

OLC 76-3750

23 December 1976

MEMORANDUM FOR THE RECORD

SUBJECT: S. Res. 586--A Resolution Reorganizing the  
Committee System of the Senate

1. S. Res. 586 was submitted on 15 October 1976 by Senators Stevenson (D., Ill.) and Brock (R., Tenn.), with 11 cosponsors. According to a memorandum prepared by W. Clark McFadden, of the Senate Armed Services Committee, a number of Senators intend that S. Res. 586 be taken up as the first order of business in the 95th Congress. According to a staffer on the Senate Rules and Administration Committee, Senator Stevenson is expected to resubmit the Resolution on 4 January; hearings already have been scheduled by the Rules Committee for 5 and 7 January.

2. Whether or not the Resolution goes anywhere, and regardless of changes that may be made to it, there are several interesting aspects of the Resolution that are or may be relevant to this Office's activities and responsibilities vis-a-vis congressional committees. (A copy of the Resolution is attached.)

a. The Senate would be required to decide, before the end of the 95th Congress, whether S. Res. 400 and the Select Committee on Intelligence established thereunder should remain in force. The new Committee on Governmental Affairs would report to the Senate by 1 July 1978 "a resolution concerning the disposition of the jurisdiction and functions of the Select Committee on Intelligence." If the Senate thus decides that intelligence oversight is best handled by some means other than that currently employed, the present Select Committee would be dissolved early in 1979. The jurisdiction of the Select Committee is unchanged by S. Res. 586.

b. According to the Report of the Temporary Select Committee to Study the Senate Committee System (chaired by Senator Stevenson and co-chaired by Senator Brock), that Committee would assign to the Foreign Relations Committee "comprehensive policy oversight for national security"; the Armed Services Committee would be given the same mandate for "the common defense."

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c. The Committee on Armed Services also would gain jurisdiction over national security aspects of atomic energy, and joint jurisdiction with Foreign Relations over foreign military sales. According to Clark McFadden, for the first time Foreign Relations would gain explicit, though not exclusive, jurisdiction over foreign military assistance.

d. The Foreign Relations Committee also would be required to study and review "matters relating to the national security policy of the United States, and report thereon from time to time."


e. The new Committee on Governmental Affairs would gain jurisdiction over matters now not within the purview of Government Operations, including civil service, Federal buildings, and all "Government information including freedom of information."

f. The jurisdiction of the Appropriations Committee would be essentially as now. The Temporary Select Committee rejected proposals to return the appropriations function to the proper standing committees.

g. Overall, the number of standing committees would be reduced to 14, with one select committee; there would be no joint committees. Senators would be limited to serving on two standing committees, one additional committee assignment, five subcommittee assignments, one committee chairmanship, and one subcommittee chairmanship on each committee. Further, in appointing Senators to committee positions, consideration will be given to the legislators present seniority and assignments.

h. The Secretary of the Senate would maintain a computerized schedule of all committee and subcommittee activities.

i. New scheduling rules would restrict the times at which committee meetings could occur; roll call votes normally would not be in order before 2:00 p.m.; and certain questions as to committee jurisdiction would be subject to a point of order.

  
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In view of the Senate's action in attempting to vacate its passage of S. 3553, there is doubt that S. 3553 has been properly enrolled, and therefore I am separately approving H.R. 11315 and must withhold my approval from S. 3553.

GERALD R. FORD.

THE WHITE HOUSE.

**APPOINTMENT OF MEMBERS OF THE COMMISSION ON POSTAL SERVICE**

Pursuant to the provisions of section 7(a)(1)(B), Public Law 94-421, the President pro tempore appointed as members of the Commission on Postal Service Mr. James H. Rademacher and Ms. Rose Russell Blakely.

**SENATE RESOLUTION 586—SUBMISSION OF A RESOLUTION REORGANIZING THE COMMITTEE SYSTEM OF THE SENATE**

(Referred to the Committee on Rules and Administration.)

Under authority of the order of the Senate of September 30, 1976, Mr. STEVENSON and Mr. BROCK (for themselves, Mr. CRANSTON, Mr. DOLE, Mr. DOMENICI, Mr. GRAVEL, Mr. HANSEN, Mr. HATFIELD, Mr. HATHAWAY, Mr. METCALF, Mr. MOSS, Mr. NELSON, and Mr. PACKWOOD) submitted the following resolution on October 15, 1976:

Resolved, That this resolution may be cited as the "Committee System Reorganization Amendments of 1977".

**TITLE I—STANDING COMMITTEES JURISDICTION: SIZE**

Sec. 101. Rule XXV of the Standing Rules of the Senate is amended by striking out paragraphs 1, 2, and 3 and inserting in lieu thereof the following new paragraphs:

"1. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise on matters within their respective jurisdictions:

"(a)(1) Committee on Agriculture and Small Business, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating primarily to the following subjects:

- "1. Agriculture and agricultural commodities.
- "2. Inspection of livestock, meat, and agricultural products.
- "3. Animal industry and diseases.
- "4. Pests and pesticides.
- "5. Agricultural extension services and experiment stations.
- "6. Forestry.
- "7. Agricultural economics and research.
- "8. Home economics.
- "9. Plant industry, soils, and agricultural engineering.
- "10. Farm credit and farm security.
- "11. Rural development, rural electrification, and watersheds.
- "12. Agricultural production, marketing, and stabilization of prices.
- "13. Crop insurance and soil conservation.
- "14. Human nutrition.
- "15. School nutrition programs.
- "16. Food stamp programs.
- "17. Small business.
- "18. Food from fresh waters and the sea.
- "19. Irrigation and reclamation.
- "20. Land-use planning.
- "21. Regional economic development.

"(2) Such committee shall also study and review, on a comprehensive basis, matters relating to food, nutrition, and hunger, both in the United States and in foreign coun-

tries, and all problems of American small business enterprises and all facts possible in relation thereto which would not only be of public interest, but which would also aid the Congress in enacting remedial legislation, and report thereon from time to time.

"(b) Committee on Appropriations, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

- "1. Except as provided in subparagraph (e), appropriation of the revenue for the support of the Government.
- "2. Rescission of appropriations contained in appropriation Acts (referred to in section 105 of title 1, United States Code).
- "3. The amount of new spending authority described in section 401(c)(2)(A) and (B) of the Congressional Budget Act of 1974 provided in bills and resolutions referred to the committee under section 401(b)(2) of that Act (but subject to the provisions of section 401(b)(3) of that Act).
- "4. New advance spending authority described in section 401(c)(2)(C) of the Congressional Budget Act of 1974 provided in bills and resolutions referred to the committee under section 401(b)(2) of that Act (but subject to the provisions of section 401(b)(3) of that Act).

"(c)(1) Committee on Armed Services, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

- "1. The common defense.
- "2. The Department of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force, generally.
- "3. Pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces.
- "4. Military research and development.
- "5. Selective service system.
- "6. Strategic and critical materials necessary for the common defense.
- "7. Aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.
- "8. Panama Canal Zone government.
- "9. Foreign military sales (joint).
- "10. National security aspects of atomic energy.

"(2) Such committee shall also study and review, on a comprehensive basis, matters relating to the common defense policy of the United States, and report thereon from time to time.

"(d)(1) Committee on Banking, Housing, and Urban Affairs, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

- "1. Banks, banking, and financial institutions.
- "2. International finance, including international financial and monetary organizations.
- "3. Financial aid to commerce and industry.
- "4. Deposit insurance.
- "5. Public and private housing (including veterans' housing).
- "6. Federal monetary policy, including Federal Reserve System.
- "7. Money and credit, including currency and coinage.
- "8. Issuance and redemption of notes.
- "9. Control of prices of commodities, rents, and services.
- "10. Urban development (except for urban mass transit).
- "11. Economic stabilization and defense production.
- "12. Export controls.
- "13. Export and foreign trade promotion.
- "14. Nursing home construction.

"(2) Such committee shall also study and

review, on a comprehensive basis, matters relating to international economic policy, defense production and national stockpiles, economic growth, urban affairs, and credit, and report thereon from time to time.

"(e)(1) Committee on the Budget, to which committee shall be referred all concurrent resolutions on the budget (as defined in section 3(a)(4) of the Congressional Budget Act of 1974) and all other matters required to be referred to that committee under titles III and IV of that Act, and messages, petitions, memorials, and other matters relating thereto.

"(2) Such committee shall have the duty—

"(A) to report the matters required to be reported by it under titles III and IV of the Congressional Budget Act of 1974;

"(B) to make continuing studies of the effect on budget outlays of relevant existing and proposed legislation and to report the results of such studies to the Senate on a recurring basis;

"(C) to request and evaluate continuing studies of tax expenditures to devise methods of coordinating tax expenditures, policies, and programs with direct budget outlays, and to report the results of such studies to the Senate on a recurring basis; and

"(D) to review, on a continuing basis, the conduct by the Congressional Budget Office of its functions and duties.

"(3) Such committee shall also study and review, on a comprehensive basis, matters relating to economic policy, public and private pension programs, priorities and economies in Government, the annual Economic Report of the President, and the budget data submitted by the President pursuant to section 605 of the Congressional Budget Act of 1974, and report thereon from time to time.

"(f)(1) Committee on Commerce, Science and Transportation, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

- "1. Interstate commerce.
- "2. Transportation.
- "3. Regulation of interstate common carriers, including railroads, buses, trucks, vessels, pipelines, and civil aviation.
- "4. Merchant marine and navigation.
- "5. Coast Guard.
- "6. Inland waterways.
- "7. Communications.
- "8. Regulation of consumer products and services.
- "9. Interoceanic canals.
- "10. Standards and measurement.
- "11. Construction and maintenance of highways, and highway safety.
- "12. Urban mass transit.
- "13. Scientific engineering and technology research and development.
- "14. Nonmilitary aeronautical and space sciences.
- "15. Science, engineering, and technology policy.
- "16. National Science Foundation.

"(2) Such committee shall also study and review, on a comprehensive basis, all matters relating to science and technology, transportation, communications, and consumer affairs, and report thereon from time to time.

"(g)(1) Committee on Energy and Natural Resources, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

- "1. Energy policy.
- "2. Energy regulation and conservation.
- "3. Energy research and development.
- "4. Solar energy systems.
- "5. Nonmilitary development of nuclear energy.
- "6. Naval petroleum reserves.
- "7. Oil and gas production and distribution.
- "8. Extraction of minerals from outer continental shelf lands.

"9. Energy related aspects of deepwater ports.

"10. Hydroelectric power.

"11. Coal production, distribution, and utilization.

"12. Public lands and forests, including farming and grazing thereon, and mineral extraction therefrom.

"13. National parks, recreation areas, wilderness areas, historical sites, military parks and battlefields, and preservation of prehistoric ruins and objects of interest on the public domain.

"14. Mining, mineral lands, mining claims, and mineral conservation.

"15. Mining education and research.

"16. Native American land management and trust responsibilities.

"(2) Such committee shall also study and review, on a comprehensive basis, matters relating to energy and resources development, and report thereon from time to time.

"(h) (1) Committee on Environment and Public Works, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Environmental policy.

"2. Environmental research and development.

"3. Oceans, weather, and atmospheric activities.

"4. Fisheries and wildlife.

"5. Coastal zone management.

"6. Outer Continental Shelf lands (except extraction of minerals therefrom).

"7. Ocean dumping.

"8. Solid waste disposal and recycling.

"9. Toxic substances.

"10. Environmental effects of pesticides.

"11. Water resources.

"12. Flood control and improvements of rivers and harbors.

"13. Public works, bridges, and dams.

"14. Water pollution.

"15. Air pollution.

"16. Noise pollution.

"17. Nonmilitary environmental regulation and control of atomic energy.

"(2) Such committee shall also study and review, on a comprehensive basis, matters relating to environmental protection and resource utilization and conservation, and report thereon from time to time.

"(i) (1) Committee on Finance, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Except as provided in the Congressional Budget Act of 1974, revenue measures generally.

"2. Except as provided in the Congressional Budget Act of 1974, the bonded debt of the United States.

"3. The deposit of public moneys.

"4. Customs collection districts, and ports of entry and delivery.

"5. Reciprocal trade agreements.

"6. Transportation of dutiable goods.

"7. Revenue measures relating to the insular possessions.

"8. Tariffs and import quotas, and matters related thereto.

"9. National social security.

"10. General revenue sharing.

"(2) Such committee shall also study and review on a comprehensive basis and report thereon from time to time—

"(A) the operations and effects of the internal revenue laws; and

"(B) the revenue policy of the United States.

"(j) (1) Committee on Foreign Relations, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Relations of the United States with foreign nations generally.

"2. Treaties and executive agreements, except reciprocal trade agreements.

"3. Boundaries of the United States.

"4. Protection of United States citizens abroad and expatriation.

"5. Intervention abroad and declarations of war.

"6. Foreign economic, military, technical, and humanitarian assistance.

"7. United Nations and its affiliated organizations.

"8. International conferences and congresses.

"9. Diplomatic service.

"10. Foreign military sales (joint).

"(2) Such committee shall also study and review on a comprehensive basis, matters relating to the national security policy of the United States, and report thereon from time to time.

"(k) (1) Committee on Governmental Affairs, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Except as provided in the Congressional Budget Act of 1974, budget and accounting measures, other than appropriations.

"2. Organization and reorganization of the executive branch of the Government.

"3. Intergovernmental relations.

"4. Government information, including freedom of information.

"5. Municipal affairs of the District of Columbia, except appropriations therefor.

"6. Acquisition of land and buildings for embassies and legations in foreign countries.

"7. Insular possessions of the United States.

"8. Federal civil service.

"9. Status of officers and employees of the United States, including their classification, compensation and benefits.

"10. Postal service.

"11. Census and collection of statistics, including economic, social, and labor statistics.

"12. Archives of the United States.

"13. Public buildings and grounds.

"14. Federal buildings and parks within the District of Columbia.

"15. United States Capitol and congressional office buildings.

"16. Construction and maintenance of the Botanic Garden, the Library of Congress, and the Smithsonian Institution.

"(2) Such committee shall have the duty of—

"(A) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the Senate as it deems necessary or desirable in connection with the subject matter of such reports;

"(B) studying the efficiency, economy, and effectiveness of all agencies and departments of the Government;

"(C) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government;

"(D) studying the 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.

"(i) (1) Committee on Human Resources, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Measures relating to education, labor, health and public welfare.

"2. Vocational education.

"3. Vocational rehabilitation.

"4. Equal employment opportunity.

"5. Occupational safety and health, including the welfare of miners.

"6. Private pension plans.

"7. Aging.

"8. Railway labor and retirement.

"9. Public health.

"10. Arts and humanities.

"11. Gallaudet College, Howard University, and Saint Elizabeth Hospital.

"12. Biomedical research and development.

"13. Student loans.

"14. Native American education, health, social services, and loan programs.

"15. Veterans' measures, except for housing.

"16. Agricultural colleges.

"17. Overseas education of civilian and military dependents.

"(2) Such committee shall also study and review, on a comprehensive basis, matters relating to health, education and training, aging and the problems of the elderly, income maintenance, and Native American affairs, and report thereon from time to time.

"(m) Committee on the Judiciary, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Judicial proceedings, civil and criminal, generally.

"2. Constitutional amendments.

"3. Federal courts and judges.

"4. Local courts in the territories and possessions.

"5. Revision and codification of the statutes of the United States.

"6. National penitentiaries.

"7. Protection of trade and commerce against unlawful restraints and monopolies.

"8. Holidays and celebrations.

"9. Bankruptcy, mutiny, espionage, and counterfeiting.

"10. State and territorial boundary lines.

"11. Meetings of Congress, attendance of Members, and their acceptance of incompatible offices.

"12. Civil liberties.

"13. Patents, copyrights, and trademarks.

"14. Patent Office.

"15. Immigration and naturalization.

"16. Apportionment of Representatives.

"17. Measures relating to claims against the United States.

"18. Interstate compacts generally.

"(n) (1) Committee on Rules, Administration, and Standards, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Matters relating to the payment of money out of the contingent fund of the Senate or creating a charge upon the same, except that any resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee.

"2. Except as provided in subparagraph (k), matters relating to the Library of Congress, the Government Printing Office, and the Senate 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.

"3. Except as provided in subparagraph (k), matters relating to the Smithsonian Institution and the incorporation of similar institutions.

"4. Matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally; Presidential succession.

"5. Matters relating to parliamentary rules; floor and gallery rules; Senate Restaurant; administration of the Senate Office Buildings and of the Senate wing of the Capitol; assignment of office space; and services to the Senate.

5. Matters relating to printing of the Congressional Record.

(2) Such committee also have the duty of assigning office space in the Senate wing of the Capitol and in the Senate Office Buildings.

(3) It shall be the duty of such committee to—

(A) receive complaints and investigate allegations of improper conduct which may reflect upon the Senate, violations of law, and violations of rules and regulations of the Senate, relating to the conduct and individuals in the performance of their duties as Members of the Senate, or as officers or employees of the Senate, and to make appropriate findings of fact and conclusions with respect thereto;

(B) recommend to the Senate by report or resolution by a majority vote of the full committee disciplinary action to be taken with respect to such violations which the committee shall determine, after according to the individuals concerned due notice and opportunity for hearing, to have occurred;

(C) recommend to the Senate, by report or resolution, such additional rules or regulations as the committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the Senate, and by officers or employees of the Senate, in the performance of their duties and the discharge of their responsibilities; and

(D) report violations by a majority vote of the full committee of any law to the proper Federal and State authorities.

(4) Such committee shall also—

(A) make a continuing study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution of the United States; and

(B) identify any court proceeding or action which, in the opinion of the Committee, is of vital interest to the Congress as a constitutionally established institution of the Federal Government and call such proceeding or action to the attention of the Senate.

2. Each standing committee may study and review tax expenditures related to subject matters within its jurisdiction, and submit reports and its recommendations with respect thereto.

3. Except as otherwise provided by paragraph 6 of this rule, the standing committees shall consist of the number of Senators set forth in the following table on the line on which the name of that committee appears:

Committee	Members
Agriculture and Small Business.....	15
Appropriations .....	23
Armed Services.....	15
Banking, Housing and Urban Affairs.....	15
Budget.....	15
Commerce, Science, and Transportation.....	17
Energy and Natural Resources.....	17
Environment and Public Works.....	15
Finance.....	15
Foreign Relations.....	15
Governmental Affairs.....	15
Human Resources.....	15
Judiciary.....	15
Rules, Administration, and Standards.....	9

TITLE II—COMMITTEE ASSIGNMENTS: CHAIRMANSHIPS

SEC. 201. (a) Paragraph 6 of rule XXV of the Standing Rules of the Senate is amended to read as follows:

(3) (a) Except as otherwise provided by this paragraph—

(1) each Senator shall serve on two and no more standing committees; and

(2) each Senator may serve on only one select, special, or ad hoc committee of the Senate or joint committee of the Congress.

(b) (1) Each Senator may serve on not more than two subcommittees of each standing committee of which he is a member.

(2) Each Senator may serve on only one subcommittee of each select, special, or ad hoc committee of the Senate or joint committee of the Congress of which he is a member.

(3) No standing, select, special, or ad hoc committee of the Senate may establish any sub-unit of that committee other than a subcommittee, unless the Senate by resolution has given permission therefor. For purposes of this subparagraph, any sub-unit of a joint committee shall be treated as a subcommittee.

(c) By agreement entered into by the majority leader and the minority leader, the membership of one or more standing committees may be increased temporarily from time to time by such number or numbers as may be required to accord to the majority party a majority of the membership of all standing committees. When any such temporary increase is necessary to accord to the majority party a majority of the membership of all standing committees, members of the majority party in such number as may be required for that purpose may serve as members of three standing committees. No such temporary increase in the membership of any standing committee under this subparagraph shall be continued in effect after the need therefor has ended. No standing committee may be increased in membership under this subparagraph by more than two members in excess of the number prescribed for that committee by paragraph 3 of this rule.

(d) Any Senator who by reason of his being chairman of a standing committee is required by law to serve on more than one joint committee of the Congress may serve on each such joint committee, but such Senator may not serve on any select, special, or ad hoc committee of this Senate.

(e) (1) No Senator shall serve at any time as chairman of more than one standing, select, special, or ad hoc committee of the Senate or joint committee of the Congress.

(2) No Senator shall serve at any time as chairman of more than one subcommittee of each standing, select, special, or ad hoc committee of the Senate or joint committee of the Congress of which he is a member.

(f) Until that date occurring during the first session of the Ninety-sixth Congress upon which the appointment of the majority and minority members of the standing committees is initially completed—

(1) membership on the Committee on the Budget shall not be taken into account for purposes of subparagraph (a)(1); and

(2) the Committee on the Budget shall be treated as a committee referred to in subparagraph (a)(2).

(b) Rule XVI of the Standing Rules of the Senate is amended by striking out paragraph 6.

(c) (1) Section 2 of Senate Resolution 409, Ninety-fourth Congress, is amended—

(A) by striking "paragraph 6(f)" in the last sentence of subsection (c) and inserting in lieu thereof "paragraph 6(f)(1)"; and

(B) by striking out subsection (d).

(2) On the date occurring during the first session of the Ninety-sixth Congress upon which the appointment of the majority and minority members of the standing committees is initially completed, Senate Resolution 409, Ninety-fourth Congress, is repealed.

(3) Not later than July 1, 1973, the Committee on Governmental Affairs shall report to the Senate a resolution concerning the disposition of the jurisdiction and functions of the Select Committee on Internal Security.

(d) (1) Not later than July 1, 1977, the appropriate standing committees shall report

legislation terminating the statutory authority of the following joint committees of the Congress and transferring their functions to the appropriate standing committees of the Senate and the House of Representatives (to the extent such functions are not then vested in such standing committees) or other appropriate bodies:

(A) Joint Committee on Atomic Energy;  
(E) Joint Committee on Congressional Operations;

(C) Joint Committee on Defense Production;

(D) Joint Economic Committee;

(F) Joint Committee on the Library;

(G) Joint Committee on Internal Revenue Taxation.

(F) Joint Committee on Printing; and

No proposed legislation shall be referred in the Senate to any joint committee of the Congress and no proposed legislation reported by any such joint committee shall be received in the Senate.

(2) Not later than July 1, 1977, the appropriate standing committees shall report legislation establishing a Congressional Revenue Office, to be staffed initially by the staff of the Joint Committee on Internal Revenue Taxation and to be primarily responsible to the Committee on Ways and Means and the Committee on Finance.

(3) Until the termination of the joint committees referred to in paragraph (1), vacancies occurring in the Senate membership of any such joint committee shall be filled, consistent with the provisions of paragraph 6 of rule XXV of the Standing Rules of the Senate, by the appointment of Senators who are members of the standing committees of the Senate which have jurisdiction over the subject matters with respect to which such joint committee exercises its functions. The preceding sentence shall not apply (but paragraph 6 of rule XXV of the Standing Rules of the Senate shall apply) to any joint committee the Senate members of which are required by law to be appointed from one or more specified standing committees of the Senate.

(e) Senate Resolution 58, Eighty-first Congress, and Senate Resolution 328, Eighty-eighth Congress, are repealed.

(f) It is the sense of the Senate that in appointing Senators to the standing committees pursuant to the Standing Rules of the Senate (as amended by this resolution) and in establishing seniority of Senators on such standing committees, first and full consideration should be given to those Senators who, on October 1, 1976, were serving as chairmen and ranking minority members of standing committees whose jurisdictions are transferred to, or consolidated in, other standing committees and as chairmen and ranking minority members of select or special committees and subcommittees of standing committees whose jurisdictions and functions are so transferred or consolidated.

TITLE III—MULTIPLE REFERRAL OF PROPOSED LEGISLATION: ESTABLISHMENT OF AD HOC COMMITTEES

SEC. 301. (a) Rule XXVI of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

(3) (a) Except as provided in this paragraph and paragraph 4, in any case in which a controversy arises as to the jurisdiction of any committee of the Senate with respect to any proposed legislation, the question of jurisdiction shall be decided by the presiding officer of the Senate, without debate, in favor of that committee which has jurisdiction over the subject matter which predominates in such proposed legislation; but such decision shall be subject to an appeal.

(b) (1) Upon motion by the Majority Leader or his designee made for himself and

the Minority Leader or his designee proposed legislation may be referred to two or more committees jointly or sequentially. Notice of such motion and the proposed legislation to which it relates shall be printed in the Congressional Record. The motion shall be privileged, but it shall not be in order until the Congressional Record in which the notice is printed has been available to Senators for at least twenty-four hours. No amendment to any such motion shall be in order except amendments to any instructions contained therein. Debate on any such motion, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than two hours, the time to be equally divided between, and controlled by, the Majority Leader and the Minority Leader or their designees.

"(2) Proposed legislation which is referred to two or more committees jointly may be reported only by such committees jointly and only one report may accompany any proposed legislation so jointly reported.

"(3) A motion to refer any proposed legislation to two or more committees sequentially shall specify the order of referral.

"(4) Any motion under this subparagraph may specify the portion or portions of proposed legislation to be considered by the committees, or any of them, to which such proposed legislation is referred, and such committees or committee shall be limited, in the consideration of such proposed legislation, to the portion or portions so specified.

"(5) Any motion under this subparagraph may contain instructions with respect to the time allowed for consideration by the committees, or any of them, to which proposed legislation is referred and the discharge of such committees, or any of them, from further consideration of such proposed legislation."

(b) Section 137 of the Legislative Reorganization Act of 1946 is repealed.

Sec. 302. Rule XXVI of the Standing Rules of the Senate (as amended by section 301 of this resolution) is amended by adding at the end thereof the following new paragraph:

"4. (a) A resolution submitted by the Majority Leader or his designee for himself and the Minority Leader or his designee which establishes an ad hoc committee to consider proposed legislation which falls within the jurisdiction of two or more committees of the Senate and which conforms to the requirements of this paragraph shall be privileged. Any such resolution shall—

"(1) specify the subject matter or matters over which the ad hoc committee shall have jurisdiction;

"(2) specify the number of members to serve on the ad hoc committee;

"(3) provide that the members of the ad hoc committee from the majority party shall be appointed by the Majority Leader, after consultation with the chairmen of the committees whose jurisdiction is involved (which committees shall be named in the resolution);

"(4) provide that the members of the ad hoc committee from the minority party shall be appointed by the Minority Leader, after consultation with the ranking minority members of the committees whose jurisdiction is involved;

"(5) provide that the Majority Leader shall appoint the chairman of the ad hoc committee;

"(6) provide that the expenses of the ad hoc committee shall be paid out of the contingent fund of the Senate, and specify any limitation on the amount of such expenses; and

"(7) specify the period of existence of the ad hoc committee, which shall not extend beyond the end of the Congress in which it is established.

"(b) (1) A resolution described in subparagraph (a) shall not be referred to a

committee of the Senate, and each subcommittee thereof, shall notify the Secretary of the Senate immediately upon the cancellation of a meeting of such committee or subcommittee. The Senate members of any joint committee of the Congress or any subcommittee thereof shall cause notice to be given to the Secretary of the Senate immediately upon the cancellation of a meeting of such joint committee or subcommittee.

(d) Until appropriations are made therefor, the expenses incurred in carrying out the provisions of this section shall be paid from the contingent fund of the Senate on vouchers signed by the Secretary of the Senate.

Sec. 402. (a) Subparagraph (a) of paragraph 7 of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(a) No committee of the Senate or any subcommittee thereof may meet, without special leave, after the conclusion of the first two hours after a meeting of the Senate has commenced and in no case after two o'clock postmeridian unless consent thereto has been obtained from the Majority Leader and the Minority Leader (or in the event of the absence of either of such Leaders, from his designee). The prohibition contained in the preceding sentence shall not apply to the Committee on Appropriations or the Committee on the Budget. The Senate members of any joint committee of the Congress (other than a committee of conference) may not, without special leave, attend any meeting of the joint committee or any subcommittee thereof after the conclusion of the first two hours after a meeting of the Senate has commenced and in no case after two o'clock postmeridian unless consent thereto has been obtained from the Majority Leader and the Minority Leader (or in the event of the absence of either of such Leaders, from his designee). The Majority Leader or his designee shall announce to the Senate whenever consent has been given under this subparagraph."

(b) Rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"9. Morning meetings of committees of the Senate and subcommittees thereof shall be scheduled for one or both of the periods prescribed in this paragraph. The first period shall end at eleven o'clock antemeridian. The second period shall begin at eleven o'clock antemeridian and end at two o'clock postmeridian."

(c) Section 134(c) of the Legislative Reorganization Act of 1946 is repealed.

Sec. 403. (a) The Majority Leader shall, from time to time and as far in advance as is practicable, announce to the Senate those days on which he plans to have the Senate meet and the hour at which he plans to have the Senate meet on each day. In order to provide the maximum amount of time for meetings of committees, the Senate should meet only on as many days as are necessary for the proper conduct of its business and to comply with the Constitution of the United States, and should not meet on any day before the hour regularly prescribed for commencement of daily sessions unless the business of the Senate so requires.

(b) Paragraph 3 of rule VII of the Standing Rules of the Senate is amended by striking "until the hour of 1 o'clock has arrived" and inserting in lieu thereof "until the conclusion of one hour after the meeting of the Senate was commenced".

(c) Rule VIII of the Standing Rules of the Senate is amended by striking out "2 o'clock" in paragraphs 1 and 2 and inserting in lieu thereof "the conclusion of two hours after the meeting of the Senate was commenced".

(d) Rule XII of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"4. Any roll call vote ordered during the first two hours of a daily meeting of the Sen-

(c) Notwithstanding paragraph 1 of rule XXV and paragraph 3 of this rule, all proposed legislation relating to the subject matter or matters over which an ad hoc committee established pursuant to subparagraph (a) has jurisdiction (as specified in the resolution establishing that ad hoc committee) shall be referred to that ad hoc committee.

"(d) An ad hoc committee established pursuant to this paragraph shall have power to report proposed legislation and shall have the powers conferred upon standing committees by section 134(a) of the Legislative Reorganization Act of 1946. The provisions of section 133 of the Legislative Reorganization Act of 1946 shall apply to any such ad hoc committee. For purposes of the Standing Rules and other rules of the Senate (including provisions of the Legislative Reorganization Act of 1946 enacted as rules of the Senate), an ad hoc committee established pursuant to this paragraph shall be treated as a special committee of the Senate.

"(e) With the approval of the chairman and ranking minority member of the committee concerned, an ad hoc committee established pursuant to this paragraph may utilize the personnel, services, and facilities of any other committee of the Senate.

"(f) Beginning with the day on which a resolution described in subparagraph (a) is introduced and until such resolution is disposed of, any proposed legislation introduced which involves any of the subject matters specified in such resolution shall not be referred to a committee, but shall be printed in the Congressional Record of the day on which introduced."

#### TITLE IV—SCHEDULING OF COMMITTEE MEETINGS

Sec. 401. (a) Under the supervision and direction of the Majority Leader, the Minority Leader, and the Committee on Rules, Administration, and Standards, the Secretary of the Senate shall establish and maintain a computerized schedule of all meetings of committees of the Senate and subcommittees thereof, and of all meetings of joint committees of the Congress (including committees of conference) and subcommittees thereof. Such schedule shall be maintained on-line to terminals in the offices of all Senators, committees of the Senate, and permanent joint committees of the Congress, and shall be up-dated hourly.

(b) Each committee of the Senate, and each subcommittee thereof, shall notify the Secretary of the Senate of each meeting of such committee or subcommittee, including the time period or periods (as prescribed in paragraph 9 of rule XXV of the Standing Rules of the Senate), the place, and the purpose of such meeting. The Senate members of any joint committee of the Congress or of a subcommittee thereof shall cause notice to be given to the Secretary of the Senate of each meeting of such joint committee or subcommittee, including the time, place, and purposes of such meeting. Notice under this subsection shall be given immediately upon scheduling a meeting.

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ate shall not be held before two o'clock post-meridian unless ordered by the Senate, on a previous calendar day, by majority vote or by unanimous consent."

TITLE V—CONTINUING REVIEW OF THE COMMITTEE SYSTEM

Sec. 501. (a) The Majority Leader and the Minority Leader shall review, on a continuing basis, the committee system of the Senate and the standing rules and other rules of the Senate related thereto.

(b) During the second regular session of each Congress, the Majority Leader and the Minority Leader shall submit to the Senate a report of the results of their review under subsection (a) during that Congress. Such report shall include their recommendations (if any) for changes in the committee system of the Senate and the standing rules and other rules of the Senate related thereto.

(c) At the request of the Majority Leader or Minority Leader, the Secretary of the Senate, the Secretary for the Majority, and the Secretary for the Minority shall provide such assistance as may be requested to assist them in carrying out their duties and responsibilities under this section.

TITLE VI—AMENDMENTS NOT WITHIN A COMMITTEE'S JURISDICTION

Sec. 601. The Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"RULE XLV—COMMITTEE AMENDMENTS NOT WITHIN ITS JURISDICTION

"1. A committee shall not report any bill or resolution with any proposed committee amendment (other than a technical, clerical, or conforming amendment) which contains any matter not within the jurisdiction of that committee. If any bill or resolution is reported to the Senate with any such proposed committee amendment, a point of order may be made against the bill or resolution and, if the point is sustained, the bill or resolution shall be recommitted to the committee which reported it.

"2. Paragraph 1 shall not apply to an appropriation bill or resolution reported by the Committee on Appropriations."

TITLE VII—MISCELLANEOUS

Sec. 701. This resolution and the amendments to the Standing Rules of the Senate made by this resolution shall take effect on the thirtieth day after the day on which this resolution is agreed to.

Sec. 702. To the extent necessary to carry out the provisions of paragraph 1 of rule XXV of the Standing Rules of the Senate (as amended by title I of this resolution), all proposed legislation and nominations referred before the effective date of this resolution to the standing committees of the Senate shall be referred on such effective date to the appropriate standing committees.

Sec. 703. Any reference in any rule, resolution, or order of the Senate or in any law, regulation, or executive order to any standing committee of the Senate (as such committees were constituted before the effective date of this resolution) shall, after such effective date, be considered as referring to the appropriate standing committee established by paragraph 1 of rule XXV of the Standing Rules of the Senate (as amended by title I of this resolution).

APPROVAL OF BILLS AND JOINT RESOLUTIONS—MESSAGE FROM THE PRESIDENT

A message from the President of the United States received on October 25,

1976, stated that he had approved and signed the following bills and joint resolutions:

September 30, 1976:

S. 522, An Act to implement the Federal responsibility for the care and education of the Indian people by improving the services and facilities of Federal Indian health programs and encouraging maximum participation of Indians in such programs, and for other purposes.

October 1, 1976:

S. 1404, An Act for the relief of Mrs. Kyong Chu Stout.

S. 1477, An Act for the relief of Beatrice Serrano-Toledo.

S. 1787, An Act for the relief of Maria Lisa R. Manalo, and Rogena R. Manalo.

S. 2090, An Act to make the provisions of section 1331(c) of title 10, United States Code, retroactive to November 1, 1953.

S. 2220, An Act to authorize and direct the Secretary of the Interior to reinstate oil and gas lease New Mexico 18302.

S. 2491, An Act for the relief of Oscar Rene Hernandez Rustrian.

S. 2668, An Act for the relief of Arturo Moreno Hernandez.

S. 2770, An Act for the relief of Anthony Augustus Daley and Beverly Evelyn Daley.

S. 2830, An Act for the relief of Gary A. Broyles.

S. 2956, An Act for the relief of Teresa Marie Salman.

S. 3052, An Act to authorize orientation and language training for families of certain officers and employees of the Department of Agriculture.

S. 3095, An Act to increase the protection of consumers by reducing permissible deviations in the manufacture of articles made in whole or in part of gold.

October 2, 1976:

S. 2322, An Act for the relief of Lee Mee Sun.

October 4, 1976:

S. 3651, An Act to amend the Alaska Native Claims Settlement Act to provide for the withdrawal of lands for the village of Klukwan, Alaska, and for other purposes.

October 5, 1976:

S. 866, An Act for the relief of Patrick Andre Tasselin.

S. 3734, An Act to approve the sale of certain naval vessels, and for other purposes.

October 7, 1976:

S. 3430, An Act to amend the Act approved August 18, 1970, providing for improvement in the administration of the National Park System by the Secretary of the Interior and clarifying authorities applicable to the National Park System, and for other purposes.

October 8, 1976:

S. 2981, An Act to authorize appropriations for the Indian Claims Commission for fiscal year 1977, and for other purposes.

S. 3146, An Act for the relief of Iso J. Conway.

S. 3330, An Act for the relief of Miss Mary Vance Trent.

S. 3485, An Act for the relief of Orlando Garzon.

S. 3843, An Act to name the Visitors' Center at Sleeping Bear Dunes National Lakeshore the "Phillip A. Hart Visitors' Center".

October 11, 1976:

S. 14, An Act to provide cost-of-living adjustments in retirement pay of certain Federal judges.

S. 1071, An Act to designate the plaza area of the Federal Building, Portland, Oregon, the "Terry Schruink Plaza".

S. 2618, An Act for the relief of Chea Hyo Suk.

S. 2839, An Act to supplement the authority of the President to collect regular and periodic information on international investment.

S. 2942, An Act for the relief of Kendrick Adams, a person known as Kendrick (Washington Clifton.)

S. 2991, An Act to amend the Hazardous Materials Transportation Act to authorize appropriations, and for other purposes.

S. 3050, An Act to authorize the Secretary of the Department in which the Coast Guard is operating to lease housing facilities for Coast Guard personnel in a foreign country on a multi-year basis.

S. 3159, An Act to regulate commerce and protect human health and the environment by requiring testing and necessary use restrictions on certain chemical substances, and for other purposes.

S. 3757, An Act for the relief of Walter Louis Laqueur and his wife Barbara Auguste Helene Koch Laqueur.

October 12, 1976:

S.J. Res. 181, Joint Resolution to authorize the erection of the American Legion's Freedom Bell on lands of the park system of the District of Columbia, and for other purposes.

S. 1414, An Act to amend the Commercial Fisheries Research and Development Act of 1964 to change certain procedures in order to improve the operation of the programs under such Act and to make the Trust Territory of the Pacific Islands eligible to participate in such programs.

S. 1506, An Act to amend the Wild and Scenic Rivers Act, and for other purposes.

S. 2228, An Act to amend the Public Works and Economic Development Act of 1965, as amended, to extend the authorizations for a three-year period.

S. 2657, An Act to extend the Higher Education Act of 1965, to extend and revise the Vocational Education Act of 1963, and for other purposes.

S. 3035, An Act for the relief of Alice W. Olson, Lisa Olson Hayward, Eric Olson, and Nils Olson.

October 13, 1976:

S. 3383, An Act to authorize and direct the Secretary of Commerce to develop a national policy on weather modification, and for other purposes.

October 14, 1976:

S.J. Res. 126, Joint Resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas.

S.J. Res. 209, Joint Resolution authorizing the President to proclaim the week of October 10 through 16, 1976, as "Native American Awareness Week".

S. 3441, An Act to authorize the Architect of the Capitol to perform certain work on and maintain the historical sections of the Congressional Cemetery and to study and formulate proposals for renovation and permanent maintenance of such sections by the United States.

October 15, 1976:

S. 726, An Act to direct the Secretary of the Interior to convey, for fair market value, certain lands to Valley County, Idaho.

S. 969, An Act to amend title 38, United States Code, to set a termination date for veterans' educational benefits under chapters 34 and 36, to increase vocational rehabilitation subsistence allowances, educational and training assistance allowances, and special allowances paid to eligible veterans and persons under chapters 31, 34, and 35; to extend the basic educational assistance eligibility for veterans and for certain dependents from thirty-six to forty-five months; to improve and expand the special programs for educationally disadvantaged veterans and servicemen under chapter 34; to improve and expand the education loan program for veterans and persons eligible for benefits under chapter 34 or 35; to create a new chapter 32 (Post-Vietnam Era Veterans' Educational Assistance program) for those entering military service on or after January 1, 1977; to make other improvements in the educational assistance program; to clarify, codify, and



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### ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Executive Registry

76-5992

FROM:

Legislative Counsel

EXTENSION

NO.

DATE

30 December 1976

STAT

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

TINTL

DDCI

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12/30

ML

I thought you would be interested in the attached run-down on the status of the report of the Committee on Committees in the Senate. Re 2a, it is expected that the SSCI will submit a report justifying its continuation and that the Senate will accept it and continue its jurisdiction.

STATINTL

George L. Cary  
Legislative Counsel

cc: DCI  
D/DCI/IC

*OLC*