S. 3883. An act for the relief of Doctor Juan Bautista Lopez Ruiz.

On October 12, 1976:

S. 3883. An act to amend the Federal Water Pollution Control Act, as amended.

S. 3887. An act to amend section 376 of title 28, United States Code, in order to reform and update the existing program for annuity survivors of Federal justices and judges.

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

S. 8022. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and other purposes.

S. Res. 209. A joint resolution authorizing the President to proclaim the week of October 10 through October 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. 3780. An act for the relief of Camilla A. Hester.

Effective at midnight, October 19, 1976:

S. 2081. An act to provide for the furthering of 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. 3883. An act to define the jurisdiction of the 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. 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 1974 amendments to the Federal grant and cooperative agreement relationships from Federal procurement relationships, and for other purposes.

S. 8022. An act to amend the Federal Procurement Act to revise and extend provisions governing Federal grants and cooperative agreements, and for other purposes.

S. 1437. 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. 3887. 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 and for the safe disposal of discarded materials, and to regulate the management of hazardous waste.

S. 3883. 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. 357. An act to provide for the furthering of the conservation, protection, and enhancement of the Nation's agricultural resources for sustained use, and for other purposes.


The Office of Management and Budget has determined that 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."

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

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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, reviewed by OMB, 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 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 and 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. 1497.

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 the Foreign Sovereign Immunities Act of 1976, which has been referred by the President to the Senate. At the time the Senate passed the House bill, H.R. 11315, it attempted to vacate its earlier passage of S. 3553 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 enacted and that 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 COMMITTEE 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.

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

(Referred to the Committee on Rules and Administration.)

Pursuant to the provisions of the order of the Senate of September 30, 1976, Mr. Steven son and Mr. Brock (for themselves, Mr. Cranston, Mr. Dole, Mr. Domenici, Mr. Gravel, Mr. Hansen, Mr. Hatfield, Mr. Metcalfe, 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

Sec. 101. Rule XXXV 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 to the following subjects:

"1. Agriculture and agricultural commodities.

"2. Inspection of livestock, meat, and agricultural products.

"3. Animal industry and diseases.

"4. Fruits and vegetables.

"5. Agricultural extension services and experiment stations.

"6. Forestry.

"7. Agricultural economics and research.

"8. Home economics.


"10. Farm credit and farm safety.

"11. Rural development, rural electrification, and watershed.

"12. Agricultural production, marketing, and stabilization of prices.

"13. Crop insurance and soil conservation.


"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.

"(b) Such committee shall also study and review, on a comprehensive basis, any matter relating to food, nutrition, and hunger, both in the United States and in foreign countries, and all problems of American small businesses enterprises that are not legislatively amenable in relation thereto which would not only be of public interest, but which would also directly concern U.S. interests in foreign 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. Committee on Appropriations, to which committee shall be referred any 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.


"10. National security aspects of atomic energy.

"(c) 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) Committee on Banking, Housing, and Urban Affairs, to which committee shall be referred any proposed legislation, messages, 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.


"(d) Such committee shall also study and