of newer committee members. It is rare for any organization to sanction a permanent life-time chairmanship—and any proposed restructuring of the committee system would have little meaning if the power of a committee was always vested in the same member's hand. We would do well to elect our committee chairman based on competitive merit, giving the majority party caucus the power to over-ride the choice, in which case the committee would hold a new election. But we can better stimulate committee work performance of less senior members by allowing them to handle committee responsibilities commensurate with their skills. We also ought to be sure there is an adequate sub-committee structure within all House committees. The Ways and Means Committee ought to establish such a sub-committee structure—to provide a broader distribution of the work load.

FORM SATELLITE COMMITTEES

It has often been argued, and properly so, that the committees as they are presently defined, are too rigid. They are not sufficiently flexible to permit the

formation of new committees that might be needed to examine new issues or problems. Such inflexibility constantly raises jurisdictional questions and key issues often times must be arbitrarily assigned if a specific committee does not exist in that area. We can retain an adequate level of committee stability within the House by having several basic committees formed to fit the major functional areas of legislation such as education, labor, finance, defense, etc. But each of the committees must be in a position to form satellite committees that may or may not be permanent to deal with specific national problems. Such satellite operations would not always have to take the form of a committee. It may be a task force, study group, investigative body or consultative unit. A committee of Congress should be free to design the unit needed to do the job and rely less on the existing committees. At times, a solution to a problem may rest on one man's work and at another time require something more extensive like a public forum. I strongly believe that the problems facing older Americans, and the problems of our physical environment, are both urgent subjects that require a special measure of attention that the present committee system does not afford.

DEVELOP STAFF SPECIALISTS

In your deliberations on House committees perhaps no area deserves more attention than the subject of committee services. The organization of a competent and skilled committee staff is absolutely vital in terms of the professional staff skills needed to understand and solve today's complex problems. But the Congress must establish peripheral services that the staff director and his associates can draw on to develop legislation. It is almost impossible for a committee to thoroughly test a new legislative concept or funding level if it is unable to draw on financial, technical and sociological experts organized expressly for the committee's needs. Every committee should also have auditors who specialize in its legislation and can assure administration compliance. In restructuring committees the Congress must be willing to take advantage of the latest tools and technology that are commonly being used in industry to solve national problems. I believe every committee ought to provide a full time staff specialist to work with each individual committee member—one selected with the approval of the individual committee member. Today we limp along with an inadequate staff system—where even specialists on a member's clerk hire staff are denied access to sessions of certain committees, Appropriations being a case in point. Staff specialists should be immediately available to each and every committee member if we are to substantially improve the quality of our committee work.

In offering these suggestions I do not want to imply that these are the only changes necessary to make the committee system in the Congress function better. Other recommended changes will come from various sources. But I consider these changes to be particularly important and would hope that you would consider them when you draft legislation.

STATEMENT OF HON. PATRICIA SCHROEDER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO

Mr. Chairman and Members of the Committee: I very much appreciate this opportunity to make a statement to this Select Committee on Committees. I will keep my comments brief and hopefully to the point.

My tenure in the House has been short and my exposure to its rules and procedures consequently limited. Nevertheless, I think I am in a position to draw certain preliminary conclusions and to make a few tentative suggestions. While they relate specifically to the House Armed Services Committee, I believe they may be equally applicable in other contexts.

Earlier this year I indicated what I feel to be an important goal of the Committee in reviewing legislation:

"The ideal situation, in my opinion, would be one in which all hearings were adversarial in nature. As I see it, the military should present its case, and the committee should receive it with considerable skepticism. The questioning should be sharp and the debate free and open."

Obviously, whether or not this ideal is ever achieved depends on a number of factors beyond the control of this select committee. It contemplates a new approach—a radical modification of attitude, if you will—on the part of individual Members.

There are, however, procedural and mechanical changes which may make this easier. Let me mention just two:

House Rule XI(f) (3) provides: Each committee shall require, so far as practicable, each witness who is to appear before it to file with the committee, in advance of his appearance, a written statement of his proposed testimony and to limit his oral presentation at his appearance to a brief summary of his argument.

We all know the effect of the phrase "so far as practicable." It makes the rule impotent.

In fact, there were few, if any, situations in which written testimony could not have been submitted in advance. As it is, there is too little time for committee hearings and it should not be wasted by a witness reading through pages and pages of testimony.

Thus, I recommend that this select committee seriously consider an amendment to *Rule XI(f) (3)*, by deleting the phrase "so far as practicable" and by adding appropriate language to require at least a three day advance submission of testimony.

My second suggestion is that the committees be encouraged (dragged if necessary) into the age of technology by forcing them to seriously explore the use of the mechanical tools of this era, most notably the computer. For example, the massive and complex military procurement authorization bill could have been much more open to intelligent review had there been available a comparison of its specific components with their counterparts in last year's legislation. We could have seen more easily shifting patterns and fluctuating costs. These kinds of comparisons are essential to intelligent review and often can only be made with the help of computer technology.

I would therefore suggest that this select committee give careful consideration to encouraging the use of these tools. One approach might be, as an example, to earmark a portion of committee budgets to computer purposes and to require a rebate of those funds if no such expenditure is made.

In my opinion either or both of these suggestions, relatively simple to implement and devoid of any substantial political implication, would be of great assistance.

AMERICAN BAR ASSOCIATION,
Washington, D.C., September 12, 1973.

HON. RICHARD BOLLING,
HON. DAVE MARTIN,
Select Committee on Committees,
U.S. House of Representatives,
Washington, D.C.

DEAR MESSRS. BOLLING AND MARTIN: Thank you for your invitation to send a witness or submit a statement to the select committee. The American Bar Association has not reviewed on an overall basis the organization, jurisdiction and methods of operation of the House of Representatives. There is, however, one specific area related to your study where the association has recently adopted a policy. It pertains to the delegation of discretionary powers by the Congress to administrative agencies.

At our Annual Meeting in August, the House of Delegates of the American Bar Association adopted a resolution of the Section of Administrative Law. A copy of the resolution and report is enclosed for your information and for inclusion in the hearings record if you see fit. If you wish further explanation or testimony, please let me know.

This association is most interested in the work of your committee, but under our policy we cannot send a witness to testify unless we have adopted an official position.

Sincerely,

CHESTERFIELD SMITH.

Enclosure.

AMERICAN BAR ASSOCIATION—SECTION OF ADMINISTRATIVE LAW

RECOMMENDATION

The Section of Administrative Law recommends that the House of Delegates adopt the following resolution:

Whereas, the Section of Administrative Law has conducted committee studies since 1965 of the trend on the part of Congress during the past 40 years to dele-

gate broad discretionary powers to administrative agencies which frequently are to be exercised under vague and indefinite statutory provisions, and of the trend on the part of the courts to uphold such statutory provisions that approach, if they do not constitute, delegations of legislative power to the affected agencies; and

Whereas, the majority of such statutory provisions have their beginning in legislative proposals sent to Congress by the administering agencies; and

Whereas, the risk of arbitrary exercise of such powers is increased, the difficulty of securing appropriate judicial review thereof is diminished, and the accomplishment of the legislative intent and purpose is rendered uncertain, when the Congress delegates powers to administrative agencies in such general terms, for example, as "the public interest," "the objectives of the national transportation policy", "housing for moderate income families", "the Secretary of the Interior may make and publish such rules . . . as he may deem necessary or proper. . . ." [regarding the Park Service], "[Federal Reserve Board rulemaking authorization] as may be necessary to enable it to carry out the purposes of this chapter and prevent evasions thereof".

Whereas, the Section of Administrative Law began its studies eight years ago with the expressed intention of making concrete and constructive proposals to improve Federal administrative procedure in this regard, and the Section recommends such proposals for Association action herewith: Now, therefore be it

Resolved, That the American Bar Association recommends that the President designate the Department of Justice to review and report to the Office of Management and Budget and to the originating agency within a reasonable period of time with respect to each legislative proposal initiated or reported on by the Executive Branch, an instrumentality thereof, or an independent administrative tribunal or independent regulatory board of commission (hereinafter "administrative agency") whether such proposal sufficiently sets forth legislative policies and standards for exercise of the powers, functions and duties proposed to be delegated by the Congress to the administrative agency. As used herein, the term "administrative agency" shall not include the Administrative Conference of the United States. Such report should be in writing and transmitted to the Congress with the legislative proposal of the administrative agency and the opinion of the counsel for the administrative agency on the same matter. No legislative proposal or report on a bill should be submitted to the Congress by an administrative agency until such a Department of Justice report has been issued. Circular No. A-19 of the Office of Management & Budget should be amended appropriately to effectuate this recommendation.

Resolved further, That the Association recommends that the Congress or each House thereof designate a legislative committee, office, staff or consultant to review, draft and report with respect to whether a legislative proposal delegating discretionary powers to an administrative agency, sufficiently sets forth legislative policies and standards for the exercise of the powers, functions and duties proposed to be delegated by the Congress. The legal report should be in writing and, together with the opinions transmitted from the Department of Justice and administrative agency counsel, should be incorporated by each Committee report recommending a bill for consideration and vote by the members of the Senate or House, and omission to include such reports and opinions may subject the consideration of the bill to a point of order upon request of a member; be it further

Resolved, That the Section of Administrative Law is authorized to present the Association's views to appropriate committees of Congress, and administrative agencies.

REPORT

Congress has not maintained a position of enacting laws containing clear standards governing administrative rulemaking and administrative orders. Examples of the broad legislative delegations of discretion to administrative agencies that result appear in the preceding recommendations. As Chief Judge Henry J. Friendly has said, we live under a Constitution which provides that "all legislative Powers herein granted shall be vested in a Congress" and even if a statute telling an agency "Here is the problem: deal with it" be deemed to comply with the letter of that command—and we do not believe it does—it hardly complies with the spirit. The Federal Trade Commission is empowered to prevent persons from using unfair methods of competition. The Secretary of the Interior is given unqualified authority to promote the discovery of new mineral reserves and establish the terms and conditions of the contracts to be negotiated with private parties who agree to engage in mineral exploration. A state approved plan for air

pollution must comply with the "regulations and criteria" promulgated by the Secretary of Commerce. Enumeration of illustrations of statutory delegations to administrative agencies, some equally indefinite, some in greater detail but offering doubtful guidance to agencies charged with executing the laws, could go on and on.

The Association long has been concerned about the problem of increasingly vague and indefinite statutes, particularly those conferring discretion upon administrative tribunals, insofar as such laws (1) cause a variance from the intention of the framers of the Constitution, acting in Federal and State conventions, and (2) permit or encourage administrative action that may be arbitrary, capricious, inconsistent or ultra vires, but most difficult to challenge or obtain appropriate judicial review because the statutory measure of validity of the action is obscure.

The Subcommittee on Separation of Powers, Senate Committee on the Judiciary, after extensive hearings, has evidenced its grave concern with the problem. The Subcommittee majority, for example, in a report dated February 25, 1970, concluded that the National Labor Relations Board had made arbitrary use of broad, vague statutory powers, and cited the Board as representative of a number of Commissions with combined legislative and adjudicatory powers intended to act as "arms of Congress." The report found, with one dissent, that the National Labor Relations Act has been accorded inconsistent interpretations and expressions of policy by the NLRB, depending in many instances upon the political party in power, in large part due to the indefiniteness and breadth of statutory language: for example, (1) the kind of "laboratory conditions" the Board would require for conduct of labor organization elections, and (2) unreasonable Board emphasis upon "the establishment and maintenance of collective bargaining and strong unions to the exclusion of other important statutory purposes which often involve the rights of individual employees." On the other hand, Senator Burdick said in dissent: "... all that can be asked of the Board, or any tribunal, is that when the legislative intent is clear it follow that intent, and when the legislative intent is less clear that make a bona fide and reasonable effort to ascertain that intent. ..."

The present administrative and legislative procedures will be explained briefly in the first part below. The second part will state the reasons for the recommended changes in these procedures.

I

Present Procedures. Most of the important legislation Congress enacts is proposed by the administrative agencies, as above defined, after policy clearance with the office of Management and Budget in the Executive Office of the President. Such proposals nearly always come to Congress in the form of bills, ready for introduction, drafted by the administrative agencies. They are drafted without special attention to the inroads the law will make upon Congressional powers. The interests of the agency draftsmen, and those of the Congress, can and do clash when the administrative advantages of a flexible statute are weighed in the balance with the legislature's function to enact a law having appropriate standards or policies. The Office of Management and Budget, Executive Office of the President, is not organized to correct this lack of balance, e.g., to weigh the question of whether appropriate policies and standards are contained in the administrative legislation. The Office's most relevant review function is to determine whether the legislation proposed by the agency (or the agency comment to Congress on pending legislation) is in accord with the President's overall legislative program. This is solely a policy function. It would not include the question of breadth, indefiniteness or vagueness of the draft of bill being cleared through the Office for submission to and adoption by Congress, and it should not, since this is a legal matter primarily for the Department of Justice and agency counsel as will appear.

The legislative process, with one exception, does not focus more specifically on the problem. Legislative proposal of administrative agencies are enacted without substantial amendment; rarely does the matter of adequacy of legislative standards receive special consideration. Committee hearings provide evidence on broad social and regulatory policies and the need for laws on particular subjects, and some changes are made as a result of hearings or executive sessions to meet stated objections. A bill may be (but need not be) referred to Senate or House Legislative Counsel for drafting, or preparation of amendments. In this situation, which is the exception mentioned above, questions of delegation

of legislative power would be considered; and the consideration would be on the part of an *expert working for the legislative branch*. However the advice of Legislative Counsel may not be sought, or may be received and disregarded; for example, if the advice is received at a late juncture and there is pressure for the legislation. Counsel for Senate and House Committees, on the other hand, are not as a rule charged with this kind of responsibility. Other priorities have primary claim upon their attention.

Thus, (1) most important legislation is initiated by scores of administrative agencies; (2) no coordinated legislative drafting supervision or review is provided for in the legislative branch to give legislative policy direction thereto by establishing statutory standards in the legislation before enactment, and (3) no coordinating legislative drafting and review staff, expert in doctrinal questions of delegation of Congressional power to the administrative branch, functions on an interagency basis at the point where most legislation is initiated and drafted—e.g., the administrative agency. A gap of crevasse proportions exists in the way of accomplishing the foregoing objectives. The Recommendations herein attempt to offer a constructive plan for closing the gap.

If the procedure is followed administrators and legislators will think out adequately the proposed program and write it into law. It is the expressed intent of the recommended procedure that the legislative clearance offices in both the Executive Branch and the Legislative Branch, as explained hereinafter, be granted all jurisdictional authority necessary to enable them to require the full cooperation of the administrative agency personnel. The administrative agency personnel will have more knowledge of a particular grant-in-aid, administrative, licensing, or regulatory subject involved in proposed legislation than the legislative clearance officials, whose expertness will lie in the fields of legislation, procedure, and drawing objectively the appropriate line between making legislative policy and delegating administrative discretion. The actual drafting, or drafting revision, required to meet a serious question of delegation of legislative power, cannot be met by the establishment of a relatively disinterested reviewing office alone; it will also require the assistance of the administrative agency personnel in suggesting and writing out the appropriate standards.

II

A. Administrative Changes. Congress and/or the Office of Management and Budget should require that an administrative agency (including any Government department, instrumentality of the Executive Branch, in dependent administrative agency, or independent regulatory board or Commission), in connection with any proposal for, or comment recommending, legislation delegating discretionary powers, duties or functions to such agency, which proposal or comment under Committee Recommendation No. 1 at the beginning of this report is filed with the Congress, attach thereto a memorandum as described in the paragraph next following.

A memorandum of the General Counsel of the Administrative Agency should be filed, as part of the explanation and recommendation that the administrative agency makes to the Congress supporting the need and purposes of the legislation proposed. (A) The memorandum should set forth the General Counsel's opinion that after examining the proposal he or she has concluded that it contains a sufficient statement of legislative policy and of legislative standards to (1) comply with the intent and purpose of the separation of powers and due process provisions of the Constitution, (2) inform the public of how it affects the public, (3) direct the agency in executing its provisions, and (4) furnish the courts with the criteria necessary to decide whether agency action is unconstitutional as violating the doctrines of separation of powers, improper delegation of legislative power, or due process of law. (B) The memorandum should identify the language providing such standards.

The administrative agency legislative proposal and explanation (including general counsel's memorandum) should be reviewed by an office of legislative review that should be established in the Department of Justice for this purpose exclusively, equipped with skills comparable to those of the staff of the Office of Legislative Counsel, *supra*.

The Office of Management and Budget should withhold its concurrence in the submission of a legislative proposal by an administrative agency to Congress until the Office has received a report in writing from the Office of Legislative Review of the Department of Justice that the four requirements set forth in the above

paragraph have been satisfied by the language of such proposal as reviewed or as amended following review. A copy of the report from the Department of Justice should be transmitted to the administrative agency and should be attached to the legislative proposal, which it concerns, with the memorandum of agency counsel for transmission to Congress.

B. *Congressional Changes.* Congress should take appropriate steps to require that all bills (including amendments thereto), and particularly those proposed by an administrative agency as herein defined, are reviewed and reported upon by a legal office of the Congress or of each house thereof, for compliance with the requirement that the bills contain adequate provisions with respect to legislative policy or rules of conduct to express clearly in the statute the administrative powers being delegated to the administrative agency. This review should be required following reference of the bill to the appropriate committee, and prior to the holding of committee hearings on the bill, assuring that a review memorandum by such administrative office would be available with respect to such legislation under active consideration by Congress.

The review should be assigned to an administrative office of Congress possessing the kinds of skills represented by the Office of Legislative Counsel of the Senate and/or House of Representatives.

The review should be accomplished in consultation with the Counsel (and his staff) of the Committee or Subcommittee planning to hold hearings upon the legislation. A review memorandum, with any suggested staff changes in language of the bill of a *basic nature to assure that its provisions are adequate* in the respects noted, and specifically passing on the question whether the provisions of the bill are adequate, should be completed prior to the closing of the hearing record, and preferably prior to the opening of the hearing. Notice should be given the Chairman and other members of the Committee or Subcommittee upon the opening of the hearing, if practicable, or any questions raised or such substantial changes in the bill suggested, by the Office, and such questions and suggested changes should be made a part of the hearing record unless satisfactorily resolved earlier. As noted earlier the Department of Justice report and opinion of the administrative agency counsel should also be part of such record. If establishment of such an Office is not feasible, it is suggested that Committee Counsel be given this responsibility, together with the necessary authority.

Upon the authorization of the Chairman of the Committee, or the head of the administrative agency, respectively, the services of a consultant should be obtained if necessary or desirable in order that Congress (or the administrative agency) may have the benefit of all such legal advice as it may require.

Congress is encouraged to call the General Counsel of the administrative agency or his representative, and the head of the legislative review office of the Department of Justice or his representative to a hearing held upon an agency proposal for or comment recommending legislation delegating discretionary powers, duties or functions to such an agency, for questioning with respect to their expert and professional opinions on a question of delegation of legislative power. It should be understood that such questioning contemplates their appearance as advisers expressing their best opinions to the Congress upon a question of delegation of legislative power and not as advocates of an objective of the administrative agency; and the statement of their opinions should subject them in no manner to administrative reprisal.

By requiring that the reports and opinions be appended to the Committee report at the risk of any member raising a point of order on the Floor against consideration of the bill, adherence to a procedure for obtaining more definite delegations of statutory discretion should be safeguarded. With expert assistance provided, and the consequent enactment of Congressional policies in clearer, more specific terms, a renewed confidence in the rule of law and evenhanded application of administrative justice will follow.

This report was approved by the Council of the Administrative Law Section at its meeting on May 13, 1973.

The Section of Administrative Law strongly feels that approval of the Recommendations contained in this Report, as a constructive proposal toward resolving one of the most significant administrative law problems of the day, is of particular concern to the legal profession; hence urges Association approval of these Recommendations.

JOHN T. MILLER, Jr.,
Chairman.

CHAMBER OF COMMERCE OF THE UNITED STATES,
Washington, D.C., September 11, 1973.

Hon. RICHARD BOLLING,
House of Representatives,
Washington, D.C.

DEAR MR. BOLLING: * * * many thanks for talking with us last Thursday about the objectives of the Select Committee on House Committees.

I doubt there are very many who envy you and your committee. Your collective task is one of the toughest I can imagine. But, I don't believe anyone can seriously deny the great value in this sort of study.

I'm glad you took the opportunity to encourage these corporate people to submit their ideas, whether formally or informally. You made it quite clear that the committee members will welcome any input.

I regret that the National Chamber won't be in position to testify at the upcoming hearings; however, I hope we can contribute before the hearing record is closed. If we're too late for that, perhaps we can transmit our ideas informally to you or other members of the committee.

* * * * *

Cordially,

HILTON DAVIS,
General Manager,
Legislative Action.

STATEMENT OF THOMAS I. EMERSON, LINES PROFESSOR OF LAW,
 YALE LAW SCHOOL

I am submitting this statement on behalf of the National Committee Against Repressive Legislation, of which I am Advisor on Constitutional Law. The National Committee Against Repressive Legislation unfortunately is not, as Congressman Ichord has described it, a "well financed organization that maintains a full-time lobbyist in the Capital" (Hearings, p. 472). It is an organization of very modest means with a Washington representative who works part-time, though effectively. It has had occasion over the course of many years, however, to observe and study in some detail the operations of the House Committee on Un-American Activities and its successor the House Committee on Internal Security. This statement is confined to a consideration of the operation of that committee. We recommend the abolition of the Internal Security Committee and the reaffirmation of the Judiciary Committee's jurisdiction over internal security matters.

The creation of the Select Committee on Committees gives the House an opportunity to re-examine the fundamental premises upon which its committee structure, so far as it pertains to internal security, should be based. As a general proposition it would seem clear that Congress should perform two essential functions in protecting and promoting internal security throughout the Nation. One is to enact, oversee and revise those laws which establish and maintain the basic ground rules of a democratic society. These include laws against treason, espionage, sabotage, the use of force or violence to achieve political ends, and other measures necessary to preserve order and keep the democratic process working. The second function is to enact, oversee and revise legislation which establishes within the society those economic and social conditions which are essential to an orderly and fruitful development of the national community and its individual citizens. Such measures are the normal grist of the legislative mill, but it should not be forgotten that they are in the long run more important than the police-type measures which attempt to achieve internal security by the sheer coercion of the criminal law.

Under our constitutional system there is one function forbidden to Congress in its efforts to achieve internal security. That is the use of measures designed to impose political or ideological conformity upon the citizenry. Neither Congress, nor any other branch of the Government, has any constitutional power to control ways of thinking or to inhibit freedom of speech and association. Actually such efforts are self-defeating. They are more likely to undermine internal security than to foster it.

The core objection to the House Committee on Internal Security is that it does nothing to carry out the legitimate functions of the House in protecting internal security but rather devotes itself almost exclusively to illegitimate efforts to

achieve internal security. This pattern of operations is not accidental; rather it is built into the committee. The committee was originally designed to investigate "Un-American propaganda activities"; it has never been given jurisdiction over any significant sector of legislation; it has no function of overseeing the operations of any Government agency; and it conceives its purpose as one of exposing, and maintaining dossiers on, the political beliefs, opinions and associations of millions of citizens with whom it politically disagrees. The nature of the committee's operation is apparent from an examination of its activities over the years.

The legislative accomplishments of the Committee on Internal Security have been insignificant. On our count, from the establishment of the committee as a standing committee to the present—a period of 27 years—only six pieces of legislation emanating from the committee have been enacted by Congress.* Most of these have been declared unconstitutional or repealed. According to the committee's own figures there were, not counting duplicates, only 9 bills referred to the Committee in the two years of the 91st Congress, 8 in the 92d Congress, and 4 thus far in the 93d Congress (Hearings, pp. 502-503). Every one of these bills falls within the jurisdiction of some other House Committee. Chairman Ichord's remark that the Committee "is given very limited legislative jurisdiction" is an overstatement (Hearings, p. 492).

Moreover, in every case of dual jurisdiction the legislative task would normally be better performed by another committee that was not expert on "subversive activities" but expert on the totality of the problem to be solved. For example, the Internal Security Committee's long inquiry into the Federal loyalty program for Government employees in 1971 and 1972 (which resulted in no legislation) would probably have been better conducted by the Post Office and Civil Service Committee. To the Internal Security Committee a "loyalty program" involves methods of prying into the political beliefs, opinions and associations of every Federal employee and potential employee; for the Post Office and Civil Service Committee, which can take a broader view of the problem, the inquiry would be more a question of finding methods to determine the competence or suitability of individual persons for different kinds of jobs. The latter approach would clearly have a far less damaging effect upon freedom of expression in the Federal service and, in the long run, would be far more effective in promoting internal security.

The oversight achievements of the Committee on Internal Security are even less significant. The only Government agency which the Committee undertook to oversee was the Subversive Activities Control Board, and that agency is now defunct. The Committee has never attempted to supervise in any way the Internal Security Division (now Section) of the Justice Department, the Federal Bureau of Investigation, the Secret Service, or any other internal security agency. Indeed, it does not have jurisdiction to do so.

It is thus plain that the Committee on Internal Security, as Chairman Ichord has testified, is "primarily an investigative committee" (Hearings, p. 492). Its purpose and function, as Chairman Ichord also said, is "disclosure" (Hearings, p. 471), to which should be added "keeping dossiers." The significant point here is that, for reasons already stated, the operations of the committee in this investigative capacity seriously encroach upon those areas which are forbidden to the Government by the Constitution. The committee asserts that its powers of investigation are limited to matters of treason, espionage, the use of force or violence, and similar overt or covert actions. But an examination of the committee's actual operations disclose that this is not, and cannot be under the mandate envisioned by the committee, the real situation. The facts about the scope of the committee's activities were set forth earlier this year in a Petition to the House of Representatives, sponsored by Professor Vern Countryman of Harvard Law School and myself. Signed by 365 professors who, as teachers of public law, are well acquainted with these issues, the Petition summarized the provisions of the committee's authorization and explained:

"While these provisions make a bow toward confining the investigatory powers of the committee to conduct involving force or violence, or similar illegality, it is clear that they impose no real bounds of that sort. The clause relating to totalitarian dictatorship is not so limited. Under the other clauses, so long as a claim

*Chairman Ichord has stated that "If we are to play the numbers game, I would supply figures that might double [another estimate of 19] . . . However, I do not think that this or any other committee of the House wants to play the numbers game" (Hearings, p. 476). Hence we have no official committee statement on the matter.

can be made that a possibility of the use of force or violence exists somewhere in the remote background the committee can investigate at will. Thus an investigation into the 'character' and 'objectives' of a peace organization, at one of whose demonstrations some conflict with the police may have occurred, or some of whose participants may have at one time employed militant rhetoric, becomes for all practical purposes an inquiry into political beliefs, ideas and associations quite divorced from any overt acts of an illegal nature. Indeed, this broad scope of the committee's power is explicitly confirmed by a catch-all provision which authorizes the committee to investigate 'all other questions . . . relating to the foregoing'.

"It is inevitable that any committee operating under such a mandate, and conceiving its function as one of protecting the Nation against 'un-American' or 'subversive' activities, will devote most of its attention to those aspects of political conduct which constitute the kinds of expression that the First Amendment is designed to safeguard. The committee is not qualified or equipped to do anything else. Investigation of acts of force or violence, which of course constitute violation of the criminal law, must be left to the Department of Justice and other prosecuting authorities. What is left for the committee is to probe into the ideology, the public and private statements, the associations, and the organizational activities of the groups and individuals which become its target."

The Petition went on:

"It is rarely overt acts of force or violence that the committee uncovers and discloses to the public. Rather it is the names of members of executive boards, lists of speakers, statements of policy, discussion at meetings, affiliation of members, and similar legitimate affairs that are the subject of its inquiries and the object of its exposures. For example, in 1970 the committee, ostensibly seeking to investigate 'the financing of revolutionary groups,' sent inquiries to 179 colleges and universities requesting information concerning the names, sponsorship and honoraria of 'all guest speakers' on the campus from September 1968 to May 1970. Thereafter the committee published a report containing a list of such speakers who were members or 'supporters' of a dozen or so specified organizations together with the remuneration each had received. As Judge Gerhard A. Gessell of the District Court of the District of Columbia said, the project served no valid legislative purpose but was intended 'to inhibit further speech on college campuses by those listed individuals and others whose political persuasion is not in accord with that of members of the committee.'"*

A glance at the investigative activities of the committee over the past two years will readily confirm that the committee has used its powers, not for legitimate legislative functions, but to expose the ideologies, affiliations and expression of political groups with which it disagrees.

In 1972 the main activities of the Internal Security Committee, in addition to its study of the Federal loyalty program noted above, involved three investigations. One set of hearings, on the "theory and practice of Communism," heard a number of witnesses testify on their experience with Communist subversion in Laos and neighboring areas, and other witnesses on the Castro regime in Cuba. There was no clear relevance to any problem of internal security in the United States. A second set of hearings dealt with a visit by Jane Fonda to North Vietnam. Ms. Fonda herself was not subpoenaed and no information was brought out that was not already public knowledge. The subject matter, in any event, was within the jurisdiction of the Foreign Affairs Committee, or the Judiciary Committee to which legislation on passports has already been referred. The third investigation concerned "subversive influences affecting the military forces of the United States." The activities involved, though labelled "subversive" by the committee, all dealt with the exercise of the right to freedom of speech and association by American citizens. Again, the entire matter fell within the jurisdiction of the Armed Services Committee.

Thus far in 1973 the same pattern has been repeated. There was another hearing on the "theory and practice of Communism," this time with respect to Communist activities in China. The other related to "subversion" in the prison system, an effort to investigate whether literature coming into the prison and the growth of prisoner organizations were the cause of prison disturbances. This investigation is typical of the Internal Security Committee's operations. It dealt, not with the entire problem of prisons, as the Judiciary Committee has jurisdic-

*The entire Petition is attached, with the request that it be printed as part of this Statement.

tion to do, but only with those isolated aspects of prisons that relate to curtailment of free speech and association of prisoners and of their friends on the outside. The issues are far better handled, in the context of the whole picture, by the Judiciary Committee.

The other aspect of the committee's investigative function—the dossier keeping—is equally destructive of individual rights. The operations of the committee in this area have been described in the Petition to the House of Representatives, mentioned above, in the following terms:

"One of the main activities of the Committee on Internal Security has been the creation and maintenance of an extensive system of files containing data on hundreds of thousands of Americans. The exact nature of this operation has been shrouded in secrecy. In the latest annual reports of the committee, each running to several hundred pages, only a few lines are devoted to the working of this system even though it absorbs a major portion of the committee's funds and staff. It is known, however, that in April 1971 the system included a set of 754,000 cards containing political information about individuals, though not every card dealt with a different person. The files as a whole occupy four rooms in the Cannon House Office Building. The extent of computerization, while not precisely known, is apparently sufficient to justify characterization of the system as a data bank.

"Information stored in the committee files consists of two kinds, only one of which the committee has been willing to discuss. The first is what the committee terms 'public source information,' obtained from such sources as newspapers, periodicals, leaflets, letterheads, programs of meetings, and published hearings and report of legislative committees. The other kind, to which the committee rarely makes reference, is termed 'investigative' material and consists, in the words of committee member John Ashbrook, of 'sworn testimony received in executive sessions of the committee and confidential information developed by the committee staff.' Neither 'public source information' nor, so far as appears, 'investigative' material, is checked by the committee staff for accuracy or reliability before being included in the files. On the basis of materials thus far disclosed it is evident that the overwhelming proportion of the content of the files consists of accounts of political opinions, activities and associations that are clearly protected by the First Amendment."

Clearly this operation of the committee constitutes a grave threat to the right of privacy as well as to the right to freedom of expression. There should be no place in the committee structure of the House of Representatives for a dossier system of this police-state character.

The conclusion is inescapable that the Committee on Internal Security, in purporting to address itself to issues of internal security, inevitably seeks to resolve those issues by measures that transcend the proper function of democratic government. By reason of its history, its structure, and its present mandate, the committee is not set up to handle either direct legislative law enforcement legislation or the broader legislation that supports a sound system of internal security. Rather the committee is so structured that it must devote its energies and resources to the dangerous effort to achieve internal security by suppressing dissent.

In its origins, as the Committee on Un-American Activities under Chairman Dies, the committee was an ad hoc committee, designed to meet a particular problem by means we have since come to regret. There was no intention to create a political intelligence institution that would be a permanent part of our legislative machinery. The committee has long outlasted any usefulness it might once be thought to have had.

We hope the select committee will use this occasion, as it studies the whole committee system of the House, to put an end to the Internal Security Committee. We reiterate that such legitimate functions as it presumes to have can better be performed by the Judiciary and other committees. The dossiers compiled by the Internal Security Committee should be consigned to the Archives, not to be opened for 50 years.

PETITION TO THE HOUSE OF REPRESENTATIVES

We, the undersigned professors of public law, for the reasons set forth below, respectfully petition the House of Representatives to abolish the Committee on Internal Security.

In February 1969 the House of Representatives voted to terminate the Committee on Un-American Activities and to establish in its place, with some modi-

fication of its mandate, the Committee on Internal Security. Since that date, under a new chairman, there have been certain changes in the style and tactics of the Committee. In essence, however, the objectives and functions of the Committee have remained the same. Thus the passage of time and the installation of new management have confirmed that, regardless of sporadic reform, the operations of any committee of this nature run counter to the basic principles of American democracy. There has been increasing recognition of this in Congress itself, in the legal profession, and in the public at large. We believe the time has come to eliminate the Committee on Internal Security from our governmental structure.

I.

The principal function of the Committee on Internal Security, like its predecessor the Committee on Un-American Activities, has been to probe and expose the beliefs, opinions and associations of American citizens. The jurisdiction of the Committee extends to "Communist and other subversive activities affecting the internal security of the United States." This mandate is not limited to activities that involve the use of force or violence or other illegal measures. And the term "subversive," as the courts have many times ruled, is so vague and indefinite as to constitute very little limitation on the Committee's authority.

The Committee is also specifically authorized to investigate "the extent, character, objectives, and activities" of "organizations or groups," including their "members, agents, and affiliates," which seek to establish "a totalitarian dictatorship" in the United States, or to overthrow or alter "the form of government" by "force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means." Similar authority is given to investigate organizations or groups, and their "members, agents, and affiliates," which "incite or employ acts of force, violence, terrorism or other unlawful means" to "obstruct or oppose the lawful authority of the Government of the United States" in the execution of any law or policy affecting internal security.

While these provisions make a bow toward confining the investigatory powers of the Committee to conduct involving force or violence, or similar illegality, it is clear that they impose no real bounds of that sort. The clause relating to totalitarian dictatorship is not so limited. Under the other clauses, so long as a claim can be made that a possibility of the use of force or violence exists somewhere in the remote background the Committee can investigate at will. Thus an investigation into the "character" and "objectives" of a peace organization, at one of whose demonstrations some conflict with the police may have occurred, or some of whose participants may have at one time employed militant rhetoric, becomes for all practical purposes an inquiry into political beliefs, ideas and associations quite divorced from any overt acts of an illegal nature. Indeed, this broad scope of the Committee's power is explicitly confirmed by a catch-all provision which authorizes the Committee to investigate "all other questions . . . relating to the foregoing."

It is inevitable that any committee operating under such a mandate, and conceiving its function as one of protecting the nation against "un-American" or "subversive" activities, will devote most of its attention to those aspects of political conduct which constitute the kind of expression that the First Amendment is designed to safeguard. The Committee is not qualified or equipped to do anything else. Investigation of acts of force or violence, which of course constitute violation of the criminal law, must be left to the Department of Justice and other prosecuting authorities. What is left for the Committee is to probe into the ideology, the public and private statements, the associations, and the organizational activities of the groups and individuals which become its target.

This is, indeed, exactly how the Committee on Internal Security, and the Committee on Un-American Activities before it, have operated. It is a rarely overt act of force or violence that the Committee uncovers and discloses to the public. Rather it is the names of members of executive boards, lists of speakers, statements of policy, discussions at meetings, affiliation of members, and similar legitimate affairs that are the subject of its inquiries and the object of its exposures. For example, in 1970 the Committee, ostensibly seeking to investigate "the financing of revolutionary groups," sent inquiries to 179 colleges and universities requesting information concerning the names, sponsorship and honoraria of "all guest speakers" on the campus from September 1968 to May 1970. Thereafter the Committee published a report containing a list of such speakers who were members or "supporters" of a dozen or so specified organizations, together with the remuneration each had received. As Judge Gerhard A. Gesell of the District

Court of the District of Columbia said, the project served no valid legislative purpose but was intended "to inhibit further speech on college campuses by those listed individuals and others whose political persuasion is not in accord with that of members of the Committee." Again, the Committee's extensive investigation of various peace organizations in 1971 focussed almost entirely upon ideology, affiliations, and legitimate political expression.

It is clear that the Committee has had, and must continue to have so long as it is allowed to exist, a menacing impact upon our system of freedom of expression. The very design of the Committee, and the inevitable manner of its functioning, bring it directly into conflict with the constitutional guarantee of free and open discussion.

Not only does the Committee on Internal Security pose a serious danger to freedom of expression in America, but it serves no useful purpose in our governmental structure. The insignificant contribution made by the Committee to the legislative work of Congress is notorious. From 1945 to the present only six pieces of legislation emanating from the Committee have been enacted into law, and most of these have been declared unconstitutional by the courts or repealed. In the entire 91st Congress (1969-1970) only seven bills (other than duplicates) were referred to the Committee as compared with an average of 690 referred to other standing committees. In that Congress the Committee reported out three bills, only one of which passed the House and none of which became law. Virtually every bill ever referred to the Committee has also been within the jurisdiction of some other House committee, primarily the Committee on the Judiciary.

Nor does the Committee on Internal Security perform any significant service in connection with the oversight function of Congress. The task of checking on the operations of the various executive agencies likewise falls within the jurisdiction of other House committees, most of which have far greater knowledge of particular agencies than does the Committee on Internal Security. In the last several years the only significant work undertaken by the Committee on Internal Security in this area has been its study of the loyalty-security program. But that investigation, if necessary at all, could have been better performed by the Committee on Post Office and Civil Service, which possesses an overall view of the Federal civil service not shared by the Committee on Internal Security.

In short, if the Committee on Internal Security disappeared overnight there would be no discernible effect upon the legitimate work of Congress.

III.

One of the main activities of the Committee on Internal Security has been the creation and maintenance of an extensive system of files containing data on hundreds of thousands of Americans. The exact nature of this operation has been shrouded in secrecy. In the latest annual reports of the Committee, each running to several hundred pages, only a few lines are devoted to the working of this system even though it absorbs a major portion of the Committee's funds and staff. It is known, however, that in April 1971 the system included a set of 754,000 cards containing political information about individuals, though not every card dealt with a different person. The files as a whole occupy four rooms in the Cannon House Office Building. The extent of computerization, while not precisely known, is apparently sufficient to justify characterization of the system as a data bank.

Information stored in the Committee files consist of two kinds, only one of which the Committee has been willing to discuss. The first is what the Committee terms "public source information," obtained from such sources as newspapers, periodicals, leaflets, letterheads, programs of meetings, and published hearings and reports of legislative committees. The other kind, to which the Committee rarely makes reference, is termed "investigative" material and consists, in the words of Committee member John Ashbrook, of "sworn testimony received in executive sessions of the committee and confidential information developed by the committee staff." Neither "public source information" nor, so far as appears, "investigative" material, is checked by the committee staff for accuracy or reliability before being included in the files. On the basis of materials thus far disclosed it is evident that the overwhelming proportion of the content of the files consists of accounts of political opinions, activities and associations that are clearly protected by the First Amendment.

Members of Congress are entitled to request reports from the Committee with respect to any individual or organization included in the Committee files, and in 1971 the Committee responded to 696 such requests. In the normal case, however, and perhaps in all cases, the Committee gives to members of Congress only the "public source information." The Committee also allows 25 agencies of the Federal Government, including the Civil Service Commission, to obtain information from the Committee files in connection with loyalty-security checks of government employees or applicants; in 1971 there were 963 "visits" to the files by representatives of these agencies. Whether these officials have access to the "investigative" material as well as the "public source information" is not disclosed. Although the Committee states that the material in its files is not available to the general public, in actuality, either through the two avenues just noted or in other ways, significant amounts of material from the Committee files do reach the general public.

We believe that such a system of data collection and dissemination encroaches upon constitutional rights of free expression and invades the right of privacy. For many citizens the prospects of obtaining government employment are seriously jeopardized by the presence of unchecked and unknown data in the files of a Committee notoriously hostile to certain points of view. In wider areas, the use of such materials from official government sources to attack or disparage groups or individuals engaging in political activities has a severe depressing effect upon freedom of discussion. And the very existence of government dossiers on the political belief and associations of numberless citizens, particularly when filled with unverified rumor and gossip, prevents that "uninhibited, robust, and wide-open" discussion which is the heart of our system of freedom of expression.

At a time when all citizens are desperately concerned with the increasing incursions upon privacy which grow out of the ever-expanding collection of data and the ever-increasing surveillance of their activities, there can be no justification for continuing the sort of official dossier system maintained by the Committee on Internal Security.

IV.

We do not think it is necessary to recount in detail other serious objections to the operations of the Committee on Internal Security. While its procedures have been improved in some respects, its accusatory form of investigation and hearing can never be really fair in the absence of a full right to notice, counsel, cross examination, an impartial decision-maker, and other procedural protections. Moreover, the powers of the Committee are expanding as new devices, such as the right to subpoena bank accounts, to obtain income tax returns, to gain access to the names of post office box holders, are utilized by the Committee. There are, in addition, signs that the Committee's staff has grown independent and aggressive, as evidenced by the action of two members in attempting the illegal bugging of a political meeting in Chicago some months ago.

The central point, to which we earnestly call the attention of the House, is that the Committee on Internal Security has become a permanent governmental mechanism, based upon a hardening bureaucracy of staff and files, designed to investigate and record the political opinions and associations of American citizens, and to use the data so collected to harass particular points of view which the Committee does not share. We submit that this is not a proper institution to be maintained by a legislative body.

We do not, of course, oppose the legitimate use of legislative powers to deal with matters of internal security. We believe, however, that those functions can be effectively carried out by the Committee on the Judiciary. Hence we support the proposal, advanced by many members of Congress, to amend Rule XI, clause 12 of the Rules of the House of Representatives to add expressly to the jurisdiction of the Judiciary Committee authority to consider "sabotage and other over acts affecting internal security." As to the files of the Internal Security Committee, we urge that they be consigned to the Archives, not to be open for official or public inspection for 50 years.

Respectfully submitted,

THOMAS I. EMERSON,
Yale Law School.

VERN COUNTRYMAN,
Harvard University Law School.

December 1972.

SIGNERS: PROFESSORS OF PUBLIC LAW

University of Akron School of Law: Jeffrey M. Shaman.

University of Alabama School of Law: Wythe W. Holt, Jr., Jay W. Murphy, and C. Dallas Sands.

American University, Washington College of Law: Barlow Burke, Jr., and C. Thomas Dienes.

University of Arizona College of Law: Robert Emmet Clark.

Arizona State University College of Law: William C. Canby, Jr.

University of Arkansas School of Law: Morton Gitelman, and Glenn E. Pasvogel.

Boston College Law School: Arthur L. Berney, Robert C. Berry, and Sanford J. Fox.

Boston University School of Law: Samuel B. Abbott, Dennis S. Aronowitz, Albert R. Beisel, Stanley Z. Fisher, Robert B. Kent, Arthur B. La France, Thomas P. Lewis, Banks McDowell, Henry P. Monaghan, Daniel G. Partan, Eugene C. Roemele, and G. P. Verbit.

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University of California School of Law—Los Angeles: Barbara Brudno, Leon Letwin, Henry W. McGee, Jr., Melville B. Nimmer, and Richard A. Wasserstrom.

California-Western School of Law: James E. Leahy.

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Catholic University of America School of Law: William A. Kaplin.

Catholic University of Puerto Rico School of Law: J. L. de Passalacqua.

University of Chicago Law School: Grant Gilmore, Harry Kalven, Jr., and Stanley N. Katz.

University of Cincinnati College of Law: Fred A. Dewey.

University of Colorado School of Law: Joan E. Baker, and David E. Engdahl.

Columbia University School of Law: Louis Lusky, Harriet S. Rabb, Albert J. Rosenthal, and Telford Taylor.

University of Connecticut School of Law: Robert L. Bard, and Joseph D. Harbaugh.

Cornell Law School: Harrop A. Freeman.

DePaul University College of Law: Donald Thomas Bertucci, Elliott H. Goldstein, Richard C. Groll, Donald H. J. Hermann, Terrence F. Kiely, Winston P. Nagan, Marlene E. Nicholson, Michael I. Swygert, Leigh Taylor, Richard C. Turkington, and Robert G. Weclaw.

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Emory University School of Law: Michael J. Brennan, Nathaniel E. Gozansky, and Michael L. Lynch.

University of Florida, Spessard L. Holland Law Center: Fletcher N. Baldwin, Jr.

Florida State University College of Law: David F. Dickson, Patricia A. Dore, and John F. Yetter.

George Washington University National Law Center: Monroe H. Freedman, and Roger S. Kuhn.

Georgetown University Law Center: Addison M. Bowman, E. Edward Bruce, Frank F. Flegal, John R. Kramer, Thomas G. Krattenmaker, Joseph A. Page, William T. Vukowich, and Heathcote W. Wales.

University of Georgia School of Law: Michael Botein, Joe Tom Easley, and Wayne McCormack.

Golden Gate College School of Law: Michael D. DeVito.

Harvard University Law School: Benjamin Aaron, Derrick A. Bell, Gary Bellow, Harold J. Berman, Stephen G. Breyer, Victor Brudney, Clark Byse, Abram S. Chayes, Jerome A. Cohen, Vern Countryman, Alan M. Dershowitz, Richard H. Field, Louis L. Jaffe, Lance M. Liebman, Diane T. Lund, Frank I. Michelman, Charles R. Nesson, Oliver Oldman, Albert M. Sacks, Richard B. Stewart, and Donald T. Trautman.

University of Illinois College of Law: Rubin G. Cohn, George T. Frampton, Stephen B. Goldberg, Arthur D. Hellman, Prentice H. Marshall, and Sheldon J. Plager.

Indiana University School of Law—Bloomington: Morris S. Arnold, Robert L. Birmingham, Ralph F. Fuchs, William D. Popkin, Edward F. Sherman, and Philip C. Thorpe.

Indiana University Indianapolis Law School: William E. Marsh, Ken Stroud, and James W. Torke.

University of Iowa College of Law: William G. Buss, James E. Meeks, Mark E. Schantz, and David H. Vernon.

University of Kentucky College of Law: John Batt, Alvin L. Goldman, Paul Oberst, and Robert A. Sedler.

Lewis and Clark College, Northwestern School of Law: Bill L. Williamson.

University of Louisville School of Law: Lawrence W. Knowles, and William E. Read.

Loyola University School of Law—Chicago: William C. Cunningham, S.J., Lawrence Kalevitch, Thomas A. Lockyear, John L. McCormack, and Allen E. Shoenberger.

Loyola University School of Law—Los Angeles: George C. Garbesi, Harry S. Laughran, and Clemence M. Smith.

University of Maine School of Law: Gerald F. Petrucci.

John Marshall Law School: Pearl M. Hart, Arthur J. Sabin, and Ronald C. Smith.

University of Maryland School of Law: Richard V. Falcon.

University of Miami School of Law: Jeanette O. Smith, and Thomas A. Wills.

University of Michigan Law School: Vincent A. Blasi, David L. Chambers, Robert J. Harris, Yale Kamisar, and Richard O. Lempert.

University of Mississippi School of Law: George C. Cochran, and Paul R. Rice.

University of Missouri-Kansas City, School of Law: John Scurlock.

William Mitchell College of Law: Kenneth F. Kirwin.

University of Montana School of Law: Gardner Cromwell.

University of Nebraska College of Law: James A. Lake, Jr.

New England School of Law: Robert O'Toole.

University of New Mexico School of Law: Charles W. Daniels, Robert J. Desiderior, Willis H. Ellis, Myron Fink, Joseph Goldberg, William T. MacPherson, Hugh B. Muir, Theodore Parnall, Cruz Reynoso, Leo M. Romero, Jerrold L. Walden, Robert W. Walker, and Henry Weihofen.

State University of New York at Buffalo School of Law: Marc Galanter, Marjorie Girth, and Herman Schwartz.

New York Law School: Carl Avner.

New York University School of Law: Ralph F. Bischoff, Leroy D. Clark, Daniel G. Collins, Norman Dorsen, Walter G. Farr, Henry H. Foster, Jr., Thomas M. Franck, Lawrence G. Sager, and Harry I. Subin.

University of North Carolina School of Law: Thomas J. Andrews, Kenneth S. Brown, Charles E. Dave, Peter G. Glenn, Joseph J. Kalo, Arnold H. Loewy, William P. Murphy, Barry Nakell, Daniel H. Pollitt, and Paul Verkuil.

Northwestern University School of Law: Robert W. Bennett, Anthony D'Amate, Irving Gordon, and Nathaniel L. Nathanson.

Notre Dame Law School: Thomas L. Shaffer.

Ohio State University College of Law: John J. Barcelo, Merton C. Bernstein, Harry Bitner, Mary Ellen Caldwell, Linda K. Champlin, Michael E. Geitner, Bruce R. Jacob, James C. Kirby, Jr., P. John Kozyris, Stanley K. Laughlin, Jr., Richard S. Miller, Keith S. Rosen, Ivan C. Rutledge, and Peter Simmons.

University of Oregon School of Law: Barbara B. Aldave, and Herbert W. Titus.

University of Pennsylvania Law School: Martha A. Field, and Bernard Wolfman.

University of Pittsburgh School of Law: William J. Brown, Thomas S. Checkley, Thomas M. Cooley II, Richard H. Seeburger, and Welsh S. White.

University of Puerto Rico School of Law: David M. Kelfeld, and Jacob I. Karro.

Rutgers, The State University of New Jersey School of Law, Newark: Frank Askin, Alexander D. Brooks, Norman L. Cantor, Julius Cohen, David Haber, Willard Heckel, Arthur Kinoy, Gerard R. Moran, James C. N. Paul, and Paul L. Tractenberg.

St. Louis University School of Law: Roger L. Goldman.

University of San Diego School of Law: Herbert I. Lazerow.

University of San Francisco School of Law: James D. Cox, Peter J. Donnici, Paul L. McKaskle, and Steven F. Shatz.

University of Santa Clara School of Law: George J. Alexander, and Marcel Poche.

University of South Carolina School of Law: Randall Bridwell, William S. McAninch, Webster Myers, Jr., William J. Quirk, Charles A. Sullivan, William T. Toal, Thomas M. Ward, Eldon D. Wedlock, Jr., Donald J. Weidner, Ralph U. Whitten, and Michael J. Zimmer.

University of Southern California Law Center: Scott H. Bice, Terry J. Hatter, Jr., Michael E. Levine, and Christopher D. Stone.

Southern Methodist University School of Law: Charles J. Morris.

Stanford Law School: Anthony G. Amsterdam, and Barbara A. Babcock.

Syracuse University College of Law: Jerome A. Barron, Samuel M. Fetters, and Thomas J. Maroney.

University of Tennessee College of Law: Frederic S. Le Clercq.

University of Texas School of Law: Roy M. Mersky, L. A. Powe, Jr., George Schatzki, and Mark G. Yudof.

Texas Tech University School of Law: Robert P. Davidow.

University of Toledo College of Law: C. Edwin Banker, Samuel A. Bleicher, Karl Krastin, and Thomas E. Willging.

Tulane University School of Law: Vernon V. Palmer.

University of Tulsa College of Law: James C. Thomas.

University of Utah College of Law: Boyd K. Dyer, John J. Flynn, Jefferson B. Fordham, Lionel H. Frankel, George S. Grossman, Ronn E. Harding, Robert W. Swenson, and Arvo Van Alstyne.

Valparaiso University School of Law: Louis F. Bartelt, Jr., Bruce Berner, Jack A. Hiller, Alfred W. Meyer, Seymour H. Moskowitz, and Burton D. Wechsler.

Vanderbilt University School of Law: Junius L. Allison, Jerry P. Black, Jr., James F. Blumstein, Jonathan I. Charney, Donald J. Hall, and Robert L. Knauss.

University of Virginia School of Law: Julius L. Chambers, David B. Isbell, Richard B. Lillich, Richard A. Merrill, Stephen A. Saltzburg, and Richard E. Speidel.

University of Washington School of Law: William T. Burke, Donald S. Chisum, Geoffrey L. Crooks, John M. Junker, Richard O. Kummert, Virginia B. Lyness, Arval A. Morris, Cornelius J. Peck, John R. Price, Walter Probert, Roy L. Prosterman, and Lehan K. Tunks.

Washington University School of Law: Frederick K. Beutel, Jules B. Gerard, Alan Gunn, William C. Jones, and Dale Swihart.

Wayne State University School of Law: Florian Bartosic, Jane M. Friedman, and Elwood Hain.

College of William and Mary, Marshall-Wythe School of Law: Richard A. Williamson.

University of Wisconsin Law School: Abner Brodie, Ted Finman, Willard Hurst, and Stewart Macaulay.

Yale Law School: Lee Albert, Boris Bittker, Guido Calabresi, Jan G. Deutsch, Thomas I. Emerson, Joseph Goldstein, Louis H. Pollak, Charles A. Reich, John C. Roberts, Fred Rodell, Eugene V. Rostow, Clyde W. Summers, and Harry H. Wellington.

FEDERATION OF HOMEMAKERS,
Arlington, Va., October 16, 1973.

CHAIRMAN,
*Select Committee on Committees of the House,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: The officers and board members of this nationwide, grassroots organization of public-spirited individuals commend you and the members of your select committee for the extensive hearings which have just been completed relative to restructuring committees of the House and realize with sincere appreciation the many hours of hard work ahead for all of you in preparing recommendations for House action.

At the outset, we wish to state that the recommendations of the League of Women Voters of the United States as presented by their President, Lucy Wilson Benson, September 21, 1973, seem sound and our officers endorse them. There has been no opportunity to study the testimony of Mr. Gardner of Common Cause and Mr. Ralph Nader. So we cannot comment on their recommendations.

This federation since its formation in April 1959 had been vitally concerned with the safety of foods (especially infant foods), drugs, and cosmetics. Annually its officers appear before Congressional Appropriation Subcommittees to support adequate budgets for FDA, particularly stressing the need for more food inspections of plants and facilities. This federation's officers have appeared before congressional subcommittees dealing with color additives legislation; diethylstilbestrol (DES) in livestock feed (1962); fish protein concentrate; controlling of narcotics through registration and record keeping; amending of the candy bill; truth-in-labeling bills; cyclamate compensation bills; and recent bills to ban DES in feeds, and many other hearings where the health of the public was involved—as well as participating actively in two FDA hearings: one on a standard of identity for peanut butter, and the other on foods for special dietary uses.

This letter is to recall the appearance of federation officers before the Joint Committee on the Organization of Congress on June 21, 1965. The problems which necessitated the federation's presentation of its unanimously passed Resolution of April 8, 1965 to create a new standing committee in the House have intensified through the ensuing years. A copy of said April 8, 1965 Resolution is attached. The federation's board of management endorses this Resolution unanimously today.

It is well known that the House Interstate and Foreign Commerce Committee is one of the busiest of all House committees. It has heavy legislative responsibilities in many fields besides health and safety such as: transportation, aviation, natural gas, power, railroad retirement, communications, the Securities and Exchange Commission, and the other regulatory agencies. Under such a handicap, is it any wonder that much desperately needed consumer protective legislation is not passed? Our members are grateful that in the past this overworked Committee retained the protective Delaney Anti-cancer Clause both in the Food Additives Act and the Color Additives legislation. The strong Kefauver-Harris Drug Act of 1962 also deserves public praise and thanks. However the need for hearings on a modernized cosmetic bill has gone unheeded for years while an excellent bill (H.R. 3261—Evans) slumbers in the committee. The public is clamoring for specific ingredient listing on its food labels in order to make intelligent selections in the market place and to protect the allergic and sensitive individuals but H.R. 1650 (Rosenthal) is ignored by the committee. Although the Senate acted to protect the public by banning the use of diethylstilbestrol (DES) in livestock feed last session—this busy committee had no time for the three bills assigned to its committee which would have banned this carcinogen from animal feed. This federation asks is it fair to require these conscientious committee members, who mainly consider the problems of industries, to reverse their thinking and devise legislation to protect the public from industries' expanding programs? Does not the captive public deserve a full-time House Committee on Public Health and Safety (Environment) to study the problems resulting from industries' technological strides?

A full-time permanent House Committee on Health and Safety to replace the present Subcommittee on Public Health and Environment seems justified in view of the Cabinet status of the Department of Health, Education and Welfare. In time there could be a Department of Health with cabinet status.

This federation hopes that the chairman and members of the House Subcommittee on Public Health and Environment might serve as the nucleus of the proposed new standing House Committee on Health and Safety because of their experience and expertise regarding the health problems afflicting this Nation and their dedication to the Nation's health services. It is hoped this proposed new permanent House committee would have maximum membership and subcommittees to deal effectively with the many health and environmental problems of the public. As illustration—a Subcommittee on Aging and another on Children and Youth—Alcoholism and Narcotics—to compare with the Senator Labor & Public Welfare Subcommittees. This proposed new House committee should have authority to study bills on health and environmental matters being considered by other House committees, and to provide amendments thereto.

In due time this full-time House committee could modernize the 1938 version of the Food, Law, and Cosmetic Act. Yearly Congresswoman Suvillan introduces an omnibus bill to permit this renovation of our 1938 legislation—which instead receives patches when emergencies arise.

Presently new substitute foods are being introduced in the market place with many more to follow. With respect to these foods, FDA is revising its interpretation of the term "imitation". In the concern about lead in the environment of small children, there are distressing reports of lead residues in evaporated milk and other foods which are consumed by babies and children. The problem of salmonella contamination of foods is widespread and serious and should receive congressional attention. A policy regarding the safety and actual need for food dyes should be established. Should there be a special classification of additives permitted in infant foods—especially nitrites and nitrates? Should nitrites and nitrates be permitted in processing meats? The problem of excessive use of sugar in processed foods generally but particularly in children's fare is being considered by a select Senate committee. This problem should be investigated by the proposed new House committee. Now that the Delaney Anti-cancer Clause is being threatened with revision or deletion there is vital need for the proposed new standing House committee. The concept of benefits vs risks should be considered by a Congress which has listened to the voices of those involved—the public—through the proposed new standing committee of the House.

The life expectancy of this country has been at a disgraceful standstill for more than a decade despite the advances in medical science and the proliferation of new drugs. The public is aghast to learn that the cancer death rate rose sharply in 1972. We enclose a reprint from the Morton Mintz article which appeared in *The Washington Post* on April 8, 1973, on this disturbing statistic. T. R. Van Dellen, M.D. writes on the increasing incidence of colon cancer in young people. His May 16, 1973 article in *The Washington Post* has been reprinted and is enclosed with the Mintz article. Saccharin is under suspicion as a carcinogen and scientists are advising routine users to discontinue its use for 72 hours at a time to clear the tissues of its residues. It appears a congressional hearing is necessary to encourage FDA to take action on this artificial sweetener so commonly used at present. A full standing House Committee on Health and Safety would have the time for these important hearings. A full-time House Committee on Health and Safety could give in-depth consideration to these important matters and then draft and report on corrective and protective legislation. Members of this proposed House Committee could in time become experts on food, drug, and cosmetic legislation and well-grounded in the problems created by technological advances.

The public would have a special committee to contact—a designated committee to voice its concerns, its anxieties—where it would not feel overlooked. Letters from the public on its health and environmental concerns would be concentrated in one committee—not scattered amongst hundreds of Members of Congress—not able to provide specialized replies. Representatives could consult with committee members about the letters they might receive from their constituents regarding health and environmental risks and protection therefrom. The public would appreciate this consideration from the Congress.

Thank you for this opportunity to express the views of an organization endeavoring to represent its membership's concern over the state of the health of this Nation.

Respectfully,

RUTH G. DESMOND,
President.

Enclosure.

FEDERATION OF HOMEMAKERS, INC.

RESOLUTION

Whereas, scientific and technological changes have proliferated in the last two decades as never before, and

Whereas, health hazards and threats to personal safety have also multiplied, and

Whereas, there has been a vast increase of problems involving health and safety attending the expansion of novel practices in industry, agriculture and Government, and

Whereas, the Committee on Interstate and Foreign Commerce has become increasingly burdened by the diversification of modern commerce and problems hitherto unknown to mankind, and

Whereas, it is unlikely that even so dedicated a group of legislators as the Committee on Interstate and Foreign Commerce can devote the necessary time and energy to the myriad tasks and responsibilities facing them, created by the aforesaid technological revolution: Now, therefore, be it

Resolved. That the Federation of Homemakers, a nationwide group of public-spirited individuals, requests the Congress of the United States known as the Committee on Health and Safety, and that this aforesaid committee be assigned the task of studying and reporting to the Congress and the public on all National problems relating to health and safety, and considering legislation which would vitally affect the public in these specific fields.

Unanimously passed by the Board of Management of the Federation of Homemakers at its regular meeting, April 8, 1965.

RUTH G. DESMOND,
President.

[From the Washington Post, Apr. 8, 1973]

CANCER DEATH RATE UP SHARPLY IN 1972

(By Morton Mintz)

The cancer death rate rose in 1972 at the fastest pace in 22 years, the National Center for Health Statistics has reported.

Experts offered various explanations but agreed that increased exposure to cancer-causing chemicals in man's environment—his air, water, soil and food—was probably involved.

The National Center, in a routine monthly report, said the cancer mortality rates was 166.8 per 100,000 deaths in 1972, compared with 161.4 in 1971.

The rate of increase was 3.35 per cent, or about triple the annual average since 1950. The previous peak, 1.9 per cent, was in 1952. However, the rate of increase declined by 0.7 per cent in 1971.

The center report, dated March 29, labeled the 1971 and 1972 data "provisional." However, "provisional" cancer mortality statistics usually prove to differ by only a fraction of one per cent from the refined final data, Robert J. Armstrong, chief of the Division of Mortality Statistics, told a reporter.

"The 'provisional' as well as the final data—which for the two most recent years will not be ready for several months—are based on systematic samplings of 10 per cent of each state's death certificates.

The figures do not take the victim's age at death into account. This point figures in a comment to The Washington Post by Dr. Frank J. Rauscher Jr., director of the National Cancer Program.

"These statistics are not as solid as one might like, Rauscher said. "For example they are derived from a non-random sample of death certificates. Whatever the precise increase, much of it is due to the increasing percentage of our population that is 55 years of age or older, an age group that is at high risk to cancer."

The proportion of that age group in the population increased only one percentage point throughout the 1950's from 16.9 to 17.9 per cent. The increase in the 1960s totaled 1.1 percentage point. Rauscher went on to say:

"To the extent that this age factor doesn't account for the entire increase, it is due to increases in smoking and exposure to other carcinogens in our environment that are expressed, for example, in increases in lung cancer in men and women, bladder cancer in men, and cancer of the esophagus in black men and women."

Since 1933, when the government first began to gather cancer mortality data on a national basis, the actual death rate from cancer has increased 66 per cent. This increase closely parallels the increase (64 per cent) in the proportion of the population over 55. In 1973 alone, cancer will kill an estimated 350,000 Americans.

A special task force reported to the Surgeon General in April, 1970, that the majority of cancer victims had been exposed at least 15 years earlier to cancer-causing chemicals, or carcinogens.

These substances include components of cigarette smoke, additives to food and beverages, growth stimulants for cattle, certain air and water pollutants and, at work sites, asbestos.

"Any increase of carcinogenic contaminants in man's environment today will reveal its carcinogenic effects some 15 or more years from now," said the task force, which was headed by Dr. Umberto Saffiotti of the National Cancer Institute.

Terming "the majority of human cancers potentially preventable," the scientists said it is "urgent that every effort be made to detect and control sources of carcinogenic contamination well before damaging effects become evident in man."

This theme was reflected yesterday by Rep. L. H. Fountain (D-N.C.), chairman of the House Intergovernmental Relations Subcommittee. It has been investigating the use of carcinogens in foods and drugs for two years.

One of these chemicals is DES, a growth stimulant for cattle and sheep that livestock men began to use widely in 1954. No human cancers resulting from this usage have been demonstrated. If DES does cause human cancer, the evidence would only now start to become available.

Last summer, Dr. Rauscher, who is also director of the Cancer Institute, joined Fountain and others in urging the Food and Drug Administration to ban DES from feed. Reluctantly, Commissioner Charles C. Edwards, now an Assistant Secretary of Health, Education, and Welfare, imposed a ban effective last Jan. 1. However, the agency continues to allow injections of DES.

Last month, an internal FDA memo disclosed that at least 18 possibly carcinogenic substances are being used in food animals. "For practically all of these, inadequate testing methods exist for the detection of residues of these substances in human food," Sen. Abraham A. Ribicoff (D-Conn.) told the Senate on March 20.

The FDA also permits pharmaceutical manufacturers to test experimental medicines in humans before completing animal tests designed to determine if the drugs could cause cancer. There have been cases in which cancer developed in laboratory animals while human studies were under way.

Yesterday, Fountain pointed out that the cancer death rate has been steadily rising over the years "despite improved treatment methods.

"While we hope and pray that the current big jump in the death rate from cancer may turn out to be a statistical aberration," he continued, "we cannot dismiss the possibility that cancer is now on the rise because of the wide exposure of our population to cancer-causing agents 15 or more years ago."

Fountain said he has urged the FDA and the Agriculture Department to give top priority to research and regulatory action arising from FDA experiments involving another potent carcinogen, nitrosamine.

The experiments established that this substance is produced in the frying of bacon that has been treated with sodium nitrite, which is widely used not only in bacon, but also in hot dogs, ham, corned beef and other processed meat products.

In a related development, the Washington-based Center for Science in the Public Interest released a 55-page report charging that nitrite is a hazardous food additive that should be banned.

The co-director of the public interest group, Dr. Michael Jacobson, seeks in the report to rebut the meat industry's claim that nitrite, which enhances color and flavor and acts as a preservative in some cases, is essential for all current uses.

In a joint letter to Agriculture Secretary Earl Butz, Jacobson, Peter Schuck of Consumers Union and Harrison Wellford of Ralph Nader's Center for Study of Responsive Law protested that the department and the FDA have not set up a scientific panel to study the nitrite issue.

The department said in March 1972, that the panel was "in the process" of being established, the letter said. The same assurance was given again last August, Jacobson recalled. "I was shocked to learn last week that no such panel ... has been convened," he said.

In Cleveland, Ohio, Dr. Samuel S. Epstein of Case Western Reserve University, a specialist in toxic substances in the environment, said the new National Center data "are precisely consistent with what one would expect" from "the increasing load of carcinogens" in the environment.

In New York City, a spokesman for the American Cancer Society said that it is too early to assess the significance of the new statistics in terms of causes.

[From the Washington Post, Apr. 8, 1973]

X-RAYS AND CANCER: IS THERE A LINK?

Those regular tooth and chest X-rays may be more harmful than helpful, medical and technical experts have told a Senate committee.

In fact Americans are subjected to millions of unneeded X-rays every year, and in one major study such low-level radiation has been linked to cancer, they said.

Dr. Irwin D. J. Bross of Roswell Park Memorial Institute in Buffalo told the Senate Commerce Committee his study showed the link between X-rays and cancer, particularly leukemia, to be as strong as the link between thalidomide and malformation, and smoking and lung cancer.

The evidence does not indicate that X-rays cause cancer, but that in a susceptible person, radiation or similar hazards appear to "trigger" the disease, he said.

In the study, more than 40 per cent of those suffering had been exposed to X-rays than those who did not have cancer.

While this alone might not be a conclusive link, he said that when the persons who would be "susceptible" to cancer were isolated there were 400 to 800 percent more cancer patients who had been X-rayed than in the control group.

A person was considered "susceptible" to cancer by his previous medical history prior to his diagnosis of leukemia by such factors as bacterial diseases.

"This was solid evidence that the relatively low dosages of radiation involved in these diagnostic X-rays produced an increased risk of leukemia," Bross said.

Bross, Seymour Becker, chief of the Suffolk County (N.Y.) Health Department Radiation Control Unit and Richard H. Sandler, energy consultant to Ralph Nader all urged a halt to the current widespread use of diagnostic X-rays.

"If a doctor can't give a good medical justification, then the patient should say no to a routine X-ray," Bross said. "The giving of routine chest X-rays or tooth X-rays every six months as a method of improving health services is fading out."

"Before a person submits to an X-ray, he should ask the doctor if it's needed, ask to see proof that the machine is in full compliance with state standards, and finally ask if the doctor is qualified to take the X-ray," Becker said.

Bross said that his estimates show that up to one-third of all the X-rays taken have no medical justification.

"At this point we do not know what a 'safe level' of radiation would be," Bross said. "But the immediate implication of these findings is that there is urgent need to reduce the current levels of exposure to radiation."

[From the Washington Post, Apr. 16, 1973]

FDA: MEAT DYE MAY CAUSE CANCER

Declaring it may cause cancer, the government yesterday banned the use of Violet No. 1, a food color widely used in drugs and cosmetics and to stamp meat with grade markers.

The Food and Drug Administration said the ban would be effective April 10, but that it would not recall any products containing the color now on the market or manufactured prior to that time.

The agency estimated that 30 per cent of all Violet No. 1 used in this country goes to the federal meat inspection program which stamps meat with the "Choice," "Prime" or "U.S. No. 1 USDA" signs familiar to meat buyers.

The food color has been used for the last 22 years in the United States and is widely found in beverages and other products including candy, bakery goods, ice cream, sherbet and pet foods. It is also found in some drugs and cosmetics.

The Agriculture Department simultaneously announced that beginning April 11 its grades would switch to an array of other colors—yellows, oranges and greens—to replace the violet.

The FDA said it based its decision on two Japanese studies, both unpublished, in which rats were fed Violet No. 1 at a level equivalent to 5 per cent of their diet. Preliminary data from the studies, the FDA said, "suggests the material fed may be carcinogenic," meaning that it could cause cancer.

One of the studies involved Violet No. 1 that did not meet U.S. standards for the color, the FDA said, but the second used certifiable color.

In 1973, an advisory committee nominated by the National Academy of Sciences and composed of pathologists reconfirmed previous government studies that the dye was safe, the FDA said. The Japanese studies caused a reevaluation.

[From the Washington Post, May 24, 1973]

CONTROVERSY: VITAMIN PILLS, CONGRESS AND THE FDA

(By Robert Rodale)

Basic issues are at stake in the controversy over new Food and Drug Administration (FDA) regulations of vitamin pills.

Can legal limits be placed on nutritional elements just because they are sold in tablet or capsule form? That's what FDA wants to do, mainly by exercising its power to regulate the labeling of foods.

Impetus for the FDA's action comes from two directions, I believe. It's opposed to the trend toward use of self-prescribed higher-potency food supplements to prevent diseases. FDA also sees vitamin and mineral supplements as the life blood of the health food movement, which continues to gain supporters and may, I think, even eventually remake the foundations of American food and eating patterns. That bothers those who still look on health foods as being far-out and perhaps slightly subversive.

The "guts" of the new food supplement regulations are the provisions setting low potency limits on all vitamin and mineral supplements. Once they're in effect, you won't be able to buy tablets with more than 90 milligrams of vitamin C or 45 units of vitamin E, for example, unless you have a doctor's prescription for higher potency vitamins.

Much of the controversy about the regulations stems from FDA's prohibition of five statements about food and nutrition that have been associated with the vitamin industry.

For example, FDA plans to prohibit supplement companies from saying that food becomes inadequate or deficient because it is stored, transported, processed or cooked. That flies in the face of a body of evidence showing that all those factors can lower food quality and even be the direct cause of nutritional problems.

Another rule prohibits statements "that a diet of ordinary foods cannot supply adequate amounts of nutrients." Here again, mounting evidence shows that the "ordinary foods" many people are eating leave them deficient in vitamins C and A, and the mineral calcium.

A third rule would stop claims that inadequate diet is due to the soil in which a food is grown. There is clear evidence that plants do reflect in their makeup the mineral balance in soil, although experts argue over whether the difference is big enough to be significant.

Reaction to the regulations is already strong, and getting more intense. Much of the pressure from both consumers and food supplement companies is directed at Congress, which is considering several bills to limit FDA's authority to act.

A bill by Rep. Craig Hosmer (R.-Calif.) would forbid the FDA or any other federal agency from restricting in any way the right of the public to buy safe foods and vitamins.

Rep. Jerome R. Waldie (D.-Calif.) has introduced a similar bill. It would prevent the government from limiting the potency, number, combination, amount, or variety of any vitamin, mineral or other safe food supplement ingredient.

"Do you think an individual should be required to have a prescription in order to take vitamin C?" asked Waldie on the floor of Congress. "Is it not his right to take 5 milligrams, or 50 milligrams, or 500 milligrams of vitamin C as he sees fit, as long as the product itself is not harmful, and as long as the product label accurately reflects the contents?"

Another congressional opponent of FDA's section is Rep. Hamilton Fish, Jr. (R.-N.Y.), who is co-sponsoring corrective legislation. "The result of this FDA ruling if allowed to stand," he said, "in addition to reducing the nation's vitamin and mineral food supplement business by an estimated 80 per cent, will be the denial of basic freedom of choice to the millions of Americans who wish to supplement what they deem an inadequate diet."

[From the Washington Post, May 16, 1973]

RECTAL CANCER IS THIRD MOST COMMON AILMENT

(By T. R. Van Dellen, M.D.)

Cancer of the colon and rectum is the third most common malignancy in both sexes. The incidence also seems to be increasing in young people. A British cancer specialist blames bland foods. Refined bakery goods and cereals, for example, linger too long in the bowel. This is one reason why we should eat more roughage.

Colonic and rectal cancers, typical of many internal malignancies, are potentially curable if detected before they spread. Approximately 73,000 United States citizens develop these types of lesions annually; nearly 43,000 die. But this is only a part of the story—70 percent can be cured if the cancer is detected before it has spread beyond the confines of the bowel and rectum. Once the cancer has spread, only 39 percent survive.

It is the individual—you and I—who is more responsible than anyone else for the successful treatment of this diseases. The early symptoms are well-known and easily recognized. They are:

A change in normal bowel habits. An example is the person who has always been regular and then, for no apparent reason, becomes constipated or develops diarrhea or loose stools.

Rectal bleeding. Never blame this symptom on hemorrhoids unless a sigmoidoscopic examination and barium enema X-rays have ruled out a cancer.

Attacks of unusual abdominal gas or pain.

See your physician when any of these symptoms develop.

[From the Washington Post, May 22, 1973]

CANCER AND SACCHARIN: A NEW LINK?

A new federal report yesterday strengthened the link between cancer and saccharin, the only artificial sweetener remaining on the market since cyclamate was banned.

The Food and Drug Administration said it will not move against the sugar substitute until it receives a recommendation from the National Academy of Sciences.

Virgil O. Wodicka, director of FDA's Bureau of Foods, said the pathology report on the agency's two-year rat feeding studies shows "presumptive evidence" that saccharin caused cancerous bladder tumors in three of 48 rats fed saccharin as 7.5 per cent of their total diet.

"The first question we've posed to the academy is, 'Is it really cancer?'" Wodicka said. "Second, if it is cancer, 'Did saccharin induce it?'"

A six-member academy subcommittee on non-nutritive sweeteners, headed by Dr. Julius M. Coon of Thomas Jefferson University in Philadelphia, met on the questions last Thursday and Friday and plans to assemble again in mid-June.

The FDA must act by June 30 to extend or modify interim saccharin regulations restricting use to 12 milligrams per fluid ounce in beverages.

Woodard Research Laboratories, under contract to FDA to study the dead rats, reported finding "transitional cell carcinomas in the bladder tumors of three rats, one male and two females.

"These are dose-related, as far as we can see," said Richard J. Ronk, director of FDA's division of food and color additives.

No significant abnormalities were found, according to the preliminary report in control animals including those fed cyclamate.

CARSTENSON & ASSOCIATES,
Washington, D.C., October 10, 1973.

Hon. RICHARD BOLLING,
Rayburn Office Building,
Washington, D.C.

DEAR DICK: Earlier, when Ed Shelley and I met with you, I promised I would write you about the ideas we discussed on congressional reorganization to make the House more effective. Here are some of my suggestions and ideas.

A critical part of legislation is the transmission of legislative intent to the executive branch, particularly to the project and contracts officers in regional offices thousands of miles and many, many layers of bureaucracy away from the White House and department heads and Congress.

In almost all of the many agencies with which I have worked (HEW, Labor, Agriculture, HUD, OEO, ACTION) including one Federal agency program which I am currently evaluating under contract, the people at the key contract and project officer level at the regional office are generally misinformed about congressional intent.

Having served for many years as a registered lobbyist, I well realize the legislative intent is sometimes intentionally or accidentally fuzzy, vague, or general. Usually Congress goes through much labor to establish clear legislative intent. Often it is in the places where legislative intent is clear that regional or even national agency personnel administering the programs go astray, making Congressmen and Senators frustrated, irritated, angry, and programs malfunction.

There appear to be six factors:

1. Interpretation of new legislation is often left to third level inexperienced departmental legal counsel lawyers who are *neither* aware of the program or subject matter nor sensitive to the intricacies of legislative struggles, floor colloquies, statements of the managers of bills, committee reports, conference reports, compromises, rejected amendments or language, etc. If in doubt, which the department lawyers often are, they don't call congressional committees or sources, but narrowly interpret (or perhaps more accurately, blindly) the exact language of the section of the Act. Rarely is anything but the law quoted in any departmental materials. Never have I seen reference to rejected amendments or intent. *Most of the legislative history is lost at this point in the administration of a law.*

2. It is a fact that in most agencies it is unwise, unsafe, and almost immoral for program, project, or contract officers to request copies of committee reports, conference reports, hearings, statements, section by section analysis, congressional record, debates, and *even* sometimes a copy of the entire law itself. There are no "instructions" on how to get any of this information "through channels". Most grade 12 to 14 bureaucrats will not risk writing or calling a congressional committee to get copies.

3. Rarely is legislative history summarized over the years. Most legislation has a long legislative history. Compilations of law are not, and do not convey, the legislative intent which Congress works so hard to establish and project officers, contract officers, and program officers need so badly. The old law is simply annexed to new amendments and legislative history forgotten.

4. Regionalization and decentralization puts even more distance and layers between congressional intent and actual program gatherings, formal occasions, and even swimming pools, bars and neighborhood activities put congressional people in touch with lower level agency personnel who actually set policy review proposals, and approve contracts. Local Washington TV, radio, and press coverage or a local phone call can get information about "what happened" to those who need to know. Regional agency staffs can't have these channels of communication.

5. Unresolved congressional intent often causes agency leadership to give their own interpretation. In contrast to extensive committee reports and section by section analyses, conference committee reports often leave much to be desired giving only bare bone interpretation to complex conference-resolution of problems and controversies.

6. Where programs are given to the States and administered by State departmental officials with complex and large agencies, legislative intent is further weakened and lost. Now, in federal program after program, area-wide agencies and metrocounty district agencies and neighborhood structure are required by federal legislation to add one more level to the distance between congressional intent and real contract and program decisions.

There are a few notable exceptions. First, a few laws such as tax laws and social security laws are detailed in drafting and content and the transmitting systems such as to resolve congressional intent even though both examples often result in congressional letters, appeals and court actions.

Another approach is that given by the Senate Committee on Aging which compiles legislative history and record into volumes and circulates these to the states and localities and regional offices in sufficient numbers as to enable operating personnel to be able to get the legislative history to those applying for grants, approving projects and making program decisions and giving technical assistance.

RECOMMENDATIONS

1. Conference reports should be more detailed as to intent.

2. After legislation has been completed and signed, congressional staff should prepare a summary of congressional legislation intent and print sufficient copies to federal regional and state and city officials who will administer the program. The decision about who does the job should be delegated by the Conference Committee (1) to the Congressional Research Service, (2) to a special committee such as the Senate Committee on Aging, (3) or the legislative committees singly or jointly. It can best be done by Congress because it is here that the history and legislative expertise exist. Sufficient copies should be sent directly to the regional office staff and to the state agencies involved.

3. Require as a part of the act training of operational personnel be carried out on both the letter and intent of the law and periodically they should be checked so that personal or organizational bias does not slip in. It is recommended that occasional or periodic visits to regional offices by bi-partisan staff (or even members of the committee) be made to insure that program and contract officers understand the intent of the legislation as well as the letters of the law.

Until Congress does a better job of transmitting congressional intent it should not blame grade 13 and 14 level regional bureaucrats for being ineffective in carrying out programs.

Sincerely,

BLUE CARSTENSON, *President.*

APPENDIX

ADDITIONAL STUDIES BY STAFF OR CONSULTANTS

By direction of the committee, various alternative plans to House committee organization were explored, each with its own set of ground rules. The resulting products in no sense can be viewed as expressing any conclusions of the members of the select committee, nor do they necessarily represent the recommendations of the staff, except as responses to the particular directives received.

A total of seven alternative plans were explored, in order to provide a variety of approaches for consideration of the committee in its further deliberations.

The first study was printed in volume 2 of these hearings, pages 488-501 inclusive. At the time, the paper was not identified as to authorship because as a "think piece" it proposed such sweeping changes that despite disclaimers it might have been treated as representing the position of its authors. Now that many alternative plans are also available involving contributions for the same authors, it is appropriate to indicate responsibility for the first study. The first study grew out of informal discussions between Chairman Richard Bolling and Chief of Staff Charles S. Sheldon II, who did the writing of the study.

The second study was done by the entire professional staff under guidelines which are set forth in that report, and is referred to in various other places as the "August Study". The plan was fairly comprehensive, and its contents resulted from a series of separate majority votes, undertaken with a minimum regard for public impact of disclosure of the plan. Again, in light of many alternative staff studies, the original confidential label, applied to minimize the risk it would be interpreted to be "the" staff position, has been lifted.

Once the select committee members had discussed the August Study, they quite properly wanted to see what results would follow from at least three other plans: A pattern of a small number of committees; a pattern of a large number of committees; a pattern of minimal change in committees from what they are now. All three of these studies are also reproduced here.

A consultant, Mrs. Bess E. Dick, formerly Chief Counsel of the House Judiciary Committee worked independently to produce a comprehensive plan, also printed here.

The final study in this series of exercises was prepared by request by Dr. Franklin P. Huddle, Science Policy Research Division, Congressional Research Service; and like the staff studies it does not represent his preferred recommendation or that of the Service, but shows a possible consequence of a different approach to organizing the committees of the House.

As stated above, the first study appeared earlier in printed hearings of the select committee, and the remaining six are reproduced here in the order discussed above.

THE AUGUST STUDY—A STAFF EXERCISE IN REORGANIZING HOUSE
STANDING COMMITTEES

U.S. HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON COMMITTEES,
Washington, D.C., September 12, 1973.

HON. RICHARD BOLLING,
Chairman, Select Committee on Committees, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am pleased to submit the attached report in response to your request to have the staff prepare a proposal of House committees and their jurisdiction.

Our recommendations are embodied in the following sections:

1. Procedures followed in preparing the report.
2. Proposed committees and jurisdictions.
3. Monitoring of committee jurisdictions.
4. Budgeting and appropriations.
5. Committee oversight.
6. Subcommittees.
7. Staff dissenting opinions.
8. Summary of new committee jurisdictions, and effects upon current jurisdictions.

The staff understands that this report is strictly confidential, and is not to be circulated beyond the members of this committee.

The preparation of this report was an interesting and challenging assignment for the staff members. We will be pleased to discuss this report with the committee, and undertake whatever additional research is desired.

Sincerely yours,

CHARLES S. SHELDON II,
Chief of Staff.

Attachment:

SECTION 1

PROCEDURES FOLLOWED IN PREPARING THE REPORT

Introduction

Early in June Chairman Bolling instructed the select committee staff to prepare a proposal for the reorganization of House committees. He said that the staff proposal should be based on what was thought acceptable to him and Rep. Martin and should be completed by September. The purpose of this memorandum is to relate briefly how the select committee staff carried out this assignment.

Preliminary planning

The first step was to solicit staff recommendations as to how best to proceed. Several memoranda were circulated from which a summary

paper was prepared by the staff director for discussion at a preliminary meeting on July 10. Generally, broad agreement existed among the staff on the need first to explore some basic questions about committees before attempting to spell out committee jurisdictions. These questions, "organizing principles" they were called, included such subjects as committee size and number, unique role of the House, representation on committees, relevance of Senate committees and the organization of the executive branch, oversight, committee consideration of the Federal budget, the scope of committee jurisdiction, etc. The summary paper and later discussion at project meetings reviewed many of these questions.

A second preliminary step, and an important one, was to secure a room in the Cannon building large enough to accommodate the staff. The room had a table where papers could be placed and safely left. A blackboard, tape recorder, and easel for charts and diagrams were also obtained and used. When the time came to divide committee jurisdictions the easel and blackboard were particularly helpful. The tape recorder was less useful.

A third preliminary step was to form an Agenda Committee (Roger Davidson and Gerry Grady) to focus and guide the discussions. This the committee initially did. However, as the project progressed, the agenda either became increasingly obvious or was set by the whole staff on an ad hoc basis so that the advantages of such a committee, a daily agenda, were lost.

Project objectives

The early discussions of organizing principles led gradually to a set of project objectives. These objectives, goals for committees in the House of Representatives, formed a necessary framework for the committee system to be proposed. Unfortunately, the framework was not rigorously developed nor formally expressed so some confusion resulted later on. However, the discussion was by no means disorganized.

The policy objectives loosely agreed upon were:

- (1) To have standing committees.
- (2) To include in the project committee consideration of the Federal budget.
- (3) To be aware of subcommittees but not deal with them directly—although this in fact was done.
- (4) To do something about oversight.
- (5) To minimize jurisdictional overlap, but to provide some mechanism for coordinating the inevitable overlap that occurs in any configuration of standing committees.
- (6) To establish a procedure for updating committee jurisdiction on a continuing basis.
- (7) To ignore Senate committees and the executive branch.
- (8) To be conscious of the roles of the Speaker and the leadership but to tread lightly here.
- (9) To consider committee staff, information resources, and administrative support as beyond the immediate scope of the project.
- (10) To equalize committee workload, and
- (11) To eliminate the distinction between major and minor committees.

Some policy objectives were not taken up: 1) no agreement was reached as to the number of committees desired, the size of committee,

or the number of committee assignments per member to be allowed. 2) little discussion occurred but without any agreement reached on the scope of committee jurisdiction, that is whether the committees to be proposed were to be single interest or multiple interest committees.

Project environment

A familiarity with the atmosphere of the staff project may be helpful in understanding what happened. Basically, the select committee staff tried to apply game-theory to the assignment given by Chairman Bolling:

A deadline was set (August 3).

A regular meeting schedule was fixed and met (9:30-12:00 and 2:00-4:30 practically every day for the three weeks of July 16 to August 3. (This perhaps was too heavy a concentration).

The meetings were chaired by Charles Sheldon in the morning and Mel Miller in the afternoon.

Daily summaries were prepared by rotating assignments among staff.

Confidentiality was maintained.

Votes were taken (for example, a motion to combine energy with natural resources and the environment was defeated 3-8).

Personal reorganizational schemes were prepared and floated (although not fully considered).

Subcommittees were created.

Speeches were discouraged but participation by all eleven staff members was sought and achieved.

Policy disagreements were recognized and confronted (for example, a motion to retain social security and welfare programs in Ways and Means failed 5-6. A motion to recommend a committee on Agriculture and Consumer Affairs passed 6-5).

Subcommittees

In addition to the Agenda Committee, several other committees were formed to facilitate the staff's deliberations:

A Budget Committee (Linda Kamm and Rob Ketcham) was created to review budgetary proposals and to evaluate the effect of budgetary considerations on the rest of the work. The Committee presented a proposal for a leadership budget which was adopted.

An Oversight Committee (Walter Oleszek and Dennis Taylor) was created to bring back first a review of possible oversight schemes and second a recommended plan which incorporated several of the ideas raised during the staff's discussion of oversight.

A Coordination Committee (Roger Davidson and Gerald Grady) was created to examine proposals for coordinating committee activity. The committee refined a proposal for enlarging the jurisdiction of the Rules Committee to include a coordinating role.

In addition to these four committees which met during the staff deliberations, a Committee on Jurisdiction (Joan Bannon, Spencer Beresford, and Linda Kamm) was created to prepare after the project was completed a paper explaining the jurisdictional patterns of the staff's final proposal. A Committee on Procedure and History (Terry Finn and Rob Ketcham) also was created to explain how the select committee staff went about its assigned task.

Procedural lessons

As a result of the project the select committee staff developed a few thoughts on the process of a group trying to reorganize the committee system. The staff generally agrees on the following:

1. Organizing principles should be thoroughly discussed, agreed upon, and clearly stated at the beginning.
2. Certain problems like the budget and oversight lend themselves to task forces and issue papers prepared in advance.
3. A large and secure room with a blackboard or chart space is essential.
4. An agenda each day is helpful. Because everything is related to everything else, debate can easily wander.
5. No "right" or "logical" outcome exists. A variety of committee schemes can be drafted. Who can say, for example, whether international health legislation "rationally" belongs in a foreign affairs committee or a health committee?
6. Several procedural techniques were helpful, particularly the first three noted below:

Presenting jurisdictional profiles of each of 21 standing committees.

Instead of random discussion or making motions and voting, going around the room one by one for general comments. This was a useful test of sentiment, a procedure to encourage participation, and a good way to exchange ideas.

Having each participant submit a list of proposed committees.

Preparing a master list of all new committees proposed.

Deciding whether to change substantially the present committees, the keep or kill list (some staff members, however, thought this technique was not helpful).

7. Any useful result is unlikely without heavy doses of self-discipline and compromise (regarding the latter, few if any of the staff members did not get voted down on an issue important to him/her).

Brief summary of daily activity

July 10: Preliminary meeting.

July 16: Discussion of organizing principles.

July 17: Presentation of the budget problem.

Creation of budget subcommittee.

July 18: Further discussion of organizing principles, focusing on jurisdiction, including jurisdiction of subcommittees and ad hoc committees.

Discussion of oversight.

Review of Government Operations Committee.

Creation of staff oversight task force.

Beginning of jurisdictional profiles of the 21 standing committees.

July 19: Continuation of jurisdictional profiles.

July 20: Completion of jurisdictional profiles.

Presentation by three staffers (Charles Sheldon, Terry Finn, and Rob Ketcham) of their own reorganization plans.

July 23: Day off to work on task forces and personal reorganization plans.

Creation of staff coordination task force.

July 24: Presentation of budget task force report and recommendation for refinement of the Leadership Budget.

Presentation of oversight task force report and request for a recommendation.

Initial discussion of coordination mechanisms.

July 25: Further discussion of coordination and the report of the coordination task force.

Discussion of Office of the Speaker and information support.

Keep-kill vote.

Suggestions for new committees.

July 26: Compilation of all the committees recommended.

Decisions on Armed Services and Judiciary committees (the easy committees first).

July 27: Discussion of proposal for an Office of Administrative Services and Office of Information Support.

Energy briefing.

Decisions on Energy, Natural Resources, Agriculture and Consumer Affairs, and Health committees.

July 30: Decisions on Education, Economic Affairs, Transportation, Community Development, Government Operations, (D.C.), and Welfare committees.

Initial discussion of Ways and Means.

July 31: Decisions on Social Services, Ways and Means, Communications and Information, Standards of Office Conduct, Science and Technology, Rules and Jurisdiction, and Budget committees.

Motion to retain the Appropriations Committee was defeated 4-5.

Aug. 1: Day off.

Aug. 2: Committees wrap up, including the setting aside of a proposed bipartisan Committee on Policy and Planning.

Aug. 3: Final wrap up of committees, including creation of House Administration and passing over a separate D.C. committee.

Discussion of House information and administrative services.

Discussion and adoption of subcommittee structures.

SECTION 2

PROPOSED COMMITTEES AND JURISDICTIONS

As a result of its discussions, the staff recommends the establishment of 20 House committees.¹ These committees are:

1. Agriculture and Consumer Affairs
2. Armed Services
3. Budget
4. Commerce, Banking and Labor
5. Communications
6. Community Development
7. Education
8. Energy
9. Government Review
10. Health
11. House Administration

¹ Or 21 if a District of Columbia Committee is added. The staff could not resolve this issue.

12. International Affairs
13. Judiciary
14. Natural Resources and Environment
15. Rules and Jurisdiction
16. Science and Technology
17. Social Services
18. Standards of Official Conduct
19. Transportation
20. Ways and Means

In most instances a Member would be limited to one committee assignment. The only exceptions would be for membership on the Budget, House Administration, or Standards of Official Conduct Committee. These three committees could be a second assignment.

The staff also recommends that each committee have an oversight subcommittee, a budget subcommittee, and no more than three other subcommittees. No Member would be permitted to serve on more than two subcommittees of any committee. A brief discussion of the committees recommended by the staff follows.

JURISDICTIONS OF PROPOSED COMMITTEES

1. Agriculture and Consumer Affairs

In general, this committee would have the jurisdiction of the present Committee on Agriculture. In addition, as the name suggests, it would be responsible for consumer legislation (including the consumer affairs jurisdiction of the present Commerce Committee). The staff agreed that the addition of consumer affairs jurisdiction would encourage non-rural Members to join the committee and would result in more balanced legislation.

Trade legislation now under the jurisdiction of the Committee on Agriculture (P.L. 480) would be transferred to the proposed Committee on International Affairs, which would exercise jurisdiction over trade matters generally.

The proposed Committee on Community Development would take jurisdiction, now in the Committee on Agriculture, over the Farmers' Home Administration, water and sewer programs, and the Rural Development Act.

Jurisdiction over forestry now in the Committee on Agriculture would be transferred to the proposed Committee on Natural Resources and Environment.

2. Armed Services

The staff recommends a Committee on Armed Services with substantially the same jurisdiction as at present.

This recommendation was made in spite of concern over the size of the committee's jurisdiction in terms of dollars, as well as its history of limited information and participation in making defense policy. Because of this concern, the staff also recommends that (a) over-all (secondary and concurrent) review of defense research and development be assigned to the proposed Committee on Science and Technology, and (b) the proposed Committee on Government Review be given specific oversight responsibility for defense procurement.

A proposal to merge the Armed Services and Foreign Affairs committees, perhaps as a joint committee, was discussed but rejected because the resulting jurisdiction would be too unwieldy and might submerge foreign policy considerations in military affairs.

Finally, the staff recommends that the Joint Subcommittee on Intelligence be composed equally of Members from the Armed Services Committee and the proposed Budget and International Affairs committees (instead of the Armed Services and Appropriations Committees as at present).

3. Budget

The Budget Committee would be chaired by the Speaker or his designee, and would be composed of the minority leader and one Member of each party drawn from each standing program committee. The Speaker would select additional Members to provide a party ratio representative of the House at large. Unlike most of the committees proposed by the staff, this would not be an exclusive committee; its Members could serve in addition to their other committee assignments.

Early in each session, this committee would report a simple resolution setting targets for Federal spending and revenues, including changes in the public debt and any resulting deficit or surplus. The House could debate priorities and allocations, and the program committees would then make line-item appropriations. There would be no need for a separate Appropriations Committee—as recognized by a staff vote to recommend abolition of that committee.

Because of its complexity, the operation of the Budget Committee is described in detail in another sections of this report (Section 4).

4. Commerce, Banking and Labor

This new committee is designed to embrace economic and labor issues, and to provide an overview of the economy.

The staff consciously recommends a committee with mixed jurisdiction centering on economic activity in the hope that by attracting a diverse group of Members interested in business and labor issues, it will produce comprehensive policies.

Jurisdiction over domestic banking would be vested in this committee, although international banking would be transferred to the proposed Committee on International Affairs.

In addition, this committee would take over the following jurisdiction from the present Committee on Banking and Currency: economic stabilization, including wage and price controls; Federal Deposit Insurance and FDIC; the Federal Reserve System; and dollar valuation. From the present Committee on Education and Labor, it would assume jurisdiction over labor relations including collective bargaining and wage and hour regulation. From the present Committee on Interstate and Foreign Commerce, it would assume jurisdiction over security exchanges and the SEC; and from the Judiciary Committee, Federal holidays and bankruptcy. Finally, it would take over the duties of the present Select Committee on Small Business, which would be abolished.

5. Communications

This new committee is proposed to reflect the growing importance of communications policy, licensing, and regulation (FCC and cable TV), information policy, and overall review of Federal information

services (Post Office, Federal Register, Archives and Census). Its communications jurisdiction would come from the present Committee on Interstate and Foreign Commerce. Jurisdiction over the Post Office, Federal Register, Archives, and Census would be transferred from the present Committee on Post Office and Civil Service, and copyright jurisdiction from the Judiciary Committee.

The staff rejected proposals that this committee also include information technology and civil rights relating to communications and information, wishing to avoid the creation of a super committee with substantial potential for infringement of individual rights. It also voted down a proposal to put the Securities and Exchange Commission and patent jurisdictions under this committee.

6. Community Development

This new committee would assume jurisdiction over housing and urban development program from the Committee on Banking and Currency; the Farmers Home Administration from the Agriculture Committee; and water and sewer, economic development, and public buildings and grounds from the Public Works Committee. Veterans' housing and land-use planning would also go to this committee.

The staff considered recommending a committee on urban affairs or a committee on urban affairs and transportation. However, it was decided that the building of community facilities, whether rural or urban, should be the concern of a single committee, and that transportation (including mass transit) required a separate committee.

The staff could not agree on assigning this committee jurisdiction over the District of Columbia. The issue remained unresolved because some participants, including all those who reside in the District of Columbia, believe there should continue to be a separate committee on the District of Columbia, at least until home rule is granted. Finally, it was decided by vote to recommend a Committee on Energy and a separate Committee on Natural Resources and Environment.

7. Education

The staff recommends an Education Committee with general jurisdiction over Federal education programs. The proposed committee would also be given jurisdiction over Federal manpower training programs, including Manpower Development and Training (MDTA) as well as OEO and Office of Education manpower programs. The staff could not agree, however, on whether to include the work incentive (WIN) program (now under Ways and Means) in this committee, or to group it with other social services programs in a Social Services Committee.

A proposal to combine education and health jurisdiction in one committee was rejected as representing an excessive workload.

8. Energy

The staff recommends a Committee on Energy with jurisdiction over the Federal Power Commission and the Bureau of Mines, as well as the civilian applications, licensing, and regulatory functions of the Atomic Energy Commission. There was some doubt whether this should be a standing committee or, initially at least, a select or special committee appointed by the Speaker. The staff considered proposals for abolishing the Joint Committee on Atomic Energy, or converting

it into a House or a joint committee responsible for all forms of energy, but reached no decisions on these questions.

The staff had difficulty in deciding how to group the topics of environment, natural resources and energy. After considerable debate, it voted to separate the environment, on the assumption that the tension between environmental and energy or resources considerations within one committee would be too great. A proposal for a Committee on Energy and Natural Resources (corresponding to the proposed executive department) was then voted down. Finally, it was decided by vote to recommend a Committee on Energy and a separate Committee on Natural Resources and Environment.

The present jurisdiction is dispersed among the committees on Agriculture, Appropriations, Armed Services, Interior and Insular Affairs, Judiciary, Merchant Marine and Fisheries, Public Works, Science and Astronautics, Ways and Means, the Joint Committee on Atomic Energy, and the Joint Economic Committee.

It is worth noting that the proposed Energy Committee would not have jurisdiction over energy resources or research and development.

9. Government Review

In general, this committee would have the jurisdiction of the present Committee on Government Operations. Additionally, it would gain specific though secondary jurisdiction to oversee military procurement.

The staff agreed that the Committee on Government Operations ought to be reconstituted because, institutionally, it has been unable to do its job. At the same time, however, a legitimate role exists for a standing committee with general oversight and investigative responsibilities. The recommended organizational changes are as follows:

(a) The Committee should be non-partisan, with equal membership from the Democratic and Republican parties.

(b) In making assignments to the committee, preference should be given to vigorous junior Members and those who have demonstrated a flair for oversight and investigations.

(c) The committee should be free to conduct oversight on any subject, notwithstanding the jurisdiction or oversight activities of any other committee or committees.

(d) The committee should have the right to offer floor amendments indicated by its oversight activities to any bill called up by an authorizing committee.

The staff further suggests that early in each session the Speaker, after consultation with the standing committees and the Government Review Committee, submit an oversight agenda establishing the general direction and coordination of all House oversight activities.

As explained in the section of this report dealing with subcommittees (Section 6), each standing committee would be required to have an oversight subcommittee.

10. Health

This new committee would exercise jurisdiction over health programs generally, as follows:

(a) From Interstate and Foreign Commerce—all health jurisdiction, including Emergency Medical Services, hospital con-

struction (Hill-Burton), health personnel training, the Public Health Service, and the Institutes of Health.

(b) From Science and Astronautics—biomedical research and development.

(c) From Veteran's Affairs—veterans' hospitals.

(d) From Ways and Means—Maternal and Child Health, Medicare, Medicaid, and all national health insurance legislation.

The staff concluded that health care jurisdiction has not been handled effectively because of its dispersion. In particular, Ways and Means has been prevented by its workload from acting on national health insurance legislation. Furthermore, Medicare and Medicaid have not been closely coordinated with such programs as health personnel training.

11. House Administration

The staff refrained from recommending any change in this committee.

A majority of the staff members believe that many of the services performed by this committee could be performed effectively by administrative personnel. On the other hand, many of the administrative functions of the House are in fact performed by elective officials; furthermore, they are set forth in House rules other than X and XI and thus may lie outside the scope of H. Res. 132.

The staff thus concluded that further study of this matter is required. In particular, it recommends that serious consideration be given to a proposal to create an Office of Information Services and an Office of Administration in the House under the direction of a small committee appointed by the Speaker.

12. International Affairs

This committee would embrace the jurisdiction of the Committee on Foreign Affairs, which it would supersede. In addition, it would acquire jurisdiction from Ways and Means over customs administration, tariffs and trade, from Agriculture over Public Law 480, and from Banking and Currency over international banking and finance. Its jurisdiction would also include the Panama Canal (from Merchant Marine and Fisheries) and all foreign economic and military aid.

The present jurisdiction of the Committee on Foreign Affairs over international scientific cooperation, including conferences, would be transferred to the new Committee on Science and Technology.

In recommending this new committee, the staff recognizes the increased importance of international economic policy and trade negotiations, and the desirability of coordinating them more closely with each other and with national security and foreign policy. In the same vein, the staff also recommends that the International Affairs Committee be represented on the Joint Subcommittee on Intelligence of the Armed Services Committee.

13. Judiciary

The staff recommends a Committee on the Judiciary with various changes from the present jurisdiction.

This Committee would absorb the jurisdiction of the Committee on Internal Security, which is recommended for elimination. The jurisdiction of the recently abolished Select Committee on Crime is as-

sumed to be in the Judiciary Committee. In addition, it would acquire general jurisdiction over Federal elections, although House election contests including campaign financing would remain under House Administration.

Jurisdiction would be transferred from the Committee as follows:

- (a) Bankruptcy and Federal holidays and celebrations to the new Committee on Commerce, Banking and Labor;
- (b) Copyrights to the new Committee on Communications;
- (c) Patents and trademarks to the new Committee on Science and Technology.
- (d) Continental shelf to the new Committee on Natural Resources and Environment.

The staff rejected a proposal that private claims and immigration bills be handled by an agency or commission rather than a congressional committee.

14. *Natural Resources and Environment*

This newcommittee would combine the following jurisdictions:

- (a) National forests and the Forest Service from the Committee on Agriculture;
- (b) Public lands, water resources, forests, national parks, and geological surveys from the Committee on Interior and Insular Affairs;
- (c) Fisheries and Wildlife, environmental policy, conservation, oceanography and coastal areas, and geodetic surveys from the Committee on Merchant Marine and Fisheries;
- (d) Water resource projects (excluding navigation) and water pollution from the Committee on Public Works;
- (e) Air pollution from the Committee on Commerce.

After considerable debate over the proper grouping of jurisdiction over energy, natural resources, and the environment, the staff finally decided to recommend the creation of this committee and a separate committee on energy.

The staff rejected a proposal to move jurisdiction over clean air and water to the new Committee on Health, and voted instead to place it under Natural Resources and Environment.

15. *Rules and Jurisdiction*

The staff recommends a renamed Committee on Rules with expanded jurisdiction.

Under a new procedure, the Parliamentarian would refer all public bills. Each reference would take effect only after five legislative days, during which objections could be raised and considered by the committee by means of hearings or otherwise. After the five days had elapsed, the committee could either change the original reference or let it stand.

The committee could refer parts of a bill or a whole bill to two or more different committees simultaneously or successively; or it could create *ad hoc* committees for the consideration of particular bills. In the latter case, the committee would bring to the floor a resolution creating the *ad hoc* committee and, if necessary, providing the funds.

It would also be the responsibility of the committee to recommend rule changes at the beginning of each Congress, or from time to time as necessary, to realign committee jurisdictions in accordance with changed conditions.

This proposal, and the rationale behind it, are discussed in greater detail in Section 3 of this report.

16. Science and Technology

The staff recommends that the Committee on Science and Astronautics be renamed and its jurisdiction expanded.

This committee would have all of the present committee's jurisdiction—except for biomedical research and development, which would be placed under the new Committee on Health; and science scholarships, which would be transferred to the new Committee on Education. In addition, it would acquire the following new or expanded responsibilities:

(a) Over-all review of all scientific research and development conducted or sponsored by the Federal Government, including defense research and development (now exclusively under the Committee on Armed Services);

(b) Research and development in support of civil aviation (now shared with the Committee on Interstate and Foreign Commerce);

(c) Patents, trademarks and the Patent Office (from the Judiciary Committee);

(d) Energy research and development;

(e) Technology assessment, including—if established—the Office of Technology Assessment (this jurisdiction is not now assigned to any committee);

(f) International scientific, aeronautical, and astronautical cooperation, including conferences (this jurisdiction is now shared with the Committee on Foreign Affairs and the Committee on Interstate and Foreign Commerce).

A proposal to add communications to the committee's jurisdiction was voted down by the staff.

17. Committee on Social Services

This new committee is intended to embrace social welfare programs generally—except for Medicare, Medicaid and maternal and child health care, which are placed under the proposed Committee on Health.

Most of its jurisdiction would come from Ways and Means: social security benefits (though not taxes), public assistance, unemployment compensation, and the work incentive (WIN) program. The committee would also acquire jurisdiction over the food stamp program, which is now in the Agriculture Committee.

The staff's proposal for this committee is not advanced without reservations. For one thing, there is some doubt whether such a committee could attract a representative membership. Moreover, social transfer payments not covered by trust funds would probably be subject to annual appropriation if removed from Ways and Means. The staff voted down a proposal to keep social security programs in Ways and Means, as well as proposals to place them in the Health Committee or the Education Committee.

18. Standards of Official Conduct

The staff recommends retaining the Committee on Standards of Official Conduct, presumably as a secondary (i.e., non-exclusive) committee.

In arriving at this recommendation, the staff rejected a proposal to place this jurisdiction in the House Administration Committee, believ-

ing that standards of official conduct should be treated as a bipartisan matter.

It also rejected proposals to include Federal election laws and the franking law within the jurisdiction of this committee. Because the Federal election laws extend beyond elections of House Members, it was decided that they should be handled by a legislative committee such as Judiciary. The franking law falls naturally within the jurisdiction of the new Committee on Communications, although abuses of the frank by House members might properly be referred to the Committee on Standards of Official Conduct.

19. Transportation

The staff recommendation for a new Committee on Transportation is based on the great importance of this topic and the desirability of considering various modes of transport in relation to one another.

Its jurisdiction would include:

(a) The Interstate Commerce Commission (ICC), the Federal Aviation Administration (FAA), the Civil Aeronautics Board (CAB), the National Railroad Passenger Corporation (AMTRAK) and inland waterways transportation—all from Interstate and Foreign Commerce;

(b) The Federal Maritime Commission, Maritime Administration, and Merchant Marine from Merchant Marine and Fisheries;

(c) Highways and roads and the Rivers and Harbors Act from Public Works.

After considerable debate, the staff further decided to include urban mass transit and international air transportation within the jurisdiction of this Committee.

Transportation safety, however, would remain within the consumer affairs jurisdiction and would thus be vested in the Committee on Agriculture and Consumer Affairs.

20. Ways and Means

The staff recommends retaining the Committee on Ways and Means, with jurisdiction over:

(a) The Internal Revenue Code

(b) General revenue sharing

(c) The social security, gas, and unemployment taxes

(d) The highway, airport, and social security trust funds.

In the staff's opinion, this would constitute a coherent and demanding workload.

As a result of other staff recommendations, this committee would lose its jurisdiction over:

(a) National health insurance legislation, Medicare, Medicaid and maternal and child health care—to the new Committee on Health;

(b) Public assistance programs and the non-tax aspects of social security—to the new Committee on Social Services;

(c) International trade, tariffs and customs administration—to the International Affairs Committee.

COMMITTEES THAT WERE ABOLISHED OR SUBSTANTIALLY REVISED

Committee on Appropriations

Under the staff proposal, the Committee on Appropriations would be abolished. In the judgment of the staff, there would be no longer any need for the present Appropriations Committee if a Committee on the Budget with authority to set ceilings and sub-ceilings by major category as well as the level of deficit or surplus, the debt limit, and revenues were established. Program (or legislative) committees could make line item-budget allocations within the ceilings set by a Budget Committee.

The staff recommends that, instead of one Appropriations Committee with semi-autonomous subcommittees, each committee should have a budget subcommittee. The budget subcommittee on each program committee would be involved in preparing budget recommendations for the Budget Committee and in analyzing line-item budget requests for programs authorized by that committee. The staff is of the opinion generally that this arrangement would simplify the budget process in the House and would enhance the possibility of oversight by making programs within each program committee's jurisdiction compete with each other for the available funds.

It is anticipated that members of the present Appropriations Committee would take committee positions on the program committees and most likely in the budget subcommittees of those committees. Their expertise would be put to use most effectively in that area. Appropriations Committee staff could easily be absorbed by the program committees and the newly established Budget Committee. Their skills would be essential to the gearing-up of the proposed new budget system for the Congress.

District of Columbia Committee

While this committee was not actually abolished by the staff, the staff could not agree to retain a D.C. Committee. One argument in favor of the D.C. Committee is that D.C. legislation is quite complex and needs a group of members willing to devote a significant amount of attention to it. Another is that the citizens in the District of Columbia should have a specific group of Members in the House whom they can petition for resolution of District problems rather than have to deal with a subcommittee of another committee whose members are less interested in the District. It was pointed out during the discussions that the District of Columbia Committee now, for the first time, has a membership comprised primarily of people who are concerned about the District's problems and have begun to take steps to work on long-standing issues, such as court reform and review of District laws. If the jurisdiction were placed in another committee, it is unlikely that a subcommittee would be able to devote the same amount of attention to these problems.

Opponents of the District of Columbia Committee felt that there was insufficient work for such a committee and that it was unnecessary. They felt that D.C. problems could better be handled by the Com-

munity Development Committee. Further, the possibility of home rule would negate the need for a D.C. Committee.

Committee on Education and Labor

The staff recommended removing labor jurisdiction from the Committee on Education and Labor. Under its proposal, labor jurisdiction would be in the new Committee on Commerce, Banking and Labor.

Committee on Internal Security

The staff concluded that a Committee on Internal Security is not necessary. It has a limited legislative workload, and its functions could best be carried out by the Judiciary Committee.

Committee on Banking and Currency

The Committee on Banking and Currency in its present sense would be abolished. Its jurisdiction would be absorbed by several new committees. A Committee on Commerce, Banking and Labor would assume the jurisdiction over domestic banking and over currency generally. The economic stabilization jurisdiction and Federal Reserve System would also be transferred to this new committee. Jurisdiction over public and private housing would be shifted to the Committee on Community Development, while jurisdiction over Urban Mass Transit would be shifted to the Transportation Committee. International banks and banking jurisdiction would be lodged in the International Affairs Committee.

Committee on Interstate and Foreign Commerce

This committee would be abolished and its jurisdiction transferred to several other committees. The Transportation Committee would have responsibility for civil aeronautics, inland waterways, and other transportation jurisdiction in the present Commerce Committee. Power jurisdiction, including interstate oil compacts, petroleum, natural gas, and the FPC, as well as regulation of power transmission would be in the new Energy Committee. Securities and exchanges jurisdiction and commerce generally would be included in the new Committee on Commerce, Banking and Labor. Consumer protection legislation would be shifted to the Committee on Agriculture and Consumer Affairs. Jurisdiction over the weather bureau would be lodged in the Science and Technology Committee. Communications jurisdiction would be in the new Communications Committee.

Committee on Merchant Marine and Fisheries

This committee's jurisdiction would be shared by the Transportation Committee (merchant marine affairs), the Natural Resources and Environment Committee (National Environmental Policy Act, and National Oceanic and Atmospheric Administration), and the International Affairs Committee (Panama Canal and international fish and sea conventions).

Committee on Post Office and Civil Service

This committee would also be abolished. Jurisdiction over the Post Office would be in the new Communications Committee. Jurisdiction over Civil Service would be in the Commerce, Banking and Labor Committee, except for Civil Service retirement which would be in the Social Services Committee.

Committee on Public Works

This committee's work would be absorbed by new committees. Much of its jurisdiction—that related to buildings and grounds and water and sewer construction would be shifted to the Committee on Community Development. Jurisdiction over pollution and navigable waters would be shifted to the Committee on Natural Resources and Environment. Highway jurisdiction would be shifted to the Committee on Transportation.

Committee on Veterans Affairs

The Committee on Veterans Affairs would be abolished and its jurisdiction merged into several other committees. Veterans' benefits and rehabilitation would be handled by the Social Services Committee. Veterans' hospitals and medical care would be within the province of the Health Committee and veterans' housing would be the responsibility of the Community Development Committee.

Committee on Ways and Means

The Committee on Ways and Means would lose considerable jurisdiction. Jurisdiction over trade legislation would be vested in the International Affairs Committee. Jurisdiction over Social Security, with the exception of the tax itself, would be in the Social Services Committee. The debt level would be set by the Budget Committee. Medicare and Medicaid would be handled by the Health Committee.

SECTION 3

MONITORING OF COMMITTEE JURISDICTIONS

Any apportioning of jurisdictions under Rule XI, no matter how wise or foresighted, is bound to be imperfect. These imperfections are the price we have to pay for having a settled, convenient procedure for distributing the House's workload over an incredibly complex range of subjects. While recognizing this, the staff has concluded that the Select Committee report should be viewed as an occasion to recommend somewhat greater flexibility in the House's handling of its jurisdictional questions.

The need for this flexibility arises in two ways:

(1) Modern legislation inevitably crosses jurisdictional lines. The House should be able to bring the expertise of its various committees to bear in considering such broad-gauged legislation—by permitting Members from more than one committee to take part in shaping the legislation prior to the floor consideration.

(2) Whatever changes in Rule XI are adopted by the House are subject to obsolescence as new issues arise and old ones fade away. While the kind of wholesale review undertaken by the select committee is no doubt necessary from time to time, the House should not have to wait an entire generation before making minor adjustments of jurisdictional lines.

For these reasons, the staff is suggesting a mechanism that will permit ongoing flexibility in bill referrals, as well as ongoing review of the adequacy of Rule XI in allocating workloads.

Referral of bills by Parliamentarian

Upon introduction in the House, public bills are delivered to the Speaker, "to be by him referred" to the appropriate committee (Rule XXII, Section 4). In the vast majority of cases, the actual referral is performed by the Parliamentarian, acting on the Speaker's behalf in accordance with precedents. In cases of conflict, the Speaker sometimes uses his own discretion or acts as mediator between committees having claims on the legislation.

Under the staff's proposal, bills would be referred in the first instance by the Parliamentarian acting in accord with Rule XI. This would conform to the present *de facto* arrangement and would recognize the Parliamentarian's in interpreting the rules of the House. We would enlarge the Rules Committee's role in mediating conflicting jurisdictional claims, while construing the relevant clause of Rule XXII as a ministerial or non-discretionary function.

Rules and Jurisdiction Committee

After referral of a bill by the Parliamentarian, any committee of the House would have five (5) legislative days in which to appeal to the Rules and Jurisdiction Committee. (We suggest altering the name of the present Rules Committee to emphasize its role in overseeing and interpreting Rule XI.) The Rules and Jurisdiction Committee would be authorized to hold hearings and receive communications on the subject, and within a specified time would be required to rule on the referral.

If the Rules and Jurisdiction Committee decided to refer the measure to one or more standing committees of the House, its action would not be subject to further appeal. If, however, the committee decided to refer the measure to an *ad hoc* committee, its decision would be embodied in a resolution to be voted upon by the House.

Cooperation among committees

The Rules and Jurisdiction Committee would be encouraged to foster coordination among committees for consideration of broad, interrelated issues. These methods would include:

- (1) Joint, split, or successive referrals to two or more House committees.
- (2) Creation of *ad hoc* committees, composed of Members from two or more relevant standing committees, having legislative jurisdiction over one or more bills for a single Congress.
- (3) Designation of individual Members to be attached temporarily to a given committee to participate in deliberations on a specified bill or set of bills.
- (4) Promotion of informal cooperation among committees having an interest in a given legislative issue.

Review of jurisdictions and workloads

The Rules and Jurisdiction Committee would receive proposed legislative and oversight agendas of activities from the various standing committees early in each session, and would keep informed about the workload of the standing committees to ascertain whether jurisdictional adjustments might be advisable.

The Rules and Jurisdiction Committee would be encouraged to recommend from time to time such changes in Rule XI as might be re-

quired to respond to changing conditions and to maintain a balanced workload.

SECTION 4

BUDGETING AND APPROPRIATIONS

Creation of a Budget Committee and budget targets

A Budget Committee would be established at the beginning of each Congress with the responsibility to report a special House resolution setting targets for spending, deficit or surplus, public debt, and revenue receipts with an established reserve to meet any emergency obligations. The targets would include figures for relatively uncontrollable expenditures and tax expenditures. The special resolution could be amended on the floor.

Membership

The House Budget Committee would be chaired by the Speaker or his designee with two Members drawn from each standing committee—one majority and one minority—and additional Members selected by the Speaker to provide a ratio representative of the House at large. The minority leader would also serve on the committee. The Members from each committee could be selected by the committee or by the respective party caucuses.

Budget staff

A small technically competent budget staff would be created as a resource for the committees and Members of the House generally. It would be under the supervision of a director appointed by the Speaker with concurrence of the minority leader. It is anticipated that this staff would use existing data and assist in placing requirements on the executive branch for data formatted to fit congressional needs. In addition to access to executive information, the staff would require access to committee information since it would be working year-round to evaluate the target figures in relation to subsequent developments and maintain an electronic "scoreboard" of budgetary and fiscal events. The staff would also be preparing for the next year's targets.

The structure of the budget staff must reflect the realities of technical and professional staff work in a legislative environment. Defined professional responsibilities are essential to the success of the budget preparation and targets. In addition to the non-partisan staff which will be available to all Members and committees to assist in providing budget information and to work on amendments and projects, the majority and minority will have the power to appoint a limited number of professional staff which would be responsible to them rather than to the membership and committees at large. In this way, it is hoped that the technical and professional competence of the budget staff will be maintained while, at the same time, the particular needs of the majority and minority leadership will be served.

Committee reporting and process

In order to develop responsible ceilings for each major subject category, the standing House committees must have a significant role in the formation of the legislative budget. Each committee would be required to prepare a statement of its projected requirements for the next fiscal year, early in the calendar year. The reporting respon-

sibility would be different, of course, for the revenue and spending committees. The Ways and Means Committee would present its projected revenue expectations. To provide a more orderly procedure for the proposed committee reporting, it could be required that the documents be submitted prior to the end of year recess, or before adjournment at the end of the respective Congress.

With reports from the committees in hand, the Budget Committee and its staff would work up its estimates for each ceiling, for revenue receipts, tax expenditures, and other backdoors and relatively uncontrollables. It will also develop a reserve figure for emergencies.

Timing of the resolution

The timing for consideration of the actual House resolution should be as early in the session as possible.

To facilitate adequate budgetary review, it is important to require an earlier submission by the executive branch so that work can actually begin at the first of the new calendar year. The suggested date for the submission of the President's budget would be moved to December 26th, with the recognition that when a new President assumed office, he would wish to amend the budget submissions after the new calendar year had begun.

If the Budget Committee failed to act on a resolution by March 1, a new discharge procedure could enable a certain group of Members—44 perhaps—to discharge a resolution already referred to the committee for floor consideration.

To further improve budgetary procedure, authorizations would need to be adopted in the previous calendar year, so that both old and new programs could be included in the budget figures.

Categories included in the expenditure targets

The target for expenditures set under the simple resolution would include relatively uncontrollable expenditures and "backdoors". Thus, estimates for public assistance payments, other social services and benefits, agriculture price supports, food stamp program, public housing subsidies, military retired pay and the postal service would be included. Permanent appropriations such as Social Security and Medicare, unemployment, retirement (non-military), interest on the debt and general revenue sharing would also be included. In addition to the above, non-budgeted items which impact on the budget such as tax expenditures and trust funds would also be added to round out the complete Federal expenditure picture and provide the House with a better decision-making tool.

The expenditure ceiling should include subceilings by major category and allow for floor debate and amendment. It is anticipated that there would be between 10 and 20 subceilings paralleling either the Appropriations subcommittees or the program committees.

Electronic scorecard

Subsequent resolutions would not be required under this proposal and are unnecessary if the consequences of future actions of the House are tabulated and made known. To accomplish this task, an electronic scorecard would be maintained by the budget staff; it would tabulate congressional actions which impact on the budget figures in the resolution, as they occur. This procedure would allow any Member to know at any given time what the current status of congressional budg-

etary action is, and in that way, keep abreast of future actions and evaluate proposals. This current information, coupled with the House-passed target figures, could operate to bind the membership.

Effect on the Appropriations Committee

Since the targets adopted in the resolution will be treated as controlling figures by the House, the program committees can assume responsibility for authorizing and appropriating under the ceilings set by the Budget Committee. In effect, the Appropriations function of setting sub-totals after review of the agency justifications would be superseded by the target debate and the setting of major categories. For this reason, the expertise of the Appropriations Committee staff could be transferred to the Budget staff, with the membership placed on the Budget subcommittees within the several program committees.

SECTION 5

COMMITTEE OVERSIGHT

A principal function of Congress is oversight. Many in and out of the House agree, however, that this function requires strengthening. In seeking to accomplish this objective, various oversight reform proposals were first examined and then two alternative plans for strengthening the House's review function were prepared. Finally, specific recommendations were adopted. These three decision-making stages are reflected below.

CONSIDERATION OF REFORM PROPOSALS

1. Statutory/administrative

(a) Require Federal agencies to keep appropriate committees "currently and fully informed" (similar to JCAE's authority).

(b) In drafting legislation, Congress should be more explicit as to (1) legislative intent and (2) agency reporting requirements.

(c) Set aside a small percentage of funds in each bill for evaluation studies by the concerned agency, the committee, or both.

(d) Require committee reports to contain oversight objectives prior to a bill's consideration on the floor of the House.

2. Resources

(a) Additional staff with authority to conduct field investigations and/or hearings.

(b) Establish oversight subcommittees on each committee or appoint a separate committee staff to be responsible for oversight.

(c) Better define who controls GAO so a plan of its oversight activities can be developed.

3. Coordination/cooperation

(a) *Rotation of committee members.*—Perhaps the largest road-block to cooperative relationships among committees is the feelings of loyalty and social unity that members of a committee develop. They act to protect their "turf" against both perceived and real jurisdictional encroachments. This attitude could be cracked somewhat by periodically rotating segments of a committee's membership. Further considerations: effect of rotation on the seniority system, expertise, and the assignment process.

(b) *Ad hoc arrangements*.—Allow the Speaker, Parliamentarian, a committee of the House, or a party committee to combine related subcommittees into *ad hoc* groups to work on common problems or issues. This implies House control over the formation of subcommittees and a clearer characterization of subcommittee jurisdictions so whoever does the combining and recombining of subcommittees will know the subject areas that exist. Flexibility can still be maintained in the committee system by allowing standing committees to create additional subcommittees as needed.

(c) *Create select or special committees*.—Granted the feeling that select committees are “bad” because they erode the standing committee system or develop “permanent” characteristics, they still could be utilized to handle special problems. Therefore, should it be made easier to establish them?

(d) *Casework*.—Computer system to develop comprehensive picture of citizen complaints.

(e) *Committee consultations and associations*.—1. Allow certain members of the authorizing committees to sit with appropriate subcommittees of Appropriations and Government Operations during hearings and meetings.

2. Government Operations should review major programs enacted during the previous Congress and make recommendations to both the authorizing and appropriating committees.

3. Before monies can be appropriated (including tax expenditures), Appropriations subcommittees (Ways and Means for taxes) must consult with both appropriate authorizing committees and Government Operations regarding an existing program's accomplishments or a new program's proposed objectives.

4. Recommend more staff consultation among the committees; joint hearings; joint referrals; split referrals, etc.

(f) *Party leadership*.—The majority leadership, in consultation with the minority leaders, should establish oversight priorities for committees and the GAO at the beginning of each legislative session.

(g) *Special days or time periods*.—1. House should set aside three 10-day periods each year for field hearings and oversight visits.

2. Set special days for oversight discussions on the floor of the House.

4. *Authorizations/appropriations*

(a) Annual authorizations versus multi-year authorizations.

(b) Establish specific date for completing authorizations, after which committees would then conduct oversight of programs.

(c) Grant authorizing committees appropriating power within established limits set by a budget committee.

(d) Establish advance funding procedures.

5. *Government Operations Committee*

(a) Abolish it, leaving oversight to the program and budget committees.

(b) Eliminate its oversight responsibility and assign it more precise legislative jurisdiction, e.g., reorganization plans, government information, etc.

(c) Eliminate its legislative responsibility and make it an oversight committee solely, with instructions to share its investigative findings with all other committees.

(d) Authorize opposition party control of Government Operations.
 (e) Grant Government Operations legislative authority so it can introduce bills pursuant to its investigative findings.

(f) Appoint only junior Members to the Committee on the assumption they have more energy to devote to oversight work.

Miscellaneous

(a) Improve presentation of GAO reports.

(b) Grant the leadership (Speaker and minority leader) an oversight budget so they can create at their discretion special oversight committees as the need arises.

ALTERNATIVE PLANS

1. Retain a strengthened Government-Operations Committee (renamed Policy and Program Review Committee)

Features:

New authority

(a) The jurisdiction of this committee will be more precisely defined to make it clear that it oversees not only for economy and efficiency purposes but to determine whether a policy or program is working. It shall have the authority to issue "adverse" reports, as well as meritorious ones, and to make policy recommendations therein. Its legislative jurisdiction will extend to reorganization and budget and accounting measures only, along with responsibility for the General Accounting Office and the General Services Administration.

(b) It shall be obligatory on the authorizing and appropriating committees to request members of the Program Review Committee to testify before it whenever a policy or program that has been reviewed by the Program Committee is to be renewed.

(c) The subcommittees of the Policy and Program Review Committee and appropriate subcommittees of the authorizing committees shall work together on evaluation studies whenever either subcommittee chairman or the Speaker so requests. In any case, investigations shall be coordinated with the respective legislative and appropriations subcommittees, and all reports on programs shall be sent to the appropriate committees.

Agenda setting

Toward the end of each Congress, GAO and CRS shall conduct a joint study as to the various areas in which programs were enacted into law. Their study shall also include such other program areas in which they determine that the public interest will be served by legislative review. The joint study and recommendations shall be filed with the Speaker and the chairman of the Policy and Program Review Committee by November 15 of each even-numbered year. Before the start of a new session, or not later than January 15, the Program chairman and ranking minority member shall consult with the Speaker and minority leader about an annual oversight agenda. This oversight agenda will then be presented to the House by the Program chairman no later than January 30 of each odd-numbered year. Additional recommendations may be offered at that time by any Representative, and periodic changes in the agenda may be made by the Speaker and minority leader acting jointly.

2. Eliminate Government Operations

All authorizing committees shall be required to create oversight subcommittees to review programs and agencies under their purview. The recommendations, findings, or reports of the oversight subcommittees shall be made available to their parent committee, the Budget and other concerned committees, and the party leadership.

Cooperation

(a) Whenever program or agency review involves two or more standing committees, the appropriate oversight subcommittees shall be authorized to act jointly upon the request of either subcommittee chairman or the Speaker. The chairman of the *ad hoc* working group would be either selected by the members of that committee or by his committee seniority ranking.

(b) It shall be obligatory on the Budget Committee(s) to request the chairmen of the appropriate oversight committee to testify before it whenever a policy or program reviewed by that committee is to be renewed.

Agenda setting

See above. In this case, the several oversight chairmen or the standing committee chairmen shall meet with the Speaker and minority leader to establish an annual oversight agenda to be presented on the floor of the House by the Speaker.

3. Changes in Committee Report and Floor Procedures

Floor procedure

(a) During the floor consideration of authorizations (new and old), the chairman of the appropriate oversight subcommittee or the Chairman of the Policy and Program Review Committee or their designees, shall be recognized at their request to present information on a current program's effectiveness or the areas of expected evaluation for a new program.

(b) Upon the request of an oversight chairman, the Speaker shall be authorized to schedule oversight discussion on the floor at least twice a month. Moreover, the Speaker shall have authority to schedule oversight field hearings upon majority vote of the House for periods not to exceed ten days.

Committee reports

(a) All committee reports for extension or expansion of existing programs shall contain an oversight evaluation section based on the findings of (1) the authorizing committee, (2) GAO, and (3) the Policy and Program Review Committee, insofar as relevant material is available.

(b) Legislation authorizing new programs shall specify the information the involved agency must maintain and supply to both the initiating committee and the oversight committee(s).

RECOMMENDATIONS ADOPTED

First.—To reflect its larger role and greater oversight responsibilities, the Committee on Government Operations was renamed the Committee on Government Review. The Government Review Committee retains the present jurisdiction of Government Operations and is

assigned new duties. In addition, the committee shall be composed of a majority and minority member selected from each standing committee, with the chairman named by the Speaker.

Second.—The new powers added to the jurisdiction of the Committee on Government Review include:

(a) The committee is assigned specific review responsibility over military procurement.

(b) The committee shall be authorized by rule to investigate any issue. That is, no committee can prevent the Committee on Government Review from investigating an area by stating the matter is within its jurisdiction.

(c) Floor amendments proposed by Government Review shall be privileged.

Third.—Each legislative committee shall be required to establish an oversight subcommittee that shall have a staff of its own.

Fourth.—All committee reports for extension or expansion of existing programs shall contain an oversight evaluation section based on the findings of (1) the authorizing committee, (2) the GAO, and (3) the Government Review Committee, insofar as relevant material is available.

Fifth.—Legislation authorizing new programs shall specify the information the involved agency must maintain and supply to both the initiating committee and the Government Review Committee.

Sixth.—The leadership of the House (Speaker and minority leader), in consultation with the Government Review Committee and other standing committees, shall establish an oversight agenda for each Congress. This agenda shall establish policy review priorities for the Government Review Committee and the oversight subcommittee.

Seventh.—Insofar as practicable, junior Members interested in oversight shall be assigned to the Committee on Government Review as vacancies occur.

Eighth.—The Speaker, in his discretion, shall set aside periods of nonfloor activity so committee chairman can schedule oversight field hearings.

SECTION 6

SUBCOMMITTEES

During the first session of the 93rd Congress, there were 132 standing and select subcommittee and 16 joint subcommittees. The average number of subcommittee assignments per member was 3.74. Given (1) the generally increasing workload of committees, (2) problems of attracting quorums on various committees, and (3) the proliferation of subcommittees, two principal proposals were discussed to control the creation and jurisdiction of subcommittees. These were:

1. Limit the number of subcommittees and provide that additional subcommittees can be established only by special resolution of the House.

2. Committees shall be free to establish their standing subcommittee structure at the start of each Congress, but subsequent changes in that structure would require approval by the Rules and Jurisdiction Committee.

Lengthy debate ensued regarding limiting the number of subcommittees per committee. On the one hand, limitations would act to

restrict subcommittee creation and thereby reduce duplication and overlap in the committee system. Establishing specific limits, however, is arbitrary, for certain committees may require more subcommittees than others to do their work effectively. Moreover, restrictions on the creation of subcommittees would act to limit the flexibility of the committee system.

On the other hand, it was argued that committees should be free to change their subcommittee structure without undue supervision of the Rules and Jurisdiction Committee. Within the limitation set, committees should be free to create or eliminate subcommittees according to their own needs and changing workloads. It was also expressed that an over-all, but not inflexible, limitation on the number of subcommittees would ease the burden of assignments upon Members.

Following debate, these recommendations were adopted:

First.—Each standing committee can establish up to 5 subcommittees, one of which must be an oversight subcommittee.

Second.—Additional subcommittees may be established by approval of the House. Subcommittees created by House resolution shall exist for only the length of a Congress. Moreover, the resolution shall specify the funds to be allocated to each subcommittee.

Third.—No member shall serve on more than two subcommittees of any standing committee.

Fourth.—Committee chairmen and ranking minority members shall be *ex officio* members of all subcommittees on their respective committees.

Fifth.—The jurisdiction of each subcommittee shall be defined in the rules of each committee.

SECTION 7

SEPARATE OPINIONS OF STAFF MEMBERS

(Note: The staff agreed that an individual staff member may add a separate or dissenting opinion to the staff report. The following opinions were submitted.)

SEPARATE OPINION OF SPENCER M. BERESFORD

Long-Range Studies Committee

During the staff discussions, a motion to recommend a committee on long-range studies failed to carry by a tie vote of 4 to 4 with 2 abstentions.

The purpose of this memorandum is to urge that the creation of such a committee be reconsidered.

The proposed committee would provide a mechanism for coordinating the work of the standing committees so as to develop coherent and comprehensive House positions and policies. It would not have legislative authority. Its responsibilities would include future legislative problems and options, long-range planning, and evaluation of major federal activities in terms of their long-range effectiveness and cost.

The staff recognized that study and planning functions are already being performed for the Congress by—for example—the Government Operations Committee, the Committee on Science and Astronautics,

the Library of Congress (particularly the Congressional Research Service) and the Joint Economic Committee. The Office of Technology Assessment also is expected to perform such functions. However, all these organizations are too narrowly focused—for example, on view, and respond principally to requests and inquiries rather than initiate work in order to meet recognized needs.

Consequently, it is believed that a Committee on Long-Range Studies would increase the effectiveness of the House in its policy-making, legislative and oversight functions.

Energy Committee—Proposal to add jurisdiction over principal energy resources

During the staff discussions, a motion to recommend a Committee on Energy and Natural Resources, having a jurisdiction which would roughly correspond with the activities of the proposed executive Department of Energy and Natural Resources, was defeated by a vote of 4 to 6 with one abstention. Later, the staff voted for an Energy Committee without any jurisdiction over natural resources (that jurisdiction being wholly vested in a separate Natural Resources Committee).

The purpose of this memorandum is to propose that the jurisdiction of the recommended Energy Committee be broadened so as to include the principal energy resources, particularly petroleum and its fuel products, natural gas, oil shale and coal. The Naval petroleum and oil shale reserves, now under the Armed Services Committee, would not be included, nor would energy research and development (assigned by the staff to the recommended Committee on Science and Technology). Ways and Means would retain jurisdiction over depletion allowances.

It is believed that an Energy Committee should exercise a substantial degree of control over the principal energy resources in order to be effective. Examples that come to mind are petroleum import quotas; controlled prices of natural gas at the well-head; Federal funds for oil tankers, pipelines and superports.

SEPARATE OPINION OF ROBERT C. KETCHAM

Energy Committee

The Energy Committee adopted during the staff project fails to place jurisdiction over the United States' natural and energy resources under this committee. It also fails to propose a remedy to the economic impact of Government and independent regulatory decisions (to include tax decisions) on supply and demand for energy, and fails to take into account the probable Federal role in an expanded energy research and development program.

Energy resources on the public lands are vast and compose hundreds of years of supply of coal, billions of barrels of oil shale, untapped resources of oil and gas on the Atlantic coast in particular, and outer continental shelf in general. The exploitation of these resources usually degrades the environment and also requires, for coal and oil shale development, very large quantities of scarce water resources. These resource questions and the resulting environmental problems should be properly placed in one committee where they can be heard and resolved.

Private energy decisions involve economic factors, government regulation and tax consequences at the very least. Logically, these elements should be placed together so that rational decisions on energy policy can be made. Already, proposals for Federal involvement in the energy business, going as far as takeover of the oil industry, have been made in Congress. A congressional committee armed with economic information and able to evaluate the effects of regulation, such as the Natural Gas Act's effect on natural gas prices and exploration, should be created.

Finally, Federal efforts on energy development and supply will undoubtedly be directed towards expanded research and development. Included in this program will be such subjects as coal gasification, coal liquefaction, shale oil, geothermal steam, advanced power cycles, solar energy and nuclear energy. Research and development programs could logically be placed in the committee with responsibility for science and technology.

The Natural Resources Committee, with jurisdiction over the environmental consequences of development of those resources, would be a proper forum to resolve differences over resource exploitation. Because of the power of the energy industry and the danger that the committee might become captive of those interests, a balancing role of environmental protection could achieve a committee more representative of the membership at large.

In lieu of the staff-adopted Energy Committee, other alternatives are possible. Because of the intense interest and concern about energy, a Select Committee for Energy with legislative power to explore the three factors of proper use of our natural resources, research and development, and the economic aspects to include tax expenditures could be created.

If a select committee is not possible, I favor the close coordination of several program committees with some energy jurisdiction, by subcommittee if that is desirable, to work out different titles with a lead committee in charge, and again with the inclusion of tax consequences in the same package. What should not be forgotten here is the relative importance of appropriations as well. I suggest that the Appropriations subcommittees be realigned to reflect energy concerns, with a better structure to tackle the consequences of regulation (the Clean Air Act) as well as oversee from a budget point of view such subjects as energy research and development.

SEPARATE OPINION OF ROGER H. DAVIDSON

Energy jurisdiction should be merged with broader concerns

Creation of a separate committee dealing solely with energy problems—despite its current political appeal—would be an unwise move in the long run. How the “energy crisis” is defined depends largely on one’s point of view. It can be seen, for example, as a problem of insufficient resources; or it can be seen as a case of inefficient utilization of those resources (especially in transportation). A separate Energy Committee would, in my judgment, tend to attract those Members who hold the first view and will only underscore the present producer-oriented approach to the problem. It seems likely to me that spokesmen for various producing interests—especially fossil fuels but not

excluding alternative energy technologies—will gain control of the committee and seek to intensify the present tendencies toward oligopolistic markets and resource exploitation, perhaps with token commitments to research and development. Such a committee would have little incentive to explore the conservation and utilization aspects of the problem, which are intimately tied to such topics as transportation, housing, land use, natural resources, environmental protection, and international balance of trade. In other words, the energy question is so interlocked with other problems that I think it would be unwise to prejudice the case by splitting it off from other related aspects.

Supporting services for the House

The staff report did not go far enough, in my judgment, to support the concept of a more coherent grouping of supporting services for the House. I concur in the proposal to combine such functions under two professional officers: a Director of Information Support, and a Director of Administration. These two appointive officers would be responsible to a leadership-appointed Committee on Information Support and Administration—which would provide oversight but would not involve itself in detailed administration. The Director of Information Support would have broad supervision over: GAO; CRS; OTA; the Legislative Counsel; computer services; other Library of Congress services; GPO; media support; the Office of the Clerk; and such proposed services as trend analysis and opinion surveys. The Director of Administration would supervise supporting services in: personnel; fiscal matters; land and buildings; furnishings and equipment; communications; protective services; amenities; parking; travel; the Botanic Gardens; the Sergeant at Arms; the Doorkeeper; and assorted committee services. Such an arrangement would provide high-level Member supervision of these important functions, but would discourage needless political bargaining and empire-building over matters which should be professionally administered.

SEPARATE OPINION OF GERALD J. GRADY

Additional changes in budgeting and appropriation process

The changes in the budgeting and appropriation procedures recommended in this report will do much to improve the decision-making process of the House in this important area. I recommend two additional changes, as follows:

1. *A consolidated appropriation bill.*—Our staff report recommends that budget “ceilings” or “targets” for all major programs be established in one single resolution. I recommend that a single appropriation bill also combine all expenditures for programs and departures and be debated and voted upon at one time. This procedure would give another opportunity to make priority decisions between programs (but within ceilings), and to facilitate an early and timely adoption of the appropriation bill.

2. *Earlier submission of the budget by the President.*—The staff report recommends that the required date for submitting the budget be changed from January 20 to December 26. I recommend a December 1 date. This earlier date would permit more than a month of analysis by committees (Members and staff) as well as individual Members and the public. The new March 1 deadline makes this desirable; the re-

quirement of prior year authorizations helps to make it possible. I do not believe a December 1 date would cause an intolerable hardship upon the Executive branch.

Long-Range Studies Committee

In general, I support the recommendations of Spencer Beresford concerning the need for long-range studies. It has become necessary, I believe, for governmental units in both the executive and legislative branches to analyze, more thoroughly and systematically, long-term trends and problems, to identify the key issues, to formulate and evaluate policy choices and courses of action, and to evaluate the effects of actions that have been taken.

Perhaps this function could be performed by enlarging the mandates of the Joint Economic Committee or the Office of Technology Assessment, or by adopting the recently proposed "Joint Committee on Balanced National Growth and Development." However, I believe a special House committee is needed because of the urgent need, and because it could best communicate and articulate long-term policy implications to other House committees and House Members. I recommend this committee consist of leading Members of major committees, and that an exemption from the "two committee limit" be extended to this committee.

Supporting services for the House

I concur with the separate opinion of Roger Davidson on the topic of supporting services for the House.

SECTION 8

Summary of New Committees and Effects Upon Current Jurisdictions

JURISDICTION AFFECTED BY PROPOSED COMMITTEE REORGANIZATION

Agriculture

Becomes: Agriculture and Consumer Affairs.

LOSES PROGRAM OR FUNCTION

Farmers' Home Administration
Forestry and forest reserves

Rural development
Trade (Public Law 480)
Water and sewer programs
Food Stamps

TO PROPOSED COMMITTEE

Community Development
Natural Resources and Environment
Community Development
International Affairs
Community Development
Social Services

GAINS PROGRAM OR FUNCTION

Consumer Affairs

FROM PRESENT COMMITTEE

Interstate and Foreign Commerce

Appropriations

Eliminated: Jurisdiction transferred to Budget Committee and appropriations subcommittees of standing legislative committees.

*Armed Services*SHARES JURISDICTION OVER PROGRAM
OR FUNCTION

WITH PROPOSED COMMITTEE

Procurement oversight
Research and development over-
view

Government Review
Science and Technology

Banking and Currency (eliminated)

JURISDICTION TRANSFERRED

TO PROPOSED COMMITTEE

Domestic banking
Economic stability legislation, in-
cluding wage and price controls
Federal Deposit Insurance (in-
cluding the corporation)
Federal Reserve System
Housing, HUD programs
International banking
Mass transit

Commerce, Banking and Labor
Commerce, Banking and Labor
Commerce, Banking and Labor
Commerce, Banking and Labor
Community Development
International Affairs
Transportation

District of Columbia (unresolved)

Education and Labor (eliminated)

JURISDICTION TRANSFERRED

TO PROPOSED COMMITTEE

Education generally
Labor relations, including collec-
tive bargaining
Manpower programs: MDTA,
OEO programs
Wage and hour legislation

Education
Commerce, Banking and Labor
Education
Commerce, Banking and Labor

Foreign Affairs

Becomes: International Affairs.

LOSES PROGRAM OR FUNCTION

TO PROPOSED COMMITTEE

International science conferences

Science and Technology

GAINS PROGRAM OR FUNCTION

FROM PRESENT COMMITTEE

Customs administration
International banking
Panama Canal
Tariffs
Trade

Ways and Means
Banking and Currency
Merchant Marine and Fisheries
Ways and Means
Ways and Means, Agriculture

Government Operations

Becomes: Government Review.

Gain specific jurisdiction to oversee military procurement.

House Administration (No change)

Interior and Insular Affairs (eliminated)

JURISDICTION TRANSFERRED	TO PROPOSED COMMITTEE
Bureau of Mines, mining	Energy
Clean air and water	Natural Resources and Environment
Conservation	Natural Resources and Environment
Forest Service	Natural Resources and Environment
Indian affairs	(unresolved)
Interstate compacts	Energy
Land-use planning	Community Development
Public lands	Natural Resources and Environment
Water Resources	Natural Resources and Environment

Internal Security

Absorbed by: Judiciary Committee.

Interstate and Foreign Commerce (eliminated)

JURISDICTION TRANSFERRED	TO PROPOSED COMMITTEE
Amtrak	Transportation
Cable television	Communications
Civil Aeronautics Board	Transportation
Communications	Communications
Consumer affairs	Agriculture and Consumer Affairs
Emergency Medical Services	Health
Federal Aviation Authority	Transportation
Federal Communications Commission	Communications
Federal Power Commission	Energy
Hospital construction (Hill-Burton)	Health
Interstate Commerce Commission	Transportation
Interstate compacts	Energy
Licensing and regulation of communications facilities	Communications
National Institutes of Health	Health
Office of Telecommunications Policy	Communications
Public Broadcasting (CPB, ETV)	Communications
Public Health Service	Health
Securities Echanges, SEC	Commerce, Banking and Labor
Water and sewer programs	Community Development

Judiciary

LOSES PROGRAMS OR FUNCTIONS	TO PROPOSED COMMITTEE
Bankruptcy	Commerce, Banking and Labor
Copyright	Communications
Holidays	Commerce, Banking and Labor
Patents	Science and Technology
Trademarks	Science and Technology

GAINS PROGRAMS OR FUNCTIONS	FROM PRESENT COMMITTEE
Internal security matters	Internal Security
<i>Merchant Marine and Fisheries (Eliminated)</i>	

JURISDICTION TRANSFERRED	TO PROPOSED COMMITTEE
Conservation of fish and wildlife	Natural Resources and Environment
Maritime Administration	Transportation
National Environmental Policy Act	Natural Resources and Environment
National Oceanic and Atmospheric Ad.	Natural Resources and Environment
Panama Canal	International Affairs
Rivers and Harbors Act	Transportation
<i>Post Office and Civil Service (Eliminated)</i>	

JURISDICTION TRANSFERRED	TO PROPOSED COMMITTEE
Archives	Communications
Census	Communications
Civil Service	Commerce, Banking and Labor
Federal Register	Communications
Post Office	Communications
<i>Public Works (Eliminated)</i>	

JURISDICTION TRANSFERRED	TO PROPOSED COMMITTEE
Building and grounds	Community Development
Corps of Engineers	Natural Resources and Environment
Economic Development	Community Development
Highways and roads, Highway Fund	Transportation
Water and sewer programs	Community Development
<i>Rules</i>	

Becomes: Rules and Jurisdiction Committee.
Gains jurisdiction over bill referral.

Science and Astronautics

LOSES PROGRAMS OR FUNCTIONS	TO PROPOSED COMMITTEE
Biomedical research and development	Health

GAINS PROGRAMS OR FUNCTIONS	FROM PRESENT COMMITTEE
Energy R&D overview	
International scientific congresses and conferences	Foreign Affairs
Military R&D overview	
Patents	Judiciary
Technology assessment	

Standards of Official Conduct (no change)

Veterans' Affairs (eliminated)

JURISDICTION TRANSFERRED	TO PROPOSED COMMITTEE
Veterans' compensation, benefits	Social Services
Veterans' hospitals	Health
Veterans' housing	Community Development

Ways and Means

LOSES PROGRAM OR FUNCTION	TO PROPOSED COMMITTEE
Public assistance	Social Services
Customs administration	International Affairs
Maternal and Child Health	Health
Medicaid	Health
Medicare	Health
National health insurance legislation	Health
Public debt limit	Budget
Social Security program	Social Services
Tariffs	International Affairs
Trade	International Affairs
Unemployment compensation	Social Services
Work Incentive Program	Social Services

NEW COMMITTEES AND THEIR JURISDICTIONS

Budget Committee

Jurisdictional responsibility to set targets for: Spending, Deficit or surplus, Public debt, and Revenue receipts.

Commerce, Banking and Labor

From Banking and Currency: Domestic banking, economic stability legislation (including wage and price controls), Federal Deposit Insurance, Federal Reserve System, dollar revaluation.

From Education and Labor: Labor relations (including collective bargaining), wage and hour legislation.

From Interstate and Foreign Commerce: Securities and exchanges.

From Judiciary: Holidays, bankruptcy.

From Select Committee on Small Business: All small jurisdiction.

Communications

From Interstate and Foreign Commerce: Cable television, communications, generally, the Federal Communications Commission, licensing and regulation of broadcast facilities, the Office of Telecommunications Policy, public broadcasting.

From Judiciary: Copyright and trademarks.

From Post Office and Civil Service: Archives, Census, Federal Register, and the Post Office.

Community Development

From Agriculture: Farmers' Home Administration, Rural development, water and sewer programs.

From Banking and Currency: Housing, HUD programs.

From Interior and Insular Affairs: Land-use planning for Federal and non-Federal lands.

From Public Works: Buildings and grounds, economic development, water and sewer programs.

From Veteran's Affairs: Veterans' housing.

Education

From Education and Labor: All education programs and manpower programs (including MDTA, OEO programs, Office of Education manpower programs).

Energy

From Interior and Insular Affairs: Bureau of Mines, mining, interstate compacts.

From Interstate and Foreign Commerce: Economic regulation of the energy industries, Federal Power Commission.

From Joint Committee on Atomic Energy: All atomic energy jurisdiction.

Health

From Interstate and Foreign Commerce: All health jurisdiction.

From Science and Astronautics: Biomedical research and development.

From Veterans' Affairs: Veterans' hospitals.

From Ways and Means: Maternal and Child Health, Medicaid, Medicare, national health insurance legislation.

Natural Resources and Environment

From Agriculture: Forestry and forest reserves, Forest Service.

From Interior and Insular Affairs: Conservation, lands, water resources.

From Merchant Marine and Fisheries: Fish and wildlife conservation, National Environmental Policy Act, National Oceanic and Atmospheric Administration.

From Public Works: Corps of Engineers, flood control.

Social Services

From Ways and Means: Aid for Families with Dependent Children, Social Security program (not the tax), Unemployment compensation, Veterans' benefits, Work Incentive Program.

From Department of Agriculture—Food Stamps.

Transportation

From Banking and Currency: Urban mass transit.

From Interstate and Foreign Commerce: Amtrak, Civil Aeronautics Board, Federal Aviation Administration, Interstate Commerce Commission.

From Merchant Marine and Fisheries: Maritime Administration, the Merchant Marine, Maritime Commission.

From Public Works: Highway and roads, rivers and harbors.

A PLAN FOR MULTIPLE-INTEREST COMMITTEES

U.S. HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON COMMITTEES,
Washington, D.C., October 3, 1973.

Memorandum to: Members of the Select Committee.

From: Committee Staff.

Regarding: A Scheme of Committee Reorganization.

Attached is a staff plan for the reorganization of House committees prepared as a working paper at the request of the select committee. The proposal offers a committee configuration based upon a small number of multiple-interest committees.

It should be emphasized that neither the plan nor its premises necessarily reflects what committee reorganization the staff believes is desirable or acceptable to the members of the select committee. Nor does the plan presented herein reflect the only configuration possible under the operating premises of this plan. Other configurations could be designed for a scheme of a small number of multi-interest committees.

The staff plan was prepared primarily by Roger Davidson and Terry Finn of the select committee staff.

Attachment:

INTRODUCTION

The following consolidates the present 21 standing committees into 12, with each new committee representing a major policy area of the Federal Government. An additional committee, Standards of Official Conduct, is retained but would be smaller in size than the others and, unlike the 12, would not be an exclusive assignment for Members.

Although the plan contemplates fewer committees than at present, the number itself was not a guiding principle. Other goals (premises) were sought in allocating jurisdiction which, when implemented, resulted in the particular number. Because these goals proved at times to be in conflict, compromises had to be made.

PREMISES

Policy Groupings.—Committees should be structured to allow a grouping of similar policy areas. Coherent consideration should be assured not only for individual bills, but also for interdependent policy issues and related governmental agencies. Little attention was paid to executive agency jurisdictions, and none at all to Senate committee jurisdictions.

Multi-Interest Committees.—Notwithstanding the above goal, jurisdictions have been grouped to embrace a variety of interests and viewpoints in an effort to institutionalize "checks and balances" within each committee. This attribute should make the committees attractive

to a reasonably representative sample of Members, and should help minimize the cozy relationships which tend to characterize single-interest committees and their "clienteles."

One Member, One Committee.—Each Member would be limited to service on a single committee. This means that each committee would have approximately 36 Members. If each Member had two subcommittee assignments, this would yield six subcommittees of 12 persons. Because each committee is awarded a significant policy area of relatively equal significance, committee and subcommittee assignments should be attractive.

Equality of Assignments.—Each committee should provide its members an opportunity for individual participation and leadership in a significant policy area. Therefore, no committee has been left without a meaningful segment of public policy.

Strong Central Leadership.—This proposal strengthens the Speaker as an officer of the House. Firm leadership is necessary in any institution, and especially one as large as the House. Under this plan, the Office of the Speaker would be expanded to include the agenda-setting role now performed by the Rules Committee; the housekeeping role now performed by the House Administration Committee; and a more active role in coordinating committee consideration of legislation.

Subcommittee Controls.—Under this plan, the committees themselves will determine the number and jurisdiction of their subcommittees, subject to review and approval by the Speaker. Granting the Speaker the right of review, but not of creation, would provide institutional flexibility in the House while guarding against mere duplication of effort.

Oversight.—This proposal contemplates a shared responsibility for oversight among the Appropriations Committee and the several authorizing committees. Responsibility for fiscal review is given to the Committee on Appropriations. Responsibility for program review is retained by the authorizing committees, each of which would now have a separate oversight staff. Responsibility for "the economy and efficiency of government" would be given both to Appropriations and the authorizing committees. By mandating an oversight function to the Committee on Appropriations (the House committee most likely to influence Executive agencies), the proposal tries to enhance the House of Representatives' performance of this important task and to recognize the oversight role inherent in the budget-review process. Yet by keeping an oversight role for the authorizing committees the proposal also attempts to make use of the policy-area expertise these committees have.

SUMMARY

This proposal is characterized by:

A reduction in the number of committees.

Committees that are broad in jurisdiction and representation in membership.

Single assignments to committees of relatively equal importance.

Flexibility in effectuating changes in committee and subcommittee structures.

Strong central leadership through the Office of the Speaker.

A list of the new committees follows.

PROPOSED NEW COMMITTEES

1. Agriculture and Consumer Affairs.
2. Appropriations.
3. Community Development.
4. Economic Affairs.
5. Foreign Affairs.
6. Human Resources.
7. Justice and Federal Affairs.
8. National Security.
9. Natural Resources and the Environment.
10. Science and Communications.
11. Standards of Official Conduct.
12. Transportation.
13. Ways and Means.
14. Office of the Speaker.

PROPOSED NEW COMMITTEE: AGRICULTURE AND CONSUMER AFFAIRS

RATIONALE

This committee reflects the view that producing and consuming interests, often separated in the past, belong together in the interest of unbiased public policy. (Indeed, much of the Department of Agriculture's structure deals not with production, but with product distribution and marketing.) Such a committee will juxtapose competing but related views in this key area.

<i>Jurisdiction</i>	<i>Oversight</i>
Agriculture -----	Department of Agriculture (except for Forest Service and the Food & Nutrition Service).
Pesticides -----	Environmental Protection Agency (pesticides).
Consumer affairs -----	Office of Consumer Affairs (The White House). Federal Trade Commission.

PROPOSED NEW COMMITTEE: APPROPRIATIONS

RATIONALE

Retention of a separate, powerful Appropriations Committee will retain the present separation of authorizations and appropriations. The proposal builds on the present oversight inherent in budget review by designating the Appropriations Committee as responsible for the economy and efficiency of government. Retention of a separate Appropriations Committee is not incompatible with such innovations as: changes in the timing of the budget process; creation of a Budget Committee to recommend over-all levels of spending, deficit, revenues, and debt limit; and omnibus appropriations bills designed to promote "priorities debates."

Jurisdiction

Appropriations -----
 Economy and efficiency
 of Government.

Oversight

Office of Management and Budget.
 General Accounting Office.

PROPOSED NEW COMMITTEE: COMMUNITY DEVELOPMENT

RATIONALE

This committee recognizes the linkage of housing, public facilities, and community development programs—no matter what the geographical area. The plan explicitly rejects the rationale for an “urban affairs” committee, just as it rejects the present linking of agricultural and rural development programs. The emerging issue of national land-use planning would be a logical focus for this committee.

Jurisdiction

Housing -----
 Urban affairs -----
 The District of Columbia.
 Rural development -----

Oversight

Housing and Urban Development.
 Federal Home Loan Bank Board.
 Farmers Home Administration.
 Rural Electrification Administration
 (Agriculture).
 EDA (Commerce).
 Appalachian Regional Commission
 TVA.

Economic development
 programs.

Land-use planning.

PROPOSED NEW COMMITTEE: ECONOMIC AFFAIRS

RATIONALE

This committee will enable the House to focus upon macro-economics by bringing together the major (and oftentimes competing) components of the domestic economy—business, banking, and labor. The jurisdiction reflects again the desire to reduce the biases of public policy by combining closely related but conflicting interests.

Jurisdiction

Banking -----
 Currency and coinage ----
 Fiscal affairs -----
 Monetary affairs -----
 The economy -----
 Price controls -----
 Business -----

Oversight

Treasury Dept. (except for the Secret
 Service, Customs Bureau, and AF&T
 Bureau).

Federal Reserve System.

Federal Deposit Insurance Corp.
 Council of Economic Advisors.

Economic Stabilization Agencies.

Commerce Dept. (except Marad, NBS,
 and NOAA).

Small Business Administration
 SEC.

Labor -----

Labor Dept. (except Manpower Admin.).
 Federal Mediation and Conciliation Serv-
 ice.

National Labor Relations Board.

PROPOSED NEW COMMITTEE: FOREIGN AFFAIRS

RATIONALE

This committee will possess the jurisdictional wherewithal to play a vigorous role in foreign policy questions of the next generation. The premise is that U.S. foreign policy in the post-Cold War era will be more closely related to economic competition than to military activities. It is also assumed that tariff and trade legislation is not primarily a matter of raising revenues, but of prosecuting foreign economic policy. Thus the committee is given jurisdiction over international trade and economic policy. Specific oversight responsibility for the Central Intelligence Agency is also provided, under the theory that the agency needs active congressional review in terms of over-all foreign policy guidelines.

<i>Jurisdiction</i>	<i>Oversight</i>
International relations---	State Department. U.S. Information Agency. Peace Corps. U.N. and international organizations.
Foreign economic policy--	Agency for International Development. Council on International Economic Policy.
International intelligence	Central Intelligence Agency.
Disarmament ¹ -----	Arms Control and Disarmament Agency. ¹
Trade between nations---	International Monetary Fund. Tariff Commission. Export-Import Bank. Office of the Special Representative for Trade Negotiations.

¹ Shared responsibility with National Security Committee.

PROPOSED NEW COMMITTEE: HUMAN RESOURCES

RATIONALE

This committee unites major Federal programs relative to personal well-being—education, manpower, health, and welfare—so that Federal priorities in human resources can be set and programs coordinated. The jurisdiction also reflects the assumption that the welfare aspects of the Social Security Act are not primarily a function of raising revenues.

<i>Jurisdiction</i>	<i>Oversight</i>
Education -----	Health, Education & Welfare.
Health care.	
Social Security Act (welfare).	
Welfare and rehabilitation -----	Social Security Administration. ACTION (except the Peace Corps).

<i>Jurisdiction</i>	<i>Oversight</i>
Indian affairs-----	Bureau of Indian Affairs (Interior).
Fine arts-----	National Foundation on Arts and Humanities.
Manpower -----	Manpower Administration (Labor).
Occupational safety-----	Occupational Safety and Health Administration (Labor).
Veterans -----	Veterans Administration.
Child care.	
The elderly.	

PROPOSED NEW COMMITTEE : JUSTICE AND FEDERAL AFFAIRS

RATIONALE

This committee combines the jurisdiction of the present Committee on the Judiciary, which is actually a committee on law (and hopefully justice), with matters relating organizationally to the Federal Government. Although its jurisdictional responsibilities are disparate, they fall under the general rubric of the structure and operations of the Federal apparatus.

<i>Jurisdiction</i>	<i>Oversight</i>
The judiciary-----	Federal courts. Administrative Office of U.S. Courts. Justice Department.
Civil liberties-----	
Corrections.	
Anti-trust.	
Internal security.	
Drugs.	
Constitutional amend- ments.	
Immigration and natural- ization.	
Criminal activity-----	F.B.I. (Justice). Secret Service (Treasury). Customs Bureau (Treasury). A.F. & T. Bureau (Treasury). Civil Service Commission.
Civil service-----	Advisory Commission on Intergovern- mental Relations.
Intergovernmental rela- tions.	Administrative Conference of the U.S.
Interstate compacts.	
Federal holidays.	
Impeachment.	
Separation of powers.	
Organization of the Exec- utive.	
Public buildings and grounds.	

PROPOSED NEW COMMITTEE: NATIONAL SECURITY

RATIONALE

This committee reflects the fact that national security, of which the armed services are a key element, remains a responsibility of Congress as well as the Executive. The committee's shared oversight responsibility (with Foreign Affairs) in disarmament simply acknowledges the need for involving military leaders in such matters. Several methods of introducing "checks and balances" into this committee were considered, but did not seem practicable.

<i>Jurisdiction</i>	<i>Oversight</i>
Military affairs-----	Defense Department. National Security Council.
Military academies.	
Naval petroleum reserves.	
Selective service.	
Disarmament ¹ -----	Arms Control and Disarmament agency ¹
¹ Shared responsibility with Foreign Affairs.	

PROPOSED NEW COMMITTEE: NATURAL RESOURCES AND THE ENVIRONMENT

RATIONALE

This committee will enable the House to gain an overview of natural resource policies by placing together "producing" and "conserving" interests. The premise is that sound national policy will have to balance these competing interests. The overall plan assumes that creation of separate committees on energy and the environment would lead to unwise and bifurcated Federal policies—with energy producers and environmentalists successfully promoting incompatible and wasteful programs.

<i>Jurisdiction</i>	<i>Oversight</i>
Conservation -----	Interior Department (except Bureau of Indian Affairs).
National parks.	
Mining.	
Public lands.	
Fisheries and wildlife.	
Flood control.	
Forestry -----	Forest Service (Agriculture).
Energy -----	Federal Power Commission.
Water resources-----	Water Resources Council.
Air and water quality----	Council on Environmental Quality.
	Environmental Protection Agency (except pesticides).

PROPOSED NEW COMMITTEE: SCIENCE AND COMMUNICATIONS

RATIONALE

This committee combines jurisdiction over science policy and research with such technology-oriented areas as space, oceans, and com-

munications. Such a committee would enable the House to deal more coherently with the impact of science and technology, including information technology.

<i>Jurisdiction</i>	<i>Oversight</i>
Space exploration-----	National Aeronautics and Space Administration.
Science and technology---	National Science Foundation.
Research and development	Office of Technology Assessment.
Oceanography-----	National Oceanic and Atmospheric Agency (Commerce).
Atmospheric sciences.	
Weights and measures----	National Bureau of Standards.
Communications -----	Federal Communications Commission.
	Office of Telecommunications Policy.
Postal services-----	Postal Service.
Information policy-----	Corporation for Public Broadcasting.

PROPOSED NEW COMMITTEE: STANDARDS OF OFFICIAL CONDUCT

RATIONALE

This plan continues an existing vehicle whereby the House can promulgate guidelines for official conduct and investigation cases of abuse where necessary.

Jurisdiction
Official conduct.

PROPOSED NEW COMMITTEE: TRANSPORTATION

RATIONALE

This committee will provide the House with a coherent grouping of now-divergent transportation jurisdictions, in order to foster a more coherent and better balanced transportation system. The assumption is that the consumer interests (e.g., mass transit and transport safety) are strong enough to provide a counterweight to the interests of various modes of transportation—which should be encouraged to compete among themselves more vigorously.

<i>Jurisdiction</i>	<i>Oversight</i>
Civil aviation-----	Department of Transportation. Civil Aeronautics Board.
Highways.	
Railroads -----	Interstate Commerce Commission.
Merchant marine-----	Maritime Administration (Commerce). Federal Maritime Commission.
Rivers and harbors (navigation).	Corps of Engineers (navigation).
Transportation safety----	National Transportation Safety Board.
Mass transit.	

PROPOSED NEW COMMITTEE: WAYS AND MEANS

RATIONALE

Under this plan, this important committee of the House will be given the opportunity to concentrate on its unique and far-ranging re-

sponsibility: revenue raising and the policy and oversight implications involved—including the vast impact of “tax expenditures” in promoting certain policies or activities.

<i>Jurisdiction</i>	<i>Oversight</i>
Revenue measures-----	Treasury (except for the Secret Service, Customs Bureau, and A.F. & T. Bureau).
Bonded debt of the U.S.	
Deposit of public monies.	
Social Security Act (taxes).	

PROPOSED NEW OFFICE: OFFICE OF THE SPEAKER

RATIONALE

The “Office of the Speaker” would consolidate those functions which properly should fall within the control of the leadership. These include the agenda-setting function of the present Committee on Rules and the Parliamentarian, and the administrative responsibilities now exercised by the Clerk of the House and the Committee on House Administration. The Office of the Speaker would be given staff support adequate to oversee these functions, under the general direction of the Speaker. The exact structure of the Office of the Speaker could take various forms, but it would probably be desirable to consolidate administrative functions under two professional officers, a Director of Information Support and a Director of Administration, both appointed by the Speaker. The Director of Information Support would have broad supervision over: GAO; CRS; OTA; the Legislative Counsel; computer services; other Library of Congress services; GPO; media support; the Office of the Clerk; and such proposed services as opinion surveys. The Director of Administration would supervise supporting services in: personnel; fiscal matters; buildings and grounds; furnishings and equipment; communications; protective services; amenities; parking; travel; the Botanic Gardens; the Sergeant at Arms; the Doorkeeper; and assorted committee services.

RESPONSIBILITY

Legislative Agenda.
Oversight agenda.
Adjudication of subcommittees.
Approval of subcommittees.
House administration.
Informational support.

WHAT HAPPENS TO PRESENT COMMITTEES UNDER THIS REORGANIZATION PROPOSAL

<i>Present Comm</i>	<i>Impact of Proposed</i>
Agriculture -----	Retains its present jurisdiction over “Agriculture, generally.” Loses jurisdiction over rural development to the new Com-

*Present Comm**Impact of Proposed*

	mittee on Community Development. Loses jurisdiction over forestry to the new Committee on Natural Resources and the Environment. Retains jurisdiction over pesticides. Gains jurisdiction over consumer affairs.
Armed Services-----	Retains the principal jurisdiction over "common defense, generally." Receives jurisdiction over Veterans' Affairs. Receives formal jurisdiction over disarmament which it will share with the new Committee on Foreign Affairs. Receives a new name (National Security).
Appropriations -----	Retains its principal jurisdiction over the "Appropriation of the revenue for the support of the Government." Receives jurisdiction for oversight, the "economy and efficiency of Government."
Banking and Currency---	Absorbed into the new Committees on Economic Affairs and on Community Development.
District of Columbia-----	Absorbed into the new Committee on Community Development.
Education and Labor-----	Absorbed into the new Committees on Human Resources and Economic Affairs.
Foreign Affairs-----	Retains jurisdiction over "relations of the U.S. with foreign nations generally." Receives jurisdiction over foreign trade and international economic policy now exercised by Ways and Means and Banking and Currency. Retains jurisdiction over disarmament which would be shared with the new Committee on National Security. Receives oversight jurisdiction over the CIA.
Government Operations--	Absorbed into new committees. Its jurisdiction over intergovernmental relations and the organization of the executive branch is absorbed into the new Committee on Justice and Federal Affairs. Its oversight responsibilities for the "economic and efficiency of Government" is absorbed by the new Committee on Appropriations. Its oversight responsibilities for programs would be assumed by the twelve committees each with separate oversight staffs.

<i>Present Comm</i>	<i>Impact of Proposal</i>
House Administration----- Interior and Insular Affairs-----	Absorbed by the Office of the Speaker. Becomes the Committee on Natural Resources and the Environment by the disbanding of the present Public Works and Merchant Marine and Fisheries Committee and by the addition to its jurisdiction of water resources, conservation, energy, fisheries and wildlife, air and water quality, forestry and flood control. Loses jurisdiction over Indian Affairs which is placed in the new Committee on Human Resources.
Internal Security-----	Absorbed into the Committee on Justice and Federal Affairs.
Commerce-----	Absorbed into new committees. Its jurisdiction over securities and exchanges goes to the new Committee on Economic Affairs. Its jurisdiction over power and air pollution goes to the new Committee on Natural Resources and the Environment. Its jurisdiction over railroads and civil aviation goes to the new Committee on Transportation. Its jurisdiction over communications goes to the new Committee on Science and Communications. Its jurisdiction over public health goes to the new committee on Human Resources.
Judiciary-----	Retains its present jurisdiction. Becomes the Committee on Justice and Federal Affairs through the addition of jurisdiction over internal security, inter-governmental relations and the organization of the Federal Government, the civil service and public buildings and grounds.
Merchant Marine and Fisheries.	Absorbed into new committees. Loses jurisdiction over the Merchant Marine and Coast Guard to the new Committee on Transportation. Loses jurisdiction over oceanography and marine affairs to the new Committee on Science and Communications. Loses jurisdiction over fish and wildlife and conservation generally, to the new Committee on Natural Resources and the Environment. Loses jurisdiction over the Panama Canal to the new Committee on Foreign Affairs.

*Present Committee**Impact of Proposal*

Post Office & Civil Service.	Absorbed into the new Committees on Science and Communications (Post Office) and Justice and Federal Affairs (Civil Service).
Public Works-----	Absorbed into new committees. Loses jurisdiction over flood control, water power, and water pollution to the new Committee on Natural Resources and the Environment. Loses jurisdiction over public buildings and grounds to the new Committee on Justice and Federal Affairs. Loses jurisdiction over highways and rivers/harbors to the new Committee on Transportation.
Rules -----	Absorbed by the Office of the Speaker.
Science & Astronautics---	Retains all present jurisdiction. Receives jurisdiction over oceanography and marine affairs from the Merchant Marine & Fisheries Committee. Receives jurisdiction over communications from the Commerce Committee. Receives jurisdiction over the postal service. Clarifies jurisdiction over research and development, generally.
Standards of Official Conduct -----	Retains jurisdiction over official conduct.
Veterans' Affairs-----	Absorbed into the new Committee on National Security.
Ways and Means-----	Retains jurisdiction over revenues, the public debt, and deposit of public monies. Loses jurisdiction over the welfare aspects of the Social Security Act (while retaining the tax aspects) and public welfare to the new Committee on Human Resources. Loses jurisdiction over foreign trade to the new Committee on Foreign Affairs.

A PLAN FOR ORGANIZING THE HOUSE INTO A LARGE NUMBER OF COMMITTEES

U.S. HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON COMMITTEES,
Washington, D.C., October 10, 1973.

Memorandum to: Members of the Select Committee on Committees.
From: Staff.

Regarding: Jurisdictional proposal involving a large number of committees.

Disclaimer.—This paper is the result of a committee directive for staff studies on various reorganization proposals, and does not necessarily reflect the views of the staff or members of the committee.

Pursuant to the instructions of the Committee, attached is a plan that includes more committees than the present system. Developed principally by Joan Bachula, Gerald Grady, Linda Kamm, and Walter Oleszek, the plan was reviewed by all staff members and reflects many of their recommendations.

RATIONALE

This plan of committee organization involves a large number of standing committees and several select committees, the latter to function as a bridge between committees dealing with related subject fields (see below). Several advantages are associated with a system involving many committees:

SPECIALIZATION AND EXPERTISE

Committees with limited jurisdiction provide a specific focus in contradistinction to the more diffuse perspective of a system involving few committees, each with broad jurisdictional authority. Thus, committee members are afforded greater opportunities to become knowledgeable in specific policy areas.

OVERSIGHT

A large number of committees enhances the probability for more effective legislative review of agency performance, because each committee would generally have fewer programs and departments to review.

OPPORTUNITIES FOR LEADERSHIP

A committee system larger in number than today's will afford Members—Democrats and Republicans alike—greater opportunities to assume committee leadership positions, either as full or subcommittee chairmen or ranking members.

ACCESS BY THE PUBLIC

A large number of committees provides many more points of entry to the legislative process for citizens and interest groups. The House is a representative institution, and that function would be better served by many committees of limited jurisdiction. For even if one committee failed to act on a citizen's or group's problem, there are other committees that could become involved in the issue and act to resolve it.

LIMITED DISRUPTION

Increasing the number of committees would be less disruptive to members and staff than adoption of a plan with a few committees. With more committees than the present system, greater opportunities exist to accommodate the interests of members so far as assignments, staff positions, and physical arrangements are concerned.

DECISION-MAKING ON THE FLOOR

Floor consideration of bills would likely be facilitated with a large number of limited jurisdiction committees rather than with committees of broad jurisdiction. Under the latter system, backlogs would probably develop in that several subcommittees could report out important measures, but the full committee might lack the time to consider them for several weeks or months.

SUMMARY

NUMBER OF COMMITTEES

This proposal creates 36 committees and 6 select committees. Of the total, 22 committees, because of their greater potential workload, are labeled "A", and 20, including all select committees, are labeled "B."

COMMITTEE ASSIGNMENTS

(a) Each Member will be assigned to one "A" committee and one "B" committee, except that forty-two Members will be assigned exclusively to the Appropriations Committee.

(b) No Member can serve more than six years consecutively on a committee. Thus, approximately one-third of the committee's membership will be assigned elsewhere every two years.

(c) Each committee will have 15 to 20 members, with the exception of the Appropriations Committee which would have 42.

(d) Each Member would be limited to one subcommittee assignment on each of his committees. The number of subcommittees will be limited to no more than four per committee with the exception of Appropriations.

(e) To avoid scheduling conflicts, "A" and "B" committees will meet on different days.

COORDINATION

(a) The responsibility for ensuring committee cooperation on certain measures is to be specifically within the domain of the Rules Committee. The Rules Committee will be given the authority to assign bills

for joint, split or sequential consideration by committees. The Rules Committee will relinquish its present responsibility for agenda-setting. All bills would be placed on appropriate calendars to be considered under a uniform set of rules. The timing of floor consideration of measures will be within the discretion of the Speaker, in consultation with the Steering and Policy Committee.

(b) Budget matters will be coordinated by a Budget Committee, which will recommend spending ceilings, debt levels, deficits, and revenue levels. Tax expenditures would be coordinated with program committees through a Select Committee on Tax Expenditures.

OVERSIGHT

Oversight will be conducted by the Government Operations Committee, oversight subcommittees of program committees, the Appropriations Committee, and select committees.

ROTATION OF COMMITTEE MEMBERSHIP

A committee system which permits Members to have two committee assignments has some distinct advantages: it encourages cross-fertilization of ideas and coordination of subject matter; permits a Member to serve on one district-oriented committee and another of a different type; and it provides greater opportunities for participation and access to leadership posts.

A major drawback of the dual assignment system, however, has been scheduling conflicts. To overcome this difficulty while permitting dual assignment, this proposal calls for "A" and "B" committees. Members would be limited to one committee assignment in each category. However, Appropriations members would be limited to only that committee. The "A" and "B" committees would schedule their meetings on different days of the week. Since the "A" committees are expected to have the greater workload, they are permitted to hold meetings on three days of the week—Mondays, Wednesdays and Thursdays—while the "B" committees would meet on the other two working days.

To minimize further scheduling conflicts, Members would only serve on one subcommittee of each of their committees. Presumably, this could eliminate scheduling difficulties within committees.

DUAL ASSIGNMENTS AND SCHEDULING OF MEETINGS

A principal element of this plan involves the periodic rotation of every committee's membership. Assignments to committees would be for six years, with one-third to be automatically reassigned elsewhere every two years. Former committee members could return to a committee after a four-year wait.

Rotation has several advantages, among them:

(1) The movement from one committee to another provides Members with the opportunity to become expert in more fields than would normally be the case;

(2) The spread of expertise among the general membership will greatly enhance decision-making on the floor of the House, for more Representatives could better evaluate legislation reported from the various committees. Public policy would thus be more the product of the full House membership rather than a small segment of it;

(3) The development of "sweetheart" relationships between committees and the agencies under their purview would be inhibited, for the regular infusion of new Members would provide committees with the critical review function that is now often lacking; and, finally,

(4) Cooperative relationships among committees dealing with similar subject areas would be facilitated, for feelings of loyalty and social unity that committees usually develop would be limited by the circulation of Members among the standing committees.

COMMITTEES

STANDING (36)

Agriculture	Intergovernmental Relations
Appropriations	International Trade
Armed Services	Judiciary
Banking and Currency	Labor and Manpower
Budget	Merchant Marine and Fisheries
Communications	National Goals and Growth Policies
Consumer Affairs	Natural Resources
Corrections	Public Employment
District of Columbia	Revenue
Economic Regulation	Rules
Education	Science and Technology
Energy	Separation of Powers
Environment	Small Business
Food and Drug Safety	Social Services
Foreign Affairs	Surface Transportation
Government Operations	Standards of Official Conduct
Health	Veterans' Affairs
House Management and Budget	
Housing and Community Development	

SELECT (6)

Children and Youth	Intelligence Operations
Elderly	Procurement
Equal Opportunities	Tax Expenditures

COMMITTEE ASSIGNMENTS

All Representatives shall serve on one "A" committee and one "B" committee (including Select Committees) with the exception of members who serve on Appropriations. That committee is exclusive to prevent members who authorize programs from appropriating for them as well.

"A" COMMITTEES

1. Agriculture
2. Appropriations
3. Armed Services
4. Communications
5. Consumer Affairs
6. Economic Regulation
7. Education
8. Environment
9. Energy
10. Food and Drug Safety
11. Foreign Affairs
12. Government Operations
13. Health
14. Housing and Community Development
15. International Trade
16. Judiciary
17. Labor and Manpower
18. Public Employment
19. Revenue.
20. Science & Technology
21. Social Services
22. Surface Transportation

*Select Committees.

"B" COMMITTEES

1. Banking and Currency
2. Budget
3. Children and Youth*
4. Corrections
5. District of Columbia
6. Elderly*
7. Equal Opportunities*
8. House Management and Budget
9. Intelligence Operations*
10. Intergovernmental Relations
11. Merchant Marine & Fisheries
12. National Goals & Growth Policies
13. Natural Resources
14. Procurement*
15. Rules
16. Separation of Powers
17. Small Business
18. Standards of Official Conduct
19. Veterans' Affairs
20. Tax Expenditures*

COMMITTEE ON AGRICULTURE (A)

A Committee on Agriculture is established. However, the Food Stamp Program would be transferred to the new Social Services Committee. Trade jurisdiction, included primarily in Public Law 480, would be transferred to the International Trade Committee, and its pesticide and consumer jurisdiction would be transferred to the Food and Drug Safety Committee. Forests would be within the purview of the Natural Resources Committee, Rural development and F.H.A. would be transferred to the Housing and Community Development Committee.

COMMITTEE ON APPROPRIATIONS (A)

The Committee on Appropriations would be comprised of 42 Members and its jurisdiction would be the same as at present. However, final appropriations acts would be subject to reconciliation by a Budget Committee. Each member of Appropriations would be limited to one subcommittee.

COMMITTEE ON ARMED SERVICES (A)

This committee would have the same jurisdiction as at present but with some exceptions. Defense manpower jurisdiction would be transferred to the Committee on Public Employment. This jurisdictional shift relates not to manpower levels but to salary benefits, conditions of employment, etc. In addition, jurisdiction over military hospitals would be transferred to the proposed Health Committee.

This proposal also takes account of the need for intelligence operations to receive closer scrutiny. It therefore recommends that they be the subject matter of a select committee as well as the Armed Services Committee.

COMMITTEE ON BANKING AND CURRENCY (B)

The Banking and Currency Committee would be reconstituted with its jurisdiction limited to domestic banking regulation, including FDIC, SLDIC, and the Home Loan Bank Board, and currency matters. Jurisdiction over international banks would be shifted to the Foreign Affairs Committee. Jurisdiction over housing would be transferred to a new Committee on Housing and Community Development, and jurisdiction over mass transit would be shifted to the new Committee on Surface Transportation. Economic stabilization legislation would be within the province of the new Committee on Economic Regulation.

Banking and Currency jurisdiction, in its narrower sense, can be termed a cohesive jurisdiction. The other aspects of the present Banking and Currency jurisdiction are separable and more closely related to other program areas.

COMMITTEE ON THE BUDGET (B)

A Committee on the Budget would make macroeconomic recommendations to the Congress. It would be expected to compile data on economic conditions and Federal spending, and would recommend to the House spending ceilings, debt ceilings, surpluses, and deficits. The committee could be charged with preparing a target resolution for the House early in the Congress or its work could take place after the regular appropriations process but before appropriations became final. It is anticipated that the Budget Committee would not be a super committee of members exclusively from the Appropriations and revenue committees but would more broadly represent the House as a whole.

COMMITTEE ON COMMUNICATIONS (A)

This committee would assume the present jurisdiction over communications now in the Interstate and Foreign Commerce Committee. In addition to jurisdiction over the FCC and radio and television generally, the new committee would have jurisdiction over problems of information technology, and would be responsible for the Postal Service.

COMMITTEE ON CONSUMER AFFAIRS (A)

This committee is one of two dealing primarily in the consumer area. It would have all consumer jurisdiction other than that handled by the Food and Drug Safety Committee. Thus, jurisdiction would include fair advertising and labeling, consumer product safety, motor vehicle safety, no-fault insurance, consumer credit, and the other categories related to this enlarging jurisdictional area.

COMMITTEE ON CORRECTIONS (B)

A new Committee on Corrections would be charged with jurisdiction over penal institutions, military stockades, and rehabilitation

programs. This subject area cannot be given adequate attention due to the tremendous workload of the present Judiciary Committee. It is anticipated that this committee would be phased out if correctional problems are solved.

COMMITTEE ON THE DISTRICT OF COLUMBIA (B)

The District of Columbia Committee would have essentially the same jurisdiction as at present. In addition, it would be given jurisdiction over St. Elizabeth's Hospital, Federal City College, Gallaudet College, Freedmen's Hospital, and Howard University. These matters are now handled by Education and Labor.

COMMITTEE ON ECONOMIC REGULATION (A)

The new jurisdiction of this committee would include those governmental policies and actions which relate to regulation of critical factors in the economy. The committee would be responsible for anti-trust legislation, security regulation, and bankruptcy policies and procedures. Furthermore, it would have jurisdiction over insurance matters previously in banking and economic stabilization legislation.

COMMITTEE ON EDUCATION (A)

The Education Committee would have general jurisdiction of federal education programs. Such jurisdiction would include educational programs at elementary, secondary, and higher educational levels, as well as various "continuing education" programs. The committee would not have jurisdiction over manpower and/or vocational education beyond the high school level.

COMMITTEE ON ENERGY (A)

This Committee would have jurisdiction over water power, the Federal Power Commission, and energy allocation from Interstate; mining and energy R&D from Interior; naval oil reserves from Armed Services; and water and power resources from Public Works and Interior.

COMMITTEE ON ENVIRONMENT (A)

A new Committee on Environment is recommended to bring together related jurisdiction now in a number of committees. Specific jurisdictional areas of the committee would include legislation involving air, noise, and water pollution and solid waste disposal. It would have oversight responsibility for NEPA.

COMMITTEE ON FOOD AND DRUG SAFETY (A)

This committee would have responsibility for Federal programs relating to foods and drug safety. The Committee's jurisdiction would include product safety, labeling and advertising, and pesticides. It would have oversight responsibility of the F.D.A.

COMMITTEE ON FOREIGN AFFAIRS (A)

The jurisdiction of the Foreign Affairs Committee would be its present jurisdiction plus responsibility for international banking institutions and monetary transactions, the Panama Canal, and the Sugar Act. Its jurisdiction over Foreign Service personnel would be transferred to the Public Employment Committee.

COMMITTEE ON GOVERNMENT OPERATIONS (A)

The Committee on Government Operations would continue its oversight responsibilities concerning the efficiency, economy, and effectiveness of all government activities. Policy and program evaluation would still be the responsibility of the authorizing committees, each with an oversight subcommittee. The committee would also exercise oversight responsibility for GAO.

COMMITTEE ON HEALTH (A)

This proposal for a new Health Committee is based upon the premise that jurisdiction over health programs is now the responsibility of several committees, mainly Commerce and Ways and Means. This dispersion results in a lack of coordination and, at times, a committee's concern over non-health matters prevents consideration of health legislation. The proposed Health Committee jurisdiction would include the following: biomedical research and development; Medicare; Medicaid; all national health insurance legislation; hospital construction; Emergency Medical Services; the Public Health Service; the National Institutes of Health; and military hospitals.

COMMITTEE ON HOUSE MANAGEMENT AND BUDGET (B)

This committee assumes the present Committee on House Administration jurisdiction. In addition to payroll responsibilities, the committee would be responsible for auxiliary services (information sources, data processing, etc.). It would lose its present jurisdiction over campaign financing to the Standards of Official Conduct Committee.

HOUSING AND COMMUNITY DEVELOPMENT (A)

This new committee would have jurisdiction over housing and all rural and urban development programs. Specifically, the committee would assume responsibility for all housing programs presently in the jurisdiction of the Banking and Currency Committee. Also included in the committee's jurisdiction would be the Farmers Home Administration from the Agriculture Committee; and water and sewer, economic development, and public buildings and grounds from the Public Works Committee.

INTERGOVERNMENTAL RELATIONS (B)

This committee would have jurisdiction over general revenue-sharing, the Advisory Commission on Intergovernmental Relations (ACIR), interstate compacts, census, governmental statistics, and intergovernmental personnel and information. An Intergovernmental Relations Committee is recommended because of the critical need for focusing and coordinating responsibility for Federal, State, and local governmental affairs.

INTERNATIONAL TRADE (A)

This committee would embrace all trade jurisdiction presently in the Ways and Means Committee, adding to it the Agriculture Committee's jurisdiction over agricultural trade (P.L. 480). Specifically, it would handle matters related to adjustment assistance, customs administration, import controls, reciprocal agreements tariffs.

JUDICIARY (A)

The Judiciary Committee would retain all of its present jurisdiction over constitutional amendments and law, Federal courts, crime, law enforcement assistance and immigration. In addition, it would incorporate the jurisdiction of the Committee on Internal Security, which would be abolished.

The committee would give up some of its present jurisdiction to other committees, as follows:

- (a) Administrative practices and procedures to the new Committee on Separation of Powers.
- (b) Antitrust to the Economic Regulation Committee.
- (c) Bankruptcy to the Committee on Economic Regulation.
- (d) Conflicts of State laws and interstate compacts to the Committee on Intergovernmental Relations.
- (e) Copyrights to the new Communications Committee.
- (f) Patents and trademarks to the Committee on Science and Technology.
- (g) Corrections, parole, probation, juvenile and drug treatment programs to the Committee on Corrections.
- (h) Holidays and celebrations to the Labor and Manpower Committee.
- (i) Offshore mineral rights to the Committee on Natural Resources.

LABOR AND MANPOWER (A)

In general, this committee would take about half of the current jurisdiction of the Education and Labor Committee. It would handle all matters relating to labor standards, holidays and celebrations, occupational safety and health, pension plans, labor-management relations, and compensation. Manpower programs under the Manpower Development and Training Act would also fall within this committee.

MERCHANT MARINE AND FISHERIES (B)

In general, this committee would retain the present jurisdiction of the Merchant Marine and Fisheries Committee. It would have

responsibility for fishing, shipbuilding and ship regulations, the Coast Guard, fisheries and oceanography. However, it would not have the present Merchant Marine jurisdiction over environmental protection or wildlife conservation.

The committee is retained because it has a cohesive jurisdiction, functions well, and by exercising jurisdiction over shipbuilding prevents over-centralization of surface transportation in too powerful a committee.

NATIONAL GOALS AND GROWTH POLICIES (B)

This new committee, which would not have legislative authority, would be responsible for long-range studies and plans of alternative national goals and growth policies. It would analyze long-term trends, problems, and key issues; formulate and evaluate policy choices; and evaluate the major Federal activities in terms of their long-range effectiveness, cost, and impact on national growth.

NATURAL RESOURCES (B)

This new committee would combine jurisdictions over: national forests and the Forest Service from the Committee on Agriculture; public lands from the Committee on Interior and Insular Affairs; management of coastal areas from the Committee on Merchant Marine and Fisheries; and outer continental shelf lands from the Judiciary Committee.

PUBLIC EMPLOYMENT (A)

This committee would consolidate much of the jurisdiction of the Post Office and Civil Service, Armed Services, and Foreign Affairs Committees over Federal personnel.

Specifically, the committee would have responsibility for all Civil Service employees, Postal Service workers and diplomatic personnel, including all matters related to salaries, benefits, workweek and the establishment and classification of positions.

From the Armed Services Committee, it would receive jurisdiction over civilian and military personnel, military reserves and the National Guard, along with their pay, allowances and benefits (retirement and disability).

REVENUE (A)

The Committee on Ways and Means is renamed the Revenue Committee to reflect its sole concern with revenue raising measures. Its area of responsibility would include jurisdiction over individual and corporate income taxes, excise taxes, and the taxing aspects of the highway, airport, and social security trust funds. The Renegotiation Act would also be within the jurisdiction of this committee. Ways and Means jurisdiction over Medicare and Medicaid is transferred to the Health Committee; tariffs and trade to the International Trade Committee; and social security programs to the Social Services Committee.

RULES (B)

This committee would differ substantially in jurisdiction from the current entity. The new Rules Committee would have jurisdiction over

the rules of the House but would not function as an agenda-setting body for the House. No longer would "rules" be granted to measures, for all bills reported from committees would be placed on one of the appropriate calendars, to be called up for floor consideration at the discretion of the Speaker, after clearance by the majority party Steering Committee. The Speaker could recognize Members to set extraordinary terms for floor debate. The Committee would obtain responsibility for referring bills to committees, including joint, split, or sequential referrals. In addition, the Committee would have authority to propose changes in committee jurisdiction as circumstances warrant.

SCIENCE AND TECHNOLOGY (A)

This committee would closely reflect the jurisdiction of the present committee, with one major addition—aviation. The new committee would obtain responsibility over aviation matters generally, including oversight of the FAA and CAB. Aviation is now within the province of the Interstate and Foreign Commerce Committee.

SEPARATION OF POWERS (B)

A new Committee on the Separation of Powers is created, with jurisdiction in these areas:

Executive Reorganization; Administrative Practices and Procedures; Executive Office of the President, including OMB, Domestic Freedom of Information.

Executive and legislative reorganizations and Freedom of Information matters are transferred from the Government Operations Committee, and administrative practices and procedures from Judiciary. The committee would retain a counsel for the House of Representatives, to handle litigation for the Congress. This would end the present practice whereby the Justice Department or private law firms represent Congress in the courts.

SMALL BUSINESS (B)

This committee would retain the jurisdiction of the present Small Business Committee but obtain legislative authority over programs now administered by the SBA.

SOCIAL SERVICES (A)

This committee would have jurisdiction over unemployment compensation (from Ways and Means), social security programs (from Ways and Means), Indians (from Interior and Education and Labor), food stamps (from Agriculture), Older Americans Act (from Education and Labor), and child care (from Education and Labor).

SURFACE TRANSPORTATION (A)

The concern of this new committee is with surface transportation only. Other elements of the transportation system (shipbuilding and civil aviation) are assigned to the Committees on Merchant Marine

and Fisheries and Science and Technology, respectively. The jurisdiction of the committee includes:

Mass Transit (from Banking and Currency); Highways (from Public Works); Railroads (from Interstate and Foreign Commerce); and Regulation of Interstate Transportation (from Interstate and Foreign Commerce).

STANDARDS OF OFFICIAL CONDUCT (B)

The committee would retain its present jurisdiction, but obtain responsibility for two related subject fields: campaign financing and the franking privilege. These matters are now the concern of the House Administration and Post Office and Civil Service Committees, respectively.

VETERANS' AFFAIRS (B)

This committee would retain its present jurisdiction.

SELECT COMMITTEES

Select Committees shall be established and members assigned in the traditional manner. That is, the House shall adopt resolutions from the Rules Committee that establish select committees, with Members to be assigned by the Speaker. Select committees shall have a life of two years only, to be terminated automatically following the expiration of a Congress. They could be reconstructed at the start of a new Congress by majority vote of the House. None of the six select committees shall exercise legislative authority. Nonetheless, it is expected that their investigations and reports shall assist the coordination of policymaking and the development of legislation.

CHILDREN AND YOUTH

Given that nearly 70 million Americans are under 18 years of age, a select committee in this area could perform a value function by investigating and reporting recommendations to the House in such areas as hunger and malnutrition, child abuse, and education.

ELDERLY

By examining legislation concerning the elderly, the select committee could help coordinate the work of the several standing committees that consider programs for the aged and report their recommendations to the House membership.

EQUAL OPPORTUNITIES

Problems of discrimination affect numerous American citizens: blacks, Indians, women, youth, the aged, religious groups, and others. The select committee would provide an overall review of problems of equal opportunity in diverse areas—housing, education, business, etc.—and recommend solutions.

FOREIGN INTELLIGENCE OPERATIONS

A select committee to review and investigate federal intelligence activities would help to eliminate duplication of effort, promote inter-agency cooperation, and insure that untoward ventures are not engaged in by these agencies without the consent of the House or the appropriate standing committees and party leaders.

PROCUREMENT

This select committee would be responsible for monitoring Government procurement with an eye to abuses that result from the lack of adequate procurement standards. It would make recommendations to the Congress to rationalize military and civilian Government purchasing.

TAX EXPENDITURES

The level of tax expenditures has increased substantially in recent years. Once on the books, it is difficult to end these tax subsidies. This is due in part of the lack of coordinating mechanisms between the taxing committee and the authorizing committees. A Select Committee on Tax Expenditures could undertake an extensive study of the present tax expenditures with a view toward setting policy in this area. Hopefully, it would recommend procedural steps to permit the authorizing committees a role in any expenditure legislation and to permit the present tax expenditures to be replaced by direct subsidies where warranted.

IMPACT OF THIS REORGANIZATION PROPOSAL ON PRESENT COMMITTEES

<i>Present Committee</i>	<i>Impact of Proposal</i>
Agriculture-----	Retains its jurisdiction over agriculture; loses jurisdiction over trade (P.L. 480) to International Trade Committee; loses jurisdiction over food stamps to the Social Services Committee; loses jurisdiction over forestry and Forest Service to the Committee on Natural Resources; loses rural development and the Farmers' Home Administration to the Committee on Housing and Community Development; and loses all consumer affairs and pesticides jurisdiction to the Committee on Food and Drug Safety.
Appropriations-----	Retains its present jurisdiction.
Armed Services-----	Retains jurisdiction over defense, generally; loses jurisdiction over defense manpower to Committee on Public Employment; loses jurisdiction over military hospitals to Health Committee; loses jurisdiction over military stockades to Committee on Corrections;

*Present Committee**Impact of Proposal*

	oversight of intelligence operations is shared with the Select Committee on Intelligence; and loses jurisdiction over the Naval Petroleum Reserves to the Committee on Energy.
Banking and Currency---	Retains jurisdiction over domestic banking and currency matters; loses jurisdiction over international banks to Foreign Affairs Committee; loses jurisdiction over housing to Committee on Housing and Community Development; loses jurisdiction over mass transit to Committee on Surface Transportation; and loses economic stabilization legislation to Committee on Economic Regulation.
District of Columbia-----	Retains present jurisdiction; receives jurisdiction over St. Elizabeths Hospital, Gallaudet College, Freedmen's Hospital, Howard University, and Federal City College from the Education and Labor Committee.
Education and Labor-----	Eliminated; jurisdiction transferred to the Committee on Education, the Committee on Labor and Manpower, and the Committee on Social Service.
Foreign Affairs-----	Retains its present jurisdiction; receives jurisdiction over international banking institutions and monetary transactions from Banking and Currency; receives jurisdiction over Panama Canal from Merchant Marine and Fisheries; and loses jurisdiction over Foreign Service personnel to Committee on Public Employment.
Government Operations--	Retains its oversight responsibilities; loses jurisdiction over Executive reorganization and freedom of information matters to Committee on Separation of Powers.
House Administration---	Becomes Committee on House Management and Budget; loses jurisdiction over campaign financing to the Standards of Official Conduct Committee.
Interior and Insular Affairs.	Becomes the Committee on Natural Resources; gains jurisdiction over forestry and the Forest Service from the Committee on Agriculture; gains jurisdiction over coastal areas from Committee on Merchant Marine and Fisheries; gains jurisdiction over outer continen-

*Present Committee**Impact of Proposal*

	tal shelf lands from Judiciary Committee; loses jurisdiction over Indian affairs to the Social Service Committee; and loses jurisdiction over mining and water and power resources to the Committee on Energy.
Internal Security-----	Absorbed into the Committee on Judiciary.
Interstate and Foreign Commerce.	Eliminated; loses jurisdiction over communications matters to the new Communications Committee; loses jurisdiction over motor vehicle safety and consumer matters to the Committee on Consumer Affairs and the Committee on Food and Drug Safety; loses jurisdiction over securities regulation and insurance to Committee on Economic Regulation; loses jurisdiction over health and hospital construction to the new Health Committee; loses jurisdiction over railroads, and regulation of interstate transportation to the Surface Transportation Committee; loses jurisdiction over energy matters to the Committee on Energy; and loses jurisdiction over aviation to the Committee on Science and Technology.
Judiciary -----	Retains jurisdiction over constitutional amendments and law, Federal courts, crime, law enforcement assistance and immigration; gains present jurisdiction of the Committee on Internal Security; loses jurisdiction over administrative practices and procedures to the new Committee on Separation of Powers; loses jurisdiction over interstate compacts to the Committee on Intergovernmental Relations; and loses jurisdiction over corrections, parole, probation, juvenile and drug treatment programs to the Committee on Corrections.
Merchant Marine and Fisheries.	Retains present jurisdiction, except—loses jurisdiction over environmental protection and wildlife conservation to Committee on Environment.
Post Office and Civil Service.	Absorbed into the new Committees on Communications (Postal Service) and Public Employment (Postal Service employees, Civil Service).

<i>Present Committee</i>	<i>Impact of Proposal</i>
Public Works-----	Eliminated; loses jurisdiction over water and sewer, economic development, and public buildings and grounds to the Committee on Housing and Community Development; loses jurisdiction over water resource projects to the Energy Committee; and loses jurisdiction over highways to the new Committee on Surface Transportation.
Rules -----	Loses responsibility for granting "rules" on bills and setting House agenda; gains responsibility for referring bills to committees.
Science and Technology-	Retains present jurisdiction; gains jurisdiction over aviation from Interstate and Foreign Commerce Committee.
Standards of Official Conduct.	Retains present jurisdiction; gains jurisdiction over campaign financing from House Administration Committee; gains jurisdiction over franking privilege from Post Office and Civil Service Committee.
Veterans' Affairs-----	Retains all of present jurisdiction.
Ways and Means-----	Retains jurisdiction over taxes and taxing aspects of trust funds; loses jurisdiction over Medicare and Medicaid to Health Committee; loses jurisdiction over tariffs and trade to International Trade Committee; loses jurisdiction over Social Security programs to the Social Service Committee; and loses jurisdiction over the debt ceiling to the Budget Committee.

A PLAN FOR MINIMAL CHANGES IN HOUSE COMMITTEE STRUCTURE

October 3, 1973.

Memorandum To: Select Committee.

From: Staff Subcommittee on Minimal Changes (Beresford, Ketcham, Taylor).

Re: Minimum changes in the existing committee structure.

Disclaimer.—This paper is the result of a committee directive for staff studies on various reorganization proposals, and does not necessarily reflect the views of the staff or members of the committee.

The subcommittee has studied the current committee structure and recommends the accompanying proposal. The proposal is designed to achieve a workable realignment of the committee structure with a minimum of change in the existing system. The proposal is divided into two parts: non-jurisdictional and jurisdictional proposals. The jurisdictional portion contains two separate proposals or steps. The first step is a modest adjustment to accommodate necessary changes, and the second is an "ad-on" extension of the first to demonstrate the flexibility of a stepped approach to resolving jurisdictional alignment.

I. NON-JURISDICTIONAL REFORMS

Bill Referral

We have developed this proposal on the premise that some procedural mechanism would be instituted with regard to bill referral. By reference, we incorporate the staff paper on bill referral, and support some provision for joint referral and an appeals process in the case of contested jurisdiction over bill referral.

A strong role for the Rules and Jurisdiction Committee is necessary to make a "minimum change" plan based on the existing committee structure work. Many conflicts not part of an initial minimum change plan can be resolved by an active Rules and Jurisdiction Committee which exercises a continuing review over bill referral and jurisdiction generally. We see this jurisdictional review and adjustment role as a major component of a minimum change plan.

Oversight

We urge the strengthening of the oversight function of all committees. A comprehensive study of oversight alternatives was prepared for the August staff proposal on committees, and we encourage examination of that report on legislative review.

Basically, there are three alternatives for increasing oversight activities within the existing structure. First, Government Operations could be strengthened. Membership could be appointed from the standing committees and be authorized to issue "adverse" reports on legislative programs and make policy recommendations.

Second, each standing committee could be required to establish its own oversight subcommittee, or to require existing subcommittees to

conduct adequate review over their legislative programs. Government Operations would either remain as is, or could be abolished. Under this scheme oversight responsibility would fall upon each committee chairman.

Third, coordination of program review and investigations would be mandatory between Government Operations and the other legislative committees.

Another proposal is the leadership oversight agenda. This proposal calls for the House leadership, with appropriation consultation with GAO, CRS, and legislative committee chairmen, to develop an agenda for oversight activities at the start of each Congress. This would serve to coordinate efforts and the leadership could stimulate oversight activity by the various committees.

Appropriations Committee

Changes in the appropriations process require that responsibility for spending be placed back in the committee and the backdoor legislative jurisdiction located in other legislative committee be eliminated. In addition, a report on tax expenditures would be added as a requirement in the budget appendix furnished to the Congress.

To eliminate the authorization-appropriation lag all authorizing legislation would be required to be in place before the end of the previous calendar year. If legislation was not in place by that time, the Appropriations Committee would work from the previous authorization figures. No continuing appropriations resolution would be permitted because it provides an opportunity to fail to meet needed deadlines and also permits the addition of authorizing language on what is assumed to be a resolution for continuing appropriations.

Some changes in the Appropriations Committee are suggested to give better budget information to Members and committees. The Appropriations Committee should work up a single package or omnibus appropriations bill after work on the individual chapters of the bill is completed by each of the subcommittees. This procedure would involve the full committee in evaluating its bill before going to the floor. The omnibus bill would give a total spending figure which could be compared with anticipated revenues and deficit before debate on amendments. It is also recommended that sufficient time be allowed for floor debate, as much as five weeks if necessary, to give proper consideration to the bill as a whole. The subcommittee chairman would manage their chapter of the bill on the floor. It is also suggested that the subcommittees be reviewed and revised to reflect a more equalized workload, equalized responsibility, and to facilitate budget review by subject.

Transfer authority is not provided except for the transfer of funds unobligated at the end of a fiscal year which would be returned to the general fund of the Treasury. Reprogramming within accounts must be identified and reported in a separate section of the omnibus bill.

Names of Committees

We felt that Interior and Insular Affairs, Interstate and Foreign Commerce, Merchant Marine and Fisheries, and Public Works are all strong candidates for name changes to reflect more accurately their roles. However, we took the position that name change proposals are politically sensitive decisions. Existing names carry a lot of tradition

and emotional ties for many Members. In this proposal, we tried to keep name changes for committees to a minimum, and chose names which were descriptive of a role or function rather than what would be more acceptable politically. We urge select committee members to consider this aspect of reform as they develop their plan.

II. JURISDICTION PROPOSAL

As stated, this proposal contains two alternative jurisdictional plans. The proposals are developed to indicate the flexibility with which jurisdiction can be realigned without excessive change in the existing committee structure. The "add-on" approach can be utilized to permit revamping in light of a changing political climate.

A comparative summary of the two steps shows the following lists of committees:

Jurisdiction proposal

Existing structure	Step No. 1	Step No. 2
Standing committees:		
1. Agriculture	Agriculture	Agriculture.
2. Appropriations	Appropriations	Appropriations.
3. Armed Services	Armed Services	Armed Services.
4. Banking and Currency	Banking and Currency	Banking and Currency.
5. District of Columbia	District of Columbia	District of Columbia.
6. Education and Labor	Education	Education.
7. Foreign Affairs	Foreign Affairs	Foreign Affairs.
8. Government Operations	Government Operations	Government Operations.
9. House Administration	Health and Social Services	Health and Social Services.
10. Interior and Insular Affairs	House Administration	House Administration.
11. Internal Security	Interstate and Foreign Commerce	Commerce.
12. Interstate and Foreign Commerce	Judiciary	Judiciary.
13. Judiciary	Labor and Civil Service	Labor and Civil Service.
14. Merchant Marine and Fisheries	Merchant Marine and Fisheries	Natural Resources.
15. Post Office and Civil Service	Natural Resources	Public Works.
16. Public Works	Public Works	Rules and Jurisdiction.
17. Rules	Rules and Jurisdiction	Science and Technology.
18. Science and Astronautics	Science and Technology	Standards of Official Conduct.
19. Standards of Official Conduct	Standards of Official Conduct	Housing and Urban Affairs.
20. Veterans' Affairs	Veterans	Ways and Means.
21. Ways and Means	Ways and Means	
Select committees:		
1. Beauty Shop	Energy	Energy.
2. Parking		
3. Restaurant		
4. Small Business		

Step No. 1 Proposal

Under this plan two standing committees would be abolished: Internal Security and Post Office and Civil Service. One committee, Education and Labor, would be split into committees on Education, and Labor and Civil Service. One new committee, Health and Social Services, would be created.

The existing jurisdiction of Internal Security would be transferred to Judiciary. Post Office and Civil Service would be divided—civil service being combined with the newly split labor jurisdiction, and the Postal Service, which consists of primarily oversight activities, going to Government Operations.

The new Health and Social Services Committee would obtain jurisdiction from Ways and Means and Interstate and Foreign Commerce. Ways and Means would give up Social Security, welfare, Medicare, Medicaid, AFDC, national health insurance, and related programs. Interstate and Foreign Commerce would give up all of its health related jurisdiction.

Other changes include changing the name of Science and Astronautics to Science and Technology, changing the name of Interior and Insular Affairs to Natural Resources, and expanding Rules into Rules and Jurisdiction through the adoption of a jurisdictional appeals process and a joint bill referral system. In addition, the National Environmental Policy Act should be removed from Merchant Marine and Fisheries and given to the new committee on Natural Resources. Other conflicts not resolved in the initial restructuring here should be smoothed out on a case by case basis by the new Rules and Jurisdiction Committee.

In addition to the changes in standing committees, a Select Committee on Energy, with legislative authority, would be created, and the jurisdiction of four existing select committees would be transferred to standing committees. Matters concerning parking, restaurants, and beauty shops will be transferred to House Administration. Banking and Currency will absorb the investigative functions of Small Business. A subsequent section will discuss in more detail the jurisdiction of a new select committee on energy.

Step No. 2 Proposal

This proposal contains all the elements of step no. 1 plus significant changes in five additional areas.

First, Merchant Marine and Fisheries is abolished. Its jurisdiction is divided between two committees: Public Works and Natural Resources. Public Works inherits ship building and related transportation jurisdiction. Natural Resources assumes responsibility for the remaining jurisdiction, including coastal zone management, marine pollution, oceanography and wildlife conservation.

Second, Veterans Affairs is abolished. The Veterans Affairs jurisdiction would be split along program lines: veterans benefits, housing, education, health and other areas going to either Armed Services or the appropriate program committee.

Third, a new Housing and Urban Affairs Committee is created. It absorbs housing from Banking and Currency (which includes residential water and sewer) as well as mass transit. Water and sewer treatment facilities are added from Public Works.

Fourth, foreign trade jurisdiction is shifted from Ways and Means to Foreign Affairs.

Fifth, transportation jurisdiction is shifted from Interstate and Foreign Commerce to Public Works to be generally coordinated with existing highway jurisdiction. In addition, the name of Interstate and Foreign Commerce is changed to Commerce. This is felt to be more descriptive of its revised jurisdiction.

Energy

The subcommittee recommends a Select Committee on Energy with jurisdiction over existing energy legislation now located in Interstate and Foreign Commerce, Interior, Judiciary, Public Works, Science and Astronautics, Ways and Means, and the Joint Committee on Atomic Energy.

The Select Committee on Energy would therefore have jurisdiction over energy resources, energy research and development, energy regulation, tax expenditures for energy, and energy allocation. It would not have jurisdiction over price regulation generally (Banking and Currency), national security and storage (Armed Services), import and trade policy (Ways and Means), foreign policy (Foreign Affairs) some direct subsidies (tanker subsidies in Merchant Marine and Fisheries or the proposed Transportation Committee), or environmental policy (Clean Air in Interstate, NEPA in Merchant Marine).

The subcommittee felt that the new committee's jurisdiction should integrate the House energy decisions for supply and demand without absorbing all of the other legitimate concerns expressed in legislation for clean air or environment. Although other committees have jurisdiction which directly affects energy supply or demand as well as executive department organization, the Rules and Jurisdiction Committee mechanism would be used to make subsequent decisions as problems arise.

Policy Planning

Another possible addition to the existing committee structure is a long-range policy planning group. Several versions have been proposed, and certainly the options are numerous; a leadership committee, joint committee, select committee, or independent office similar to the Office of Technology Assessment. A short paper on this topic, currently being written, will be inserted here upon completion.

[The paper referred to follows:]

PROPOSAL FOR A LONG-RANGE STUDY FUNCTION IN THE HOUSE OF REPRESENTATIVES

INTRODUCTION

The theme of this paper is the need for policy planning in the House of Representatives. After a discussion of the gaps that would be filled and the functions that would be supported by effective policy planning, alternative forms of organization will be considered, and a new House Committee on Policy Planning proposed.

1. *The Need*

The present congressional approach to national problems is typically short-sighted and fragmented. Furthermore, Congress as an institution seems reluctant to make, and often even to recognize, hard choices.

This is not all the fault of Congress. In spite of its much greater size, information systems and planning staffs, the executive branch is not much better equipped than Congress to make long-range national policies. It has been aptly said that "Quick fixes, crisis management and damage limitation have been the operative concepts."

[NOTE.—In the following discussion, the phrase "long-range studies" will be used to describe the recommended function and organization. This phrase was chosen in the belief that "policy planning"—though more descriptive—may carry unfavorable connotations and arouse opposition without regard to the merits of the proposal. It is conceded that an apter name than "long-range studies" may well be found. The Woodrow Wilson Center refers to the same function as "strategic assessment." A number of other names have been suggested, ranging from "the Committee on Legislative Coordination" to "the Committee on National issues" and "the Committee on the Future."]

Perhaps this is a national characteristic. In any event, it could be very dangerous, even fatal, in view of the many problems threatening this country today. Some of these problems (e.g., relating to population, energy, resources, environment) are obvious; some are seen only dimly or not at all. Some are known in detail, some not yet well understood. Without exception, however, they are complex, inveterate, inter-related problems of grave national importance, calling for integrated analysis and action over a long period of time.

When any of these problems is neglected or dealt with ineffectively, not only does it grow worse, but other, related problems grow worse also. The present organization of our Government is ineffectual for dealing with such problems, as recent history has shown (for example, the energy crunch). Short-range *ad hoc* piecemeal approaches simply do not work, and time is running out.

What is obviously needed is an arrangement for the systematic, long-range, integrated study of our principal future national problems. Such studies would identify and analyze these problems, on a time scale of five to fifteen years or longer, formulate alternative courses of action

for dealing with them, and consider the probable effects of such alternatives and of any relevant programs and other actions that are already underway.

It is beyond the scope of this paper to consider what organizational arrangements are required in the executive branch. They would probably include a special organization in the Executive Office of the President. A proposal to that effect has recently been made to the Office of Management and Budget by the Government Policy Forum held under the auspices of the Woodrow Wilson International Center for Scholars. In any event, there should be a congressional counterpart, perhaps a separate counterpart in each House, so that Congress can effectively discharge its national responsibilities and perform its functions as a coequal branch of Government.

2. What the Proposed Function Could Add

If the proposed function were performed effectively, what would it contribute to the work of the House?

First, a long-range view of national problems that would counteract an institutional tendency to be taken by surprise, unprepared, inadequately informed, too late for optimum decision-making, condemned to "quick fixes, crisis management and damage limitation." Some problems would become visible for the first time. The perception of others would change significantly.

Secondly, a comprehensive, integrated view, permitting better correlation and synthesis of the work done by the various committees, avoiding piecemeal and conflicting committee actions and the failure to act at all because no committee takes the responsibility ("falling between two chairs"). In his testimony before the select committee, former Congressman Thomas B. Curtis described such correlation and synthesis as the greatest need of Congress.

Thirdly, an adversary process or "antagonist system" (in contrast to consensus building), also mentioned by Mr. Curtis as a principal need. An adversary consideration of national problems would result from analyzing them systematically, bringing out alternatives to present and proposed federal actions, and evaluating consequences. This process could counteract the tendency of executive agencies and congressional committees alike to formulate positions in merely plausible terms with more concern for consensus than for realistic solutions. It could expose the conflicts and tradeoffs that are often distilled out of Government deliberations, and could identify difficulties and the factors necessary for decision.

3. How the Proposed Function Could Assist the Work of the House

In summary, an effective long-range study function could improve the decision-making process in Congress.

Specifically, it could assist the work of the House as follows:

1. Enhancing congressional recognition of and responsiveness to national needs (though not necessarily those that are currently fashionable or politically "hot");
2. Providing a better basis for setting national priorities (both budget allocations and the priorities of substantive legislation);
3. Providing a better basis for substantive legislation and evaluation of legislative proposals;
4. Providing a better basis for policy and program evaluation, including legislative oversight;

5. Correlation and synthesis of the work done by the various committees, in terms of consistency and comprehensiveness;

6. Better distribution of committee and subcommittee workloads;

7. Better scheduling of legislative issues for timely consideration and action;

8. Better organization and use of information support for Congress (in particular, better formulation of congressional information requirements, whether for legislation, constituent service or any other purpose).

This list could be made longer, but is adequate to illustrate the main contributions that could be made by an effective long-range study function.

The contribution that could be made to congressional control of the Federal budget deserves amplification because it is both important and timely. Although the need for long-range planning has been apparent for some time, it has recently been made urgent and imperative by the current interest in congressional budget reform. In fact, effective budget control without long-range integrated planning is impossible.

First, budget reform entails replacing a fragmented view of the budget with a single unified view embracing the present authorizations and appropriations as well as revenues, debt changes, and effects on the national economy.

Secondly, if Congress is to control the Federal budget, it must more accurately estimate the long-run costs of Federal programs. Otherwise, overruns and uncontrollable expenditures will continue to frustrate its efforts.

Senator Chiles, an advocate of Congressional budget control, recognized its dependence on long-range integrated planning in the following remarks to the Southern Governors' Conference:

"... long-term planning is a prerequisite [to budget control] ... The front-end planning stage is crucially important because this is where the future funding requirements—where the "turkeys"—are born.

"... These last two issues—controlling outlays on the basis of a clear pattern of national needs and controlling programs throughout their long-term life cycle—are essential ingredients if reform is to be effective ..." (Reprinted in 119 Congressional Record 148 at pp. E6269-70, October 4, 1973)

4. Organization of the Proposed Function

How the proposed function is organized—that is, its size, composition and location within the executive branch—is not a minor issue, but may determine its effectiveness.

The following discussion will identify some of the main requirements for effective operation, and derive their probable consequences in terms of size, composition and location. The question of location, in particular, involves a consideration of alternatives.

Requirements.—To operate effectively, the proposed organization should enjoy substantial independence and freedom of action. This implies a distinct entity insulated to some degree from pressures including short-term decision-making and operating responsibilities. On the other hand, the organization should not be isolated from policymaking, but should report directly to policymakers. Furthermore, if practicable, long-range planning should be the principal responsibility of the organizational entity to which the planning staff reports; other-

wise, it will tend to become a "stepchild", competing for the time and attention of those who should give it direction and support.

Perhaps the ideal solution, satisfying all these requirements, would be for the staff to report directly to a House committee whose principal responsibility was long-range policy planning. This could be a standing, special or select committee. A select committee seems most promising, since its members, appointed by the Speaker from various relevant standing committees, could contribute a cross section of congressional knowledge and points of view, and could disseminate the results of the committee's work to the House as a whole.

Another requirement of effective operation is expertise. This relates to staff composition, and involves a suitable combination of specialized knowledge and skills. It also affects minimum (and perhaps maximum) staff size.

Staff Composition.—The staff should comprise a variety of specialists in relevant fields including science and technology, economics, law, systems analysis and operations research—preferably with direct experience in working for Congress, especially on committee staffs, and necessarily familiar with the process of decision-making and policy formulation in the United States Government. Executive branch experience at the "policymaking level" would certainly be helpful; so would other types of experience, such as research and analysis. It is hardly necessary to add that the professional staff should also be chosen for certain personal characteristics, including creative imagination, analytical ability, judgment, intellectual honesty, capacity for independent thinking, and passion for accuracy. As far as practicable, the staff should be non-partisan, and it should be appointed without regard to party affiliation.

Staff Size.—The requisite combination of specialized knowledge and skills implies a minimum staff size—a critical mass—of about 30. (The report of the Woodrow Wilson Center says 30 to 50.) While the maximum staff size is more difficult to estimate, it should not exceed about 60. Political and budget considerations can be expected to keep the staff from becoming too large. On the other hand, there is a real danger that the effort will be made on too small a scale, and will fail or prove ineffectual for that reason.

Budget.—Translating a staff of the recommended size into dollar costs implies a budget of roughly \$2–3 million a year, not including funds for external research.

Organizational Location.—Finally, there is the question of where the proposed organization should be located in the legislative branch. A number of alternatives have been suggested.

In his *Proposal for Achieving Balanced National Growth and Development* (Joint Economic Committee, 93d Congress, 1st Session (committee print, 1973)), Senator Hubert Humphrey suggests a Congressional Office of Policy and Planning and a Joint Committee on Balanced National Growth and Development. The director and deputy director of the office would be appointed for fixed terms (four years), though they could be removed by a resolution of either House.

There would be some merit in appointing the top officials of the proposed organization for fixed terms. Relative security of tenure would doubtless increase their independence. A similar recommendation was made to the Select Committee on Committees by Athelstan Spillhaus.

However, there would be obvious disadvantages to locating the pro-

posed organization under a joint committee, especially a *new* joint committee (at least from the House standpoint). The same disadvantages apply to the *existing* joint committees that appear superficially suitable—namely, the Joint Economic Committee and the Joint Committee on Congressional Operations.

It is interesting to note that Senator Humphrey himself did not recommend broadening the charter of the Joint Economic Committee. Perhaps he thought it tended to take a short-range view, or was too narrowly focussed on economic considerations or not sufficiently self-actuating. In any event, it is already burdened with other responsibilities.

The same considerations apply to the Joint Committee on Congressional Operations—which, in addition, is an operating committee and not policy-oriented.

At first glance, the Office of Technology Assessment (OTA), if and when it comes into operation, would seem to be a suitable place for the function proposed in this paper. However, OTA itself would be responsible to a Board of Technology Assessment, which is composed entirely of Members of the House and Senate, and is essentially a joint committee. Moreover, OTA is burdened with other responsibilities, and is focussed on technology. Finally, establishing the proposed organization within OTA would isolate it by at least an additional step from the policymaking process and from policymakers. Thus, the risk is not only that it would become a stepchild with a technological bias, but that it would develop an ivory-tower mode of operation.

The General Accounting Office (GAO) and the Library of Congress, including the Congressional Research Service (CRS), are considered unsuitable locations for historical and institutional reasons that do not require elaboration. The GAO in particular is too narrowly focussed and not policy-oriented. Both organizations tend to take short-range views, are burdened with many other responsibilities, and are not sufficiently self-actuating.

The last alternative to be considered is making the proposed organization directly responsible to the Speaker or the Leadership. While this would be a plausible arrangement, it would represent a departure from House tradition and might not be acceptable to the Leadership itself. Moreover, the Leadership is not likely to devote much time or attention to the policy planning staff or function. It is subject to many political and other pressures, and necessarily concerned with short-term decisions and operating responsibilities. Thus, the risk is not only that a Leadership staff would paradoxically tend to become a stepchild, but that it would be forced into a backstopping function, like the so-called "Policy Planning Staff" in the Office of the Secretary of State, concentrating on day-to-day responsibilities rather than long-range national problems.

Therefore, this survey of organizational arrangements confirms the tentative conclusion that the best location would be a House committee whose principal jurisdiction was long-range policy planning. To recapitulate, such a committee (and its staff) could enjoy substantial independence, sufficiently insulated from daily pressures, taking a broad, sustained, long-range view of national problems, and yet effectively bring its findings to bear on the work of the House.

S. M. BERESFORD.

REPORT ON PROPOSED CHANGES IN THE STRUCTURE OF THE HOUSE OF
REPRESENTATIVES AND ITS COMMITTEE SYSTEM

SEPTEMBER 24, 1973.

HON. RICHARD BOLLING

Chairman, Select Committee on Committees, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I submit herewith to the Select Committee on Committees a report on jurisdictional restructuring of the committees of the House of Representatives.

I have drawn largely upon my day-to-day experience of over 31 years in the House of Representatives, both as legislative counsel in a congressional office and 22 years as Staff Director of the Committee on the Judiciary.

It has not been my purpose to seek far-ranging changes. Rather, I have sought to make such recommendations as will simplify structures, to bring into fuller play the power of the House of Representatives and to expedite the legislative processes without impeding the necessary clash of competing ideas and philosophies.

Respectfully submitted.

BESS E. DICK, *Consultant.*

INTRODUCTION

Watching the House of Representatives in action one would almost conclude that Mother Chaos was married to Father Time. The lack of party responsibility continues to plague the House. Committees have no program, no set priorities and no time schedules. The program is determined by the Executive through its messages and communications. The Executive submits its program to the Congress within its own time schedules and in as piecemeal a manner as it desires. There is no time limit fixed for committees in which to organize. What committees do is almost arbitrary in nature. The injunction by the Hansen Committee that all bills be referred to subcommittees within two weeks merely passes on the arbitrariness to the subcommittee, particularly to the subcommittee chairman. Subcommittees meet catch-as-catch-can and since the agenda of the full committee is more or less dependent on the activities of the subcommittees, the committee agenda is of necessity a haphazard one, dependent upon how, where and which subcommittees operate. With Members assigned to two or more committees and to two or more subcommittees of each committee assigned, we have a grab bag result.

For reasons lying deep within the nature of man, the pace of committee work is slow and turgid at the beginning of each Congress. There is no incentive for getting started, no program with which to begin.

Yet the institution works. In fits and starts, it does manage to produce and to create. It has worked whatever the structure has been and

indeed could go on working if no changes were made. We have lived with crisis after crisis, foreign and domestic. The House survived, undertook reforms and then reverse them, because the House of Representatives is a pragmatic institution and this, in itself, insured survival.

The House of Representatives looks at what is before it and behind it. It does not look ahead; it responds to crises but does not foresee them. It lacks the strength of simplicity and it lacks direction.

I shall try to spell out in detail in the following pages of this report the ways the House of Representatives can, through programming, consolidation and simplification, more firmly utilize its powers and serve the national needs, avoiding, I trust, the traps of rigidity and neatness inimical to free play of ideas, compromise and accommodation.

There is no need to cut deep, far, and wide into the present structure of the House to achieve the purposes for which this Select Committee on Committees was formed. Two questions need to be answered: What is the lack? What is the remedy?

THE NEED FOR CHANGE

Certainly, to make efficiency of operation a major goal of the House of Representatives is the least desirable of goals in a society as pluralistic as ours, but a Tower of Babel is equally undesirable lest the structure fall for lack of communication. If neither the foreman nor the worker understands or responds to each other, there can be no buildings. The nuts and bolts fall into the wrong slots. I have watched the Congress work through the periods of World War II, the Cold War, the Korean War, the Vietnam conflict, periods of labor unrest, the rise of civil rights consciousness, campus unrest, riots, periods of inflation and recession, and I have been forced to the conclusion that the structure of the House of Representatives is unnecessarily cumbersome, uncoordinated and overly outer-directed. By that I mean that the pressures, the influences and the special clienteles have become part of the structure. These outside forces explain, in part, the inadequacy of the present committee structure. This is not written in condemnation of such forces since they do and must exist to fulfill the function of representative government. They are the circulatory system which gives life to Congress. They help to reorder, to refresh and to reflect the conflicting claims, the diversity as well as the unity of our country. They restrain "the tyranny of the majority" and temper the highly audible minority voices. The House of Representatives, then, must operate in such a way as to express vitality but not with a growing machinery that obtrudes and obstructs. What I propose by way of reform is what I choose to call the "safety pin" principle—that is, simplicity and effectiveness.

The line running from the committees to the floor of the House of Representatives is a wavering, haphazard one which comes into play at what we could call "the throw of the dice." When the House operates on the principle that subcommittees are advisory to full committees and full committees are advisory to the floor or whole membership, we begin at the wrong end. There is no priority list set before the committee, there is no priority list flowing from the committee to

the subcommittee and no schedule of timing even though an act itself by its expiration date can, but often does not, set the committees in motion.

Moreover, standing committees presently operate like a large family living in a house with an overabundance of separate rooms with no connecting doors. Each goes his own way only dimly aware of what the rest of the family is doing until they meet in the common room—the floor of the House. Each committee has its own priorities, time schedulings, subcommittee systems, methods of hiring and training staff. We do find, however, that such direction as Congress and the committees do receive comes not from within but from the executive branch of the Government through the presidential program and the Executive Communications submitted to Congress. Hence the criticism is valid that Congress reacts rather than acts. True, the committees receive inputs from associations (bar, trade, churches, labor, journals, editorials, press dispatches, and the like), but the initiative is clearly within the executive branch. It is no secret that in most instances committee action arises with the receipt of the Executive Communication. I believe a simple remedy is at hand. I propose that a Congressional Communication be brought into being which would enable Congress to become a programmatic entity as an *equal and coordinate branch of the Government*. This could be done by the creation of an active Congressional Policy Committee.

CONGRESSIONAL POLICY COMMITTEE

I therefore propose foremost the creation by statute or rule of a Congressional Policy Committee which will set congressional priorities and draw a direct line from the leadership to the committees. The Congressional Policy Committee shall consist of 15 Members brought into being as is every other standing committee of the House. It shall, however, be manned entirely by the majority party and shall include the Speaker, the Majority Leader and the Whip. The assigned committee Members shall be representative of all regions of the country in proportion to regional populations.

If the proposal for a newly-elected Congress to meet immediately after the election is adopted—and the proposal has considerable merit—this would be the most appropriate time for the formation of a Congressional Policy Committee. It could then meet to begin the process of the making of a programmatic Congress and formulate programs for, and the scheduling thereof for the coming Congress.

While Congress is at present considering recommendations of the Joint Study Committee on Budget Control, it appears nonetheless advisable that the Congressional Policy Committee appoint an advisory unit on the budget. If it accepts the recommendations of the Joint Study Committee on Budget Control, the Policy Committee would select the advisory unit from among the membership of the House Budget Committee so that in its legislative proposals it can consider such problems as back-door spending, tax expenditures, obligating funds, etc.

After the formulation of programming and scheduling, the Congressional Policy Committee shall submit each proposal to the controlling party's caucus. If adopted, the proposals shall become the central program of the House of Representatives.

The adopted program shall not, of course, rule out additional proposals from the Policy Committee nor shall it prohibit any Member of the House of Representatives from introducing a bill or a resolution of his own at any time during the session of the Congress.

After the adoption of the program by the caucus, the Office of the Legislative Counsel shall place its proposal into the bill or resolution form and the Speaker shall then refer the legislative draft to the appropriate standing committee in the same manner as an Executive Communication is referred to committee.

Thus, the program will give the committee a workable agenda at the beginning of the session. The chairman of a committee or any member thereof to which such proposal has been submitted shall introduce it. Again I stress that no Member shall be barred from offering his own proposal or from offering amendments in committee or on the floor of the House. No Member shall be bound to vote for the Congressional Communication. It shall receive the same consideration by way of analysis, hearings and reports as any other proposal.

Such Congressional Communications will not eliminate the clash of ideas, but rather provoke examination. It will be the means of encouraging competition in ideas and will deemphasize reliance upon a presidential program. Though by no means eliminating the Executive Communication, it will have the virtue of reducing its impact.

It will be noted that changes have already been agreed to by the Joint Study Committee on Budget Control that the Budget Committees will reduce their recommendations to legislative proposals. This is very much in keeping with the suggestion that the Congressional Policy Committee reduce its major policy decisions to legislative drafts and submit them to the appropriate committee. It is not suggested that all issues be the subject of the Congressional Policy Committee but only those which will emphasize the goals of the party in power and orient and advise the committees. The Congressional Policy Committee thus determines, together with the party caucus, the outstanding issues for that Congress. It may be transportation: it may be pollution; it may be health: it may be any of these, all of these, or others not herein specified. It is not for a moment contemplated that the Congressional Policy Committee deal with such matters as attorneys' fees, factory inspection, compacts, pest control, war powers, or many of the thousands of bills of this type which are in every Congress. At best, I believe there would be no more than 15 issues, so the task is not as onerous as it would appear to be at first blush. In fact, any review of the number of bills and resolutions introduced in any Congress will reveal that the number of programmatic issues is limited.

It is my contention that the emphasis on the Executive Communication has been responsible in a large measure for the loss of congressional power. Congress, then, need not wait upon the submission of White House goals but can move ahead. It will be in direct competition with the presidential program and thus force the meeting of issues head-on. It will result in the submission of the presidential program far earlier in the session and reduce the submissiveness of the House of Representatives to Executive timing. It is a workable measure whether there are differing parties in control of the administration of the House or whether both are controlled by the same party. By no means is the above suggestion irrelevant to committee reorganization.

The committee structure, I believe, must be such as to be responsive but not necessarily submissive to a congressional program. The diversity of voices within the committee could be a strong check on declared policy. Committee initiative would not suffer thereby and the voices of dissent within the committees would not be stilled. Nor would it inhibit the committee from projecting programs of its own as it sees fit. The criticism may be lodged that the Congressional Communication will reduce drastically the power of the minority party. I believe this not to be the case since when one party controls the House and another the Presidency, the weight of the presidential office is very definitely on the side of the minority party of the House. When the House and the Presidency are controlled by the same party, we have seen the Congress labelled, with some justification, as a rubber stamp Congress. If the House of Representatives is to reassert itself, it must find some mechanism for the restoration of balance between the power of the President and the power of Congress.

THE FULL COMMITTEE AS A WORKING UNIT

I submit that the full committee should be *the* working unit. Based on the premises of a programmatic House of Representatives, through the avenue of a Congressional Policy Committee, a committee of related jurisdictions and a committee more compact in size, it is entirely realistic that the full committee will not find it necessary to shuffle and deal out the work like a pack of playing cards to numerous subcommittees. Thus, the committee can see the work and see it whole, resulting in a committee of experts in a given area.

If the standing committees are reduced in size as set forth below, they themselves can handle analyses of proposals, hearings, mark-ups, reports and even legislative oversight and investigative activities with no intermediary layers of subcommittees. We have witnessed the full Judiciary Committee analyze, conduct hearings, mark-up and report on a number of constitutional amendments. We have seen the Committee on Ways and Means dispense effectively with subcommittees. The result has been that the total membership knows with greater thoroughness the subject before it.

I propose, therefore, the elimination, within limits, of the standing subcommittees to be replaced by ad hoc subcommittees which shall be appointed by majority vote of the full committee, given a specific assignment in relation to the business before the committee and instructed to report back to the full committee *on a day certain*. Upon reporting its findings and recommendation, the ad hoc advisory subcommittee shall be dissolved. All appointments to such ad hoc subcommittees shall be on a rotation basis so that the services of all members of the committee will be utilized. Appointment to such ad hoc subcommittees shall reflect party composition in the full committee and the chairman of each ad hoc subcommittee shall be the senior majority member who has not so previously served. The size thereof shall be determined by the full committee.

There need not be only one ad hoc subcommittee at a time. This would give every majority member of the committee an opportunity to serve as chairman and would give every member of the committee an opportunity to serve a special need, but more than that, it would

give all of the members of the full committee an expertise which they do not now possess. The reliance on the subcommittee has gone too far so that at best only the members of a subcommittee, and most particularly its chairman, are fully prepared to defend legislation which it brings to the floor and in too many cases it is the chairman and the ranking member of the subcommittee itself who participate in floor debate while the remaining members merely nod in approval or disapproval, as the case may be.

The creation of an ad hoc committee when needed (it is not always necessary to have an ad hoc subcommittee on every bill the committee elects to consider), together with the concept of smaller full committees, makes it entirely possible for the full committee to act on its own initiative. This is even more so with single committee assignments which I discuss in greater detail in another portion of this report. There are some very thoughtful Members of the House of Representatives who would increase the number of subcommittees. The use of the ad hoc subcommittee could accomplish that very purpose but would eliminate the growth of the subcommittees to the extent where Congress is far too fragmented for its own good. The growth of the staffs in standing subcommittees has been noted with misgivings and there has been a good deal of testimony before this committee to that effect. The use of the ad hoc subcommittee, with standing committee personnel assigned to it as the need may be, would stop this bureaucratic growth. It would, moreover, give every Member a "piece of the action." There could be as many ad hoc subcommittees as the committee decides is necessary, operating at the same or different times, but given a limited time in which to act. Action would not only be expedited, but the aura or possessiveness indigenous to subcommittees would be dissipated.

At present, instead of the subcommittee being advisory to the full committee, as was intended, the subcommittee has become almost an entity in and of itself, each one, understandably, jockeying for attention. The present system has resulted in superstructures which have reduced the effectiveness of the operation of the House.

OVERSIGHT

There appears to be almost unanimous agreement that the oversight functions of Congress have been shamefully neglected. That the oversight responsibility of Congress must be met will not be denied whether it be the examination of the Administration in its operation of enacted legislation, acts of alleged malfeasance or nonfeasance, or investigation into an area not previously covered by law and in which there is an apparent lack of adequate legislation.

The same system of ad hoc subcommittees should be instituted in the matter of oversight responsibility as in legislative considerations. Such subcommittees shall be appointed and dissolved in the same manner as heretofore set forth. It is entirely feasible that as the annual report of departments over which the committee has oversight jurisdiction is received by the committee, that such ad hoc advisory subcommittee be formed to examine its contents in detail and to report on a day certain to the full committee its findings and recommendations. It is verifiable that seldom are these reports studied either generally or in detail by cost committees.

The rotating system suggested above will give each member of the committee an opportunity to discharge oversight responsibility. As new matter arises, a new ad hoc subcommittee can be formed.

There is no immutable law that the full committee meet only once or twice a week. The single committee assignment will permit the full committee to meet as often as it deems necessary, as the body of work requires.

In most committees the committee agenda is set by the action of the subcommittees. Most bills and resolutions considered by committees are not that complex that they must be "contracted" out to subcommittees. A review of committee action, affirmative or adverse, reveals this to be a fact. The bills and resolutions before a committee can easily be digested by the full membership meeting en banc.

There are those who will consider the setting of an agenda an insuperable problem. Not so. An agenda unit could easily be formed, composed of seven members, majority and minority, including the chairman and ranking minority member. Since the Congressional Communication and Executive Communication are to be starting posts (as the Executive Communication now is), it could be a fairly simple process. At the very least, the agenda would be representative of the full committee rather than dictated by subcommittees.

Because of the reduced size of each standing committee, this is a workable proposal. It will acquaint all members of the committee with the issues before it and truly develop a greater expertise on the part of all the members of the committee. It will eliminate the necessity of each Member to attend a multiplicity of meetings and hearings and thus split himself into at least four people. It will give every member of the committee an opportunity to serve on an ad hoc subcommittee and will give the full committee an identity which it does not now possess. Parenthetically, it has become the practice of the newspapers in reporting the activities of subcommittees to name only the subcommittee without mentioning the parent committee. This is a grave defect in holding full committees accountable to the public. This proposal will reduce the necessity for exclusive staffing and move the committee staff to a more professional stance. The element of time has become the haunting nemesis that hangs over each Member's head. With this proposal, the time factor would be controllable.

The proliferation of subcommittees—some 150—has gone far beyond necessity and has succeeded in fragmenting the full committee to a degree undreamed of when the 1946 Legislative Reorganization Act was put into effect. The left hand will know what the right hand is doing. The ad hoc subcommittee will reduce the arbitrary selection of legislative or oversight proposals and beyond that reduce the dependence of the full committee on the work of the subcommittee, arbitrarily selective as it is at present.

SINGLE COMMITTEE ASSIGNMENT

I suggest that Members be assigned to no more than one standing committee. Presently, we find that approximately 223 Members serve on two committees and approximately 137 Members serve on one committee, leaving aside for the moment membership on joint committees. Since about one-third of the membership already serves on

one committee exclusively, it appears that dual assignments are not a matter of principle, but, rather one of convenience to distribute the 435 Members among the existing committees. This is a mathematical rather than a functional device. It defies reason to believe that effective work can be done when a Member belongs to two committees, and possibly to two subcommittees of each committee, and perhaps to a joint committee.

The perennial question is: How does a Member find the time to do responsibly that which must be done? It strikes me as entirely unrealistic that the element of time in a Member's life be rarely given the full consideration it merits. The Member can well ask, and he does, how can he split himself into 48 whole pieces—which committee shall he attend, which subcommittee, where to find time to prepare his floor discussion, where to find time to answer constituents' requests, where to find time to get back to his district, where to find time to go through the mountains of printed material before him, where to go first, where to go last, and must he forever be a grasshopper? Unless Congress finds a way to deal with the enormous problem of time, it will not reach the degree of effectiveness necessary to assert its powers as a coordinate branch of government.

Thus, it is imperative that the structure of Congress be simplified. Many a Member will object to the elimination of dual assignments since, understandably, he seeks a committee assignment which reflects the interests of his district as well as an assignment that goes beyond district representation. *Yet, it would appear to me that single committee assignments in a committee of reduced size and related jurisdictions would enhance the Member's stature both within and without the district.* It will not be difficult to recall the objections raised by one newly-elected Member in the 91st Congress who, coming from an urban district, would not accept an assignment on the Agriculture Committee. I believe this is a failure to realize that the work of each committee does, in fact, relate to every district; that agricultural subsidies affect the taxes in his district; that legislation deriving from the Agriculture Committee does affect the price and distribution of food in urban centers and much of its legislation affects as well problems of housing in the overpopulated areas. I believe this could easily have been explained to the constituency.

Moreover, it has been an unexamined but accepted principle of committee assignments that a distinction be made between major and minor committees. The distinction, I believe, is a highly artificial one. To cite one example: The Committee on Interior and Insular Affairs by common consent is minor. What is minor about mining interests generally or petroleum conservation on public lands or even forest reserves, all of which fall within the jurisdiction of that committee? Historically, what is today's minor concern is tomorrow's furor. Each committee should be of equal rank and should so be designated. This, too, would make the one committee assignment acceptable to Members.

Hence, the House of Representatives shall have the following committees. The size of membership is set forth in the parallel column. The changes and explanations therefor are set forth in the following chapter.

Committee:	Membership No.		Membership No.
Agriculture -----	21	Interstate and Foreign	
Appropriations -----	41	Commerce -----	21
Armed Services -----	21	Judiciary -----	21
Banking and Currency --	21	Public Works -----	21
District of Columbia ---	21	Rules -----	15
Education -----	19	Science, Space and En-	
Foreign Affairs -----	21	vironment -----	21
Government Operations --	21	Standards of Official	
Health, Welfare, and		Conduct -----	13
Labor -----	21	Veterans' Affairs -----	21
House Administration --	21	Ways and Means -----	35
Housing and Transpor-			
tation -----	21	Total -----	438
Interior and Insular Af-			
fairs -----	21		

In determining the size of each full committee, the figure 438 was used, taking into account that the delegates from the District of Columbia, Guam, the Virgin Islands, and the Resident Commissioner of Puerto Rico, all vote in committee. Fifteen committees have a membership of 21, one committee has a membership of 19, another 15, a third 13, another 41 and another 35, totaling 438 (see above).

I am proposing that the Speaker be placed on the Rules Committee (as well as on the Congressional Policy Committee) and that no committee assignment be given to the majority leader other than that of membership on the Congressional Policy Committee.

COMMITTEE JURISDICTION

It is upon the foundation of the Congressional Policy Committee plus relatedness that I rest the reconstruction of the standing committees of the House.

If there is to be a programmatic House of Representatives, then one of the prerequisites would be to place, as far as is practicable, allied or related jurisdictions within each standing committee. Overlapping of jurisdictions is probably the most common complaint voiced by committees and is a constant source of friction among chairmen and often involves the Speaker. This overlapping is not caused by the decisions made in referring bills and resolutions. In going through the topics of each committee I have found that each of these topics was referred in keeping with the jurisdictions granted to the committees. We must therefore conclude that if any fault is to be found, it lies in excessive overlapping of assigned jurisdictions.

I find no fault with the general language of the stated jurisdictions. To embrace precision is to invite exclusion. A rapid count of the topics before the 92d Congress reveals some 1,100 general topics were placed before the House. A breakdown of the sub-topics and sub-sub-topics reveals the difficulty of making any attempt to use other than general language. I have therefore retained the language of the jurisdictions as assigned in Rule XI, shifting them, however, to other committees, while eliminating, renaming, and forming new committees.

To emphasize the overlapping of jurisdictions I have chosen a few examples. I am certain that this committee will have before it complete data prepared by its staff.

Consumer Protection.	Interstate and Foreign Commerce; Banking and Currency; Education and Labor; and Government Operations.
Discrimination--	Interstate and Foreign Commerce; Education and Labor; Judiciary; Foreign Affairs; and Post Office and Civil Service.
Drug Abuse-----	Interstate and Foreign Commerce; Armed Services; Foreign Affairs; Judiciary; and Post Office and Civil Service.
Motor Vehicles--	Interstate and Foreign Commerce; Armed Services; Banking and Currency; and Judiciary.
Pollution-----	Interstate and Foreign Commerce; Foreign Affairs; Government Operations; Judiciary; Merchant Marine and Fisheries; Agriculture; Interior and Insular Affairs; Public Works; Science and Astronautics; and Ways and Means.

The question then remains: What general principle shall be adopted in restructuring the committee jurisdictions, if at all? Should it be based on the equalization of work since it is easily discernible that some committees receive more bills and resolutions than do others? I submit that equalization of work is no firm criterion upon which to base committee referrals. There is no way of prophesying what issues will engage the national interest within any given period of time. We witness now, for example, public emphasis on inflation, on energy, pollution and health measures. We have witnessed other periods where crime was *the* issue and other periods where foreign policy was dominant. We can only conclude there is no consistent workable measurement which would determine the workload of each committee. Nor can we measure the workload of a committee by the number of bills and resolutions before it since in very many instances an arbitrary choice is made by the committee in the selection of what bills merit consideration. For example, in the 92d Congress, 17,230 bills, 1,331 joint resolutions, 726 concurrent resolutions and 1,171 simple resolutions were introduced in the House. The total number of laws in the 92d Congress was 768, of which 434 were House bills, 48 were House Joint Resolutions, 241 were Senate bills, 44 were Senate Joint Resolutions, 607 Public Laws and 161 Private Laws. There appears to be very little relationship between the number of public laws enacted and the number of bills and resolutions introduced. Nor does there seem to be any relationship between the number of bills and resolutions introduced in the House and the number of bills referred to each committee, and the relationship of public laws emanating from each subcommittee.

A survey of the bills and resolutions before each committee and the number of enactments emanating from each committee sustained this conclusion. Nor can we base jurisdictions upon the work product of each committee when one proposal, such as an Act to Amend the Social Security Act, Public Law 92-603, will take far more time to process than would a proposal, to declare a portion of the Delaware River in

Philadelphia County, Pa. non-navigable, Public Law 92-605. It would be like comparing the caseload of a court in giving the same weight to an antitrust suit as to one in tort. So again, we have an unworkable principle. The most workable principle, to my mind, would be that of relatedness of subject matter within the committee's jurisdiction.

The suggestion that committee referrals remain unchanged but that subcommittees of different committees consult and meet together in consideration of related subject matter is not workable. There is, as we know, very little consultation among committees or subcommittees. It means additional cumbersome machinery trying to mesh time and place for mutual and multiple consultations and discussions and even hearings.

To see a subject whole requires, I believe, allied subjects within the jurisdiction of a particular committee. I am fully aware that this principle cannot be rigidly applied. There will unquestionably be overlapping because no language conferring jurisdiction can be so tightly woven as to exclude the possible jurisdiction of another committee. What Congress can strive to attain, to the extent that is practicable and reasonable, is the reduction of fragmentation of subject matter. This was the intent of the Legislative Reorganization Act of 1946 and a good intent it was too. But changing issues demand appropriate changes. I therefore propose the following changes in committee jurisdictions.

It will be noted that three committees have been eliminated :

Committee on Internal Security ;
Committee on Merchant Marine and Fisheries ; and
Committee on Post Office and Civil Service.

Two new committees are proposed :

Committee on Health, Welfare and Labor ;
Committee on Housing and Transportation.

Two committees have been renamed :

Committee on Education and Labor (Proposed name—"Committee on Education") ;
Committee on Science and Astronautics (Proposed name—"Committee on Science, Space and Environment").

It will be noted that I have given specific oversight jurisdiction to each committee excepting, of course, the Committee on Rules.

COMMITTEE ON AGRICULTURE

<i>Present Jurisdictions</i>	<i>Proposed Jurisdictions</i>
(a) Adulteration of seeds, insect pests, and protection of birds and animals in forest reserves.	(a) Agriculture generally.
(b) Agriculture generally.	(b) Adulteration of seeds, insect pests, and protection of birds and animals in forest reserves.
(c) Agricultural and industrial chemistry.	(c) Agricultural economics and research.

Present Jurisdictions

- (d) Agricultural colleges and experiment stations.
- (e) Agricultural economics and research.
- (f) Agricultural education extension services.
- (g) Agricultural production and marketing and stabilization of prices of agricultural products.
- (h) Animal industry and diseases of animals.
- (i) Crop insurance and soil conservation.
- (j) Dairy industry.
- (k) Entomology and plant quarantine.
- (l) Extension of farm credit and farm security.
- (m) Forestry in general, and forest reserves other than those created from the public domain.
- (n) Human nutrition and home economics.

Proposed Jurisdictions

- (d) Agricultural production and marketing and stabilization of prices of agricultural products.
- (e) Crop insurance.
- (f) Dairy industry except matter subject to jurisdiction of other committees.
- (g) Entomology and plant quarantine.
- (h) Extension of farm credit and farm security.
- (i) Forestry in general, and forest reserves other than those created from the public domain.
- (j) Human nutrition and home economics.
- (k) Inspection of livestock and meat products.
- (l) Plant industry, soils, and agricultural engineering.
- (m) Rural electrification.
- (n) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed,

Present Jurisdictions

- (o) Inspection of livestock and meat products.
- (p) Plant industry, soils, and agricultural engineering.
- (q) Rural electrification.

Proposed Jurisdictions

or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

EXPLANATION

It will be noted that the following jurisdictional changes were made in the Committee on Agriculture:

(c) Agricultural and industrial chemistry, was removed and placed in the Committee on Science, Space and Environment. At this point I wish to emphasize that the Committee on Science, Space and Environment has been given considerably more jurisdictions than heretofore. Science, space and environment will, to my mind, play a much larger part in the national consciousness in the very near future. The change also is in keeping with my attempt to place related subject matter as far as practicable with the same committee.

(d) Agricultural colleges and experiment stations, has been removed and placed in the Committee on Education. Again, for the same reason of relatedness.

(f) Agricultural education extension services, the same is true of this jurisdiction, which was removed and placed in the Committee on Education.

(h) Animal industry and diseases of animals, has been removed and placed in the Committee on Science, Space and Environment since this area, too, belongs to scientific experiment and discovery.

(i) Crop insurance and soil conservation. The jurisdiction of soil conservation was placed in the Committee on Science, Space and Environment for obvious reasons.

COMMITTEE ON APPROPRIATIONS

Present Jurisdictions

- (a) Appropriation of the revenue for the support of the Government.
- (b) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations of the organization and operation of any executive department or other executive agency (including any agency the majority of the stock of which is owned by the Government of the United States) as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by

Proposed Jurisdictions

- (a) Appropriation of the revenue for the support of the Government.
- (b) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations of the organization and operation of any executive department or other executive agency (including any agency the majority of the stock of which is owned by the Government of the United States) as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by

Present Jurisdictions

such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

Proposed Jurisdictions

such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

EXPLANATION

Obviously, I made no changes in the Committee on Appropriations since such changes as this Committee may deem necessary will be in the main procedural. I pretend to no expertise on the subject of budget control other than the suggestion of an Advisory Subcommittee on Budget Control within the proposed Congressional Policy Committee. I deem any suggestion I may make would not be substantive.

COMMITTEE ON ARMED SERVICES

Present Jurisdictions

- (a) Common defense generally.
- (b) The Department of Defense generally, including the Departments of the Army, Navy, and Air Force generally.
- (c) Ammunition depots; forts; arsenals; Army, Navy, and Air Force reservations and establishments.
- (d) Conservation, development, and use of naval petroleum and oil shale reserves.
- (e) Pay, promotion, retirement, and other benefits and privileges of members of the armed forces.
- (f) Scientific research and development in support of the armed services.
- (g) Selective service.
- (h) Size and composition of the Army, Navy, and Air Force.
- (i) Soldiers' and sailors' homes.
- (j) Strategic and critical materials necessary for the common defense.

Proposed Jurisdictions

- (a) Common defense generally.
- (b) The Department of Defense generally, including the Departments of the Army, Navy, and Air Force generally.
- (c) Ammunition depots; forts; arsenals; Army, Navy, and Air Force reservations and establishments.
- (d) Conservation, development, and use of naval petroleum and oil shale reserves.
- (e) Pay, promotion, retirement, and other benefits and privileges of members of the armed forces.
- (f) Scientific research and development in support of the armed services.
- (g) Selective service.
- (h) Size and composition of the Army, Navy, and Air Force.
- (i) Soldiers' and sailors' homes.
- (j) Strategic and critical materials necessary for the common defense.

*Present Jurisdictions**Proposed Jurisdictions*

- (k) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

EXPLANATION

The jurisdictions placed within the Committee on Armed Services are so clearly related that I see no necessity to make any changes.

Scientific research and development in support of the Armed Services might at first blush appear to belong to the Committee on Science,

Space and Environment. However, since the limitation of such research is to Armed Services, it makes it necessary and practicable to keep it in Armed Services.

COMMITTEE ON BANKING AND CURRENCY

Present Jurisdictions

- (a) Banking and currently generally.
- (b) Control of price of commodities, rents, or services.
- (c) Deposit insurance.
- (d) Federal Reserve System.
- (e) Financial aid to commerce and industry, other than matters relating to such aid which are specifically assigned to other committees under this rule.
- (f) Gold and silver, including the coinage thereof.
- (g) Impact on the economy of tax-exempt foundations and charitable trusts.
- (h) Issuance of notes and redemption thereof.
- (i) Public and private housing.

Proposed Jurisdictions

- (a) Banking and currency generally.
- (b) Control of price of commodities or services.
- (c) Deposit insurance.
- (d) Federal Reserve System.
- (e) Financial aid to commerce and industry, other than matters relating to such aid which are specifically assigned to other committees under this rule.
- (f) Gold and silver, including the coinage thereof.
- (g) Issuance of notes and redemption thereof.
- (h) Valuation and revaluation of the dollar.
- (i) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by sub-

Present Jurisdictions

- (j) Valuation and revaluation of the dollar.

Proposed Jurisdictions

pena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

EXPLANATION

The word "rents" in paragraph (b) of this Committee's jurisdiction has been eliminated and placed in the Committee on Housing and Transportation. Patently, the subject matter of rents belongs with housing.

Paragraph (g) Impact on the economy of tax-exempt foundations and charitable trusts, has been transferred to the Committee on Ways and Means. To my mind this is definitely a tax expenditure item and belongs in that committee. It was originally in the Select Committee on Small Business, but I do believe that a more effective transfer would be to the Committee on Ways and Means.

Paragraph (i) Public and private housing, was transferred to the Committee on Housing and Transportation because I am convinced that one of the great national needs is and in the future will be that of housing. It calls for a separate committee emphasizing the importance of this area. Housing policies go beyond, in my estimation, the confines of interest rates. It includes wider areas of discrimination, land use, and urban redevelopment.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Present Jurisdictions

- (a) All measures relating to the municipal affairs of the District of Columbia in general, other than appropriations therefor, including—
(b) Adulteration of foods and drugs.
(c) Incorporation and organization of societies.
(d) Insurance, executors, administrators, wills, and divorce.

Proposed Jurisdictions

- (a) All measures relating to the municipal affairs of the District of Columbia in general, other than appropriations therefor, including—
(b) Adulteration of foods and drugs.
(c) Incorporation and organization of societies.
(d) Insurance, executors, administrators, wills, and divorce.

Present Jurisdictions

- (e) Municipal code and amendments to the criminal and corporation laws.
- (f) Municipal and juvenile courts.
- (g) Public health and safety, sanitation, and quarantine regulations.
- (h) Regulation of sale of intoxicating liquors.
- (i) Taxes and tax sales.

Proposed Jurisdictions

- (e) Municipal code and amendments to the criminal and corporation laws.
- (f) Municipal and juvenile courts.
- (g) Public health and safety, sanitation, and quarantine regulations.
- (h) Regulation of sale of intoxicating liquors.
- (i) Taxes and tax sales.
- (j) The Committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

EXPLANATION

I have made no changes in the Committee on the District of Columbia. It is a self-contained entity.

COMMITTEE ON EDUCATION AND LABOR

<i>Present Jurisdictions</i>	<i>Proposed Jurisdictions</i>
Name change	<i>Committee on Education</i>
(a) Measures relating to education or labor generally.	(a) Measures relating to education generally.
(b) Child labor.	(b) Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen's Hospital; and Saint Elizabeths Hospital.
(c) Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen's Hospital; and Saint Elizabeths Hospital.	(c) School-lunch program.
(d) Convict labor and the entry of goods made by convicts into interstate commerce.	(d) Vocational rehabilitation.
(e) Labor standards.	(e) Agricultural colleges and experiment stations. (Transferred from Committee on Agriculture)
(f) Labor statistics.	(f) Agricultural education extension services. (Transferred from Committee on Agriculture)
(g) Mediation and arbitration of labor disputes.	(g) Science Scholarships. (Transferred from Committee on Science and Astronautics)
(h) Regulation or prevention of importation of foreign laborers under contract.	(h) Vocational rehabilitation and education of veterans. (Transferred from Committee on Veterans' Affairs)
(i) School-lunch program.	(i) Mining schools and experimental stations. (Transferred from Committee on Interior and Insular Affairs)
(j) United States Employees' Compensation Commission.	(j) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures

*Present Jurisdictions**Proposed Jurisdictions*

authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

- (k) Vocational rehabilitation.
- (l) Wages and hours of labor.
- (m) Welfare of miners.

EXPLANATION

As has been noted, the jurisdiction of labor has been removed from the Committee on Education and Labor. Labor has been transferred to the Committee on Health, Welfare and Labor. The area of education has become so wide that at the present time a committee devoting itself exclusively to this subject matter is warranted. Consequently, (a) has been changed to read "Measures relating to education generally" and (b) Child labor, (d) Convict labor and the entry of goods made by convicts into interstate commerce, (e) Labor standards, (f) Labor

statistics, (g) Mediation and arbitration of labor disputes, (h) Regulation or prevention of importation of foreign laborers under contract, (j) United States Employees' Compensation Commission, (l) Wages and hours of labor, and (m) Welfare of miners, have all been removed to the new Committee on Health, Welfare and Labor, and the Committee on Education and Labor has been renamed "Committee on Education." Logically, the area of health, welfare and labor are more closely allied than education and labor.

It will be noted later on that the areas of social security and medicare have been removed from the Committee on Ways and Means and placed into Health, Welfare and Labor, further emphasizing its relatedness.

COMMITTEE ON FOREIGN AFFAIRS

Present Jurisdictions

- (a) Relations of the United States with foreign nations generally.
- (b) Acquisition of land and buildings for embassies and legations in foreign countries.
- (c) Establishment of boundary lines between the United States and foreign nations.
- (d) Foreign loans.
- (e) International conferences and congresses.
- (f) Intervention abroad and declarations of war.
- (g) Measures relating to the diplomatic service.
- (h) Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.
- (i) Neutrality.
- (j) Protection of American citizens abroad and expatriation.
- (k) The American National Red Cross.
- (l) United Nations Organization and international financial monetary organizations.

Proposed Jurisdictions

- (a) Relations of the United States with foreign nations generally.
- (b) Acquisition of land and buildings for embassies and legations in foreign countries.
- (c) Establishment of boundary lines between the United States and foreign nations.
- (d) Foreign economic and security assistance.
- (e) International conferences, exhibitions, and exchanges.
- (f) Intervention abroad and declarations of war.
- (g) Measures relating to the diplomatic service and other foreign services.
- (h) International economic policy.
- (i) Arms control.
- (j) Protection of American citizens abroad and expatriation except in matters relating to passports.
- (k) The American National Red Cross.
- (l) United Nations organizations and international financial monetary organizations.
- (m) Reciprocal trade agreements. (Transferred from Committee on Ways and Means)
- (n) Panama Canal and the maintenance and operation of

*Present Jurisdictions**Proposed Jurisdictions*

the Panama Canal, including and administration, sanitation, and government of the Canal Zone; and interoceanic canals generally. (Transferred from Committee on Merchant Marine and Fisheries)

- (o) Studying intergovernmental relationships between the United States and international organizations of which the United States is a member.

(Transferred from Committee on Government Operations)

- (p) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or

*Present Jurisdictions**Proposed Jurisdictions*

by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any members thereof, may administer oaths to witnesses.

EXPLANATION

I have read with great care the testimony of Chairman Morgan and because of its logic and precision in following the principle of relatedness I have seen fit to adopt with slight changes the jurisdictions set forth by Chairman Morgan. I need not repeat herein his persuasive arguments since this is material already before the committee.

I have departed from Chairman Morgan's recommendation by adding the words "except in matters relating to passports" to paragraph (j). The granting of passports, though issued by the Department of State, runs to citizenship and sovereignty. Since legislative proposals relating to passports have been referred to both the Foreign Affairs and Judiciary Committees, it is well to settle the question of jurisdiction. That area, I believe, is more closely allied to the jurisdiction of immigration and naturalization which are within the jurisdiction of the Committee on the Judiciary.

I did not follow Chairman Morgan's recommendation to include jurisdiction on international environment and resources, but placed this in the Committee on Science, Space and Environment.

COMMITTEE ON GOVERNMENT OPERATIONS

*Present Jurisdictions**Proposed Jurisdictions*

- | | |
|---|---|
| (a) Budget and accounting measures, other than appropriations. | (a) Budget and accounting measures, other than appropriations. |
| (b) Reorganizations in the executive branch of the Government. | (b) Reorganizations in the executive branch of the Government. |
| (c) Such committee shall have the duty of—
(1) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the House as it deems necessary or desirable in connec- | (c) Federal Civil Service.
(Transferred from Committee on Post Office and Civil Service) |

Present Jurisdictions

tion with the subject matter of such reports;

(2) studying the operation of Government activities at all levels with a view to determining its economy and efficiency;

(3) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government;

(4) studying intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member.

(d) For the purposes of performing such duties the committee, or any subcommittee thereof when authorized by the committee, is authorized to sit, hold hearings, and act at such times and places within the United States, whether or not the House is in session, is in recess, or has adjourned, to require by subpoena or otherwise the attendance of such witnesses and the production of such papers, documents, and books, and to take such testimony as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or of any subcommittee, or by any member designated by any such chairman, and may be served by person designated by any such chairman or member.

Proposed Jurisdictions

(d) National Archives.

(Transferred from Committee on Post Office and Civil Service)

*Present Jurisdictions**Proposed Jurisdictions*

- (e) United States Employees' Compensation Commission.
(Transferred from Committee on Education and Labor)
- (f) United States Postal Service and Postal Rate Commission.
(Transferred from Committee on Post Office and Civil Service)
- (g) Status of officers and employees of the United States, including their compensation, classification, and retirement.
(Transferred from Committee on Post Office and Civil Service)
- (h) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be is-

*Present Jurisdictions**Proposed Jurisdictions*

sued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

EXPLANATION

Though the Committee on Government Operations has performed most excellently, it is my belief that the investigatory functions of each committee should remain with that committee since it is impractical to divide the legislative duties from the oversight duties. Hence, I have redrawn the jurisdictions of each standing committee to move exclusively within its own areas to perform its oversight functions.

Unfortunately, much of the work of the Committee on Government Operations in its investigatory capacity has crossed committee lines and in many instances has duplicated the work of the standing committees. As has been noted before, there is little communication among committees and I know of no change that can produce closer relationships. Factors of scheduling, emphasis and even personalities make closer communication an unrealistic goal.

I have given to the Committee on Government Operations most of the functions of the Committee on Post Office and Civil Service since Civil Service and the Post Office very definitely relate to government operations. It may well be asked why not eliminate Government Operations and keep Post Office and Civil Service when the Committee on Government Operations has jurisdiction over budget and accounting measures, other than appropriations, and is responsible for all reorganizations of the executive branch of the Government. All of these are related and I thus consider it more logical to make the transfer from Post Office and Civil Service to the Committee on Government Operations.

It may be noted here that each standing committee is given specific jurisdiction over oversight now exercised by the Committee on Government Operations which at present moves freely throughout each committee's special area.

The language in paragraph (c) (4), "between the United States and international organizations of which the United States is a member," is transferred to the Committee on Foreign Affairs. No cogent reason remains for it to stay in Government Operations, the activities of which have been mainly of a domestic nature.

COMMITTEE ON HEALTH, WELFARE AND LABOR (NEW COMMITTEE)

*Present Jurisdictions**Proposed Jurisdictions*

- (a) National social security.
(Transferred from Committee on Ways and Means)
- (b) Public health and quarantine.
(Transferred from Committee on Interstate and Foreign Commerce)
- (c) Health insurance.
- (d) Medical personnel.
- (e) Railroad labor and railroad retirement and unemployment, except revenue measures relating thereto.
(Transferred from Committee on Interstate and Foreign Commerce)
- (f) Measures relating to labor generally.
(Transferred from Committee on Education and Labor)
- (g) Child labor.
(Transferred from Committee on Education and Labor)
- (h) Convict labor and the entry of goods made by convicts into interstate commerce.
(Transferred from Committee on Education and Labor)
- (i) Labor standards.
(Transferred from Committee on Education and Labor)
- (j) Labor statistics.
(Transferred from Committee on Education and Labor)
- (k) Mediation and arbitration of labor disputes.
(Transferred from Committee on Education and Labor)
- (l) Regulation or prevention of importation of foreign laborers under contract.
(Transferred from Committee on Education and Labor)

*Present Jurisdictions**Proposed Jurisdictions*

(m) Wages and hours of labor.

(Transferred from Committee on Education and Labor)

(n) Welfare of miners.

(Transferred from Committee on Education and Labor)

(o) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

EXPLANATION

Congress cannot only concern itself with problems that exist but also those that are growing in magnitude. Health certainly is one of them. Transportation is another. Housing is a third. Environment is a fourth. Congress should not wait until an irremediable crisis is upon us. This explains, of course, the formation of the new Committee on Health, Welfare and Labor, and the Committee on Housing and Transportation. The part that technology will play in ever enlarging circles accounts for the formation of the Committee on Science, Space and Environment.

It will be noted that all of these three committees have extended jurisdictions. I believe the jurisdictions given to those committees are not too divisible nor too multifarious to handle in each committee respectively. These are truly committees intended to be expert with the attendant expert staff. I might well call them the Committees on Oversight since they deal with the problems that the future will encounter in ever-increasing measure. The new committees will make for unity of approach and appraisal.

Science and Astronautics already exists but in so narrow a form that Congress is not receiving the benefit of scientific exploration to meet its legislative and oversight responsibilities. The concentration is needed for housing and transportation as well as for health, welfare and labor.

COMMITTEE ON HOUSE ADMINISTRATION

<i>Present Jurisdictions</i>	<i>Proposed Jurisdictions</i>
(a) Appropriations from the contingent fund.	(a) Appropriations from the contingent fund.
(b) Auditing and settling of all accounts which may be charged to the contingent fund.	(b) Auditing and settling of all accounts which may be charged to the contingent fund.
(c) Employment of persons by the House, including clerks for Members and committees, and reporters of debates.	(c) Employment of persons by the House, including clerks for Members and committees, and reporters of debates.
(d) Except as provided in clause 16(d), matters relating to the Library of Congress and the House Library; statutory and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress; purchase of books and manuscripts; erection of monuments to the memory of individuals.	(d) Except as provided in clause 16(d), matters relating to the Library of Congress and the House Library; statutory and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress; purchase of books and manuscripts; erection of monuments to the memory of individuals.
(e) Except as provided in clause 16(d), matters relating to the Smithsonian Institution	(e) Except as provided in clause 16(d), matters relating to the Smithsonian Institution

Present Jurisdictions

and the incorporation of similar institutions.

- (f) Expenditure of contingent fund of the House.
- (g) Matters relating to printing and correction of the Congressional Record.
- (h) Measures relating to accounts of the House generally.
- (i) Measures relating to assignment of office space for Members and committees.
- (j) Measures relating to the disposition of useless executive papers.
- (k) Measures relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally.
- (l) Measures relating to services to the House, including the House Restaurant and administration of the House Office Buildings and of the House wing of the Capitol.
- (m) Measures relating to the travel of Members of the House.

Proposed Jurisdictions

and the incorporation of similar institutions.

- (f) Expenditure of contingent fund of the House.
- (g) Matters relating to printing and correction of the Congressional Record.
- (h) Measures relating to accounts of the House generally.
- (i) Measures relating to assignment of office space for Members and committees.
- (j) Measures relating to the disposition of useless executive papers.
- (k) Measures relating to services to the House, including the House Restaurant and administration of the House Office Buildings and of the House wing of the Capitol.
- (l) Measures relating to the travel of Members of the House.

- (m) Such committee shall also have the duty of—

- (1) Arranging a suitable program for each day observed by the House of Representatives as a memorial day in memory of Members of the Senate and House of Representatives who died during the preceding period, and to arrange for the publication of the proceedings thereof;
- (2) Examining all bills, amendments, and joint resolutions after passage by the House; and in cooperation

Present Jurisdictions

- (n) Such committee shall also have the duty of—

- (1) Arranging a suitable program for each day observed by the House of Representatives as a memorial day in memory of Members of the Senate and House of Representatives who have died during the preceding period, and to arrange for the publication of the proceedings thereof;
- (2) Examining all bills, amendments, and joint resolutions after passage by the House; and in cooperation with the Senate, of examining all bills and joint resolutions which shall have passed both

Proposed Jurisdictions

with the Senate, of examining all bills and joint resolutions which shall have passed both Houses, to see that they are correctly enrolled; and when signed by the Speaker of the House and the President of the Senate, shall forthwith present the same, when they shall have originated in the House, to the President of the United States in person, and report the fact and date of such presentation to the House;

- (3) Reporting to the Sergeant-at-Arms of the House the travel of Members of the House.

- (n) Meetings of Congress and attendance of Members.

(Transferred from Committee on the Judiciary)

Present Jurisdictions

Houses, to see that they are correctly enrolled and when signed by the Speaker of the House and the President of the Senate, shall forthwith present the same, when they shall have originated in the House, to the President of the United States in person, and report the fact and date of such presentation to the House;

- (3) Reporting to the Sergeant-at-Arms of the House the travel of Members of the House.

Proposed Jurisdictions

- (o) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or

*Present Jurisdictions**Proposed Jurisdictions*

by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee or any member thereof, may administer oaths to witnesses.

EXPLANATION

The present jurisdiction in "(k) Measures relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally," has been transferred to the Committee on Standards of Official Conduct. This subject matter properly belongs to that committee rather than to the Committee on House Administration whose general jurisdiction lies with maintaining the internal machinery of the House.

I have, however, transferred from the Committee on the Judiciary to the Committee on House Administration "meetings of Congress and attendance of Members" which is more in keeping with the jurisdiction of House Administration than that of Judiciary.

COMMITTEE ON HOUSING AND TRANSPORTATION (NEW COMMITTEE)

*Present Jurisdictions**Proposed Jurisdictions*

- (a) Housing and transportation generally.
- (b) Rents. (Transferred from Committee on Banking and Currency)
- (c) Public and private housing. (Transferred from Committee on Banking and Currency)
- (d) Railway mail service, and measures relating to ocean mail and pneumatic-tube service. (Transferred from Committee on Post Office and Civil Service)
- (e) Merchant marine generally. (Transferred from Committee on Merchant Marine and fisheries)
- (f) Coast Guard, including life-saving service, lighthouses,

*Present Jurisdictions**Proposed Jurisdictions*

- lightships, and ocean derelicts. (Transferred from Committee on Merchant Marine and Fisheries)
- (g) Measures relating to the regulation of common carriers by water. (Transferred from Committee on Merchant Marine and Fisheries)
- (h) Merchant Marine officers and seamen. (Transferred from Committee on Merchant Marine and Fisheries)
- (i) Navigation and the laws relating thereto, including pilotage. (Transferred from Committee on Merchant Marine and Fisheries)
- (j) Registering and licensing of vessels and small boats. (Transferred from Committee on Merchant Marine and Fisheries)
- (k) Rules and international arrangements to prevent collisions at sea. (Transferred from Committee on Merchant Marine and Fisheries)
- (l) United States Coast Guard and Merchant Marine Academies. (Transferred from Committee on Merchant Marine and Fisheries)
- (m) Civil aeronautics. (Transferred from Committee on Interstate and Foreign Commerce)
- (n) Inland waterways. (Transferred from Committee on Interstate and Foreign Commerce)
- (o) Regulation of interstate and foreign transportation, except transportation by water not subject to the jurisdiction of the Interstate Commerce Commission. (Transferred from Com-

*Present Jurisdictions**Proposed Jurisdictions*

mittee on Interstate and Foreign Commerce)

- (p) Measures relating to the construction or maintenance of roads and post roads, other than appropriations therefore; but it shall not be in order for any bill providing general legislation in relation to roads to contain any provision for any specific road, nor for any bill in relation to a specific road to embrace a provision in relation to any other specific road. (Transferred from Committee on Public Works)

- (q) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the com-

*Present Jurisdictions**Proposed Jurisdictions*

mittee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

EXPLANATION

As I have stated elsewhere I believe that housing and transportation will be, if they not already are, two of the most demanding areas of public need and interest. Housing and transportation are natural allies in serving both urban and rural areas and, viewed together, can be of significant consequence in reshaping our national priorities.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

*Present Jurisdictions**Proposed Jurisdictions*

- | | |
|--|--|
| (a) Forest reserves and national parks created from the public domain. | (a) Forest reserves and national parks created from the public domain. |
| (b) Forfeiture of land grants and alien ownership, including alien ownership of mineral lands. | (b) Forfeiture of land grants and alien ownership, including alien ownership of mineral lands. |
| (c) Geological Survey. | (c) Geological Survey. |
| (d) Interstate compacts relating to apportionment of waters for irrigation purposes. | (d) Interstate compacts relating to apportionment of waters for irrigation purposes. |
| (e) Irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects, and acquisition of private lands when necessary to complete irrigation projects. | (e) Irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects, and acquisition of private lands when necessary to complete irrigation projects. |
| (f) Measures relating to the care, education, and management of Indians, including the care and allotment of Indian lands generally and special measures relating to claims which are paid out of Indian funds. | (f) Measures relating to the care, education, and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian funds. |

Present Jurisdictions

- (g) Measures relating generally to Hawaii, Alaska, and the insular possessions of the United States, except those affecting the revenue and appropriations.
- (h) Military parks and battlefields; national cemeteries administered by the Secretary of the Interior.
- (i) Mineral land laws and claims and entries thereunder.
- (j) Mineral resources of the public lands.
- (k) Mining interests generally.
- (l) Mining schools and experimental stations.
- (m) Petroleum conservation on the public lands and conservation of the radium supply in the United States.
- (n) Preservation of prehistoric ruins and objects of interest on the public domain.
- (o) Public lands generally, including entry, easements, and grazing thereon.
- (p) Relations of the United States with the Indians and the Indian tribes.

Proposed Jurisdictions

- (g) Measures relating generally to Hawaii, Alaska, and the insular possessions of the United States, except those affecting the revenue and appropriations.
- (h) Military parks and battlefields; national cemeteries administered by the Secretary of the Interior.
- (i) Mineral lands laws and claims and entries thereunder.
- (j) Mineral resources of the public lands.
- (k) Mining interests generally.
- (l) Preservation of prehistoric ruins and objects of interest on the public domain.
- (m) Public lands generally, including entry, easements, and grazing thereon.
- (n) Relations of the United States with the Indians and the Indian tribes.
- (o) State and Territorial boundary lines. (Transferred from Committee on the Judiciary)
- (p) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the at-

*Present Jurisdictions**Proposed Jurisdictions*

tendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

EXPLANATION

Paragraph (1) Mining schools and experimental stations, has been removed from the Committee on Interior and Insular Affairs and placed in the Committee on Education. Again, I feel this should be part of the whole picture of education and not fragmented away from our policy on education.

Paragraph (m) Petroleum conservation on the public lands and conservation of the radium supply in the United States, has been taken out of this committee and placed in the Committee on Science, Space and Environment because it is primarily a scientific endeavor. While it is true that energy generally has been given to the Committee on Interstate and Foreign Commerce, I am divorcing conservation from use and hence support the placing of petroleum conservation on the public lands and conservation of the radium supply in the United States within the Committee on Science, Space and Environment.

COMMITTEE ON INTERNAL SECURITY (ELIMINATED)

*Present Jurisdictions**Proposed Jurisdictions*

- (a) Communist and other subversive activities affecting the internal security of the United States.
- (b) The Committee on Internal Security, acting as a whole or by subcommittee, is authorized to make investigations from time to time of

Present Jurisdictions

(1) the extent character, objectives, and activities within the United States of organizations or groups, whether of foreign or domestic origin, their members, agents, and affiliates, which seek to establish, or assist in the establishment of, a totalitarian dictatorship within the United States, or to overthrow or alter, or assist in the overthrow or alteration of, the form of government of the United States or of any State thereof, by force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means, (2) the extent, character, objectives, and activities within the United States or organizations or groups, their members, agents, and affiliates, which incite or employ acts of force, violence, terrorism, or any unlawful means, to obstruct or oppose the lawful authority of the Government of the United States in the execution of any law or policy affecting the internal security of the United States, and (3) all other questions, including the administration and execution of any law of the United States, or any portion of law, relating to the foregoing that would aid the Congress or any committee of the House in any necessary remedial legislation.

The Committee on Internal Security shall report to the House (or to the Clerk

Proposed Jurisdictions

Present Jurisdictions

of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Internal Security, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or **or member.**

*Proposed Jurisdictions***EXPLANATION**

The absorption with communist activities within the United States as indicated by the jurisdiction of the Committee on Internal Security, has obviously greatly decreased. Internal security, however, remains a legitimate congressional concern. There seems very little point in retaining so narrowly defined a committee which is primarily investigatory in nature.

Hence, the topic of internal security has been transferred to the Committee on the Judiciary which has jurisdiction over civil liberties as well as espionage.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Present Jurisdictions

- (a) Interstate and foreign commerce generally.
- (b) Civil aeronautics.
- (c) Inland waterways.
- (d) Interstate oil compacts and petroleum and natural gas, except on the public lands.
- (e) Public health and quarantine.
- (f) Railroad labor and railroad retirement and unemployment, except revenue measures relating thereto.
- (g) Regulation of interstate and foreign communications.
- (h) Regulation of interstate and foreign transportation, except transportation by water not subject to the jurisdiction of the Interstate Commerce Commission.
- (i) Regulation of interstate transmission of power, except the installation of connections between Government water-power projects.
- (j) Securities and exchanges.
- (k) Weather Bureau.

Proposed Jurisdictions

- (a) Interstate and foreign commerce generally.
- (b) Interstate oil compacts and petroleum and natural gas, except on the public lands.
- (c) Regulation of interstate and foreign communications.
- (d) Regulation of interstate transmission of power, except the installation of connections between Government water-power projects.
- (e) Securities and exchanges.
- (f) Energy generally.
- (g) Census.
(Transferred from Committee on Post Office and Civil Service)
- (h) Water power.
(Transferred from Committee on Public Works)
- (i) Patent Office.
(Transferred from Committee on the Judiciary)
- (j) Patents, copyrights, and trademarks. (Transferred from Committee on the Judiciary)
- (k) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and

*Present Jurisdictions**Proposed Jurisdictions*

for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee, or subcommittee, or any member thereof, may administer oaths to witnesses.

EXPLANATION

It will be noted that (b) has been transferred to a new committee, the Committee on Housing and Transportation. This is more closely allied to transportation needs generally as well as to housing, rather than to interstate and foreign commerce.

Paragraph (e) has been transferred to the new Committee on Health, Welfare and Labor.

Paragraph (h) has been transferred to the new Committee on Housing and Transportation.

Paragraph (k) has been transferred to the Committee on Science, Space and Environment.

The reasons for these transfers are self-evident.

However, the Committee on Interstate and Foreign Commerce has been given additional jurisdictions, namely, energy, census, patents, copyrights and trademarks, since they are related more closely to the areas within interstate and foreign commerce. Though a case can be made for keeping patents, copyrights and trademarks within the Judiciary Committee in relation to its jurisdiction, I believe that these areas as Government-granted monopolies belong in Interstate and Foreign Commerce.

COMMITTEE ON THE JUDICIARY

Present Jurisdictions

- (a) Judicial proceedings, civil and criminal generally.
- (b) Apportionment of Representatives.
- (c) Bankruptcy, mutiny, espionage, and counterfeiting.
- (d) Civil liberties.
- (e) Constitutional amendments.
- (f) Federal courts and judges.
- (g) Holidays and celebrations.
- (h) Immigration and naturalization.
- (i) Interstate compacts generally.
- (j) Local courts in the Territories and possessions.
- (k) Measures relating to claims against the United States.
- (l) Meetings of Congress, attendance of Members and their acceptance of incompatible offices.
- (m) National penitentiaries.
- (n) Patent Office.
- (o) Patents, copyrights, and trademarks.
- (p) Presidential succession.

Proposed Jurisdictions

- (a) Judicial proceedings, civil and criminal generally.
- (b) Apportionment of Representatives.
- (c) Bankruptcy.
- (d) Mutiny, espionage, counterfeiting, and internal security.
- (e) Civil liberties.
- (f) Constitutional amendments.
- (g) Federal courts and judges.
- (h) Immigration, naturalization and passports.
- (i) Interstate compacts generally.
- (j) Local courts in the Territories and possessions.
- (k) Measures relating to claims against the United States.
- (l) National penitentiaries.
- (m) Presidential succession.
- (n) Protection of trade and commerce against unlawful restraints and monopolies.
- (o) Revision and codification of the Statutes of the United States.
- (p) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such

Present Jurisdictions

- (q) Protection of trade and commerce against unlawful restraints and monopolies.
- (r) Revision and codification of the Statutes of the United States.
- (s) State and Territorial boundary lines.

Proposed Jurisdictions

hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

EXPLANATION

It will be noted that holidays and celebrations were taken out of the jurisdiction of the Committee on the Judiciary. I have suggested hereinafter the formation of an administrative body to remove the unnecessary burden of holiday bills from the House and have further suggested that incorporations, nonprofit organizations, be left in the exclusive jurisdictions within the states wherein they have their principal office.

Paragraph (1) Meetings of Congress and attendance of Members, has been placed in the Committee on House Administration since it is all part of the administrative functions which have been given to House Administration.

Paragraphs (n) Patent Office, and (o) Patents, copyrights and trademarks, have been placed in the Committee on Interstate and Foreign Commerce on the principle of relatedness.

Paragraph (s) State and Territorial boundary lines, has been placed in the Committee on Interior and Insular Affairs as a more logical extension of the functions of that Committee.

The functions of the Committee on Internal Security have been transferred to the Committee on the Judiciary since that Committee

has jurisdiction over mutiny, espionage, counterfeiting, as well as civil liberties.

Passports has been placed within the jurisdiction of the Committee since it relates more closely to immigration and naturalization and is primarily an attribute of national sovereignty.

COMMITTEE ON MERCHANT MARINE AND FISHERIES (ELIMINATED)

Present Jurisdictions

- (a) Merchant marine generally.
- (b) Coast and Geodetic Survey.
- (c) Coast Guard, including life-saving service, lighthouses, lightships, and ocean derelicts.
- (d) Fisheries and wildlife, including research, restoration, refuges, and conservation.
- (e) Measures relating to the regulation of common carriers by water (except matters subject to the jurisdiction of the Interstate Commerce Commission) and to the inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.
- (f) Merchant marine officers and seamen.
- (g) Navigation and the laws relating thereto, including pilotage.
- (h) Panama Canal and the maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone; and inter-oceanic canals generally.
- (i) Registering and licensing of vessels and small boats.
- (j) Rules and international arrangements to prevent collisions at sea.
- (k) United States Coast Guard and Merchant Marine Academies.

Proposed Jurisdictions

EXPLANATION

The jurisdictions assigned to the Committee on Merchant Marine and Fisheries are too narrow to justify its status as a standing committee. Thus, I favor its abolition.

If a unified transportation system is desirable, and I believe it is, then it is altogether logical that one committee be charged with the responsibility for achieving it. It is recognized that some modes of transportation, whether of goods or people, have been favored over others. Common carriers have favored some regions of the country over others. Pressure groups have concentrated their attention upon committees which has resulted in overemphasized attention to, at one point or another, special interests. Placing the subject of transportation within one committee equalizes the competing interests and restores balance in the mobility of goods and people.

Hence, all of the functions have been transferred to other committees as follows:

Paragraph (a) has been transferred to the Committee on Housing and Transportation for the reasons stated.

Paragraph (b) has been transferred to the Committee on Science, Space and Environment.

Paragraph (c), again, has been transferred to the Committee on Housing and Transportation.

Paragraph (d) has gone to the Committee on Science, Space and Environment.

Paragraph (h) has been transferred to the Committee on Foreign Affairs.

Paragraphs (e), (f), (g), (i), (j) and (k) have been transferred to the Committee on Housing and Transportation.

COMMITTEE ON PUBLIC WORKS

Present Jurisdictions

- (a) Flood control and improve-
ments of rivers and harbors.
- (b) Measures relating to the Cap-
itol Building and the Sen-
ate and House Office Build-
ings.
- (c) Measures relating to the con-
struction or maintenance of
roads and post roads, other
than appropriations there-
for; but it shall not be in
order for any bill providing
general legislation in rela-
tion to roads to contain any
provision for any specific
road, nor for any bill in
relation to a specific road to

Proposed Jurisdictions

- (a) Flood control and improve-
ment of rivers and harbors.
- (b) Measures relating to the Cap-
itol Building and the Sen-
ate and House Office Build-
ings.
- (c) Measures relating to the con-
struction or reconstruction,
maintenance, and care of
the buildings and grounds
of the Botanic Gardens, the
Library of Congress, and
the Smithsonian Institute.

Present Jurisdictions

embrace a provision in relation to any other specific road.

- (d) Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institute.
- (e) Measures relating to the purchase of sites and construction of post offices, custom-houses, Federal courthouses, and Government buildings within the District of Columbia.
- (f) Oil and other pollution of navigable waters.
- (g) Public buildings and occupied or improved grounds of the United States generally.
- (h) Public reservations and parks within the District of Columbia, including Rock Creek Park and the Zoological Park.

Proposed Jurisdictions

- (d) Measures relating to the purchase of sites and construction of post offices, custom-houses, Federal courthouses, and Government buildings within the District of Columbia.
- (e) Public buildings and occupied or improved grounds of the United States generally.
- (f) Public reservations and parks within the District of Columbia, including Rock Creek Park and the Zoological Park.
- (g) Public works for the benefit of navigation, including bridges and dams (other than international bridges and dams).
- (h) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such

Present Jurisdictions

- (i) Public works for the benefit of navigation, including bridges and dams (other than international bridges and dams).
- (j) Water power.

EXPLANATION

Very few changes have been made in this Committee since its jurisdiction generally accords with the principle of relatedness.

However, (f) Oil and other pollution of navigable waters, has been transferred to the Committee on Science, Space and Environment.

I have also eliminated (j) Water power, and placed this in the Committee on Interstate and Foreign Commerce. It will be noted that the Committee on Interstate and Foreign Commerce has been given jurisdiction over energy generally.

COMMITTEE ON RULES

Present Jurisdictions

- (a) The rules and joint rules (other than rules or joint rules relating to the Code of Official Conduct or relating to financial disclosure by a Member, officer, or employee of the House of Representatives), and order of business of the House.
- (b) Recesses and final adjournments of Congress.

Proposed Jurisdictions

books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

Proposed Jurisdictions

- (a) The rules and joint rules (other than rules or joint rules relating to the Code of Official Conduct or relating to financial disclosure by a Member, officer, or employee of the House of Representatives), and order of business of the House.
- (b) Recesses and final adjournments of Congress.

Present Jurisdictions

- (c) The Committee on Rules is authorized to sit and act whether or not the House is in session.

Proposed Jurisdictions

- (c) The Committee on Rules is authorized to sit and act whether or not the House is in session.

EXPLANATION

No change has been made in the Committee on Rules other than has been set forth previously, namely, the naming of the Speaker to membership on the Committee on Rules.

COMMITTEE ON SCIENCE AND ASTRONAUTICS

Present Jurisdictions

Name Change.

- (a) Astronautical research and development, including resources, personnel, equipment, and facilities.
 (b) Bureau of Standards, standardization of weights and measures and the metric system.
 (c) National Aeronautics and Space Administration.
 (d) National Aeronautics and Space Council.
 (e) National Science Foundation.
 (f) Outer space, including exploration and control thereof.
 (g) Science scholarships.
 (h) Scientific research and development.

*Proposed Jurisdictions**Committee on Science, Space and Environment*

- (a) Astronautical research and development, including resources, personnel, equipment, and facilities.
 (b) Bureau of Standards, standardization of weights and measures and the metric system.
 (c) National Aeronautics and Space Administration.
 (d) National Aeronautics and Space Council.
 (e) National Science Foundation.
 (f) Outer space, including exploration and control thereof.
 (g) Science scholarships.
 (h) Animal industry and diseases of animals.
 (Transferred from Committee on Agriculture)
 (i) Soil conservation.
 (Transferred from Committee on Agriculture)
 (j) International environment and resources.
 (k) Agricultural and industrial chemistry.
 (Transferred from Committee on Agriculture)
 (l) Oil and other pollution of navigable waters.
 (Transferred from Committee on Public Works)

*Present Jurisdictions**Proposed Jurisdictions*

- (m) Weather Bureau.
(Transferred from Committee on Interstate and Foreign Commerce)
- (n) Petroleum conservation on the public lands and conservation of the radium supply in the United States.
(Transferred from Committee on Interior and Insular Affairs)
- (o) Coast and Geodetic Survey.
(Transferred from Committee on Merchant Marine and Fisheries)
- (p) Fisheries and wildlife, including research, restoration, refuges, and conservation.
(Transferred from Committee on Merchant Marine and Fisheries)
- (q) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act as such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and

*Present Jurisdictions**Proposed Jurisdictions*

records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

EXPLANATION

The jurisdiction of the present committee has been greatly expanded. Just as the administration has in the past decade recognized the importance of having a national science advisor, just so must the House recognize how vital it is in our national interest to give greater weight than it does at present to scientific endeavors and directions that underlie so much of our national development and culture. I need not belabor this point since looking backward and forward in time offers us convincing testimony that Congress has not at any juncture in our history made itself sufficiently aware of the consequences of our lack of attention to the use and abuse of scientific development.

COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

*Present Jurisdictions**Proposed Jurisdiction*

- | | |
|---|---|
| (a) Measures relating to the Code of Official Conduct. | (a) Measures relating to the Code of Official Conduct. |
| (b) Measures relating to financial disclosure by Members, officers, and employees of the House of Representatives. | (b) Measures relating to financial disclosure by Members, officers, and employees of the House of Representatives. |
| (c) Measures relating to activities designed to (1) assist in defeating, passing, or amending any legislation by the House or (2) influence, directly or indirectly, the passage or defeat of any legislation by the House. | (c) Measures relating to activities designed to (1) assist in defeating, passing, or amending any legislation by the House or (2) influence, directly or indirectly, the passage or defeat of any legislation by the House. |
| (d) Measures relating to the raising, reporting, and use of campaign contributions for candidates for the office of Representatives in the | (d) Measures relating to the raising, reporting, and use of campaign contributions for candidates for the office of Representative in the |

Present Jurisdictions

House of Representatives and of Resident Commissioner to the United States from Puerto Rico.

- (e) The committee is authorized (1) to recommend to the House of Representatives, from time to time, such legislative or administrative actions as the committee may deem appropriate to establish or enforce standards of official conduct for Members, officers, and employees of the House of Representatives; (2) to investigate, subject to paragraph (f) of this clause, any alleged violation, by a Member, officer, or employee of the House of Representatives, of the Code of Official Conduct or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his duties or the discharge of his responsibilities and, after notice and a hearing, shall recommend to the House of Representatives, by resolution or otherwise, such action as the committee may deem appropriate in the circumstances; (3) to report to the appropriate Federal or State authorities, with approval of the House of Representatives, any substantial evidence of a violation, by a Member, officer, or employee of the House of Representatives, of any law applicable to the performance of his duties or the discharge of his responsibilities, which may have been disclosed in a committee in-

Proposed Jurisdictions

House of Representatives and of Resident Commissioner to the United States from Puerto Rico.

- (e) The committee is authorized (1) to recommend to the House of Representatives, from time to time, such legislative or administrative actions as the committee may deem appropriate to establish or enforce standards of official conduct for Members, officers, and employees of the House of Representatives; (2) to investigate, subject to paragraph (f) of this clause, any alleged violation, by a Member, officer, or employee of the House of Representatives, of the Code of Official Conduct or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his duties or the discharge of his responsibilities and, after notice and a hearing, shall recommend to the House of Representatives, by resolution or otherwise, such action as the committee may deem appropriate in the circumstances; (3) to report to the appropriate Federal or State authorities, with approval of the House of Representatives, any substantial evidence of a violation, by a Member, officer, or employee of the House of Representatives, of any law applicable to the performance of his duties or the discharge of his responsibilities, which may have been disclosed in a committee in-

Present Jurisdictions

vestigation; and (4) to give consideration to the request of a Member, officer, or employee of the House of Representatives, for an advisory opinion with respect to the general propriety by any current or proposed conduct of such Member, officer, or employee and, with appropriate deletions to assure the privacy of the individual concerned, to publish such opinion for the guidance of other Members, officers, and employees of the House of Representatives.

- (f) (1) No resolution, report, recommendation, or advisory opinion relating to the official conduct of a Member, officer, or employee of the House of Representatives shall be made, and no investigation of such conduct shall be undertaken, unless approved by the affirmative vote of not less than seven members of the committee. (2) Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual Member, officer, or employee of the House of Representatives only (A) upon receipt of a complaint, in writing and under oath, made by or submitted to a Member of the House of Representatives and transmitted to the committee by such Member, or (B) upon receipt of a complaint, in writing and under oath, directly from an individual not a Member of the House of Representa-

Proposed Jurisdictions

vestigation; and (4) to give consideration to the request of a Member, officer, or employee of the House of Representatives, for an advisory opinion with respect to the general propriety by any current or proposed conduct of such Member, officer, or employee and, with appropriate deletions to assure the privacy of the individual concerned, to publish such opinion for the guidance of other Members, officers, and employees of the House of Representatives.

- (f) (1) No resolution, report, recommendation, or advisory opinion relating to the official conduct of a Member, officer, or employee of the House of Representatives shall be made, and no investigation of such conduct shall be undertaken, unless approved by the affirmative vote of not less than seven members of the committee. (2) Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual Member, officer, or employee of the House of Representatives only (A) upon receipt of a complaint, in writing and under oath, made by or submitted to a Member of the House of Representatives and transmitted to the committee by such Member, or (B) upon receipt of a complaint, in writing and under oath, directly from an individual not a Member of the House of Representatives if

Present Jurisdictions

tives if the committee finds that such complaint has been submitted by such individual to not less than three Members of the House of Representatives who have refused, in writing, to transmit such complaint to the committee.

(3) No investigation shall be undertaken of any alleged violation of a law, rule, regulation or standard of conduct not in effect at the time of the alleged violation. (4) A member of the committee shall be ineligible to participate, as a member of the committee, in any committee proceeding relating to his official conduct. In any case in which a member of the committee is ineligible to act as a member of the committee under the preceding sentence, the Speaker of the House of Representatives shall designate a Member of the House of Representatives from the same political party as the ineligible member of the committee to act as a member of the committee in any committee proceeding relating to the official conduct of such ineligible member.

- (g) The Committee on Standards of Official Conduct, acting as a whole or by subcommittee, is authorized to conduct investigations and studies, from time to time, of the laws, rules, regulations, procedures, practices, and activities pertaining to (1) lobbying activities as described in subparagraphs (1) and (2) of paragraph (c) of this clause, or (2) the raising, reporting, and use of political campaign con-

Proposed Jurisdictions

the committee finds that such complaint has been submitted by such individual to not less than three Members of the House of Representatives who have refused, in writing, to transmit such complaint to the committee.

(3) No investigation shall be undertaken of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation. (4) A member of the committee shall be ineligible to participate, as a member of the committee, in any committee proceeding relating to his official conduct. In any case in which a member of the committee is ineligible to act as a member of the committee under the preceding sentence, the Speaker of the House of Representatives shall designate a Member of the House of Representatives from the same political party as the ineligible member of the committee to act as a member of the committee in any committee proceeding relating to the official conduct of such ineligible member.

- (g) The Committee on Standards of Official Conduct, acting as a whole or by subcommittee, is authorized to conduct investigations and studies, from time to time, of the laws, rules, regulations, procedures, practices, and activities pertaining to (1) lobbying activities as described in subparagraphs (1) and (2) of paragraph (c) of this clause, or (2) the raising, reporting, and use of political campaign

Present Jurisdictions

contributions as described in paragraph (d) of this clause, or (3) both. Each such investigation and study may include all pertinent matters which would assist the Congress in connection with necessary remedial legislation. The committee may obtain the views of all parties familiar with the subject matter covered by the investigation and study. The committee shall report to the House (or to the Clerk of the House if the House is not in session) the results of each such investigation and study, together with such recommendations as the committee considers advisable.

- (h) For the purpose of carrying out the foregoing provisions of this clause, the committee, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Proposed Jurisdictions

contributions as described in paragraph (d) of this clause, or (3) both. Each such investigation and study may include all pertinent matters which would assist the Congress in connection with necessary remedial legislation. The committee may obtain the views of all parties familiar with the subject matter covered by the investigation and study. The committee shall report to the House (or to the Clerk of the House if the House is not in session) the results of each such investigation and study, together with such recommendations as the committee considers advisable.

- (h) For the purpose of carrying out the foregoing jurisdictions of this clause, the committee, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

*Present Jurisdictions**Proposed Jurisdictions*

- (i) Measures relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally. (Transferred from Committee on House Administration)
- (j) Acceptance of incompatible offices. (Transferred from Committee on the Judiciary.)

EXPLANATION

The Committee on Standards of Official Conduct has had an additional jurisdiction placed within it, namely, paragraph (k) from the Committee on House Administration, "Measures relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally." Again, logic dictates that this matter be placed within the Committee on Standards of Official Conduct which is in keeping with its other jurisdictions but which is not compatible with the other duties of the Committee on House Administration.

COMMITTEE ON VETERANS' AFFAIRS

*Present Jurisdictions**Proposed Jurisdictions*

- | | |
|---|---|
| (a) Veterans' measures generally. | (a) Veterans' measures generally |
| (b) Cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior. | (b) Cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior. |
| (c) Compensation, vocational rehabilitation, and education of veterans. | (c) Compensation. |
| (d) Life insurance issued by the Government on account of service in the armed forces. | (d) Life insurance issued by the Government on account of service in the armed forces. |
| (e) Pensions of all the wars of the United States, general and special. | (e) Pensions of all the wars of the United States, general and special. |
| (f) Readjustment of servicemen to civil life. | (f) Readjustment of servicemen to civil life. |

Present Jurisdictions

- (g) Soldiers' and sailors' civil relief.
- (h) Veterans' hospitals, medical care, and treatment of veterans.

Proposed Jurisdictions

- (g) Soldiers' and sailors' civil relief.
- (h) Veterans' hospitals, medical care, and treatment of veterans.
- (i) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

EXPLANATION

From the Committee on Veterans' Affairs I have transferred (c) Vocational rehabilitation, and education of veterans, to the Committee on Education. If a comprehensive education policy is to be formulated, then the rehabilitation and education of veterans should be very much a part of this formulation. Nor should veterans be divorced from general legislation that allocates funds for specific purposes.

COMMITTEE ON WAYS AND MEANS

*Present Jurisdictions**Proposed Jurisdictions*

- | | |
|---|---|
| (a) Customs, collection districts, and ports of entry and delivery. | (a) Customs, collection districts, and ports of entry and delivery. |
| (b) National social security. | (b) Revenue measures generally. |
| (c) Reciprocal trade agreements. | (c) Revenue measures relating to the insular possessions. |
| (d) Revenue measures generally. | (d) The bonded debt of the United States. |
| (e) Revenue measures relating to the insular possessions. | (e) The deposit of public moneys. |
| (f) The bonded debt of the United States. | (f) Transportation of dutiable goods. |
| (g) The deposit of public moneys. | (g) Impact on the economy of tax-exempt foundations and charitable trusts. (Transferred from Committee on Banking and Currency) |
| (h) Transportation of dutiable goods. | (h) The committee is authorized, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with procedures authorized by the committee by a majority vote, to conduct studies and examinations as it may deem necessary to assist it in the determination of matters within its jurisdiction; and for this purpose the committee or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or |

*Present Jurisdictions**Proposed Jurisdictions*

has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

EXPLANATION

Paragraph (b) National social security, in the Committee on Ways and Means, has been removed from the jurisdiction of this Committee and transferred to the Committee on Health, Welfare and Labor.

It can be argued cogently that all legislation before Congress is tied to revenue receipts. But then social planning runs to all committees of the House in one form or another and this one part of social planning should be removed to a more logical framework, relating as it does to health, welfare and labor.

Table of proposed jurisdictional changes

Jurisdictions	From—	To—
(c) Agricultural and industrial chemistry	Agriculture	Science, Space, and Environment.
(d) Agricultural colleges and experiment stations	do	Education.
(f) Agricultural education extension services	do	Do.
(h) Animal industry and diseases of animals	do	Science, Space, and Environment.
(i) Soil conservation	do	Do.
(b) Control of rents	Banking and Currency	Housing and Transportation.
(g) Impact on the economy of tax-exempt foundations and charitable trusts.	do	Ways and Means.
(i) Public and private housing	do	Housing and Transportation.
(a) Name change	Education and Labor	Education.
(a) Measures relating to labor generally	do	Health, Welfare, and Labor.
(b) Child labor	do	Do.
(d) Convict labor and the entry of goods made by convicts into interstate commerce.	do	Do.
(e) Labor standards	do	Do.
(f) Labor statistics	do	Do.
(g) Mediation and arbitration of labor disputes	do	Do.
(h) Regulation or prevention of importation of foreign laborers under contract.	do	Do.
(j) U.S. Employees' Compensation Commission	do	Government Operations.
(l) Wages and hours of labor	do	Health, Welfare, and Labor.
(m) Welfare of miners	do	Do.

Table of proposed jurisdictional changes—Continued

Jurisdictions	From—	To—
(c)(4) Studying intergovernmental relationships between the United States and international organizations of which the United States is a member.	Government Operations-----	Foreign Affairs.
(k) Measures relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally.	House Administration-----	Standards of Official Conduct.
(l) Mining schools and experimental stations.	Interior and Insular Affairs---	Education.
(m) Petroleum conservation on the public lands and conservation of the radium supply in the United States.	do-----	Science, Space and Environment.
(b) Civil aeronautics-----	Interstate and Foreign Commerce.	Housing and Transportation.
(c) Inland waterways-----	do-----	Do.
(e) Public health and quarantine-----	do-----	Health, Welfare and Labor.
(f) Railroad labor and railroad retirement and unemployment, except revenue measures relating thereto.	do-----	Do.
(h) Regulation of interstate and foreign transportation, except transportation by water not subject to the jurisdiction of the Interstate Commerce Commission.	do-----	Housing and Transportation.

(k)	Weather Bureau	do	Science, Space and Environment.
		Internal Security	Judiciary.
(g)	Holidays and celebrations	Judiciary	Administrative Body.
(l)	Meetings of Congress and attendance of Members	do	House Administration.
(i)	Acceptance of incompatible offices	do	Standards of Official Conduct.
(n)	Patent Office	do	Interstate and Foreign Commerce.
(o)	Patents, copyrights, and trademarks	do	Do.
(s)	State and Territorial boundary lines	do	Interior and Insular Affairs.
(a)	Merchant marine generally	Merchant Marine and Fisheries.	Housing and Transportation.
(b)	Coast and Geodetic Survey	do	Science, Space and Environment.
(c)	Coast Guard, including lifesaving service, light-houses, lightships, and ocean derelicts.	do	Housing and Transportation.
(d)	Fisheries and wildlife, including research, restoration, refuges, and conservation.	do	Science, Space and Environment.
(e)	Measures relating to the regulation of common carriers by water (except matters subject to the jurisdiction of the Interstate Commerce Commission) and to the inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.	do	Housing and Transportation.
(f)	Merchant marine officers and seamen	do	Do.
(g)	Navigation and the laws relating thereto, including pilotage.	do	Do.
(h)	Panama Canal and the maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone; and interoceanic canals generally.	do	Foreign Affairs.

Table of proposed jurisdictional changes—Continued

Jurisdictions	From—	To—
(i) Registering and licensing of vessels and small boats.	Merchant Marine and Fisheries.	Housing and Transportation.
(j) Rules and international arrangements to prevent collisions at sea.	do	Do.
(k) United States Coast Guard and Merchant Marine Academies.	do	Do.
(c) Measures relating to the construction or maintenance of roads and post roads, other than appropriations therefor; but it shall not be in order for any bill providing general legislation in relation to roads to contain any provision for any specific road, nor for any bill in relation to a specific road to embrace a provision in relation to any other specific road.	Public Works	Do.
(f) Oil and other pollution of navigable waters.	do	Science, Space and Environment.
(j) Water power.	do	Interstate and Foreign Commerce.
Name change	Science and Astronautics	Science, Space and Environment.
(g) Science scholarships.	do	Education.
(c) Vocational rehabilitation, and education of veterans.	Veterans' Affairs	Do.
(b) National social security.	Ways and Means	Health, Welfare, and Labor.
(c) Reciprocal trade agreements.	do	Foreign Affairs.

SELECT AND JOINT COMMITTEES

The number of select committees in the House of Representatives has, as years have gone by, been reduced in number. During the 93d Congress, the Select Committee on Crime was abolished while the Select Committee on Committees of the House was formed. The other select committees, other than the permanent Select Committee on Small Business, serve a very specific and limited purpose and should be retained. However, the permanent Select Committee on Small Business, with no legislative functions, should be eliminated. It runs counter to the proposed design of committees of related jurisdictions with concomitant oversight responsibility.

The joint committees, however, as they now exist, do perform a most useful function, creating a bridge between the House and the Senate on issues of major concern. I have not advocated the creation of additional joint committees since such need cannot be determined until this committee completes its work and the House of Representatives adopts such recommendations as it sets forth. In the structure I have proposed, I see no need for additional joint committees.

It will be noted throughout that I have made no attempt to follow the principle of parallelism of jurisdiction with either the Senate or the executive branch. Constant reorganization of the executive branch would place the House of Representatives in the position of ever shifting its jurisdictions in accordance with Executive dictates, just as in the present jurisdictions of the House committees, we find divided areas of responsibility. The executive branch has spread the same responsibility among a number of departments so that we constantly face the executive branch wrestling with the problem of "coordination."

While there is a loose parallelism between the House and Senate committees at the present time, I have concluded there is no need to make parallelism the paramount issue in restructuring committee jurisdictions. The Senate practice of joint and sequential referrals further departs from the principle of parallelism. I believe that sequential referrals or joint referrals in the House of Representatives will not help to expedite the work of the House with its membership of 435. Moreover, I believe that the joint or sequential referral departs drastically from the principle I have adopted of related jurisdictions within one committee.

The parallelism now in being is not absolute and the existing divergences have not caused any mischief of which I am aware. The fact that the Trading with the Enemy Act lies within the jurisdiction of the Interstate and Foreign Commerce Committee in the House and in the Senate in the Committee on the Judiciary, to cite one example, has not been an impediment.

SPECIAL DAY BILLS AND INCORPORATIONS

Just as Rule XII, Section 852 provides:

"2. No private bill or resolution (including so-called omnibus claims or pension bills), and no amendment to any bill or resolution, authorizing or directing (1) the payment of money for property damages, for personal injuries or death for which suit may be instituted under the Tort Claims Procedure as provided in Title 28, United States Code,

or for a pension (other than to carry out a provision of law or treaty stipulation); (2) the construction of a bridge across a navigable stream; or (3) the correction of a military or naval record, shall be received or considered in the House."

similarly, such limitation likewise shall be placed on the introduction of holiday and memorial bills, as well as incorporations of private nonprofit organizations.

While the President of the United States has authority to issue proclamations on, say, "Golden Harvest Day," he will, as a general rule, not do so, leaving such enactments to Congress. The demand for such "special bills" grows yearly. Hundreds upon hundreds of such bills are introduced in each session. While the comparatively few which are enacted are of great value to the Member in his district, the enormous pressure placed upon the committee, which is generally the Committee on the Judiciary, is worthy of a bill couched to change the shape of the world. Such bills waste time and energy and the dissatisfaction of a Member whose bill was not selected, is at times expressed in concrete action. For example, one Member voted against every bill which has come from the Judiciary Committee because his "holiday" bill had not been considered. For every Member who receives "special bill" consideration, hundreds are obliged to try to explain to some insistent constituents why they failed.

I propose, therefore, that a small commission be set up, composed of the Archivist, the Librarian of Congress and the Secretary of the Smithsonian Institution, to which interested groups may send their proposals for affirmative or negative action. If affirmed, the President may then, as he does now, issue the proclamation.

I would also, as stated above, remove from Congress the responsibility for enacting nonprofit, private incorporation bills. These are sought after for reasons of prestige. Such incorporations should be under the jurisdiction of the States in which they are filed and approval shall be in the sole discretion of the appropriate authority within the States. Too often, the Federal charter is used for fund raising purposes and, certainly, Congress does not have the machinery to go behind the methods of and the purposes for such fund raising. All Congress can do is ascertain through the General Accounting Office whether standard accounting practices have been followed in reviewing the annual report.

A Federal charter is likewise an anti-competitive practice since some nonprofit incorporations have been federally chartered and others cannot lay claim to that distinction, though the reasons for acting on one and not the other are often obscure.

Thus, I have eliminated from any committee jurisdiction the subject of special bills and Federal incorporations. Frankly, if I believed it to be acceptable to the Members of the House, I would have advocated the revocation of all such existing charters.

STAFFING

The committee staffs in the main are competent, eager workers, challenged by their jobs and responsive to those challenges. My observations have led me to the firm belief that inadequate staffing is not a problem. In fact, surplus committee hiring is a problem, and as more staff

is employed, the problem will grow. Very little has been said of inter-staff rivalries, jealousies, demand for attention and the jostling for position, all of which impair the work of the committee. The larger the staff, the more diverse the personalities, the more entangled committee procedures become. I have found that the more staff a subcommittee employs, the greater the diffusion of responsibility.

The assistants to the chief counsel to the subcommittee are often restive, often resentful and while they do the work, the chief counsel can either reshape it or disregard it. The assistant counsels have very little access to the Members. It seems to me that the chief counsel of a subcommittee can utilize the Library of Congress Congressional Research Service, and the General Accounting Office to do much of the work now being done by assistant counsels. I am not advocating the elimination of assistant counsels, but rather limiting their number.

We cannot lose sight of the fact that we may be on our way to developing a congressional bureaucracy which will place another layer between the individual Members and their accountability to the public. Members as well as staff can utilize on their own the tools of the House, such as the Library of Congress, the Office of Legislative Counsel, and the Congressional Research Service. Nor does it end there. Additional staffing requires additional secretarial help, additional rooms, additional equipment. With the proliferation of subcommittees and the additional staffing, we now find committee offices scattered throughout the three buildings and the Congressional Annex. We find subcommittee staffs dispersed within the same building. Discipline becomes lax and accountability of staff to the committee diminishes.

Those of us who have watched the legislative process for many years have no difficulty in concluding that large staffs of the Senate have resulted in legislation by staff. I can recount many experiences where the House staff members in consultation with Senate staff members have been advised that this Senator or that Senator is adamant and that such legislation must fail, or that the House committee must accept Senate amendments lest the legislation fail. Yet, conferences on many bills have revealed that individual staff members were either advocating a position of their own or were merely guessing at the Senator's position.

Who is charged with what responsibility becomes a matter of detective work on the part of the Members. Every Member will admit that firing is more difficult than hiring, that individual loyalties come into play, and that many are kept on the payroll although their productivity and usefulness to the committee have ceased. The chief counsels of the subcommittees find themselves less and less familiar with the overall work of their subcommittees because the process of fragmentation sets in. I believe this will be attested to by anyone who has worked on a committee. We find that diverse philosophies among the staff act as a barrier toward the shaping of any clear philosophy on the part of the committee as a whole. Moreover, when specialization on the part of the staff becomes that acute and the special subject matter to which he is attached recedes in importance, either through the enactment of a bill or the committee emphasis turns to other subjects, the specialist nonetheless stays on and becomes entangled in "make-work" assignments. While professionalism on the part of the staff is desirable, it cannot be carried to the point of the Members quoting staff as if it were Scripture.

The growth of the use of the computer—and it is hoped that the Congress will use the computer to a far greater extent than it has—decreases the necessity for increased staffing.

In the 91st Congress a bill was enacted which resulted in the setting up of certified court executives to be utilized by the Circuit Courts of the United States. They were not to be certified until they had the requisite skills in management and administration, and I would recommend that each committee have what I would term a Congressional Executive who would have the requisite skills in administration.

I suggest as an alternative that certainly the staff director should possess specifically trained qualifications for the job. This can easily be done by a series of instructions by the Congressional Research Service, the General Accounting Office, the Parliamentarian's Office, or the Office of Legislative Counsel, so that he, in turn, can give adequate direction to the rest of the staff in the technical aspects of the committee operation. If Congress so requests, it is my belief that the universities (some have already done so) could be persuaded to offer such a course for credit and there would thus come into being a group of prospective staffers duly certified to apply for committee positions. I know that it is a practice of many committees to turn to universities for recommendations for available positions. Thus, there would be far fewer turnovers in committee staffs if a professional corps could be developed of those people who seek to make careers as congressional staffers.

I have noticed too throughout these years that the more staff, the more paperwork, the more unread reports, the more copying, the greater lack of terseness, the greater disclaiming of responsibility, the greater jockeying for position, all of which have followed from the growth of subcommittee staffs.

In view of the structure of ad hoc subcommittees which I propose, I suggest that all staff members be hired by the chairman of the full committee, with the approval of the full committee rather than by the subcommittees and thus the attachment of the staff to the full committee would give greater cohesiveness to the work of the full committee with less danger of divided loyalties. I would increase the number of professionals permitted each committee to eight professionals and 10 clerical. This, of course, would not be mandatory but merely a ceiling, since obviously a committee such as the Committee on Rules may not need that number, while a committee such as the Committee on Interstate and Foreign Commerce may.

I submit that with this structure a standing investigatory staff is unnecessary. Again, an ad hoc subcommittee would use standing committee personnel, or if the investigation is of so extensive an area, temporary investigatory staff may be hired. The line between full committee staff and investigatory staff has been breached too often for comfort. Presently, investigatory staffs do interchange with standing committee staffs until the committee budget is completely unrealistic.

From my own experience, I know that there are very, very able people ready to take up temporary assignments for investigatory purposes. We have seen this in the case of the Watergate Committee; we have seen it again in the case of the staff of the Public Prosecutor in the Watergate affair, and we have seen it in the case of this committee.

A permanent investigatory staff does have the tendency to enter into "make-work" projects and to make recommendations which will justify its existence. There are too few controls, as I have stated before, and the prolixity of staff deteriorates into a "spoils system."

I am fully aware that I am moving away from present trends in congressional structure. Much has been made of adequate minority staffing. The growth in minority staffing has resulted, I fear, in growing divisions between majority and minority Members. An unhealthy reliance on staff majority or minority has caused the Members themselves to look less closely at legislative issues and one of the serious consequences is the rivalry which exists between the majority and minority staffs. There has been a decrease in the principle of compromise and accommodation and a decrease in debate among Members in the full committee—a substitution of the memorandum for argument.

The larger the minority staff, the greater the dichotomy. Minority Members go to minority staff and thus veer away from the central activities of the subcommittee. Minority staff creates isolation of Members. Strategy, rather than substance, intrudes itself into the legislative process within the committee. It is a natural tendency of staff to want to be king-makers and thus the committee atmosphere becomes more combative.

It is not my contention that there be no minority staff but the growth of minority staff, as indeed in all staff, should be curbed. Minority staff, rarely, if ever, provides service to the majority; the majority staff, in very many instances, does. I fail to see minority staffing to be a problem of the proportion to which it has been brought. We sometimes lose sight of the fact that today's Democratic House may be tomorrow's Republican responsibility. I believe the rules of the House should set a maximum as well as a minimum, both as to minority and majority staffing, since the rules of the House in no way curb—other than by the investigatory funds appropriated—the size of staff employed by the committee. This has generally been worked out between the chairman and the ranking minority member.

Since it is proposed here that the House be programmatic via a Congressional Policy Committee, with committees of related subject matter jurisdiction, smaller committee memberships, and the use of ad hoc subcommittees within standing committees, it follows, I believe, that staffing can easily be reduced.

Standing committee personnel can be used in assignments to ad hoc subcommittees since their assignments would, by necessity, be of shorter duration with the rotation system coming into full play with the Members as well as with the staff. As I have said previously, the full committee would be the working unit and the Members would, through the process of hearings, become the experts themselves with an assist from the staff rather than domination by the staff.

RECAPITULATION

The essential structure I have set forth can be viewed as follows:

1. The establishment of the Congressional Policy Committee to:
 - (a) prepare majority party policies;
 - (b) submit such policies to party caucus;

(c) after adoption or modification, legislative counsel shall, where necessary, translate such policies into legislative form;

(d) such proposals, to be known as Congressional Communications, shall then be referred back to the Speaker who shall, in turn, refer these "Communications" to the appropriate committee in the same manner as the Executive Communication is presently referred.

2. Committee assignments:

(a) Members shall be assigned to one committee only, other than those assigned to joint committees.

(b) There shall be 20 committees, with 15 having a membership of 21, and membership of other committees varying from 13 to 41.

(c) Three committees are eliminated, namely, Committee on Merchant Marine and Fisheries, Committee on Post Office and Civil Service, and Committee on Internal Security.

(d) The Committee on Education and Labor is renamed "Committee on Education." Labor jurisdiction is placed in a new committee. The Committee on Science and Astronautics is renamed "Committee on Science, Space and Environment."

(e) Two new committees are formed, namely, the Committee on Housing and Transportation and the Committee on Health, Welfare and Labor.

(f) Insofar as possible standing subcommittees shall be eliminated. There shall, however, be ad hoc subcommittees established by full committees for specific purposes and dissolved at a time certain. Members of the majority party shall be assigned as chairmen of ad hoc subcommittees on the basis of seniority. Membership of such ad hoc subcommittees shall be composed of majority and minority Members following party proportions on full committees.

3. Committee jurisdictions:

The principle of relatedness as far as is practicable shall determine committee jurisdictions.

4. Staffing.

All staff members shall be hired by the full committee. The committee staff shall consist of a professional staff of eight and a clerical staff of 10. The trend toward increased committee staffs shall be reversed and greater use be made of the Office of Congressional Research, the Office of Legislative Counsel, and the General Accounting Office, together with the increased use of temporary help and university contractual assignments.

CONCLUSION

If at first blush the proposals herein stated seem overdrawn, I believe a close scrutiny will reveal the innate simplicity of the plan. Such jurisdictional changes as have been proposed are far less sweeping than those made by the 1946 Act. The goals I have attempted to reach are:

1. a more decisive role by the House of Representatives;
2. a redress of the imbalance between Congress and the Executive;
3. a programmatic Congress;

4. the significant involvement of each Member in the work of the House;

5. greater party responsibility;

6. related jurisdictions within committees insofar as possible;

7. the standing committee as a working unit with restored powers which have been diffused by the subcommittees.

Any number of changes could have been proposed and would be workable. No one system can lay claim to perfection or even near perfection. This report, I trust, will stimulate the Committee in conjunction with other plans submitted to eliminate or adopt such proposals as will best serve the purpose for which it was formed.

One thing can be safely said. That which is appropriate in the 1970s may not necessarily be appropriate in the 1980s. Congress should undertake a constant review to enable it to meet the ever shifting social, political and economic issues which arise in an era which has seen greater and more rapid change than any other era in our history.

A THEORETICAL APPROACH TO HOUSE COMMITTEE ACTION
LETTER OF TRANSMITTAL

THE LIBRARY OF CONGRESS,
CONGRESSIONAL RESEARCH SERVICE,
Washington, D.C., September 17, 1973.

Hon. RICHARD BOLLING,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE BOLLING: We are submitting the accompanying study, "A Theoretical Approach to House Committee Organization."

It should be stressed that the concept does not in any way represent a recommended organizational form. The methodology was based on an initial assumption that the substantive problems facing the Congress would be subject to radical and increasing rate of change; given this assumption, it was then proposed that a target concept of organization (perhaps toward the year 2000) might help to provide some insights as to gradual and incremental changes in a coherent way, to help the House to preserve its adaptability to external change.

The distinction between functional organization and substantive organization is that functional requirements do not seem to change as rapidly or radically as do substantive requirements. On the other hand, a functional organization can accept an infinite variety of substantive tasks. It was the possibility of exploiting this distinction that the paper attempts to explore.

The analysis of possible structural design based on a functional approach does not, of course, imply any criticism as such of the present structure. Rather, it is a search for a way to achieve future balance in the face of continual external forces of change. The study was prepared by Dr. Franklin P. Huddle, of the Science Policy Research Division.

Sincerely,

LESTER S. JAYSON,
Director, Congressional Research Service.

A THEORETICAL APPROACH TO HOUSE COMMITTEE ACTION
(Franklin P. Huddle, Senior Specialist, Science and Technology,
Science Policy Research Division)

I. INTRODUCTION

This is a theoretical study of congressional committee organization. The concept presented here bears little relation to the existing structure, and is not intended to represent in any sense a "recommended" format. It is simply another way of looking at the problem. It is presented in the hope that it may offer some insights for the Congress in planning for future trends and adaptations.

It may be objected that the paper presents a bloodless and mechanistic approach to a living, dynamic, and human institution. The paper may fairly be charged with pursuing the goals of "efficiency" and "cost/effectiveness" at the cost of treasured tradition, long-established precedents, and congenial customs. Only in this way, however, can a new model be offered: in the gradual acceptance of some of the concepts expressed here, and in the growing experience with their use, a new set of traditions, precedents, and customs would emerge to be enjoyed and treasured just as those of today evolved over their own history from the first Congress on.

Focus of the Study

The study explores congressional committee organization in terms of functions performed, rather than in terms of substantive areas of legislation. It notes that the functions of Congress tend to change less often and less broadly than do subjects dealt with. This observation raises the possibility of designing a structure in which standing committees are functional, with substantive legislative tasks performed by temporary or *ad hoc* committees or subcommittees.

The hypothesis is that when the organization operates through functional committees, its structure would tend to keep its utility longer than with the use of substantive committees. Not that functions are immutable, or that subjects of concern cannot persist, or that the Congress is inherently more able to adapt to changes in the one than in the other; it is a matter of degree. Subjects, and—more to the point—legislative problems within subject areas, are more variable and more various than are functions.

Scope and Limitations of the Study

The study explores at some depth the operational and theoretical disadvantages of substantive organization, in order to develop specifications for a new concept based on function. It does not give very extensive consideration to the virtues of substantive organization, although there are undoubtedly many of these, in view of the long and extensive use of this organizational concept by the Congress. Nor are the disadvantages of a functional organizational concept fully explored. To make a full and exact determination of such disadvantages would require a complete design of a new system and a careful analysis of its exercise. The purpose of the present study is not to assert the superiority of functional organization, but to suggest that it has sufficient promise of possible improvement to warrant further investigation.

Definitions of "Functional" and "Substantive"

As used in this paper, the term "functional" refers to a class of action, while "substantive" refers to the subject area of the action. An example of a functional committee would be the House Committee on Rules; an example of a substantive committee would be the House Committee on Agriculture. The distinction between the two terms is imperfect in that some substantive elements, notably taxation and expenditures, relate to all Federal programs and for purposes of this study are considered to be functions.

Observations on the Present House Committee Structure

In terms of general government, the present House Organization contains one procedural committee, one administrative committee, and

16 substantive standing committees (plus a number of joint and select committees).¹ As noted above, in the discussion of definitions, some of the substantive committees might with equal justice be called "functional." Also listed are 104 substantive and 8 administrative subcommittees. Several observations can be made about this list:

There are some evidences of duplication—e.g., in "energy" and "environment";

Major areas of Federal outlay are relegated to subcommittee status—e.g., in health, transportation, and housing;

Aspects of some major categories of subject matter—e.g., "natural resources," "energy," and "transportation,"—are spread among a number of committees and subcommittees;

Some substantive committees are more or less parallel in jurisdiction with executive departments (Interior, Armed Services); while other committees are organized by subdivisions of topics (Banking and Currency, Education and Labor); and still others deal with functions of a number of departments (Government Operations, Science and Astronautics).

The observation may be made that the organization of House Committees is not consistently parallel with that of the executive branch, nor with that of the Senate, nor does it follow any comprehensive or systematic taxonomy of subject matter.

Objectives of House Committee Reorganization

There are five general objectives of the proposed reorganization of House committees:

1. In general, to maximize the effectiveness of the House as a legislative body;

2. To modernize the committee structure in response to fundamental changes (a) in the legislative workload, (b) in the elements making up the economy and other major aspects of society, (c) in the priorities of the national constituency, and (d) in the theory of organization and management;

3. To concentrate the decisionmaking political forces within the House to deal more effectively with the White House;

3. To concentrate the decisionmaking political forces within the House to deal more effectively with the White House;

4. To broaden the participation of the House membership and distribute the legislative workload more evenly; and

5. To increase the responsiveness of the House to indicated public needs, both in the immediate and longer-range future.

Characteristics of the House of Representatives

Five features appear to characterize the House, either alone or in company with the Senate:

1. Its decisions are authoritative;

2. The decisions apply to the entire body politic;

3. Decisions result in the mobilization and allocation of resources to meet needs;

4. The decision process involves an assumption that the totality of individual decisions of Members who represent separate geo-

¹ These figures are approximate because of the difficulty of resolving various questions of classification such as, for example, the relevance to the discussion of the Committee on District of Columbia.

graphical districts of constituents will result in a satisfactory compromise for the constituents of all districts; and

5. The Constitution provides a feedback mechanism in the form of a biennial public evaluation in each congressional district of the sum total of all compromises in the decisions of the Member representing that district: reelection is a form of demonstration of political satisfaction on the part of the constituents of that district.

Assumed Information Needs of Individual Members of the House

As individual decisionmakers, Members of the House are faced by certain information needs:

1. The need to find the point of balance between the operational goals of the Government and the philosophical goals of the society being governed;
2. The need for up-to-date knowledge of the present conditions and trends (i.e., wants and attitudes) of society, relative to the operational goals of the Government;
3. The need to identify practical actions to correct deficiencies or exploit opportunities, to bring the real condition of society closer to its declared or generally accepted goals; and
4. The need to ascertain public wishes respecting various objectives to be met, and to choose among these within the limits of (a) available resources, (b) the time- and energy-constraints in the ability of Members to give attention to claimant topics, (c) technical feasibility, and (d) political acceptability.

Further Comments on the Present Structure of the House

The Constitution envisions a total governmental system specifying roles for individual citizens, the States, the three branches of the Federal Government, and within the legislative branch for the separate but coordinate roles of the House and Senate. The necessity for legislative coordination with the Senate imposes an implicit constraint on House organization. Taken alone, the House needs to be structured to provide for its own leadership, to perform those constitutional functions unique to it and those shared with the Senate, and to manage the flow of legislation. Unique functions of the House, for purposes of this paper, are to initiate bills to raise money and (by custom) to initiate bills to appropriate funds.

The present structure of House committees reflects the difficulty of systematic classification of its business substantively. One committee manages the control of the legislative flow (Rules). Two deal with the exclusive House function of initiating money bills (Ways and Means and Appropriations). Other committees monitor activities of individual departments (e.g., Armed Services, Agriculture). Some deal more broadly with governmental functions across-the-board (e.g., Government Operations, Post Office and Civil Service). Some deal with functional areas of governmental concern (e.g., Foreign Affairs, Judiciary). And some committees are mixed in their scope (e.g., Science and Astronautics, Education and Labor).

A Statement of the Reorganization Problem

The constitutional theory is that frequency of elections would make the House of Representatives closely responsive to the immediate needs

of the electorate. How true in fact is the theory? Or is relative security of tenure a more powerful determinant of the degree of responsiveness of Members? Do Members representing evenly-divided districts tend to be more or less concerned with the immediate, as opposed to the long-term, needs of their constituents? Members from evenly-divided districts, it might be contended, are inclined toward short-term goals. (The hypothesis would be that they must demonstrate quick legislative success in order to render their tenure more secure.) But can any generalization be made as to the tendency of Members from safe districts, enjoying long tenure, to take the longer-range view of the needs of their constituents? (Here there might be two opposite hypothesis: (a) reduced pressure for immediate results could lead to a longer-range outlook; or (b) reduced need for attentiveness to the immediate needs of the electorate could lead to a narrowing of interest of the Member, to permit him to focus on subject areas of highest personal concern and enthusiasm.)

Whatever the mechanism that determines how long-term the future outlook of the Congress, the point can be offered that there is a tendency for the public at large to be concerned with short-range problems, needs, and goals. To the extent that this public preoccupation with the present is reflected in the outlook in Congress, the result would be toward a foreshortening of legislative goals, corrective actions, and public programs generally. By being too immediately responsive to the public's desires, such short-range decisions may sometimes prove dysfunctional in the long term.

The problem facing the House, then, is to strike a proper balance in legislative actions between short-range and long-range effects. To do this requires, in turn, the identification of both short- and long-range concerns, even though the public attends mainly to the former. Clearly, if the House is organized to respond to pressing contemporary concerns, the longer-range concerns of the future may receive insufficient attention. Conversely, if the House is organized toward the long-range future, there may be insufficient attention to immediate public concerns, and a corresponding rise in public dissatisfaction. Campaign issues rarely deal in long-range futures.

In summary, the problem of reorganization of the House of Representatives appears to be about as follows:

Apart from the three organizational elements of leadership, procedural control, and exclusive initiation of money bills, how should the House organize its committee structure to achieve both flexibility and stability, and to balance attention to concerns of the present and concerns of the future, recognizing that both sets of concerns are subject to radical change over time?

Some Aspects of Strategy in Organizational Planning

The first requirement of a plan is that it be acceptable to those who are to carry it out. The ideal is a plan that is proportioned to its objectives, that satisfies the constraints imposed, and that is agreed to. But ultimately, acceptability is the first test.

As a general principle, acceptability is inversely proportional to the extent of change proposed; this extent is variously measured, as to:

- Extent of effort at adaption required;
- Persons (especially in leadership roles) experiencing loss as a result of implementation, or foreseeing such loss; and
- Immediacy of the practical effect.

To the planner, the important criterion is the logic or rationality of his scheme. But as a measure of acceptability, the logic of a proposed plan may be less compelling than its immediate practical effect in terms of gains and losses to the decisionmakers.

In all plans of organizational reform, acceptability should not be a separate and later consideration but a functional and early criterion of the plan itself. Gains and losses must be made explicit, and the gains should predominate; dissonant effects should be postponed and attenuated as much as possible; complex and difficult adjustments should be simplified; and the decision process reduced to a yes-or-no vote on a gradual process of irreversible change.

These observations are offered to qualify any possible optimism for quick and easy, radical solutions to the problem of congressional reorganization. Quality of decisionmaking constitutes a compromise between two criteria: effectiveness and acceptability. One-man decisions tend to optimize for effectiveness whereas group decisions tend to optimize for acceptability. The concept explored in the pages that follow is not viewed as a candidate for acceptability, but as a challenge to group decisionmaking to find a working compromise that may or may not incorporate some of its principles now or later in an acceptable form.

II. ASPECTS OF LEGISLATIVE COMMITTEE ORGANIZATION

Expansion of the Nation and the increase in the scope of congressional responsibilities impose on the Congress an impossible burden of numbers and varieties of calls on the attention of Members, compounded by the organizational difficulty of attracting a knowledgeable majority to attend to first things first, when too many things are "first." Originally, Congress was a part-time job. Almost 30 years ago it became a full-time job. Since about 1940, the rate of increase in the job has accelerated. Today, the growing size and complexity of constituencies of Members add to the difficulty of preparing for elections, and draw increasingly on the time and energy of sitting Members. At the same time, the legislative burden continues to grow. These circumstances add up to a serious and increasing need to conserve in some way the time and energy of Members of the House.

Emphasis on in-depth analyses of legislative issues and more thorough study before decisionmaking is everywhere suggested but this takes time. Quality of decisionmaking may thus be raised, but man-hours of effort in producing the decisions are certainly increased.

With the size of the decisionmaking workforce limited to 435, and with the time of this workforce already fully committed, how will it be possible to meet the requirements for increased time and attention per issue, the resolution of an increasing number of issues, and acceptance of the proposition that the consequences of unresolved issues are increasing in severity?

The Theory of the Committee as an Organizing Institution

As a legislative institution, the committee appears to be a compromise or "trade-off" between the efficiency of one-man decisionmaking and the acceptability of product of large-group decisionmaking. The hypothesis is that wide participation improves acceptability of decisions, but takes more time. Thus, when many acceptable decisions must be made, the traditional solution is to form specialized committees to divide up the workload of decisionmaking.

Practical Advantages of the Committee Structure

To support this theoretical rationale, the committee arrangement in the House of Representatives has shown many advantages. The committee provides a focus for the collecting of information; it helps provide coherence in staffing; it affords a point of access to the decisionmaking process for interested groups in the national constituency; and committees that address a series of related questions will accumulate specialized knowledge that can be brought to bear with increasing effectiveness as well as providing voting leadership to other Members on particular issues. Then too, membership in committees affords the decisionmakers an opportunity to practice the skills of mediation and compromise; specialization enables individual Members to concentrate their attention on subject areas that interest them; the structure provides stability for Member careers as their growing expertise supports their movement up the hierarchical ladder; and in general, it affords the Members an opportunity to serve their constituency by action within the committee, and by trade-off arrangements that exchange action in one committee for action in another. Finally, the standing committees assure a continuity of policy in the House, and provide visible evidence that the subjects they are assigned receive the sustained attention of the Congress.

Disadvantages of the Committee Structure

Disadvantages of the committee structure may perhaps be related to group dynamics and group leadership: Leadership is needed to assert discipline over the processes of defining issues, collecting germane information, designing legislation, developing a consensus, and arriving at a final decision. But there are two inherent dangers in the leadership function: first, the risk of pushing for quick decision without giving adequate time for careful group analysis; and second, the risk that the leadership role will transcend procedural control to bias the substantive decision. The disadvantages in the group dynamics of committees may perhaps derive from their partisan and leadership design. The rank order of authority is too strongly established and sustained by protocol to satisfy the conditions necessary for effective group decisionmaking. Motivation is weak for those at the bottom of this ranking, and on the minority side. Participation is often scanty. The more prestigious the group, the more strongly enforced the protocol. In view of the frequently simultaneous meetings of different committees or subcommittees, and other concurrent demands on the time of the participants, the centrifugal forces operating on the group are sometimes stronger than are the forces that hold the group together.

Other sources of tension and consequent inefficiency may derive from the relationship between the individual committee and the House itself. These effects may be measured in the extent to which the committees control the agenda of House action, their special parliamentary (and hence tactical and perhaps strategic) advantages over other Members, their near-monopoly of expertise and information in particular subject areas, and the general question as to the extent that committee actions may sometimes be unresponsive to House leadership or membership desires for reporting or taking other action on pending measures.

Potential for Bias in Committee Decisionmaking

Bias is inherent in the attitude of every participant in decision-making. This is desirable and useful to bring out all significant aspects of a public issue. But there are other forms of bias that are undesirable, particularly those that are institutional and that foreclose debate instead of stimulating it.

One institutional bias derives from the hierarchical structure in which debate and alternatives tend to be valued according to the relative eminence of the source. Contributions from those at the bottom of the ranking order receive less consideration than from those near the top. When this occurs, a true consensus is more difficult to arrive at.

The distribution of substantive areas of legislative concern among committees, and the assignment of issues to particular substantive committees, can result in significant institutional bias in the legislative product. Assignment of an issue to a committee may determine its fate in somewhat the same way that evaluation of an executive program by the agency that conducts it yields a foregone conclusion. Thus, the Limited Nuclear Test Ban Treaty of 1963 was approved by the Foreign Relations Committee by a vote of 6 to 1, while the Preparedness Investigating Subcommittee of the Senate Armed Services Committee, where hearings were also held, reported adversely to the Senate on the Treaty by a vote of 6 to 1.

Some Possible Implications of Committee Size

In return to the proliferation of committees before 1946, their numbers were sharply reduced at that time, with membership per committee somewhat enlarged. The effect of this move seems to have been to make group decisionmaking more difficult. Increased size compounded the problem of convening the full committee membership. The consequence was a proliferation of subcommittees of considerable durability.

Yet the present committee structure offers two opposite dangers: that the subcommittee action will be that of its chairman alone, followed by pro forma acceptance by the full committee, so that for all practical purposes the decision of the full committee is that of one man; or, conversely, that the full subcommittee may labor long and hard to produce a bill, only to go through the same evaluative procedure again in the full committee, possibly with different results. There is no claim, in this paper, that this quandary can be eliminated by organizational design. However, the alternative explored here is that small ad hoc committees be set up on a temporary basis to seek legislative remedies that will combine effectiveness and acceptability. Conceptually, the task of chairmen of such ad hoc committees would be to achieve a consensus in a small group that would be translatable to a consensus first with the larger (parent committee) group and then with the whole House. Implicit in this arrangement is John Calhoun's doctrine of concurrent majorities—the introduction of a concept of a strengthened role of the ranking minority Member, and the wider use of the consensus principle.

Some Considerations as to the Scope of Committees

One of the thorniest questions concerns the scope of subject-matter that the individual committee should have. In principle, every action

of Congress is related in some degree to every other action.² There is accordingly no compelling reason in principle why any committee should not take up some aspect of any issue. The reasons why they do not do so are procedural—or practical—rather than logical.

It is enormously difficult if not impossible to lay out an organizational scheme to assign systematically all of the subject areas of legislation that the House is now judged likely to take up in the next few decades. Some new social, technological, or foreign development would be sure to surface and engage the attention of several of the new committees, or find no home at all.

It has been remarked that most Government agencies are monuments to yesterday's problems. To what extent is this also true of congressional committees? And, to the extent that it *is* true, is there an implication that a reorganization of committees in terms of their substantive scope tends to become obsolete?

The fault with massive reorganizations of the congressional committee structure is not only that they tend to get out of date. Because they are so hard to sell to the membership, these reorganizations also happen infrequently, and only when things have gotten badly out of joint. It might be easier to sell smaller reforms at shorter intervals, but the effort might then be regarded as not worth the trouble.

It is possible that a more palatable and durable reform might result from a commitment by the House to a mechanism that would impose successive adaptations toward a strengthened organization scheme. Such adaptations might be aimed at some ideal target, or they might be designed to correct incrementally for the changing substantive legislative workload. However, the weakness in a system that provided for frequent organizational modifications is that it creates uncertainties and insecurity. Some degree of stability is a necessary characteristic of any legislative body. The problem, then, appears to be to achieve a design that possesses both flexibility to accommodate itself to the changing substance of legislation, and stability so that the political "rules of the game" can be depended upon.

Some Aspects of Continuity of Expertise

One advantage claimed for the establishment of committees to manage broad subject categories like agriculture, commerce, marine affairs, and so forth, is that the Members of these specializing committees build up a broad familiarity with the subject matter. The specific advantages are said to include:

The ability to consult the experts and to understand and use their advice;

The saving of time by eliminating the need to develop extensive background knowledge whenever the subject is involved in new legislative proposals;

The achievement of a realistic understanding of the problems, opportunities, and needs of the subject area;

The provision of a means of maintaining technical equality with the executive branch; and

² While this observation, based on systems theory, is manifestly a matter of degree, in practice it may have been too much neglected in the present organization of the House. The rationale of the observation is that Government is both a system and a subsystem within the social system. All actions within a system relate to all parts of the system. Relationships that seem trivial on the surface may be revealed, upon further analysis, to be fundamental and decisive.

The encouragement of the building of a data base of information and personal contacts in the subject area.

Some Disadvantages of Continuity of Expertise

At the same time, sustained exposure of Members to the subject matter of a particular field is not without its disadvantages. For example:

Sustained exposure of Members to groups with an axe to grind can result in excessive commitment of interest and concern to the resolution of special issues in directions possibly prejudicial to the broader public interest;

It can induce a tendency toward over-emphasis of the importance of the subject in relation to other legislative matters among committee members; and

The securing of expertise in one area denies the Member time to familiarize himself with problems in others; since there are vastly more than 435 issue areas, concentration on some issues may lead to neglect of others; and if attention is focused on issues related to traditional committee scope, it may pass over new and possibly more important issues for which no committee "home" has been organized.

Observation About the Nature of Expertise

The characteristic of possessing expertise is a matter of degree. The depth of knowledge a legislator must himself possess to make decisions respecting the subject matter of some particular technical area will vary with the subject, the nature of the legislation, and the availability of reliable technical counsel. Moreover, expertise is not a characteristic of an institution but of people. It is wrong to assume that, because a committee has dealt with a succession of issues or problems in a subject area, every committee member and every committee staff member has full and equal knowledge about it.

There are undoubted advantages in making use of special knowledge wherever it exists. One of the ways of doing this is by maintaining good records of those who have contributed knowledgeably to the formulation of policies involving special expertise. The development of an "inventory of expertise" on the range of subjects with which the House can expect to deal is an important but difficult operation to plan. On the other hand, the amount of redundancy in accumulated expertise among House Members could be reduced by dealing with issues in small, substantive, ad hoc committees.

Solutions to the Problem of Continuity of Expertise

There are many ways to develop the capability to mobilize informed resources on issues. One way is to insist on a strong substantive capability in the Congressional Research Service, the General Accounting Office, and the new Office of Technology Assessment. A strong congressional staff is an obvious necessity. More flexibility in the use of consultants and such "think tanks" as the National Academies of Sciences, Engineering, and Public Administration, the Brookings Institution, and the like, would be useful.

One important innovation might also be worth considering: the establishment of a Congressional Archives, to be the repository of all papers generated by temporary committees or subcommittees, as well as relevant documents, books, evidence submitted, and basic studies of

the subject. As the subject matter became relevant again, in connection with a new issue, it could be drawn upon for the pertinent material assembled by earlier committee studies.

Interactions of Committee Structure With the Information Function

The historical role of committees is to gather information on legislative issues, to analyze this information, and to use it in the preparation of recommendations regarding legislation. But today the congressional committees are faced with the large proliferation of information of every kind. As the U.S. population has expanded, as technology has become more intensively applied and with the emergence of the Nation of world power, more and more information is generated and more is needed for decisionmaking.

Technology offers many new—but still incompletely mastered—ways of handling information; the lag is attributable in part to the very rapidity with which the information technology is advancing, in part because of its costliness, and in part because man is not yet fully able to know precisely how he ought to use the information—what kinds he needs, and how he wants to manipulate it.

Mastery of modern information technology is a practical legislative necessity, but the professional skills required to build a data base, design it for selective access, maintain and purge it, and modify it to accommodate to changing legislative needs, are not so readily available that each separate substantive unit of the House (whether as standing committee or the concept of ad hoc committee explored in this study) could maintain and staff its own system of data bank and electronic data processing. The possible prospect that each committee would feel the need for its own fully staffed data bank and EDP system would offer grave fiscal difficulties, not to mention the problems of staffing and space.

The only apparent alternative is a centralized service into which each substantive unit could deposit its data and withdraw it at will. Staffing a central data bank, and maintaining a staff of information technologists who could be drawn upon for assistance to legislative committees, would seem to be an easier and less costly solution to the information management problem than maintaining separate teams of information specialists for each separate committee.

Why What Worked in the Past is Less Likely to Work in the Future

Development of a comprehensive taxonomy of substantive committees to deal with all probable legislative subjects in the future seems to present increasing difficulties. Even adequate-to-fair coverage is likely to become of doubtful feasibility. It can be contended, of course, that the Congress in the past has always been able to do this—by identifying major concerns as the chief subjects of committees, and then compromising in the assignment of minor concerns. If it was feasible to do this in the past, why is the future likely to be different?

There are a number of compelling reasons why this is so:

Historically, the workload of individual Members did not fully consume their available time; technical inefficiencies could be tolerated; but this is no longer the case, and has not been so for some years. The clear evidence of legislative overload would appear to call for a fresh organizational approach.

The rate of emergence of large and pressing issues continues to increase.

The urgency of decisionmaking is greater and the consequence of delay more serious than historically.

The character of the subject matter of legislation seems to be changing at an ever-increasing rate.

While the subjects may differ, the processes by which the substantive committees manage the development of legislation are roughly similar; thus, if stability of organization is wanted, it should be in terms of function rather than subject. Subjects may change but the functional legislative process remains relatively constant.

Some Organizational Hypotheses

Among the hypotheses that might be advanced as tentative principles governing design of a congressional committee structure are the following:

A trade-off is necessary between flexibility (i.e., adaptability to external changes or stresses) and stability (i.e., adherence to established practices and leadership structure).

Legislative functions are only one of a number of claimant activities demanding the time of Members of Congress. Claims add up to more than 100 per cent of the Members' time; and therefore time must be allocated among those claims in accordance with the priorities determined by individual Members for themselves.

The larger a committee, the more influence it is likely to have (apart from the criteria of functional or substantive importance) but the lower its priority for individual participants, especially new ones, to the extent that as individuals they are least able to influence the decisions of the whole.

All organizations tend to mature with age, accompanied by development of skills and methodologies to perform their function, but also accompanied by various pathologies that can be characterized by the general term "institutional hardening of the arteries." The organizational problem is to maximize the utility of the first and to minimize the costs of the second.

Systems theory suggests that to a much greater extent than has been appreciated every congressional action and every problem taken up by the Congress is related to all others. These relationships vary in many dimensions—as to time, economic factors, and social and political factors depending on the emphasis desired, any legislative task could be assigned to a number of different substantive committees or subcommittees. One alternative is to set up a carefully designed ad hoc committee whose scope is precisely tailored to the terms of reference of the task.

Specifications for Goals of Continuing Organizational Reform

What are the specifications for a continuing program of reform in congressional organization? A partial list might include the following:

An opportunity for increased responsiveness to public need;

Increased (substantive) flexibility;

Increased (functional) stability and organizational continuity;

- Increased or improved balance in attention as between short- and long-range future concerns;
- Elimination of "paper" assignments and "busy" work;
- More even distribution of workload among the Members;
- Wider participation in leadership;
- Reduced distance between leaders and rank and file Members;
- Improved management of information;
- Elimination of jurisdictional conflicts;
- Control of the legislative flow as to both rate and priority;
- Balanced emphasis on review of all executive programs;
- Rational assignment of legislative priorities;
- Periodic or systematic elimination of unproductive and obsolete organizational units;
- Full use of Member expertise in decisionmaking on pertinent issues;
- Development of a continually updated, solid, data base of information covering all legislative issues that emerge;
- Development of a reliable and informed staff capable of analyzing all legislative issues in the light of available data; and
- Precision in scheduling to enable full and deliberate consideration of legislative issues in advance of the need for legislative action.

Hazards of Perpetuating a Substantive Organization

It is clearly feasible to design a system to handle the immediate and pressing issues on which the public is currently demanding legislative action. But if the Congress decides to restrict itself to only these short-term issues, it runs many long-term risks:

The risk of being unprepared for the important new issues that burst into the headlines, compelling fast legislative action, when experience suggests that the quality of decisionmaking is usually in direct proportion to the time span devoted to it.

The risk of concentrating on the matters the public concludes are important, when in fact these matters may be only symptomatic of a deeper set of problems that the Congress must not neglect if it is to satisfy the public's real needs.

The risk that single major problems will be dealt with simultaneously by a half-dozen or more separate committees, each evolving a different legislative approach to the problem. And, concurrently, the risk of adopting several such approaches that have the effect of canceling each other out.

The risk of vastly overburdening a part of the House that has co-opted to itself the urgent and priority problems, while the abilities and time of other Members are under-used.

The very real risk that the urgent and pressing problems of the moment, as a consequence of the policy of looking for short-range solutions, will continue to multiply and worsen, thereby compounding the burden on the Congress.

The theme of the foregoing items is that a conscientious effort is needed to extend the time-frame of legislation into a longer-range future. Problems need to be identified earlier, deliberated longer, and resolved legislatively. One of the most difficult problems is to persuade any group of the need to act well in advance of obvious and visible

need. Equally difficult is the problem of identifying future problems and the need for acting on them.

There is, in fact, an analogy between the task of the Committee on Committees and the problem of planning legislation for the future. The need for a strengthened organization of House committees is not addressed to the present but to the future; as such, it is an encouraging demonstration of the willingness and ability of the House to provide itself with a mechanism for long-range planning. Yet it is the present Congress to which the recommendations for the future are to be offered. The difficulty in communicating the perceived needs of the future is impressive. Yet, the function of continuous planning for the future is an essential ingredient of the plan. The function of anticipating the future and providing for it cannot be safely neglected in a modern and rapidly changing world.

Two elements are indispensable for this purpose: (1) an institution charged with looking ahead, defining future problems, estimating their probability, and exploring the ways of coping with them; and (2) an organization that is flexible and adaptable enough to take up these future problems legislatively before they turn into catastrophic certainties.

The Indeterminate Scope of Future Legislative Issues

Any scheme to organize the House into committees according to the substantive tasks to be performed must deal with a sequence of questions: What legislative actions will the House be called upon to take with respect to what subject area? In what ways do subordinate units of the House facilitate the actions of the whole House? What form of committee organization might most effectively mobilize the knowledge and skills of the House Membership in facilitating the required actions? What legislation will be needed in the foreseeable future? What should its scope be?

To the extent that the House could reliably foresee future needs for legislation, it could specify the need for a structure of substantive committees to help develop the legislation. This could still be done in the slower-moving society of a century ago, or even a half-century ago. But the modern world has seen an acceleration of change in both rate and intensity of impact. If, as seems likely, the needs of the future will differ from those of the present, then the committee structure of today will become increasingly more and more inappropriate to the substantive scope of future legislation. Moreover, there is no way that the existing committee structure can be redesigned to accommodate to the substantive scope of the future legislative workload. It might conceivably be designed around functions that are durable, but not problem or subject areas.

In short, it is likely that any attempt to modernize the House committee structure by dividing the House into substantive committee units will fail because substantive issues change radically from decade to decade. The alternatives appear to be: (a) to accept the need for periodic change, or (b) to design a durable structure of essential functions that can deal adaptably with each new substantive issue as it arises. The former course would require that the House accept readily the periodic overhaul of its committee structure, which would be unlikely and would invite a sense of instability and insecurity. The latter course would seem to offer both stability and flexibility.

Some Observations From Contemporary History

Although the main public preoccupation in 1971 appeared to be with environmental quality, it has since begun to be divided between environmental quality and national energy supply, with a rising concern over inflation. In a few years more, the predominate public concern might be the availability of food supply. While all of these are related quite intimately to population growth, the population question might not become crucial for another decade or so. But in any event, the virtue of setting up innumerable permanent committees or subcommittees dealing with environmental quality, energy, food, the food-population balance, and other foci of emerging crisis seems questionable. Issues come and go, but the institutions to study them and propose remedies linger on.

In the executive branch there has been an observable tendency for programs to be directed—at least nominally—toward the salient consensual goals, and for budgeteers to value programs as they substantiated their claims of efficacy in contributing to these goals. But the goals themselves have kept changing.

Similarly with the Congress. One committee after another emerges to salience. Yet, under this main trend other lesser movements could have been more important in the long run. If they were not perceived as “relevant” to the main objective of the moment, they suffered oblivion.

Presumably the future will be a continuation of the past, insofar as changes in national goals and lesser—or less salient—needs are concerned. Goals and subjects of congressional concern will change from year to year and decade to decade. But the *functions* of the House can reasonably be expected to remain stable in the future as they have in the past two centuries: to tax, to spend, and to make laws regulating the way the money is collected and used by the executive branch.³

Implications of the Discussion

The goals of congressional committee organization—flexible response, adaptation to substantive change, and efficiency in the use of congressional manner—call for an institution able to deal in balanced fashion with the demands of the electorate for action on current problems and with the need to provide for future needs not yet identified by the public. These specifications appear to suggest the need: (a) for a structure of small, short-lived, substantive committee units whose members are selected for interest, concern, knowledge, and motivation respecting the subject matter; and (b) for a structure of durable committees to provide for the relatively unchanging functional responsibilities of a deliberative and law-making body.

III. A FUNCTIONAL ORGANIZATION OF LEGISLATIVE COMMITTEES

The purpose of this section is to describe a possible organizational concept for the House that would be adaptable to changes in the fu-

³ It may seem to be stretching a point to consider that all congressional actions, including those involving the judiciary and judicial law-making, entail appropriations or taxes or both. Looked at from the systems approach, however, to be effectuated, a judicial law or action entails enforcement. Judicial actions are viewed in a broader social context than that of the penal code. While the overt purposes of the judicial function are to influence social behavior, the implementation entails some form of fiscal provision, and the effects of the legislation have economic as well as normative consequences. It may be observed that some legislation has consequences that are trivial from the fiscal or taxing point of view. However, it can also be observed that upon further analysis in depth, these consequences turn out to be less and less trivial.

ture substance of legislation, and that would not be rendered obsolete in the face of such changes.

Organizational Units that Help the House to Legislate

The role of the committees in providing for specialization division of labor, concentration of resources, and providing a point of access to interested groups has already been touched on. However, it may be useful to catalog with a finer grain of detail the kinds of facilitating action needed from subdivisions of the House. Proposals for legislative action, the starting-point in the sequence, can come from the membership at large. Action on the proposals is taken by membership in concert. In between, these two peg-points, the rest of the process involves committees. At present, although the committees dealing with substantive issues are standing committees, the process they follow tend to be about the same, whereas the subject-matter with which they deal tends to be *ad hoc*. Each substantive committee takes up and deals with one subject, and then goes on to the next. Under these conditions, the essential functional legislative tasks of the House seem to be reducible to a small number:

1. Leadership.
2. Long-range planning.
3. Problem identification.
4. Initiation of legislative tasks.
5. Procedural control.
6. Revenue and taxes.
7. Appropriations.
8. The management of substantive legislation.
9. Decisionmaking recommendations.
10. Monitoring execution of the law.

Three of these 10 functions (numbers 5, 6, and 7—procedural control, revenue, and appropriations) are the assigned responsibility of three standing committees: Rules, Ways and Means, and Appropriations.

The remaining functions (numbers 2, 3, 4, 8, 9, and 10) are at present diffused, either among the entire membership (as in the case of long-range planning, problem identification, and initiation of legislative tasks) or they are assigned in bits and pieces among substantive committees (as in the case of management of substantive legislation, decisionmaking recommendations, and monitoring execution of the law).

An Organizational Concept to Mobilize House Resources

What consequences would flow from the assignment of these 10 functions among committees? This might be done in various alternative ways. One way might be to assign each function to a separate committee. Another possibility might be to combine some of the functions and assign them to a smaller number of separate committees: For example, giving the first four functions (of leadership, long-range planning, problem identification, and initiation of legislative tasks) to separate committees; leaving the next three functions (of procedural control, revenue and taxes, and appropriations) as at present; and then assigning the last three functions (of managing substantive legislation, presenting decisionmaking recommendations, and monitoring execution of the law) to the Appropriations Committee (where they would be managed by *ad hoc* subcommittees). A further alternative might be to es-

tablish a new committee to manage the 10th function (of monitoring execution).

A Leadership Committee

The advantages of a formal leadership committee of substantial numbers (say 15 to 25) would be considerable. In Norway, for example, the leadership cadre drawn from the assembly is actually constituted as a separate house of parliament, with its own separate voice in legislation. Existence of such a committee would enable quick determination of the "sense of the House" on emerging issues; it would provide a stabilizing element and a continuity of formal leadership; it would provide a point of access for more frequent communications from the President on legislative matters; and it would be a point from which the House could make known authoritatively its views to the President.

The Planning Function

The two functions of long-range planning and issue identification are at present diffused. To some extent, this diffusion is essential; the two functions are indeed "everybody's business." However, both functions would benefit from assignment to a separate committee (or, alternatively, one committee for each of the two functions, or, as a third possibility the assignment of both functions or either of them to a subcommittee of the Leadership Committee Institutionalized in this way, the two functions could be taken up by a strong and qualified staff, drawing for further assistance upon the Congressional Research Service and the growing community of professional students of "the future" and forward planning.

A Committee on Initiation of Legislative Tasks

A very organizing improvement is conceivable if the function of "initiation of legislative tasks" other than money bills could be managed or coordinated by a single committee. Information on bills pending would be more accessible. Bills could be combined, consolidated, or dismissed as low in priority or redundant. Co-sponsorship could be recorded centrally. Publication of the legislative budget could be centrally maintained and periodically updated. The scope of proposed measures could be examined, adjusted, rationalized, and systematized. Preliminary evaluations of proposed measures could be performed by a committee staff, with the assistance of the CRS and GAO. (This function is routinely performed for the executive branch by the Office of Budget and Management.)

The concept is analogous to the contracting for research with a private research organization. In the sequence leading to a study contract, there is first the preparation of a problem definition, then the drafting of a request for proposal, then the preparation of the proposal, and finally the development of an agreed-upon statement. The end product would be the creation of a small task force or *ad hoc* committee, suitably staffed, with a clear and explicit set of instructions as to what it is to produce.

Manifestly, the subject matter of any individual bill might well be given initial study before being assigned to a legislative committee or subcommittee for "processing." If a number of bills overlap in scope or purpose, they might well be dealt with in the same process by the same Committee. Determining the best scope of a bill might yield

guidance as to the size and composition of the committee to manage it. Flexibility of organization of legislative committees would, in this way, add to the efficiency of the process and reduce the workload on the individual Members.

There are, of course risks in such a monitoring committee if it chose to take an unduly restrictive course. The rule of restraint would need to be carefully observed. Still, the amount of time saved for Members of the House by rigorous tightening and systematizing of bill documents at the point of their introduction could be a powerful incentive toward acceptance of this arrangement. To preserve the convenience of the present arrangement crediting Members separately with the introduction of bills bearing their name, a separate category of "proposed bills" might be created to signalize items offered to, and pending before, the "Committee on Legislative Initiations."

Substantive Committee Functions

The well-established *functions* of substantive committees, enumerated on page 20, are roughly the same, regardless of subject matter. There would seem to be no compelling reason why these functions could not be performed by *ad hoc* committees of a limited number of Members of the House, selected by virtue of their special familiarity with the subject, or interest in it—either for themselves or for their constituencies. Such *ad hoc* committees could be formed to deal with single bills or clusters of related bills, and could be attached either to the Appropriations Committee or perhaps to a new Committee of Legislative Management.

The Function of Oversight and Review

The separate function of legislative oversight might be combined with such other elements as program evaluation, auditing, authorization, and review of essentiality. The distinction between the functions of a Committee on Authorization and Review and those of the Appropriations Committee might be that the latter would deal with the funding of the Government as a whole through the budgetary process—weighing the total Government program against resources available—while the former committee would divide up its attention to separate units of Government in detail, perhaps on a two- or three-year cycle instead of annually. Such a Committee on Authorizations and Review (and its *ad hoc* subcommittees) would presumably make heavy use of the GAO, and perhaps also might be supported by a new institution for program analysis and evaluation.

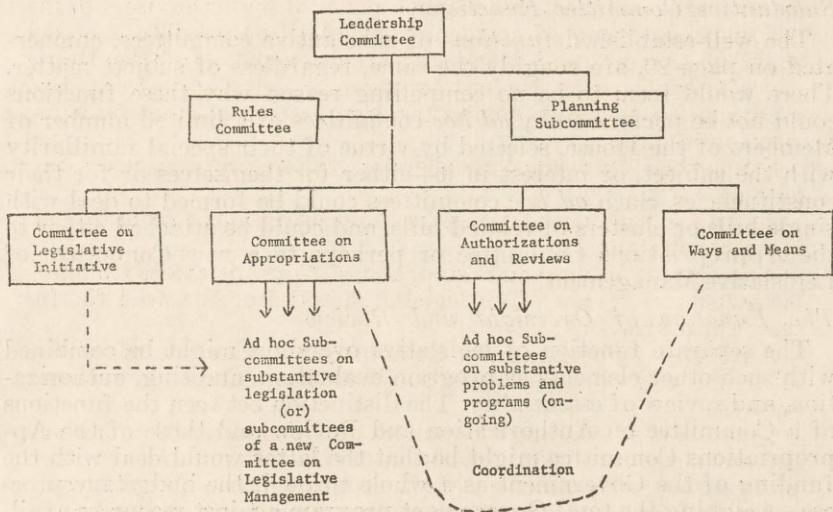
The Concept of an Organizational Design for Irreversible Reform

Past reforms of the House organization have sought compromise toward simplification in order to adapt to changed circumstances. But as change did not stop with the enacting of the reform, the structure gradually became more complex and less effective. The alternative explored here is to achieve a commitment toward successive adaptations, left open-ended.

According to this concept, the direction of change is important; the rate of change is less so, particularly since acceptability is inversely proportional to rate of change. Moreover, no planner can completely define the longer-range future needs his plan ought to meet. Change is continuous outside of his system. The ideal plan for 1975 will fall short

of perfection for 1985. The preferred course is to have in being an adaptive and gradually changing system that will meet some of the needs for change by 1975, will continue to improve in the years beyond, and will be as close to meeting the needs of 1985 as it was to meeting the needs of 1975. Successive approximations to meet the changing system environment is preferable to a lock-in design that begins to be obsolescent from the moment of its acceptance. Each approximation could be considered on its own merits when its time came.

Functional Committee Organization
of the House of Representatives



The question considered below is: *Assuming* the desirability of converting the House organization to functional (and "Money Bill") standing committees, with substantive committees made *ad hoc*, either as subcommittees under the Appropriations Committee or as elements of a new Authorizations and Reviews Committee, *then* what incremental actions might point in this direction? A number of possibilities might be suggested, some concurrently and some sequentially, to effect this—not necessarily all at once but perhaps over the next two or three decades. For example:

Create a new "Leadership Committee" with the chairman selected from the membership of the Committee periodically, and the membership to include: Speaker, Majority Leader, Minority Leader, Majority and Minority Whips, and Chairman and Ranking Minority Members of Committees on Rules, Ways and Means, and Appropriations (and later expanded to include leaders of other new permanent committees).

Create (and strongly staff) a new Subcommittee on Planning, of the Leadership Committee, chaired in rotation by members of the Leadership Committee, other than the Speaker or the Chairman, with membership of the Leadership Committee and from the House Membership at large, except that chairman of all committees would be ineligible.

Maintain a *continuing* study of the external changes and internal deficiencies of the House that generate needs for organizational changes and adaptations; define needs and seek ways to satisfy them; develop and evaluate alternative courses; obtain contract studies; these activities could perhaps be conducted by either a working group of the Planning Subcommittee or by a joint subcommittee drawn from the membership of the Planning Subcommittee and the Rules Committee. Other possible arrangements might include: a blue ribbon panel of senior advisers to the Speaker, consisting of academic specialists or possibly a mixed panel of advisers and Members; a subcommittee of the House Rules Committee on committee organizations; or possibly two subcommittees—one on committee organization and one on legislative procedures.

Strengthen staff and membership of Appropriations Committee;

As an intermediate step, assign Appropriations Committee all oversight functions;

As a further intermediate step, assign Appropriations Committee legislative review of all legislation entailing the need for future appropriations;

Authorize Appropriations Committee to make use of *ad hoc* subcommittees on legislative issues entailing future Government outlays;

Create a new standing Committee on Initiation of Legislation, and authorize it to refer legislation to either standing committees or to *ad hoc* subcommittees of the Appropriations Committee;

Assure legislative priority to actions reported from the Appropriations Committee;

Convert substantive standing committees to select committees, or transfer them to special subcommittees of Appropriations Committees;

Divide functions of the (now-expanded) Appropriations Committee between it and a newly-created Committee on Authorizations and Reviews;

Create a new Committee on Legislative Initiations;

Authorize creation of *ad hoc* committees in the standing committees on (a) Legislative Initiations, (b) Appropriations, (c) Authorizations and Reviews, and (d) Ways and Means;

Abolish all other substantive committees;

Establish a rule for the duration of *ad hoc* subcommittees;

Establish a rule for tenure limitation of chairmen of all standing committees.

Concluding Observations

It is necessary to stress again at this point that this paper has offered a theoretical concept of congressional organization rather than a real-

istic plan for serious consideration today. The purpose was to outline the logical consequences of some hypotheses and assumptions: as to the balancing of flexibility with stability, the conserving of time with increase in productivity, the use of function rather than substance as the organizing principle.

Because of the theoretical nature of the approach, no attempt was made to spell out in detail the actual working of the concept—the many adjustments that would be necessary, and the quantitative effects of the scheme. Among the questions that might be raised are the following: How many *ad hoc* committees would be needed in any one session of Congress or at any one time? How large would these committees need to be? How long would a single legislative task take?

Despite the wide departure of the paper from existing practice, it is offered with no sense of criticism of the present structure of the House. It is possible to foresee future difficulties with this structure—but tidings of future disaster are the universal currency of the theoretical futurist. As in the past, the realistic expectation is that incremental adjustment will go on being made to correct and preserve the system. If this paper offers any useful hints as to directions these incremental adjustments should take, it will have served its purpose.

