

S. 3683. An act for the relief of Doctor Juan Bautista Lopez Ruiz.

S. 3894. An act to amend the Federal Water Pollution Control Act, as amended.

On October 12, 1976:

S. 12. An act to amend section 376 of title 28, United States Code, in order to reform and update the existing program for annuities to survivors of Federal justices and judges.

S. 507. An act to establish public land policy; to establish guidelines for its administration; to provide for the management, protection, development, and enhancement of the public lands; and for other purposes.

S. 800. An act to amend chapter 7, title 5, United States Code, with respect to procedure for judicial review of certain administrative agency action, and for other purposes.

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 strengthen the administration of educational benefits to prevent or reduce abuse; to promote the employment of veterans by improving and expanding the provisions governing the operation of Veterans' Employment Services; and for other purposes.

S. 1283. An act to improve judicial machinery by further defining the jurisdiction of United States magistrates, and for other purposes.

S. 1437. An act to distinguish Federal grant and cooperative agreement relationships from Federal procurement relationships, and for other purposes.

S. 2150. An act to provide technical and financial assistance for the development of management plans and facilities for the recovery of energy and other resources from discarded materials and for the safe disposal of discarded materials, and to regulate the management of hazardous waste.

S. 2533. An act to provide that the lake formed by the lock and dam referred to as the "Jones Bluff lock and dam" on the Alabama River, Alabama, shall hereafter be known as the R. E. "Bob" Woodruff Lake.

S. 2548. An act to revise and extend the provisions of title XII of the Public Health Services Act relating to emergency medical services systems, and for other purposes.

S. 2910. An act to amend the Public Health Service Act to revise and extend provisions respecting arthritis, diabetes, and digestive diseases.

S. 3063. An act designating Ozark Lock and Dam on the Arkansas River as the "Ozark-Jeta Taylor Lock and Dam".

S. 3091. An act to amend the Forest and Rangeland Renewable Resources Planning Act of 1974, and for other purposes.

S. 3521. An act to expedite a decision on the delivery of Alaska natural gas to United States markets, and for other purposes.

S. 3553. An act to define the jurisdiction of United States courts in suits against foreign states, the circumstances in which foreign states are immune from suit and in which

execution may not be levied on their property, and for other purposes.

S. 3823. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

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

#### MESSAGES FROM THE PRESIDENT

On October 26, 1976, the following Messages from the President of the United States were received:

The President has pocket vetoed the following:

Effective at midnight, October 12, 1976:

S. 3790, An act for the relief of Camilla A. Hester.

Effective at midnight, October 19, 1976:

S. 2081, An act to provide for furthering the conservation, protection, and enhancement of the Nation's agricultural resources for sustained use, and for other purposes.

Effective at midnight, October 23, 1976:

S. 1437, An act to distinguish Federal grant and cooperative agreement relationships from Federal procurement relationships, and for other purposes.

S. 3553, An act to define the jurisdiction of United States courts in suits against foreign states, the circumstances in which foreign states are immune from suit and in which execution may not be levied on their property, and for other purposes.

S. 3790

#### MEMORANDUM OF DISAPPROVAL

I have withheld my approval from S. 3790, a private bill which would authorize a civil service survivor annuity retroactive to September 28, 1972, to Mrs. Camilla A. Hester as the widow of the late John A. Hester.

While I am sympathetic to Mrs. Hester's circumstances, S. 3790 unfortunately contains two precedent-setting provisions which I consider very undesirable, not only for future private relief legislation, but also for ordinary claims under the Civil Service Retirement System.

The first would require the Civil Service Commission to pay interest at 6 percent per annum retroactive to 1972 on the survivor's benefit which would be authorized by S. 3790. The second would require the Treasury to pay Mrs. Hester \$5,000 as compensation for her successful effort to be awarded the benefit. Neither of these provisions are appropriate, in my judgment, in bringing Mrs. Hester equitable relief.

For these reasons I am unable to approve S. 3790. I have signed other private relief legislation during the 94th Congress designed to rectify the inequitable circumstances arising from the "length of marriage" requirement in the civil service retirement law. However, those bills did not contain the objectionable provisions contained in S. 3790. I would be pleased, however, to consider legislation for Mrs. Hester that would provide appropriate relief without the objectionable features discussed above.

S. 2081

#### MEMORANDUM OF DISAPPROVAL

I am withholding my approval from S. 2081, the "Agricultural Resources Conservation Act of 1976."

S. 2081 would have required the Federal Government—the Soil Conservation Service of the Department of Agriculture—to appraise the land, water and related resources of the Nation, and to develop a plan and administer a program for the use of private and non-Federal lands.

I have several objections to S. 2081. The bill would set the stage for the creation of a large and costly bureaucracy to "cooperate" with State and local governments and private landowners in an attempt to insure land use in compliance with the master plan. Too often Federal "cooperation"—when accompanied by vast amounts of Federal dollars and a large bureaucracy—becomes Federal "direction."

I am not opposed to providing technical assistance to those who need it. The Federal Government, including the Soil Conservation Service, already does a great deal in the management and protection of our natural resources. My 1977 budget proposal called for outlays in excess of \$11 billion for these programs. Included in that amount is over \$400 million for the very program administered by the Soil Conservation Service to which this bill is directed.

In addition, the bill would subject the President's statement of policy—a document that would be used in framing Executive Branch budget requests for this program—to a 60-day review period during which either House of Congress may disapprove the statement of policy by simple resolution. This would be contrary to the general principle of separation of power whereby Congress enacts laws but the President and the agencies of government execute them. Furthermore, it would violate Article I, section 7 which requires that resolutions having the force of law be sent to the President for his signature or veto.

In summary, S. 2081 would violate the principles of fiscal responsibility, minimum Federal regulation, separation of powers, and constitutional government, and accordingly, I withhold my approval.

S. 1437

#### MEMORANDUM OF DISAPPROVAL

I am withholding my approval of S. 1437, the Federal Grant and Cooperative Agreement Act of 1976.

This legislation has a laudable goal—to clarify and rationalize the legal instruments through which the Federal Government acquires property and services and furnishes assistance to State and local governments and other recipients. The bill would establish three categories of legal instruments which Federal agencies would be required to use: procurement contracts, grant agreements, and cooperative agreements. These categories would be defined according to their different purposes.

S. 1437 would also require the Director of the Office of Management and Budget to undertake a study which would (1) "develop a better understanding of alternative means of implementing Federal assistance programs . . .", and (2) ". . . determine the feasibility of developing a comprehensive system of guidance for Federal assistance programs."

The Office of Management and Budget

completed a study, almost a year ago, of the definitions of "grant", "contract" and "cooperative agreement." That study, which has been reviewed by other Federal agencies, public interest groups, and other interested associations and groups, confirmed support for the objectives of this legislation but led to serious questions as to whether at this point legislation is necessary or desirable.

No matter how careful the drafting, a bill which requires thousands of transactions to be placed into one of three categories will probably result, in many cases, in limiting the flexibility of Federal agencies in administering their programs and creating a large number of technical difficulties for them. Federally supported basic research programs would be particularly difficult to classify in terms of the definitions in this bill.

The Office of Management and Budget is continuing to work in this area with the cooperation of other Federal agencies. It plans to issue policy guidance to Federal agencies that would more clearly distinguish between procurement and assistance transactions and to better define patterns of assistance relationships between Federal agencies and funding recipients.

In addition, OMB has been developing more comprehensive guidance for assistance programs, as indicated by the recent circulars issued by the agency establishing uniform administrative requirements for hospitals, universities, and nonprofit grantees. I am directing OMB to continue to emphasize such activities.

Subsequent modifications and refinements can be made in these directives when further operating experience and evaluation suggest they are needed. Such an evolving set of activities in the Executive branch, a step-by-step process which learns from experience, is preferable to another lengthy study as required by this bill.

In view of the extremely complex and changing nature of Federal assistance programs, I believe that Congress should not legislate categories of Federal assistance relationships, but leave the number and nature of such classifications to the Executive branch to determine and implement. If experience from the studies and evaluations now underway demonstrates that legislation is required, that experience would also provide a better foundation for formulating legislation than we have now.

Accordingly, I must withhold my approval of S. 1437.

S. 3553

MEMORANDUM OF DISAPPROVAL

I am withholding my approval from S. 3553, the Foreign Sovereign Immunities Act of 1976, for technical reasons.

In its haste to adjourn, the Congress passed identical Senate and House bills on this subject. At the time the Senate passed the House bill, H.R. 11315, it attempted to vacate its earlier passage of S. 3553 but was unable to do so because it had left the Senate's jurisdiction. The House, unaware that the Senate had passed the House bill, also passed the Senate bill.

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