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THE PROBLEM OF THE  
INDEPENDENT REGULATORY COMMISSIONS

by  
ROBERT E. CUSHMAN



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## INTRODUCTION

### Statement of the Problem

By "independent", as applied to a commission or board, is meant that it is wholly outside any regular executive department. It is not subject to control by any Cabinet secretary or by the President. The members of some "independent" commissions can be removed from office by the President in his discretion, whereas in other cases such removals may be made only for causes set out in the statutes. "Independence", as the term is used in this study, does not mean independence of Presidential removal, but merely a status of isolation from the major executive departments. The term "regulatory" implies governmental control over private conduct or property interests, and distinguishes such a body as the Federal Trade Commission, which is supposed to police interstate commerce in behalf of fair competition, from the independent Farm Credit Administration, which carries on the work of lending Government money. The Federal Trade Commission regulates, the Farm Credit Administration does not.

The independent regulatory commissions present a challenging problem in any program of Federal administrative reorganization. They stand actually and potentially for decentralization. Though they do not escape supervision by the courts, they are wholly free from control by the President. Experience has evolved no practical means of making them responsible to the Congress. As someone has said, they are a sort of "fourth department" in the National Government.

Beginning with the Interstate Commerce Commission in 1887, Congress has used the independent commission technique in more than a dozen cases for the handling of various regulatory jobs. But in fully as many cases Congress has given the same kind of regulatory functions to bureaus in the executive departments, especially in the Department of Agriculture. If Congress has followed any consistent principle in choosing between these two methods, it has failed to disclose what that principle is. Sometimes the same function has been set up in both ways successively, as in the case of the Shipping Board, which began as an independent commission, later became a bureau in the Department of Commerce, and in 1936 emerged again in the guise of the new independent Maritime Commission.

The whole problem may be stated thus: There is high respect, based on experience, for the independent commission as a device for Federal regulation. There exists a strong inclination to use this method for handling new regulatory jobs as they emerge. At the same time, the multiplication of these independent bodies tends inevitably toward a decentralized and chaotic administrative system. They are areas of unaccountability. They occupy important fields of administration beyond the reach of Presidential direction and responsibility. Is there any logical point at which to stop creating them? If not, is there any alternative or compromise plan by which the major advantages of the independent commission technique may be kept, and at the same time the administrative confusion that comes from setting up numerous independent bodies avoided?

The purpose of this study is not to pass judgment on whether the Federal Trade Commission or any other existing commission ought to be robbed of its independent status. It is rather to try to find a principle or a technique that may aid in dealing with the problem of implementing Federal regulatory functions as a continuing or long-time problem. What may be done in a single case, or even in several cases, may not be of vital importance. What is done in the long run as a matter of general policy is of very great importance. If such a principle can be discovered some gain will have been made. To others may be left the problem of whether that principle should be applied in any concrete case. The object is not to tear down going concerns but to improve, if possible, the plans by which future structures may be built.

### Synopsis of Study

The first three parts of this study deal with the development and nature of the independent commission problem.

Part I is historical and factual. It traces the growth of commissions in the United States and describes the variety of reasons, motives, and theories underlying their creation. It touches briefly on the diversity of their functions and the volume and importance of their work.

Part II analyzes the existing and continuing problem posed by the commissions. This problem takes the form of a dilemma that arises from the merging in an independent body of both policy-determining and judicial functions.



The status of independence in the field of policy defeats effective administrative management; the imposition on a quasi-judicial body of the job of the law-maker and the administrator menaces its judicial neutrality.

Part III reviews the constitutional and legal principles relevant to the commission problem and its solution. These principles relate to the President's power of removal and direction with respect to the commissions and the supervision of the work of the commissions by the Federal courts.

The last two parts of the report present a tentative proposal for a solution of the independent commission problem and an appraisal of that proposal.

Part IV presents the details of the suggested plan. It is, in essence, to put the independent regulatory commission in an Executive department by "breaking it down" in structure and functions into an administrative section responsible to the President and a quasi-independent judicial section. Careful analysis is made of the organization of these sections and also of the division of functions between them.

Part V sets forth the advantages of the plan and the criticisms directed against it, and pre-

sents a compact summary and appraisal of various alternative proposals.

#### **List of Independent Commissions**

A list is here given of the independent bodies that have received attention in the preparation of this study. The study deals with the problem of commissions, not with the commissions as such. The bodies listed have not been studied with equal intensity. No two of them are identical and each makes its own contribution to the problem under consideration, contributions of widely varying importance and value.

Interstate Commerce Commission.  
Federal Trade Commission.  
United States Shipping Board (defunct).  
Federal Power Commission.  
Federal Radio Commission (defunct).  
Securities and Exchange Commission.  
Federal Communications Commission  
(supplanting the Federal Radio Commission).  
National Labor Relations Board.  
Bituminous Coal Commission.  
United States Maritime Commission.

## I. HISTORICAL BACKGROUND OF THE PROBLEM<sup>1</sup>

### A. THE DEVELOPMENT OF INDEPENDENT COMMISSIONS

Congress began 50 years ago to create independent commissions to handle Federal regulatory functions. This movement in the field of national administration is the result of much legislative groping—much reliance upon trial and error. It has developed its own philosophy as it has gone along. Its major principles have never been followed with complete consistency and the commissions set up have varied widely in form and function. A good deal is known about some of the commissions, but the commission movement as such has never been explored. Important questions concerning it have remained unanswered. Among these are the following: What motives or reasons led Congress to create independent commissions? Why have those commissions varied so widely in organization and duties? What relationships were the commissions supposed to bear to the three departments of the Government? Why has Congress created independent commissions to handle some regulatory functions, whereas in other cases it has given the same sort of functions to the regular executive departments? The following brief survey of the commission movement, based mainly upon its legislative history, attempts to throw some light on these questions.

It is obvious that the full story of the creation of the major regulatory commissions would comprise vital chapters in the Nation's economic history. There is not space for that story here, but no account of the commission movement however brief can ignore the following facts: First, the decline of *laissez faire* and the growth of governmental regulation of business that followed upon the heels of the Civil War and Reconstruction. Second, the emergence of vitally important economic problems demanding Federal rather than State regulation. Third, the growth of the technique of governmental regulation through the legislative formulation of "standards" of business conduct to be applied in concrete cases by the quasi-judicial decisions of administrative agencies. Fourth, the emergence of the idea that governmental regulation of business should not be confined to

the enforcement of criminal penalties but should partake of continuous and not unfriendly supervision.

It may be noted that early congressional experimentation with the independent commission was influenced by the experience of the States. Twenty-five State commissions were already regulating railroads when the Interstate Commerce Act was passed in 1887. The seeds were being rapidly sown for the growth of the multitude of State boards and commissions that were ultimately to produce the almost complete decentralization of executive power in the American State.

#### The Interstate Commerce Commission, 1887

Someone has said that had it not been for the Supreme Court's decision in 1869 (*Paul v. Virginia*, 8 Wallace 168) that interstate insurance business is not interstate commerce, the first Federal commission would probably have been an insurance commission. Be that as it may, the Court unquestionably precipitated the action that created the Interstate Commerce Commission by holding, in *Wabash, St. Louis and Pacific Railway Co. v. Illinois* (118 U. S. 557), decided in 1886, that the interstate railroad business was subject to exclusive Federal control under the commerce clause and that abuses in it could not be corrected by State law. If the railroads were to be regulated, Congress must do it.

The Interstate Commerce Act was directed against concrete abuses—pooling, discriminations, rebates, and the like. Congress had been considering the problem of regulation for over a decade and numerous bills had been introduced. As the discussions progressed, the issue was drawn between the House and the Senate over the creation of an independent commission. The House, led largely by Mr. Reagan from Texas, favored laws that would punish rate abuses and rebates, and that would be enforced by the Department of Justice in the regular courts. To set up a commission, it was urged, would be to provide a substitute for action, a sop thrown to the public in lieu of direct and responsible enforcement of laws

<sup>1</sup>This survey of the history of the regulatory commission movement is, of necessity, very cursory. A more thorough investigation, under other auspices, is in progress.

that had real teeth. A commission would not be large enough, nor honest enough, to exercise wide powers of control over the railroad system. Such a commission, further, would involve an unconstitutional delegation of legislative power.

The commission idea was sponsored in the Senate by Senator Cullom. He urged that the mere existence of a commission would prevent a large number of abuses; many cases would be settled out of court, and the cost and delay of litigation would thus be saved; the shipper with a *prima facie* case against the railroad would have that case prosecuted by the Government; and the commission would be able, as a body of experts, to study and report back to Congress on all phases of the problem of railroad regulation.

The compromise between these two positions, hastened by the decision in the Wabash Railway Co. case, already mentioned, resulted in setting up a commission and in putting into the act drastic prohibitions against railroad abuses. It is clear that the new commission was not to "manage" or "regulate" the railroads in any positive or constructive way. It was not looked upon as a court with authority to decide anything finally. It was to investigate complaints and start action in the courts. It was to keep Congress informed as to the progress of the whole job and recommend legislation that might be needed.

Congress does not seem to have had any clearly worked out philosophy as to where the new Interstate Commerce Commission fitted into the governmental structure. In some ways it was to aid the process of legislation, in other ways the process of law enforcement. It had no direct relations with the President, nor had he figured in the movement that led to its creation. The details of its structure and organization escaped serious discussion. The new commission was to send its annual report to the Secretary of the Interior who was instructed to provide the commission with offices and supplies and to approve its expense vouchers and the appointment and compensation of its employees. The Secretary of the Interior almost immediately asked to be relieved of these responsibilities and the commission was made completely independent in 1889.

The new commission got off to an inauspicious start. It was viewed as a natural enemy by the railroads. The courts looked upon it with suspicion because of its hybrid powers and by decision after decision reduced its meager authority. But Congress watched its work closely, considered with care its numerous legislative proposals, and ultimately strengthened it by legislation. By degrees it became a powerful regulatory body. It has been given many of its later functions not because it is important to have them handled by an independent body, but because the Commission could take them over more easily than any other agency. It has earned the respect of the

courts, which now extend it a deference withheld from some of the younger and less powerful commissions.

The first Federal regulatory commission stands out as the most conspicuous and successful. With a staff of nearly 2,000 and a budget of six millions, it regulates and manages the land transportation system of the Nation. Its powers are legislative, administrative, and judicial. It has a responsibility to the courts to keep within its statutory powers. It has a vague responsibility to the Congress with respect to its whole job, but there is no way of making that responsibility effective except by additional statutory instructions. It has no formal responsibility to the President, though its paths cross his at numerous points. It is, in short, a little government in itself, set up for the purpose of governing the railroads—a sort of fourth department for the administration of a single function of vast importance. Small wonder that Congress has looked upon its handiwork with satisfaction and has been strongly impelled to follow the same technique for the handling of new regulatory functions as they have emerged.

#### The Federal Trade Commission, 1914

The Sherman Antitrust Act of 1890, unlike the Interstate Commerce Act, did not set up an administrative commission to aid its enforcement. It relied for that purpose on the Department of Justice and the courts. The actual enforcement of the act did not inspire public confidence either in the adequacy of the law or in the zeal of the Attorney General in prosecuting those who violated it. A conviction that new and clarifying antitrust legislation was necessary was reinforced by the Supreme Court's announcement of the "rule of reason" in the Standard Oil decision of 1911. If the Sherman Act did not prohibit all restraints of trade, but only those that were unreasonable, then some way ought to be devised to let the businessman know in advance which was which. Antitrust laws should be enforced not merely by inflicting punishments but through the steady supervision of a permanent administrative agency.

The movement for an "interstate trade commission" received support from three different sources. It came first from those who were hostile to big business in all its forms and who demanded the restoration by law of the competitive system. Antitrust laws should be more detailed and more drastic. A strong commission with powers to investigate unfair trade practices would assure vigorous enforcement of the law. It could aid the courts by expert advice in working out decrees of dissolution, a job believed to have been badly fumbled in the Standard Oil and American Tobacco cases. It could secure the publicity about business organizations necessary to keep them within the law, and could give to Congress its



expert recommendations for further regulatory legislation. Second, people in the business world favored a commission for wholly different reasons. They believed that the point of recognizing business combinations, if not monopolies, had been reached as the inevitable outgrowth of the modern economic order. They should be tolerated and supervised. The businessman had no way of knowing which trade practices were lawful and which were not. He favored a commission or board that would, on his request, scrutinize the conduct of his business, and either point out his unlawful conduct or give him a clean bill of health. It should not have too wide powers of publicity or of regulation but should serve as a friendly adviser to American business. It should have authority to legalize numerous trade practices that might be technical restraints of trade but that were deemed necessary to wholesome business expansion. In the third place, a substantial body of opinion believed that large interstate commerce corporations should be either licensed or incorporated under Federal law, a plan calling for an administrative commission for its adequate enforcement.

President Wilson threw his weight on the side of those who urged the retention and protection of free competition, and his influence was controlling. There was to be no underwriting of business combinations but there was to be administrative supervision which, combined with the sharper definitions of unlawful practices in the Clayton Act, would help the businessman to know where he stood.

Issue was sharply joined on the question of whether the new Trade Commission was to deal with "unfair methods of competition" or whether the law should attempt to define those methods with some precision. The weight of opinion was against an elaborate enumeration of such unfair practices. The Commission, under judicial supervision, could work out the exact meaning of "unfair methods of competition" as concrete cases arose. It is clear, however, that Congress expected the Commission to build up its own administrative law of unfair trade practices and not be limited rigidly to what had already been held to be unfair trade practices at common law.

There was little discussion of the exact organization of the Federal Trade Commission. The Interstate Commerce Commission provided a model and influenced legislative thinking. It was frequently alluded to and its management of the railroad problem was compared with the enforcement by the Department of Justice of the Sherman Act, very much to the Department's disadvantage. It was assumed that the new Commission must be independent, but it seemed to be felt that the desired independence would be secured by bipartisan membership. It was recognized that the functions of the Commission were administrative and quasi-judicial, and it was given important powers of investigation and legislative proposal. But it is clear

that the experimental and exploratory nature of the Commission's job was recognized on every hand.

The Federal Trade Commission has never acquired the strength and prestige of the Interstate Commerce Commission. Congress has given it meager support and has paid relatively scant attention to its legislative proposals. The Export Trade Act of 1918 resulted from the investigation and report of the Commission and enlarged its powers. Its investigation of the packers, 1918-20, resulted in the Packers and Stockyards Act of 1921, but the enforcement of the new regulatory measure was given to the Secretary of Agriculture and not to the Commission. Enforcement of the Securities Act of 1933 was given to the Commission; but that power was transferred to a new Securities and Exchange Commission by the Act of 1934. The Trade Commission has been given the task of administering the new Robinson-Patman price discrimination act. It is obvious, however, that it is only one of several agencies dealing with the problems of unfair trade practices.

#### United States Shipping Board, 1916

American foreign shipping has declined pretty steadily since the Civil War. For many years the feeling had been growing that the Government should take a hand in the situation. Shipowners and allied business interests favored Government subsidies. Shippers, though not opposed to subsidies, wanted relief from exorbitant and discriminatory rates. In 1914 a Senate committee presented an elaborate report on the condition of American shipping. The committee proposed a commission with power to fix rates and prohibit specific abuses in the shipping industry. Simultaneously Mr. McAdoo, the Secretary of the Treasury, set in motion a drive for a \$50,000,000 Government ship-building program. The outbreak of the war and the sudden demand upon American shipping which it created resulted in the merging of the two programs of regulation and promotion. The Shipping Board set up in 1916, originally designed to have drastic regulatory power, found itself devoting its time and attention to the building and operating of vessels. The regulatory function was practically forgotten. The Shipping Act of 1920 attempted to restore something approximating peace-time conditions. Still the major task of the Shipping Board, with its adjunct the Emergency Fleet Corporation, was the liquidation of the Government's own shipping interests and the problems incident to its ownership of some 2,000 vessels. Only very gradually did the regulatory aspects of the Shipping Board job come back into the picture.

When the Shipping Board bill was under discussion in Congress in 1916 it was urged in the House that two Cabinet secretaries should serve as ex-officio members. There was a long

debate, and finally, under pressure from the Senate, the proposal was dropped and the Board was made a full-time independent commission. From the beginning the Board was hampered by a requirement of geographical representation in its organization. This led to regional trading for ships and services and prevented the Board from handling many of its problems in a strictly impartial manner. It was not until the Economy Act in 1932 reduced the membership of the Board to three that the worst results of regional representation were eliminated.

At an early stage in the legislative history of the Shipping Board bill it was urged that the problem of dealing with common carriers by water should be turned over to the Interstate Commerce Commission. The conclusion was reached, however, that it would be better to set up a separate body rather than to burden the already overworked Interstate Commerce Commission with a new and important job.

The President was authorized by the statute to name the chairman of the Shipping Board, and the problem of chairmanship domination became a very difficult and controversial one during the later history of the Board.

The Shipping Board ended its career as an independent regulatory agency on August 10, 1933, when it was transferred to the Department of Commerce by Executive order of the President and became the United States Shipping Board Bureau.

#### **The Federal Power Commission, 1920**

The Federal Power Commission of 1920 was unique in being a wholly ex-officio body. It consisted of the Secretaries of Interior, War, and Agriculture. Its creation was a victory for forces that had been demanding increased Federal control over water power interests. They had been vigorously opposed, of course, by the private water power interests.

The history of the Act of 1920 fails to disclose any clean-cut congressional policy for dealing with the power problem. It seems to have been agreed that something needed to be done and that it ought to be done by a body that could give detailed study to the problem. Congress in creating the Commission passed on to it responsibility for important matters of policy. Its principal powers were to collect data upon which future legislation might be worked out and to license water power developments on the navigable streams subject to Federal jurisdiction.

Since the Commission was composed of three Cabinet secretaries, the problem of internal administration became vitally important. A single executive secretary was set up. The staff available for the extensive job assigned to the Commission was far from adequate and the administrative work fell badly in arrears. At the same time the power interests, recognizing the executive secretary as the key man, subjected him to terrific pressure where their problems were concerned. The whole scheme

worked badly and showed that an ex-officio commission is likely to be unsatisfactory. In the nature of the case it must have very rapid turnover of personnel, and the heavy responsibilities of the Cabinet officers leave them inadequate time and energy for problems of planning and policy.

Dissatisfaction with the Commission and the general power policy of the Government brought on a Senate investigation in 1930, which resulted in the enactment of the Federal Power Act of 1930. That act abolished the ex-officio Commission and set up in its place a full-time independent commission with five members. The new body inherited a number of controversies as to personnel and had some difficulty in getting on its feet. It has functioned more satisfactorily, however, than its predecessor. Under the Roosevelt administration it has been drawn into a broader power conservation program by the creation in 1934 of the National Power Policy Committee, of which it is one of the cooperating members.

#### **The Federal Radio Commission, 1927**

The problem of regulating radio transmission has been unique. An imperative physical need for the regulation of an industry crowded itself upon Congress before there was either opportunity or wisdom to evolve any well-thought-out policy of control. Some attempt to deal with the problem of radio transmission had begun in the Department of Commerce as far back as 1912. Under Secretary Hoover the matter had received more attention and one of the bureaus of the Department of Commerce took over a certain degree of responsibility in the radio field. The Secretary of Commerce, however, had no power to license broadcasting stations, and as time went on the necessity for providing for this power became perfectly obvious.

The radio industry wished to have the new regulatory authority given to the Secretary of Commerce. They had confidence in Mr. Hoover and they believed that better administration would come from a single headed administrative unit than from a commission. This view was strongly supported in the House. The Senate, however, insisted upon the creation of an independent commission, which was finally set up in the Act of 1927.

The legislative debates show that Congress had very vague notions as to what sort of regulation the radio industry needed and it did not give its newly created Commission any continued support. The problem was complicated by the steady demand for representation of the different geographical sections of the country. Congress watched the Commission with suspicion and for a series of years legislated it out of office every year. The members, however, were reappointed in each case. A careful study of the whole problem finally led to the creation in 1934 of the Federal Communications Commission, mentioned below.

**Securities and Exchange Commission, 1934**

The administration of the Securities Act of 1933 was given to the Federal Trade Commission, which added some 65 persons to its staff to handle its new responsibilities. When the regulatory task was about to be greatly increased by the Securities and Exchange bill of 1934, however, the Senate leaders insisted that a new independent commission be set up. The House Committee urged that the Trade Commission be expanded to handle the new job. There was no open criticism of the Trade Commission, but it was urged that the size and technical character of the task and the added prestige resulting from independence made a separate agency desirable. The Securities and Exchange Commission was accordingly set up. Several suggestions that the Commission be composed in part of cabinet members, bankers, and stock exchange representatives were discarded in favor of a full-time body representing no special interests.

**Federal Communications Commission, 1934**

The background of the Federal Communications Commission has been outlined in commenting upon the Federal Radio Commission. The new body was set up under an act that definitely increased its regulatory authority, made its powers much more specific, and turned over to it the regulation of the telegraph and telephone systems of the country, a power that had previously been vested in the Interstate Commerce Commission. The requirement of geographical representation, which had worked so badly in the Radio Commission, was not imposed on the new body. When the Communications bill was introduced in Congress it provided that the members of the commission should be removable only for causes stated. The act emerged without this provision, though there is no record of why the change was made.

**The National Labor Relations Board, 1935**

There was at first no machinery for handling labor disputes under the National Recovery Administration. In August 1933, the President issued a press release creating the National Labor Board, formalized by Executive order in December 1933. This Board consisted of three representatives from labor, three from industry, and an "impartial" chairman. This was followed by the National Labor Relations Board of 1934, created under Executive order authorized by statute. This Board was established "in connection with the Department of Labor." It was independent of the Secretary, but it utilized the facilities of the Department and submitted its recommendations to the President through the Secretary. It was succeeded, after an unsuccessful career, by the National Labor Relations Board created by statute in 1935.

This Board is the first genuinely regulatory establishment that has been set up in the labor field. It has substantial powers similar in character to those of the Federal Trade Commission. The act defines specifically some seven or eight unfair labor practices that are declared to be unlawful. The Board, following the general technique of the "cease and desist" orders issued by the Federal Trade Commission may proceed against employers found guilty of any of these unfair labor practices.

It was strongly urged that the Labor Relations Board should be set up as an independent agency but inside the Department of Labor. Secretary Perkins strongly supported this idea. She proposed that the Board should be quite independent with regard to its positive duties, but that for purposes of budget, personnel, and matériel administration it ought to be housed in the Department in order to stop the growing tendency toward the creation of new independent agencies. This position was strongly endorsed by the American Federation of Labor and other representatives of labor. In the committee hearings on this question, the labor representatives, with no very great shrewdness, urged that the Labor Relations Board should be placed in the Department of Labor, because the Department of Labor was the traditional friend of organized labor. This argument was hardly convincing to the employers. They preferred to see the Board made independent of a Department claimed by labor as its special friend.

**The Bituminous Coal Commission, 1935**

The Guffey Coal Act was an attempt to stabilize the soft coal industry after the breakdown of the coal code as a result of the N. R. A. decision. Its purpose was to prevent the cut-throat competition which for many years had been ruining the soft coal industry and to establish more satisfactory working conditions. It authorized the establishing of minimum prices as a means of controlling competition. The administration of the act was turned over to a Bituminous Coal Commission which had wide authority to establish and administer the detailed regulations necessary. The decision of the Supreme Court in the Carter case in 1936 invalidated the major portions of the Guffey Act and left the Commission with practically nothing to do.

The Bituminous Coal Commission is unique in the development of American administration. It is the one instance of a wholly independent regulatory body set up inside a department. The Commission is completely independent of departmental control as to its decisions; its members can be removed from office by the President only for stated causes; but it is nevertheless in the Department of the Interior, which means that its budget and its general servicing clear through the Department. It makes, therefore, an interesting contribution to the study of administration.

**The United States Maritime Commission, 1936**

The placing of the Shipping Board in the Department of Commerce as a bureau in 1933 did not alter the Board's regulatory powers, which had never been extensive. The most that the Shipping Board Bureau seems to have accomplished was to require certain ship companies to post tariff rates. It had no authority to fix minimum or maximum rates.

Congressional interest in doing something definite for American shipping revived, however, and President Roosevelt's interest in the same project had long been keen. The United States Maritime Commission was the ultimate result of this general movement.

The legislative history of the Commission discloses two very different purposes and policies that had to be reconciled. In the first place, Mr. Eastman, Coordinator of Transportation, proposed to Congress a Water Carrier bill which would have given to the Interstate Commerce Commission wide powers to regulate interstate and intercoastal shipping, as well as foreign shipping. Mr. Eastman's interest was in the coordination of the entire transportation problem of the United States. Second, there was a vigorous drive for adequate shipping subsidies to put the American Merchant Marine on its feet. A Presidential message had strongly urged such a program. The objective here was Government support rather than

Government regulation. The Senate committee brought in a bill that represented a mixture of both elements. It established a liberal program of subsidies and provided for a separate maritime commission to exercise regulatory authority over rates. The proposal to confer the new powers upon the Interstate Commerce Commission was discarded in favor of a separate body because of the widespread belief that the Interstate Commerce Commission was already overburdened and the further conviction in many quarters that it was "railroad minded." During the discussions on the bill the State Department pointed out that any effective regulatory authority over foreign shipping might conflict with many of the trade agreements with foreign countries and complicate international relations.

The result was that the Maritime Commission as finally set up has only the regulatory power which the Shipping Board Bureau had previously enjoyed, that is to say, merely the authority to ask shipping companies to post their rates. The main part of its job is the vast managerial function of administering construction and operating subsidies and the building and chartering of Government-owned vessels. Its quasi-judicial functions are negligible, and the act provides that after two years the Commission's regulatory functions may be transferred to the Interstate Commerce Commission by Executive order.

**B. REGULATORY FUNCTIONS IN THE EXECUTIVE DEPARTMENTS**

The establishment of independent commissions has been only one of the techniques used by Congress to organize regulatory functions. In many cases it has given to bureaus or divisions in the regular executive departments the same type of duty that has been given to the independent commissions. The Department of Agriculture has been the one to receive most of these delegations of powers.

The movement seems to have begun with the enactment in 1906 of the Food and Drug Act. The same year saw the passage of the 28-hour law for the transportation of livestock, and in 1907 the Meat Inspection Act went into effect. Though these functions were established on a modest basis at the outset, they have come to be highly important and to affect a very large number of persons subject to control. In 1912 important powers of regulation were granted in the Plant Quarantine Act; in 1916 the Cotton Futures Act and the Warehouse Act were passed. In 1921, as a result of the Federal Trade Commission's investigation of the packing industry, Congress passed the Packers and Stockyards Act. Instead of placing the enforcement of this statute in the Federal Trade Commission, it was given to the Secretary of Agriculture, who still administers it. Under the act the Secretary exercises a rate-

making authority very similar to that of the Interstate Commerce Commission and has other important powers as well. In the same year Congress passed the Grain Futures and Commodities Exchange Act, which has since been amended several times. In 1923 the Cotton Standards Act was passed. These are some of the more conspicuous instances in which regulatory authority, involving not only administrative policy but quasi-judicial power, has been turned over to bureaus or divisions in the Department of Agriculture. A more thorough examination of the statutes reveals more than 40 of these acts.

Why has Congress followed this policy in these particular cases? In the first place, the Department of Agriculture, created to provide adequate representation of the agricultural industry, has always enjoyed a prestige which exceeds that of most of the other executive departments. Set up under very auspicious circumstances, it developed quickly a tradition for sound administration and career service that has not been duplicated in equal measure in the other departments. Consequently there does not arise in Congress the same objection to placing an important regulatory function in this Department that would have to be met if it were suggested that such



a job be given to some of the other departments.

In the second place, most of the regulatory functions mentioned above affect primarily the agricultural industry. The Department itself has large forces in the field. It is equipped in personnel to take on with a minimum of expense and effort a new regulatory job. Though there were political reasons involved in the decision, it is also true that one of the reasons why the Packers and Stockyards Act of 1921 was given to the Secretary of Agriculture for enforcement was because that Department

already had the facilities for administering it.

In the third place, the regulatory work that has been mentioned here is somewhat narrower in its scope and stirs up much less controversy and antagonism than work such as that of the Federal Trade Commission. These regulatory functions are, in the main, policing functions and they are in a broad sense helpful to the very interests that are subject to them. Any opposition that might arise from those immediately affected would be overshadowed by the advantages that were brought to the agricultural industry as a whole.

### C. SEGREGATION OF JUDICIAL OR APPELLATE ASPECTS OF ADMINISTRATION

In dealing with the broad subject of this study, some attention should be given to the evolution of an administrative technique connected with the regulatory problem that is quite different from the techniques so far discussed. This is the segregation either in appellate administrative bodies or in boards or courts of review of the function of reviewing the decisions of administrative officers who perform regulatory duties, or the establishment on a more formal plane of administrative or legislative courts to do the same type of work. This development may be explored along three separate lines.

In the first place, it has seemed desirable in a number of instances to provide some kind of appellate body in a department or commission to review the decisions made by the administrative officers. These appellate bodies are not courts, and many of them operate without the formalities of a strictly judicial procedure. The following are the more conspicuous examples of this arrangement. There has long been in the Department of the Interior a Board of Appeals to review cases coming up in the public land divisions. The Civil Service Commission has a Board of Appeals and Review for the hearing of cases passed upon by the staff of the Commission. There is a Board of Appeals in the Patent Office which handles a large volume of business within the Department of Commerce. In immigration cases in which the Secretary of Labor has final authority, there is an intermediate appellate body with advisory functions for the review and sifting of cases. In Mr. Eastman's proposal for the internal reorganization of the Interstate Commerce Commission, provision is made for a division of the Commission into a group of administrative sections which should make the initial determination in most of the cases now coming before the Commission, coupled with a board of control or review which would serve as an appellate body to review the cases decided by the trial sections.

This technique has most often been employed where the volume of administrative business is so large that a vast number of individual deci-

sions must be made. It is important that they be handled with speed. A great many of them are purely routine matters in respect to which no review would be asked, but it is important to provide a way of correcting the mistakes that are likely to creep into the handling of such a mass of business.

A second and more formal device for separating out the judicial phases of the regulatory process leans in the direction of an administrative court. In 1910 Congress established the Commerce Court for the purpose of relieving the circuit courts of the task of reviewing the decisions of the Interstate Commerce Commission. It was felt that a body of men who gave exclusive attention to railroad problems would acquire an expertness that would facilitate the handling of these important cases. This experiment merits closer study than has yet been given to it. The court was curiously organized; its judges were drawn from the Federal circuit bench, with selection by the Chief Justice of the United States. They were to serve for five-year terms, at the end of which they were to go back to their circuit court duties. The Commerce Court did not grasp the significance of the experiment which was being tried. It insisted upon trying *de novo* practically every case brought before it from the Interstate Commerce Commission and its own decisions were reversed by the Supreme Court on appeal. The impeachment and removal from office of one of its members, Judge Archbald, accentuated the unpopularity which it had earned on other grounds. It was abolished in 1912.

In 1924 Congress established the United States Board of Tax Appeals to take over the functions that had previously been performed by the Committee on Appeal and Review in the Treasury. The Board of Tax Appeals is practically a legislative court. Its functions are judicial in character. It exercises no discretion other than that exercised by any court of law. Its members are appointed for 12-year terms and may be removed by the President only for causes stated in the statute. It is not in the Department of the Treasury but is declared to be an independent establishment in



the Executive Department. There was strong congressional opposition to having it in any way subject to Treasury influence. It handles a vast volume of business coming to it from the various bureaus and divisions of the Treasury involving problems of tax law.

In the third place, Congress has set up certain legislative courts for reviewing particular classes of administrative decisions. These courts are not organized under the judiciary article of the Constitution but are set up by Congress in the exercise of its various delegated powers. The Court of Claims was set up in 1855, and somewhat changed as to its procedure and power in 1866. In 1909 Congress created the Court of Customs Appeal, to take over the work that had been handled by the Board of General Appraisers in the Treasury. It created the

Customs Court in 1922, and in 1930 converted the Court of Customs Appeal into the Court of Customs and Patent Appeals. The judges of all of these courts have life tenure and perform no administrative duties.

This whole movement in the direction of segregating the judicial aspects of the administrative or regulatory process is well worth exploring. It has been easy to create these tribunals where the administrative functions involved are in the main of a routine character and where the questions presented are essentially questions of law involving no substantial amount of administrative discretion. Where the plan has been tried it has, on the whole, worked well. It provides a review of administrative action by an impartial and yet expert tribunal.

#### D. REASONS FOR THE ESTABLISHMENT OF INDEPENDENT REGULATORY AGENCIES

From this review of the history of the regulatory commissions it is possible to summarize the more important reasons that have led Congress from time to time to set up independent commissions. It is apparent that these reasons are not in every case arguments. In some instances they are merely explanations of why Congress acted as it did. They may be listed as follows:

1. Independent regulatory commissions have been given important judicial or quasi-judicial duties. It is not easy to defend the turning of judicial work over to responsible administrative officers. The judicial function should be performed by independent and impartial persons. Therefore when the quasi-judicial element in any regulatory job is of primary importance, it has seemed plausible to suggest that the function be handled by an independent agency.

2. It has seemed desirable to have the important regulatory functions kept free from the pressures and influences of political domination. Sometimes it has been feared that an important task would be turned over to persons selected for partisan reasons and be left subject to definitely partisan control. Sometimes the very magnitude of the regulatory job has made it seem dangerous to place it in a department subject to the normal political controls that must have free play there. Underlying this reason has been a conviction that more honest and efficient administration will be secured if the task is placed in the hands of an independent body.

3. Many of the tasks of regulation are complicated and technical in the extreme. It has seemed easier to secure the services of experienced experts for the handling of such jobs if they were freed from the political pressures that normally prevail in the departments.

4. The adequate handling of some problems has seemed to require regional representation. This was an important element in the organization of the Radio Commission and the Shipping Board. Geographical representation could be more readily secured in independent commissions than in executive departments.

5. Congress has set up some of the independent commissions because it has not known what else to do with new regulatory jobs. There was no logical place in the Executive Branch of the Government in 1887 in which to put the task of railroad regulation. It was much easier to create a new and independent agency. In some instances there has been no department performing any functions which had any connection with a particular regulatory task. In other cases such departments existed but were felt to be biased or partisan with reference to the job to be done.

6. Some regulatory tasks have been experimental in the extreme. Congress itself has not known exactly how the job ought to be done and has not been able to set forth any very specific instructions. It has seemed easy and natural to solve the problem temporarily by creating a commission with authority to investigate and explore the whole field, develop standards of regulation, and report back to Congress on legislative changes that might seem desirable.

7. Some regulatory tasks involve important rule-making authority. This sublegislative power has often been of great importance and has vitally affected the interests of business and industry. There is a popular belief that important rule-making functions ought to be performed by a group rather than by a single officer, by a commission rather than by a department head.

8. Finally, the prestige and the traditions of



the Interstate Commerce Commission and the general success with which it is commonly supposed to have handled its important job have undoubtedly influenced Congress to set up other commissions modeled upon it. The

most cursory examination of legislative debates upon the various regulatory acts under review indicates the extent to which the Interstate Commerce Commission model has weighed in the minds of Members of Congress.



## II. THE INHERENT PROBLEM OF THE INDEPENDENT REGULATORY COMMISSIONS—A BASIC DILEMMA

No clear analysis of the job done by the regulatory commission, viewed in the light of its complete independence, can fail to emphasize a sharp conflict of principle involved in its make-up and functions. It suffers from a sort of internal inconsistency. The Commission has imposed upon it important duties of administration and policy-determination. The vast powers of the new Maritime Commission in the managing of shipping subsidies are of this sort. For the doing of such work the Commission ought to be clearly and effectively responsible and that responsibility, if it is to exist at all, must be to the President. The Commission has other duties of a judicial nature for the proper performance of which it needs, not responsibility, but complete independence. An example is found in the power of the Interstate Commerce Commission to decide reparations cases. Then it is given another class of duties called quasi-judicial because they are both discretionary and judicial. The commission determines policy by the same process by which it judges the rights of parties. The vast bulk of the regulatory commission job is of this kind. It is illustrated by the cease-and-desist order of the Federal Trade Commission, through which the business man learns from the same act of the Commission what the law of unfair competition is and that he has violated it. Here the Commission does work with respect to which it ought to be at the same time both *politically responsible* and *judicially independent*.

This seems to be a dilemma. If the regula-

tory commissions, present and future, are wholly independent they are completely irresponsible for the doing of very important policy-determining and administrative work. The mixing of discretionary and judicial duties in the same hands and even in the same task encourages pressures and influences that tend to impair complete judicial neutrality. On the other hand, to rob the commissions of their status of independence is seriously to menace the impartial performance of their judicial and quasi-judicial work. If there is no escape from this dilemma, no middle course or alternative principle, then the problem of the independent commission simmers down to a balancing of the disadvantages of the status of complete independence against the potential dangers of political domination. In that event it is pretty clear that the choice would be to keep the commissions independent.

But before exploring the possibility of any middle-ground proposal for dealing with the commissions, it will be profitable to analyze the actual disadvantages of giving complete independence to commissions that must do so many and such "mixed" jobs. This leads to a study, first, of the extent to which the "independence" of the commissions obstructs effective over-all management in the Federal administration; second, of the extent to which the merging in the commissions of judicial, nonjudicial, and "mixed" functions tends to undermine the neutrality with which the judicial work is done.

### A. THE OBSTRUCTION OF EFFECTIVE OVER-ALL MANAGEMENT

The President is the general manager of the United States. The very purpose of an Executive Department under the Constitution is to center upon a unified and powerful Executive responsibility for a coordinated policy of administration and its efficient execution. Congress, by its very nature, is incapable either of doing administrative work or of holding accountable in any effective way the many officers or agencies engaged in administration. The President's duties and responsibilities in this

field are not routine in nature, but carry with them broad discretionary powers.

At the same time the Constitution gives the President a share in the law-making process. More important than his power to veto bills or to call special sessions of Congress has come to be his power to advise Congress on legislative matters and to make legislative proposals. The Constitution declares that he "Shall from time to time give to the Congress Information of the State of the Union, and recommend to

their Consideration such Measures as he shall judge necessary and expedient." (Art. II, sec. 3.) Congress has by law given to the President a vitally important power of legislative initiation by commanding him to formulate and submit the annual budget. The exigencies of party leadership have, of course, broadened his responsibilities in this regard. In short, Congress and the country at large definitely expect the President to have a legislative program; they have become dependent upon his having such a program. It is necessary, therefore, to study the impact of the policy-determining functions of the independent commissions upon the President's responsibilities in the field of legislation, as well as upon his administrative policies.

#### Relation to Legislative Responsibilities of the President

Heavy responsibilities have been placed on the President in the field of legislative proposal. Congress and the Nation look to him for broad programs of national policy as well as the initiation of detailed measures, such as the budget. His responsibility in this field comes not merely from his position as leader of his party. It comes also from the fact that from his vantage point as head of the administration he has a better opportunity to know, to appraise, and to coordinate national policy proposals than any other officer or group of officers. What the President strives to do is to provide a leadership that prevents conflicts and confusion. Insofar, then, as substantial powers of policy-determination and legislative proposal are scattered about among a growing crop of independent bodies to be exercised in "insulated chambers," to that extent are conflict and confusion of policy encouraged and the President's effectiveness and responsibility weakened. The commissions vary a good deal in the degree to which they affect the President in this regard. But all of them interfere some; some interfere a good deal; and the independent commission movement as such interferes, potentially, with the President's authority and responsibility in this field. This interference occurs in connection with broad policy proposals and also in the more restricted field of initiation and sponsorship of specific measures.

The extent to which the independent commissions interfere, actually or potentially, with the President's responsibility in the field of broad policy proposal will depend on how much discretion they enjoy in matters of policy. Some enjoy very little, others a good deal. The actual extent to which the President has been bothered in this regard by the independence of the commissions is perhaps of less interest here than are the potentialities of interference. The President and the commissions have had their disagreements, but they are not

chronically at loggerheads, and the commissions can probably be counted upon to cooperate with the President most of the time. The important fact is, however, that they do not need to cooperate unless they wish, and the President cannot, therefore, depend upon that cooperation. A few illustrations will show the nature and importance of this problem.

The Interstate Commerce Commission has broad control over the whole transportation system. The Transportation Act of 1920 placed on the Commission the "duty of taking steps toward development and maintenance of an adequate national transportation service." This is, and is intended to be, policy-determination in its broadest sense. And since the maintenance of a transportation system intimately concerns nearly every other phase of the economic life of the Nation, it is clear that policy-determinations by the Commission impinge at many points upon any well-conceived program affecting national social and economic problems. It is certainly hard to defend on any basis of theory a status of independence for such vast policy-determining functions free from any directing authority to integrate them into the general legislative program of the Nation.

The Interstate Commerce Commission has a number of functions that involve policy-determination, among them rate-making in its general phases. In whose interests are the rates to be made or what balance of interests ought to be struck? Under what circumstances should rates be reduced on farm products or farm machinery for the benefit of the farmers? The fixing of a "just and reasonable" rate in a specific instance may be a quasi-judicial task. But these broad questions are not judicial, nor even quasi-judicial; they are questions of policy. President Hoover issued the statement after the Supreme Court's decision in the O'Fallon valuation case, "I am confident that there will be no increase in railway rates as the result of the O'Fallon decision."<sup>2</sup> Professor Sharfman criticizes the President's action because it "constituted a declaration of policy for the Commission."<sup>3</sup> Certainly it was a declaration of policy, but upon a question so closely tied into the whole economic structure of the Nation that it intimately affected any broad policy proposals the President might have. He was not telling the Commission how to decide cases. He was expressing an opinion that a boost in rates would be bad for the country.

Consolidations and mergers of railroads are under the Commission's jurisdiction. It is authorized to formulate plans for the consolidation of railroads into groups and report those plans to Congress. It has the further power to sanction consolidations, mergers, and pur-

<sup>2</sup> *United States Daily*, May 22, 1929, Vol. IV, p. 691.

<sup>3</sup> I. L. Sharfman, *The Interstate Commerce Commission: a Study in Administrative Law and Procedure* (New York: Commonwealth Fund, 1931-36), Vol. II, p. 457.

chases of railroads if it finds that these "will be in harmony with the plan for consolidation of railway properties established pursuant to Sec. 3 and will promote the public interest."<sup>4</sup> There can be no question as to the broad range of policy-determination here involved and the degree to which it may impinge upon other general economic policies. Here again it would seem that President Hoover's statement of December 30, 1930, with respect to the four-system merger plan of the eastern trunk-line roads, if intended to influence the Commission, was intended to influence them on a matter of policy so important that it was bound to obtrude itself upon the President's broad economic program.<sup>5</sup>

The Commission also has important authority in matters relating to competition between railroads and water carriers and between railroads and motor carriers, authority over the construction of new lines and the abandonment of old ones, and power over the issuance of railroad securities. These are all powers over policy, and as such may have importance in national economic planning. The authority over railroad securities may easily have a direct impact on the credit and fiscal policies of the Government with respect to which the President has important responsibilities.

The Federal Communications Commission is another agency that has important powers of policy-determination. In issuing broadcasting station licenses it must deal not only with countless questions of radio engineering, but also with such far-reaching problems as the newspaper ownership of broadcasting stations and the problem of chain broadcasting. Its statutory guide for this and all its other work is the "public convenience, interest, or necessity."

#### Interference with Presidential Management in the Field of Administration

The President is the responsible head of the national administration, but the independent commissions, by their very nature, undermine his administrative authority and responsibility. To them has been parceled out complete independence in several important fields of administration. This has not been inadvertent. Congress has definitely intended to place the commissions beyond the reach of Presidential management. It is sometimes said that they are responsible to Congress in respect to their administrative duties—that they are "agents" of Congress. The Supreme Court has so referred to them.<sup>6</sup> In reality, however, this "agency" is confined to making investigations and reports to Congress. Congress has no effective means of supervising the administra-

five activities of the commissions and has shown little desire to do so. The net result is that in the field of administration the commissions are not held accountable to anyone. And yet to them is entrusted the administration of laws dealing with some of the most vital economic and social interests of the Nation. The Constitution commands the President to "take Care that the Laws be faithfully executed" (Art. II, sec. 3); but obviously he cannot see that the Interstate Commerce Act or the Federal Trade Commission Act is faithfully executed, because the job has been given to someone else. In forming and carrying out his own administrative policies he must reckon with the administrative policies of a dozen or more wholly independent bodies, whose activities overlap his own sphere of responsibility at many points. The results, actual and potential, of this decentralization in the administrative system may be considered more closely.

In the first place, the aggressiveness and effectiveness of the President's general law-enforcement program will be impaired by any lack of vigor on the part of the independent commissions. This may be illustrated from the history of the Federal Trade Commission. It has important duties in discovering violations of the Sherman and Clayton Acts as well as in ferreting out and suppressing unfair competitive trade practices. The enforcement of the anti-trust laws and other laws regulating business is not an automatic process. Vital questions of administrative policy are bound up in it. The Trade Commission Act recognizes this by instructing the Commission to move in the case of an unfair competitive practice "if it shall appear to the Commission that a proceeding by it in respect thereof would be to the interest of the public."<sup>7</sup> One President may adopt a policy of noninterference with business and confine the activities of his administration to violations of law too obvious to escape notice. Another President may be a "trust-buster" and push with vigor the regulation of business and the discovery and punishment of business crimes. These are matters of policy so important that they sometimes become issues in Presidential campaigns. No one denies the right of the President to determine which policy he will follow, or his responsibility for it. But a President who is a militant "trust-buster" will find his policy of business regulation seriously crippled if the Federal Trade Commission is composed of men who believe business ought to be let alone. This was exactly the belief of Commissioner William E. Humphrey, appointed to the Commission by President Coolidge in 1925. Until his removal by President Roosevelt in 1933 he was able to cast a deciding vote and thus to dominate the policy of the Commission. He openly announced a policy of friendly toleration toward business, embarrassing investigations were cut to the minimum, and a more lenient regulatory policy

<sup>4</sup> Sec. 5-b, Interstate Commerce Act as amended.

<sup>5</sup> *Sharfman, op. cit.*, Vol. II, p. 437.

<sup>6</sup> "In making investigations and reports thereon for the information of Congress under §6, in aid of the legislative power, it [the Federal Trade Commission] acts as a legislative agency . . . . To the extent that it exercises any executive function—as distinguished from executive power in the constitutional sense—it does so in the discharge and execution of its quasi-legislative or quasi-judicial powers, or as an agency of the legislative or judicial departments of the government." *Rathbun v. United States*, 295 U. S. 602 (1935).

<sup>7</sup> Trade Commission Act, Sec. 5.

was pursued. This attitude was not in serious conflict with the policies of Presidents Coolidge and Hoover, but when President Roosevelt took office he requested the resignation of Mr. Humphrey on the ground that "your mind and my mind do not go along together on either the policies or the administering of the Federal Trade Commission."

In the second place, effective coordination of national administrative policy is obstructed by the independent commissions. This obstruction is, again, both actual and potential. The commissions frequently deal with problems certain aspects of which are handled by other agencies. There is considerable overlapping of functions and even conflict of jurisdiction, not only between the commissions and the departments but also between the commissions themselves. The dividing line between the jurisdiction of the Power Commission and the Securities and Exchange Commission over power companies is badly confused and full of potential conflict. Yet each is independent and the conflicts will have to be ironed out either by diplomatic negotiations or by an act of Congress. Several agencies besides the Federal Trade Commission have authority over unfair trade practices, but there is no central authority that can whip conflicting policies into line. Many of the commissions have large powers of issuing rules and regulations on various subjects, but there

is no authority to require any central clearance for these or to see that they harmonize with the President's policies in the same or closely related fields. It seems clear that the important managerial and administrative duties of the new Maritime Commission will impinge at many points upon the administrative policies of the Interstate Commerce Commission, not to mention the policies of the State Department, in the field of foreign trade.

Then, too, independent commissions are inclined to strive for a high degree of self-sufficiency. Since they are independent they are indisposed in many cases to utilize the services already existing in the departments, but establish their own statistical, economic, and legal divisions. They, of course, need these services, but they are under no obligation to integrate them into the larger administrative structure, with the result that there is some needless duplication of staff and much overlapping of function.

It may be admitted that the administrative confusion resulting from any single independent commission may not in itself be serious. Furthermore, the evil is abated by the cooperative spirit that the commissions show some of the time. But if more of these independent bodies are created the disintegration of effective and responsible administrative management by the President will be increased.

## B. DANGER TO THE IMPARTIAL HANDLING OF JUDICIAL WORK

The most important work done by the independent commissions is either judicial or quasi-judicial. Such work calls for the highest measure of impartiality in order that justice may be done and public confidence may be maintained. To secure such impartiality has been the most important and cogent single reason for making independent commissions independent. Were it not for their judicial and quasi-judicial work it would be hard to find any intelligent reason for their independent status. And yet, in the very nature of the work the commissions do, there are inherent elements that menace the neutrality and impartiality with which their judicial and quasi-judicial functions are performed. Two of these undermining influences may be considered.

The first danger to the neutrality of the independent commission lies in the fact that it must combine its judicial work with work of policy-determination. Courts protect themselves by refusing to do nonjudicial work. The independent commissions cannot so protect themselves. They must add to the duties of the judge those of the lawmaker and the administrator. This is not inadvertent or accidental; it is inherent and inescapable. It is true that the commissions have some duties that are pretty clearly legislative, some that are purely administrative, and others that are quite

definitely judicial. These may be separate and distinct. But the vast bulk of the duties given to independent commissions are "mixed" functions. They contain, in varying degrees, the qualities that are associated with legislation, administration, and adjudication. The best example of a "mixed" function is the application by an administrative body of "standards" to the conduct of individuals or business. The method is to incorporate in a statute a "standard" that is to be applied by the commission to concrete cases. "Unfair competitive trade practices" is such a standard; "just and reasonable rate" is another. The application of such a standard is an interesting process by which the commission at the same time determines policy and prosecutes violations of that policy. It is performing in the same act the duties of lawmaker, prosecutor, and judge.

This merging in the commission's work of elements that are discretionary with elements that are judicial subjects the commission to pressures from many sources. It is not objectionable to try to influence policy by honest and open methods. But when policies are being determined by a body also doing judicial work, it is impossible to influence policy without danger of demoralizing the impartiality of the judge. In most of the cases in which "pressure" has been brought to bear on the independent

commission the purpose has been to influence the discretion of the commission rather than the judicial part of its duty. On occasion the President has exerted pressure when the commission's policies have impinged upon his own. Private interests have exerted pressure, sometimes directly, sometimes through the intervention of members of Congress, and this pressure has not always been confined to commission policy but has sometimes sought to influence adjudication. The commissions are being asked to perform judicial tasks interwoven with determinations of policy which at times are the subjects of acute partisan controversy or economic class antagonisms. This is not the atmosphere in which the rights of individuals ought to be judged. It is a vital and inherent weakness of the independent commission system that it makes this necessary.

A second danger to the neutrality of the independent commission lies in the fact that in handling some of its most important work it acts both as prosecutor and as judge. This not only undermines judicial fairness; it weakens public confidence in that fairness. This unfortunate situation exists in the work of the Federal Trade Commission. An important part of the Commission's job is to ferret out unfair competitive trade practices and issue cease-and-desist orders against them. There is a first stage in the proceeding in which the Commission, with the aid of its staff, makes an investigation and draws up a complaint. The second stage is a formal hearing before the Commission in which it decides whether the charges in the complaint have been proved and either issues a cease-and-desist order or dismisses the action. The temptation for the Commission to decide that it has proved its own case must be very strong, and the businessman not unnaturally resents having his rights settled by an "interested" tribunal. As is clearly brought out in Gerard Henderson's study of the Federal Trade Commission,<sup>8</sup> one

of the reasons why the Supreme Court paid such scant respect to the Commission's findings of fact is because the records showed a disposition in many of the Commission's cases to "build up" a record that would support its orders. The Court was suspicious of this bias and ruthlessly reexamined the evidence for itself.

This double role of prosecutor and judge is played by the Federal Communications Commission in deciding whether to renew a broadcasting station license. Refusal to renew such a license is not a criminal penalty, but may be much more serious to the station owner. Here again the proceeding that may result in denying a license is conducted by the Commission in the role of investigator. Later the Commission decides whether it has made out a good enough case to justify refusing to renew the license. This unfortunate practice of combining in the independent commissions the functions of prosecutor and judge is carefully analyzed and sharply attacked in the able *Report of the Special Committee on Administrative Law* of the American Bar Association in 1936.<sup>9</sup>

It appears, therefore, that the independent commission, as an institution or technique, obstructs effective administrative management by giving important policy-determining functions to independent bodies. It also appears that this same combination of functions imperils the judicial neutrality of the commissions. It appears further that the difficulty is inherent, since the same functions are at once policy-determining and judicial. To put the independent commissions, as they now exist, into the executive departments and subject them to direct political and administrative control would still further threaten the impartiality with which they do their judicial work. Part IV of this study suggests a plan to meet these difficulties and at the same time retain the major advantages of the independent commission.

<sup>8</sup> Gerard C. Henderson, *The Federal Trade Commission; a Study in Administrative Law and Procedure* (New Haven: Yale University Press, 1924), 382 pp.

<sup>9</sup> See pp. 221-22.

### III. LEGAL LIMITATIONS CONDITIONING ANY SOLUTION OF THE PROBLEM

There are two legal problems that bear upon the independent commission. The first is the legal aspect of the President's power to control commissions, which depends upon his power of

removal. The second is the problem of the judicial supervision of the work of the commissions. These will now be examined.

#### A. LEGAL ASPECTS OF PRESIDENTIAL CONTROL THROUGH REMOVAL POWER

Whatever power of control the President has over the independent commissions will spring from his power to remove members from office. The present status of that removal power will therefore be explored.

But a word may be said, first, about the practical aspects of the removal power. It is indispensable to effective administrative management. There is no way in which an officer may effectively control or direct his subordinates unless he can dismiss them. The importance of the removal power is not measured by the frequency with which it is used. If the power exists, that very fact makes its frequent use unnecessary.

If the President had power to remove the members of the independent commissions, certain practical results would follow. First, the power would probably be used very sparingly. During the years when it was supposed that the President did have this power, few removals were made or attempted, and those only when the President felt acutely the conflict between the commission's policy and his own. President Coolidge tried to avoid the necessity of removals, in one or two cases, by asking commissioners for undated letters of resignation. This reflected the common Presidential reluctance to appear to be interfering with agencies which the public thinks of as quasi-judicial.

In the second place, if the President could remove independent commissioners, he would, as a result of the impact of that relationship, get from the commissions a greater degree of cooperation in matters of policy and administration. This would be due less to fear of removal than to the subtle sense of accountability to the President resulting from the mere existence of the power.

In the third place, the removal power would enable the President to secure from the com-

missions compliance with Executive orders. The power of the President to issue Executive orders comes from several sources. But whatever the source, the problem of securing compliance with the orders is the same. They can be enforced where the removal power exists. They cannot be enforced where it does not.

The present law as to the President's power of removal may now be examined.

#### Present Law as to Presidential Removals

Though the law with respect to the President's power of removal is uncertain and confused at many points, three things have been pretty definitely settled by the Supreme Court.

First, the President cannot be restricted by Congress in his power to remove executive officers whom he appoints with the consent of the Senate, or presumably, without that consent. He gets this power of removal from the grant of Executive power in Article II, sec. 1, of the Constitution. Congressional interference with it would, therefore, violate the separation of powers. This was decided in 1926, in the case of *Myers v. United States* (272 U. S. 52). This decision strengthened the hand of the President in his responsible management of the Executive Branch of the Government.

Second, Congress may properly provide that the members of commissions set up to perform quasi-legislative and quasi-judicial work, rather than "purely executive" work, shall be removable by the President only for the causes stated in the statute. This was the Court's decision in *Rathbun (Dumphrey) v. United States* (295 U. S. 602), decided in 1935 in a case involving a member of the Federal Trade Commission.

Third, if Congress sets up no restriction, the President may remove any officer whom he appoints, even if he is not a "purely executive"

officer. The removal power of the President is implied not only from Article II of the Constitution, as above noted, but also from the power to appoint. This has been law ever since the case of *Ex parte Hennen* (13 Peters 230) was decided in 1839. Though Congress may protect a regulatory commission from the President's discretionary removal power, it must do so by positive legislation. If the statute is silent as to removal, as in the case of several of the boards and commissions reviewed in this study, the President has full power of removal.

#### Unsolved Problems of the Removal Power

Several important questions connected with the removal power, however, are not answered by the decisions just mentioned. The answers may only be guessed at.

Perhaps the most important of these is the question of just which officers or agencies may be placed by Congress beyond the reach of the President's power of removal. What are their distinguishing characteristics? The Rathbun decision stated that Congress intended to make the Federal Trade Commission independent, that the Commission did quasi-legislative and quasi-judicial work, that it was therefore an "agent" of Congress and the courts, and that its functions were not "purely executive." There is not space here to analyze these statements, but the Court's language, if taken at its face value, would make it possible for Congress, by adroitly conferring on them a mixture of functions, to withdraw from Presidential removal practically every officer and agency in the national administration. This, of course, the Court did not intend to sanction, as is indicated in the concluding sentence of the opinion in the Rathbun case:

To the extent that, between the decision in the *Myers* case, which sustains the unrestricted power of the President to remove purely executive officers, and our present decision that such power does not extend to an office such as that here involved, there shall remain a field of doubt, we leave such cases as may fall within it for future consideration and determination as they may arise.

Another unanswered question is what is meant by the various causes for which members of the commissions may be removed, and what procedure must be followed in removing an officer for one of the causes. The exact statements of these causes for the commissions under consideration in this study appear in an appendix. The statutes usually define the cause of removal in terms of incompetence, neglect of duty, or misconduct in office. One statute, that creating the National Labor Relations Board, requires notice and hearing before removal for the causes stated, but the others are silent as to procedure. Some legal analogies drawn from State practice will throw light on the causes and procedures of removal and would be likely to carry weight with the Supreme Court.

It is generally agreed that when the removal of an officer is limited to stated causes the removing officer must make a public statement that one of those causes exists and must give the officer notice and a hearing. Such procedure seems in every way desirable. By the weight of authority and of opinion, however, the officer making the removal does not have to "prove" the charges to the satisfaction of a court to which appeal may be taken. Since the Supreme Court has steadily refused to interfere in any way with the President's exercise of his discretionary powers, it seems most unlikely that his public statement that an official was removed for a cause stated in the statute would be subjected to court review.

## B. JUDICIAL REVIEW OF THE REGULATORY COMMISSIONS

When the regulatory commissions were first being set up they were attacked on the ground that legislative and judicial powers had been unconstitutionally delegated to them. These attacks did not prevail, and it may be accepted as settled that Congress has the power to endow independent commissions with broad regulatory power. But by the very decisions in which these delegations of power were upheld, the Court served notice that the regulatory powers would have to be exercised under judicial scrutiny. The scope and practical results of this judicial supervision will be examined.

Review by the courts of the regulatory functions of the commissions rests primarily upon what is commonly referred to as the "rule of law" or the "supremacy of law." This means that the citizen has his legal rights determined in the last analysis in the courts of law. He is entitled to his "day in court", a right that is

easily and appropriately assimilated to the constitutional guarantee of due process of law. The rule of law, however, does not mean that every decision affecting private rights must be made by a court. The courts early recognized that many such decisions, like those made in the various stages of the regulatory process, must be made by administrative officers. What the rule does require is a procedure by which all such administrative decisions may be reviewed by the courts, at the demand of the citizen, to make sure that his rights have been justly decided by administrative agencies that have not overstepped their legal powers. This judicial review operates in two ways.

First, the courts will review the decisions and orders of the regulatory commissions on all questions of law. Some of these will be questions of constitutional law. The most common constitutional questions are those in which the

procedure of the administrative body is alleged to be so unfair as to deny due process of law, or those in which the regulatory power itself is attacked as an arbitrary deprivation of property or liberty and hence a denial of due process. Much more numerous are the legal questions of *ultra vires* action by the commission. Has it in any way exceeded the powers given to it by Congress? Or has it interpreted wrongly the law which it is its duty to administer? Since the courts are the peculiar guardians of the law under the American constitutional system, they properly claim and exercise full power to correct all legal errors that may creep into the administration of regulatory statutes.

Second, the courts have also insisted in some cases upon reviewing findings of fact made by the regulatory commissions. It is in these findings of fact that the experience and the expertness of the administrator is supposed to be of peculiar value. Consequently, any widespread taking over by the courts of this specialized task is likely to defeat the major purposes for which administrative machinery has been set up. The grounds upon which the courts review such findings of fact by the regulatory commissions are two in number.

In the first place, the courts will decide whether the commission has correctly determined what are called jurisdictional facts. An illustration will make clear what such a fact is. If a commission administering an employees' compensation law has authority to make awards to persons injured while actually employed, then the commission's finding that a man was actually employed at the time of his injury is the finding of a jurisdictional fact. If he was so employed, the commission has jurisdiction; if he was not, it has none. The courts have refused to regard commission findings of jurisdictional facts as final.

In the second place, the courts will review administrative fact-finding when necessary to the decision of a constitutional question. This situation comes up in the review of rate orders. A rate is unconstitutional if it is confiscatory. It is confiscatory if it does not bring in a fair return on a fair valuation of the property invested. In determining the fair value of the property the correctness of the findings of fact are of vital importance. In reviewing the reasonableness of the rate the courts feel free to reexamine in their discretion all the issues of fact entering into the computation, since they deem it necessary to a full and fair consideration of the constitutional question. The courts are not, however, rigidly consistent in this matter of the review of issues of fact. They follow a somewhat flexible policy, ranging from an acceptance of the findings of the commission "if supported by evidence" to a thorough re-examination of the entire issue as a *case de novo*.

Behind all these rules governing judicial review of the regulatory process is the basic

principle to which the courts have committed themselves, that they will intervene to prevent essential injustice or abuse of power upon the part of administrative officials, regardless of legislative efforts to make the decisions of such officials final and conclusive. This judicial attitude is clearly expressed in the words of Mr. Justice Harlan:

The courts have rarely, if ever, felt themselves so restrained by technical rules that they could not find some remedy, consistent with the law, for acts, whether done by the government or by individual persons, that violated \* \* \* justice or were hostile to the \* \* \* principles devised for the protection of the essential rights of property.<sup>10</sup>

If these principles of judicial supervision over the regulatory commissions were definite and inflexible, they would present merely routine problems of adjustment to a fixed legal order. But a study of the decisions shows that the aggressiveness with which the courts supervise the processes of administration varies with a number of factors that are practical and not wholly legal. Some of the more important of these will be reviewed.

The courts are influenced in their attitude toward a regulatory commission by the breadth of discretion which it enjoys. That discretion may be very extensive. In many such cases the courts have not hesitated to take over the task of reviewing that discretion. The Federal Trade Commission has jurisdiction over unfair competitive trade practices. The legislative history of the act shows that Congress hoped to build up an administrative law of unfair competition by the decisions of a body of independent experts. This, however, the courts did not permit. In an early case involving the Commission's power the Supreme Court held that "It is for the courts, not the commission, ultimately to determine as a matter of law what they [the words 'unfair method of competition'] include."<sup>11</sup> Instead of permitting the concept of unfair competition to be developed by an administrative process of trial and error, the Court has kept it fairly rigidly confined to common law precedents. Had Congress put into the Trade Commission Act its own definitions of unfair competitive practices, those definitions, subject only to due process limitations, could have included much more sweeping restrictions than the Court has been willing to sanction in the findings of the Commission itself. The practical result of giving to the commissions powers that involve broad discretion may be to encourage a judicial scrutiny of the way in which that discretion is exercised which amounts in some cases to a practical taking over by the courts of the administrative job.

The procedure followed in exercising a regulatory function will also influence the closeness of the judicial supervision. This involves more than purely formal procedure. It refers to the

<sup>10</sup> *Monongahela Bridge Co. v. United States*, 216 U. S. 177, 195 (1910).

<sup>11</sup> *Federal Trade Commission v. Gratz*, 253 U. S. 421 (1920).

general spirit of fairness existing within the limits of a technically sound procedure. If it appears to the courts, as it did during the earlier years of the Federal Trade Commission, that the Commission is issuing its orders on the basis of complaints and findings reflecting the hostile bias of the prosecutor, they will be more strongly inclined to supervise with aggressive diligence every aspect of the Commission's work.

Though these are not the only factors that enter into the situation, it is justifiable to assume that any measures that can be taken to sharpen and clarify the discretionary power of the regulatory commission, and anything that will render more orderly and impartial the procedure under which it regulates private rights, will tend to reduce the degree to which the courts will be inclined to take upon themselves the essential job of administering the law.

## IV. A SUGGESTED SOLUTION

The historical background of the independent regulatory commission problem in the Federal Government has been briefly reviewed and the legal and practical difficulties involved in making these commissions independent of the Executive Branch have been pointed out. The problem of the independent commission arises, as has been indicated, from the merging in the same body of administrative and policy-determining functions with respect to which it ought to be accountable to the President, and quasi-judicial functions in the performance of which it ought to be wholly independent. A solution is needed that will establish responsibility for the administrative and policy-determining aspects of the regulatory job, and at the same time will guarantee the neutrality of the judicial and quasi-judicial part of the work. It should facilitate administrative management without lessening judicial independence.

It is very probable that there is no one solu-

tion of this problem. Certainly a careful investigation, preferably conducted by a quasi-judicial body, should precede any material alteration of the organization of the independent commissions, particularly of those that have been in existence for many years. In some instances it might be decided to make no change in the existing organization, whereas in other instances it might be found advisable to place a commission within one of the executive departments and to separate its administrative activities from those of a quasi-judicial character.

With this possibility in view, the following plan is suggested for consideration. It is a plan that may be modified greatly to fit the particular situation, and should be regarded as a general rather than a specific proposal. Other and better ways of meeting the problem may be discovered. The plan is outlined as one possible solution.

### A. ESSENTIAL FEATURES OF THE PLAN

The main features of the suggested solution of the independent commission problem will be set forth briefly before examining in detail the major problems involved in putting it into operation. The plan would put independent commissions into regular executive departments if "suitable" departments now exist or can be provided. "Suitable" departments are those that have functions relevant to those of the commission, and that are neutral with respect to the regulatory duties of the commission rather than "promotional" or otherwise biased. If suitable departments cannot be provided, commissions should be independent.

The commission, in being put into a department, would be broken down into two sections. One of these would be the Judicial Section, which would be "in" the department for purposes of "administrative housekeeping", but otherwise completely independent. Its members would be removable by the President only for incompetence or misconduct, and neither

the Cabinet Secretary nor the President could review its decisions. This section would handle the judicial and quasi-judicial aspects of regulation. Alongside it would be set up an Administrative Section, which would be a bureau or division in the department and fully responsible as such to the Secretary and the President. The bureau chief, as well as the staff, should be on a career basis under appropriate civil service rules. To this section would be given the rule-making, administrative, and, in general, the policy-determining aspects of regulation. To assure internal flexibility, changes in the structural details of these sections and the division of duties between them might be made by Executive order of the President. Such Executive orders, however, like those authorized in the Economy Act of 1933 for the reallocation of administrative agencies and functions, might be made subject to congressional disallowance within a fixed time (60 days).

## B. DIVISION OF FUNCTIONS BETWEEN JUDICIAL AND ADMINISTRATIVE SECTIONS

The greatest difficulty to be encountered in setting up the suggested plan is that of dividing the work of the independent commission between the Judicial Section and the Administrative Section. If it is to achieve its purpose and be workable, this division of labor must be clean-cut. The Administrative Section must not do judicial work, nor should it be responsible to the Judicial Section on matters of policy. The Judicial Section must not do policy-determining work nor be responsible to policy-determining officers.

If the work of the regulatory commission could all be neatly classified as rule-making, administrative, and judicial, it would be easy to distribute it between the two sections proposed. But the bulk of the regulatory job is not clearly one thing or another, but a mixture of two or three things. It is a "mixed" function, combining in the same act elements that are policy-determining and judicial. How can these "mixed" functions be given either to an Administrative or to a Judicial Section without resulting in the very dilemma it is sought to escape? The following plan for distributing functions between the two sections answers this difficult question along with certain easier ones that are dealt with first.

### Administrative and Rule-making Functions

Clearly administrative and rule-making functions, or mixtures of them, go to the Administrative Section. This is plain sailing. By definition these functions are all policy-determining in varying degrees, or to put it differently they are by definition nonjudicial. They clearly belong in the Administrative Section. Some of them have been dumped onto the commissions by Congress for want of a more appropriate place to put them and form no part of their major regulatory work. A few illustrations will make clear the nature and scope of these duties.

Clearly administrative duties have been given to many of the commissions. One of these is the task of discovering violations of the law and reporting them to the Attorney General for action. Such power is given to the Federal Communications Commission, and to the Federal Trade Commission in connection with violations of the antitrust laws. The duty is in no sense judicial. It is analogous to that of a district attorney. The Interstate Commerce Commission has important powers of regulation and inspection in the safety appliance field, but it is instructed by law "to lodge with the proper district attorney information of any such violations as may come to its notice." Many commissions have powers of investigation, research, and report. These are clearly administrative functions, even though the

investigations may result in legislation, prosecution, or mere publicity. Finally, there are several cases in which broad managerial powers are given to the commissions. The new Maritime Commission will devote most of its energy to the administering of construction and operating subsidies for shipping, and the chartering of Government-owned vessels. These are all administrative duties.

The rule-making functions that are given to most commissions establish the important power of issuing rules and regulations of general applicability setting up guides to future conduct. This power is quite different from the power to issue orders of individual application. The results in the production of large and important bodies of substantive law. This is likely to be an increasingly important part of the regulatory job. This is true whether the task be handled by an independent commission or by one of the regulatory bureaus in the Executive departments. If policies for the guidance of individual conduct are to be determined by regulatory bodies it is desirable that such policies be embodied increasingly in carefully drawn rules that all may read and understand, rather than being pricked out point by point in *ad hoc* decisions. There is growing feeling, for example, that the law of unfair competition ought to be formulated in rules by the Federal Trade Commission rather than being pieced together out of a long series of individual cease-and-desist orders.

The rule-making functions involved in the task of regulation are and ought to be of growing importance. The Federal Communication Commission makes rules with respect to nearly every aspect of radio broadcasting. The Interstate Commerce Commission makes rules and regulations for the transportation of explosive in interstate commerce, for bills of lading, etc. The new Motor Carrier Act empowers it to set up regulations "with respect to continuous and adequate service, transportation of baggage and express, uniform systems of account, records and reports, preservation of records, qualifications and maximum hours of service of employees, and safety of operation and equipment."

### Judicial Functions

Clearly judicial functions go to the Judicial Section. They, however, do not make a very impressive list. Quasi-judicial functions are not included here, since they combine discretion with the judicial work of determining the rights of parties. The power of the Interstate Commerce Commission in reparations cases is quite strictly judicial. The proceeding is in the nature of a civil damage action based on a violation of law. The duty of the Federal Trade Commission to aid the Federal courts in working out decrees of dissolution in anti-

trust actions (a service it has never been called upon to render) is a subjudicial function performed under the direction of the court. It is judicial in the same sense that the work of a master in chancery is judicial.

### "Mixed" Functions

Functions in which judicial power is "mixed" with discretion are "broken down" by a horizontal procedural cleavage so that the initial stages are performed by the Administrative Section and the final stages by the Judicial Section. Up to this point it has been possible to distribute functions between the proposed sections by following a vertical classification of duties that are rule-making, administrative, or judicial. Distribution of the "mixed" functions is a much more difficult and important task. These are the functions in which the work of the judge is combined with that of the lawmaker, or the administrator, or both. Perhaps the most important part of the job of the regulatory commissions is the "mixed" function of applying "standards" to the conduct of individuals or businesses. This has been mentioned, but it needs closer examination. The Trade Commission Act sets up the "standard" that all "unfair competitive practices" are forbidden. The task of applying that standard to concrete cases is given to the Federal Trade Commission. The process involves three elements.

First, there is a lawmaking element in determining as a rule of law that a particular advertising device is an "unfair competitive trade practice."

Second, there is an investigation to secure evidence that a businessman has indulged in the practice.

Third, there is a determination, followed by a prohibitory order, that the evidence so secured does prove a violation of the rule so set up.

Some or all of the same elements are present in the application of "standards" of other sorts, such as "just and reasonable rates" or "public convenience, interest, or necessity", although the resulting action will vary. How can this complicated process be parceled out between an Administrative and a Judicial Section?

Under the suggested plan these "mixed" functions, in their initial stages, are to be performed by the Administrative Section. There are cogent reasons for this.

First, important policy-determination enters into the interpretation of any of the "standards" listed above. There is a lawmaking element in it. With respect to such policy-determination there should be effective responsibility.

Second, important duties of inquisition and prosecution are involved in these functions. Adequate law-enforcement as a Presidential policy may depend on the aggressiveness with which this work is done, and there is need, again, for effective responsibility.

Third, it is desirable to have the earlier stages of these "mixed" functions handled by persons "immersed in administration" in order to assure a fair and adequate recognition of the public interest. A purely judicial body, trained in the common law and with attention riveted almost exclusively on the rights of individuals, may easily ignore major considerations of public interest. Accordingly, under the proposal these "mixed" functions will be turned over first to the Administrative Section for action. From that section the business will be routed to the Judicial Section, which will either make an adjudication upon the record presented to it, or, sitting as an appellate body, review the action taken by the Administrative Section. Each of these alternatives will be explored more fully.

The Judicial Section will make decisions upon the records prepared and presented to it by the Administrative Section. This would make up the bulk of the work of the Judicial Section and would be in essence an exercise of original jurisdiction. If one examines the steps in the routing of most business through the present regulatory commissions, it is clear that there is a line which roughly separates the preliminary steps by which a more or less formal record or complaint is produced, and which are handled by the commission's staff, from the final work of decision by the commission itself acting upon that record. Under the plan suggested the Judicial Section steps into the picture at just the point at which the commission at present begins to act judicially upon the case or record sent up by its staff. As a rule, the commissioners do not themselves help prepare these records; certainly there is no necessity for their doing so. There are, in fact, substantial reasons why they should not do so, since if they do they accentuate the unfortunate merger of the duties of prosecutor and judge. Nor would it be necessary or desirable for the Judicial Section to help prepare the records upon which their decisions are made, any more than for a court of law to engage in such work. It is true that, at present, the commissioners do handle or direct important administrative work, but this is not necessary for the effective handling of the quasi-judicial task of deciding cases; it is, on the contrary, a competing and distracting responsibility that sometimes interferes seriously with the work of adjudication. A concrete illustration will indicate the ease with which this jurisdictional line can be drawn between the two sections proposed.

There are eleven steps in the procedure by which a cease-and-desist order is issued by the Federal Trade Commission.<sup>12</sup> The first nine of these are the receipt of the informal complaint, followed by a sifting process of investigation, report, hearings, review, recommendation, issuance of the formal complaint, further hear-

<sup>12</sup> See the chart *Outline of Procedure in Cases before the Federal Trade Commission, Annual Report of the Federal Trade Commission* 1955, p. 42.



ings, and final report of findings. This is all done by the Commission's staff, with one exception. The statute requires that a formal complaint be issued by the Commission itself, and, therefore, the full Commission must itself take this formal action. This seems wholly unnecessary, since issuing the complaint, though an important step, is a purely preliminary one. It seems clear that if these first nine steps were all handled by an Administrative Section, and if a Judicial Section performed the two final steps of considering briefs and final arguments, and either issuing an order or dismissing the complaint, it would merely be formalizing a little more sharply the division of labor that already exists.

The Judicial Section will also have appellate power to review certain decisions or other actions of the Administrative Section. Though the bulk of the work of the Judicial Section will be the exercising of original jurisdiction, there are important groups of cases where this bifurcated procedure is too slow and too clumsy. It

is necessary that decisions be reached and action taken quickly. The public interest cannot wait upon the formalities of a quasi-judicial trial. The Administrative Section should have full authority to handle these cases and make a decision, but that decision should be subject to review on questions of law, at least, by the Judicial Section. The functions that call for this procedure are those where the volume of business is large, where usually a routine has been developed for the exercise of discretion, and where quick action is desirable. Examples are found in the issuance by the Interstate Commerce Commission of certificates of convenience and necessity to motor carriers, the granting of station licenses by the Communications Commission, and the registration of securities and probably of exchanges by the Securities and Exchange Commission. From the decisions and orders of the Administrative Section in these cases, a prompt, simple, and inexpensive appeal should lie to the Judicial Section on all legal questions involved.

### C. ORGANIZATION OF THE JUDICIAL AND ADMINISTRATIVE SECTIONS

Since a sound division of labor can be worked out for the proposed Administrative and Judicial Sections, how should those sections be organized for the proper handling of their respective tasks? Before the details of organization are considered, further emphasis may be given to the point that regulatory commissions ought to be put into executive departments only if suitable departments exist or can be provided.

The first test of suitability is relevance of function. To put a commission in a department that has nothing to do with its work would obstruct rather than aid effective over-all management. The commission would suffer from the type of neglect that springs from indifference or ignorance. It would be merely a cog in a big machine, unable to utilize effectively the unified and coordinated drive of the machine itself.

The second test of suitability is neutrality with respect to the regulatory job to be done. The department should provide an atmosphere free from bias and pressure. Some of the executive departments are very largely "promotional." The Departments of Agriculture and Labor were created in response to organized group demands for the recognition of group interests. The Department of Commerce exists mainly to render service to American business. It may be doubted whether a regulatory or disciplinary function will be aggressively and impartially handled by such a service department. Concretely, is the present Department of Commerce sufficiently "neutral" to take over effectively the job of the Federal Trade Commission? At the same time, neutrality in a department might result if the promotional

and regulatory work given to it were properly balanced in amount and importance. If a department now devoted mainly to rendering "services" to industry were given major responsibilities in the field of regulation, the necessary coordination of the two policies might even increase the broad social efficiency of the regulatory job without impairing the impartiality of its administration.

It may be stated again that unless a suitable department exists to house a regulatory commission, the commission should remain independent or be set up on an independent status.

#### The Judicial Section

The Judicial Section should be set up on an independent basis in the executive department, and its name might well contain the word "judicial" or "court", in order to draw attention to the judicial nature of its work. Such a judicial label would measurably increase the prestige of the section. It would strengthen the President's hand in making proper appointments, attract a higher type of person, and create a certain protection against ulterior pressures.

The relation of the Judicial Section to the department is perhaps the most novel feature of the suggested plan. The section is to be "in" the department, but not "of" it. It is to be "in" the department for purposes of general service administration, or "housekeeping", but it is to be completely independent as to its substantive functions and its members are to be removable only for cause. In the actual work of making decisions, issuing orders, etc., it

would not be responsible to the secretary or to the President. It would be as completely independent in these matters as any court of law.

There is one case of an independent agency "in" a department—the Bituminous Coal Commission. The statute reads: "There is hereby established in the Department of the Interior a National Bituminous Coal Commission", with four-year terms but removable by the President only for cause. The Commission is now dormant, so it contributes little to a knowledge of how the plan works. A similar status "in" the Department of Labor was proposed for the National Labor Relations Board and the idea was strongly defended by Secretary Perkins in the hearings on the creation of the Board.

In the case of the proposed Judicial Section, being "in" the department will mean at least four things. First, it will mean that its budget will clear through the department. Budgetary control may be a coercive weapon, but there could be little reason to use it to put pressure on a Judicial Section. The budget of the Judicial Section would be fairly static and might safely be left to departmental control. Second, insofar as the Government has a uniform personnel policy and administration it should apply, through the department, to the Judicial Section. Third, the Judicial Section should be relieved of all burdens incident to procurement and other phases of matériel administration. Fourth, the section should be subject to all routine Executive orders of uniform application necessary to the administration of the Executive Branch of the Government. Most of these would be administered through the department. None should impinge on the substantive duties of the Judicial Section.

Certain organization facts relating to the Judicial Section may now be suggested. In the matter of size no arbitrary rule can be laid down, but the section should be kept as small as possible and still do its work effectively. Excessive size retards judicial deliberation, but a body that must handle a complex job by setting up panels or sections will need more members than one that does not. The existing commissions range in size from three to eleven. Probably most Judicial Sections could manage with five members. A body doing only quasi-judicial work could be smaller than one burdened with rule-making and administrative duties.

The members of the Judicial Section should be appointed by the President with the consent of the Senate. This would make them major appointments with the protection resulting from the publicity they would receive.

In deciding what qualifications members should have, both negative and positive suggestions occur. The customary bipartisan requirement seems relevant only to policy-determination and should be ruled out. The same is true of geographical or sectional representation and group or class representation. Pos-

sibly those having business or financial interests within the jurisdiction of the section should be ineligible. On the other side of the picture, thought should be given to the occupational or professional qualifications that bear on the work to be done. The British Railway Act of 1921 sets up a Railway Rates Tribunal of three members who must be experienced in commercial affairs, railway business, and law, respectively. It might be well to develop the tradition that one member of the Judicial Section shall have had administrative experience in the upper levels of the Administrative Section. This would be helpful to the Judicial Section itself and would create an incentive to efficient administration by offering possible promotion to a position of greater prestige and security of tenure.

The terms of office should be 12 or 14 years, and appointments should be staggered to assure continuity of policy and experience. Everything should be done to encourage the re-appointment of competent members. Removals from office should be only for incompetence or misconduct. Salaries should be adequate.

The Judicial Section should have power to formulate its own internal rules and procedure, subject possibly to some check, preferably of judicial origin. It should have such a staff as is normally attached to a judicial body. There is no reason why it should have examiners or attorneys of its own.

#### The Administrative Section

The Administrative Section is a bureau or division of an executive department. Since the aim is to make the Administrative Section effectively responsible, it goes, of course, directly into the executive department and becomes an integral part of it. There is nothing novel about such status, and it need not be discussed in detail.

The section should have bureau or division status, depending upon the size and importance of its job in relation to the work of the rest of the department. The administrative sections of the Federal Power Commission and the Interstate Commerce Commission would call for different treatment in this regard. It is scarcely necessary to point out that as a bureau or division in a department the Administrative Section would have a responsible head, replacing the board or commission form of organization.

Every effort should be made to set up the Administrative Sections on a career basis. This should apply to the responsible bureau or division chiefs as well as to the staffs. The bureaus in the Department of Agriculture under civil service chiefs have long and enviable records of efficient and aggressive administration. The resources of civil service experts have by no means been exhausted in the present regulations and it is possible to look forward to the use of techniques whereby positions of even



greater importance and responsibility can be filled by civil service methods.

Certain problems of coordination will be faced in relating the work of an Administrative Section to that of its neighbors in the same department. It will not exist in a vacuum. It will have active relationships with other administrative sections as well as other bureaus and divisions. Effective coordination will be of great importance. Perhaps it could be worked out through a deputy under secretary and with the aid of conference committees. It lies outside the scope of this study to formulate the details of such a plan. It may well be that through such coordination of the work of sections and bureaus it will be possible to guarantee that "neutrality" of atmosphere deemed necessary in a department before the administration of a regulatory function may be safely confided to it.

#### D. LONG-TIME ASPECTS OF THE INDEPENDENT COMMISSION PROBLEM

Perhaps the chief reason for worrying about independent regulatory commissions is that they are continually being created. A few such administrative excrescences can be assimilated without undue disturbance. But the problem of regulation for which independent commissions are being used is a long-time problem. The proposed plan may therefore be examined as a technique for dealing with this long-time problem.

It seems clear that the movement for governmental regulation will go on. It may move slowly or rapidly, but it is not likely to stop. Its past history supports this view. Regulatory commissions have not been set up for partisan reasons. Each party has created some, and others have resulted from bipartisan efforts. No party coming into power has abolished any regulatory commission created by its opponents. Some commissions have been set up because an imperative need for regulation was felt by the very interests to be regulated. The regulatory problem, in short, is inherent in the progressive development of a complex economic society. There is every reason to suppose that Congress is going to face the same temptation in the future that it has in the past to set up these independent bodies.

It is easy to see that there are practical and strategic difficulties in applying the proposed plan to an existing commission that would not arise in dealing with a new regulatory function. The difficulties are by no means insuperable, but they cannot, nevertheless, be left out of account. Some of the independent boards and commissions, such as the Interstate Commerce Commission, have entrenched themselves in the public esteem and enjoy great prestige. This is a factor both practical and psychological, which could not be ignored in deciding whether to "break them down" under the proposed plan. Also the technical administrative job of fitting an already established independent commission into an existing

#### Relations between Administrative and Judicial Sections

The relations between Administrative and Judicial Sections would, in actual practice, have to develop by trial and error. The two sections are separate and distinct and their formal contacts are limited to those made necessary by their respective duties. The Administrative Section exercises no control over the Judicial Section and is responsible neither to it nor for it. At the same time, the two sections each have a share in a common problem. Their informal contacts should be close and cordial. They should not be separated physically, but should be twin units in the same division of the department. The wisdom and experience of each should be available to the other through informal conferences or through joint membership on advisory committees.

department will be much more complicated and arouse much more internal hostility than would be the case in setting up an entirely new unit. Many of the existing staff might feel the change from independent status to be a demotion. The problems of overlapping staff and functions might cause friction. The adjustment of salary scales to the departmental levels would create further difficulties.

At the same time, the suggested plan seems peculiarly adapted to newly emerging regulatory functions. Many of these are, in the beginning, "exploratory" in nature. They involve the application of very vague "standards" to the conduct of industry. Wide discretion is involved, and there is pressing need for effective responsibility for this important policy-determining work. At the same time there is also acute need for the proper "judicialization" of the quasi-judicial work involved. The very vagueness of the "standards" set up increases the difficulty of knowing in advance the impact and liabilities of the law, and increases the evils resulting from merging in one body the duties of prosecutor and judge. The proposed plan meets effectively both of these problems. In addition, the plan contains within itself elements of flexibility that make it peculiarly useful in handling problems that may need to be dealt with by the trial and error method. It would be easy to adjust the structure of the proposed Administrative and Judicial Sections, or the precise division of labor between them, to meet any peculiar problem of regulation that might rise, or to any change in the nature of the regulatory task. The proposal is, in short, not so much a program, definite and rigid in its details, as it is a principle for the allocation and organization of functions. As such its utility is not limited to the present. It may be used whenever and wherever Congress may decide to establish a new form of Federal regulation or reorganize an old one.

## V. AN APPRAISAL OF THE SUGGESTED PLAN

Though some of the probable results of the suggested plan have been alluded to in explaining its nature and operation, the advantages it

offers, the criticisms it must meet, and the relative value of certain alternative proposals may be taken up in turn.

### A. ADVANTAGES OF THE PLAN

The advantages that the plan should accomplish are varied and important. They fall into four groups which may be dealt with separately.

#### For Administrative Management

First, from the point of view of administrative management the plan will increase the coherence and unity of the national administrative structure. All "fifth wheels", or rather all wheels from the fifth on, will be eliminated. It will work back to the simplicity of major departmental lines and tend to reduce the chaos of independent agencies. Simplicity of administrative structure is not an end in itself; but it makes possible the tightening of the lines of responsibility so necessary to effective administrative management. By turning back to the executive departments the functions of policy-determination and administration handled by the independent commissions, a coherent and coordinated policy may be formulated and an equally coherent and well-directed administration of that policy will be facilitated. Policies and their administration will no longer be disorganized and obstructed by the activities of the independent commissions in the sanctuaries of unaccountability which they now occupy.

The administrative and policy-determining work now handled by the commissions ought to be handled more efficiently by an Administrative Section relieved of the burdens of quasi-judicial labor. The most trenchant criticism directed against the Interstate Commerce Commission is that its task is so vast and so intricate that the broad problems of planning and policy can receive less and less attention from the overburdened commissioners. It seems reasonable to expect that the division of labor between the proposed Administrative and Judicial Sections would provide better opportunities for broad planning and closer scrutiny of the efficiency of the administrative work.

The same division of labor would make it easier to merge within a department the Admin-

istrative or Judicial Sections doing similar jobs. If the new Maritime Commission were put into a department, under the suggested plan, its very meager quasi-judicial duties could easily be combined with those of some Judicial Section charged with the regulation of other transportation rates. Instead of increasing the independent dumping grounds into which Congress is prone to put miscellaneous functions not easy to allocate, the plan provides for the easy assimilation of such functions into the departmental structure.

#### The Handling of Judicial or Quasi-Judicial Work

Second, some of the most important advantages of the suggested plan lie in the handling of judicial or quasi-judicial work. The Judicial Sections will be as completely independent in respect to their judicial and quasi-judicial work as the independent commissions now are. They will be even more independent, for they will be free from those subtle pressures that menace the judicial neutrality of the independent commission and that are the inevitable result of its important policy-determining duties.

One of the chief gains will be the abandonment of the vicious principle of merging in one body the role of prosecutor and judge. A Judicial Section, relieved of the equivocal duty of passing final judgment upon its own preliminary findings, should be able to decide cases more justly and command greater public confidence than a body suffering from this liability. There is deep-rooted and well-justified prejudice against this merging of prosecuting and judicial duties, and the practical and psychological gains in putting an end to it would be very great.

One of these gains would take the form of a much more wholesome attitude toward the regulatory function upon the part of constitutional courts. The courts have shown no hesitation in subjecting the work of the independent regulatory commissions to a judicial scrutiny so

strict as in some cases to amount almost to a usurpation by the court of the commission's power and responsibility. There has been scant respect shown by the courts for findings of fact made by the commissions. This judicial aggressiveness has been most conspicuous where, as in the early history of the Federal Trade Commission, there was ground for suspecting that the commission's formal complaints and final orders were rationalizations of its preliminary findings made in the role of prosecutor. A Judicial Section, as proposed, would be free from this suspicion, and the purely judicial and quasi-judicial nature of its work would remove the chief excuse that the courts have for injecting themselves into the administrative and discretionary processes of regulation.

Upon the basis of one or more Judicial Sections it would be possible to set up some form of administrative court, if and when that seemed desirable. The details of such a plan need not be discussed, but tradition and experience might easily come to justify the same sort of development that has occurred in the case of the Board of Tax Appeals. That body has become an administrative court in all but name and now deserves not only the name but also life tenure.

The Judicial Section, freed from policy-determining duties, would not need the close contacts with Congress and political leaders that the independent commissions, because of their independence, are obliged to maintain on matters of budget and general policy. This would make it unnecessary to appoint men who have facility in these political and legislative contacts, and would leave the President free to choose as members of the Judicial Section men who are judicially minded.

### Flexibility

Third, one of the obvious advantages of the plan is its flexibility and its adaptability to varying conditions. With the Administrative Section and the Judicial Section under the roof of the same department, the details of their organization can be worked out experimentally by Executive order. The division of labor between them can also be modified in the light of experience, and the shifting of a function from one section to the other would not raise the major jurisdictional controversy and possible political storm that sometimes result from tampering with an independent commission. Furthermore, the principle of the plan does not have to be applied with relentless thoroughness in order to be applied at all to advantage. As has been said, it does not need to be applied to any particular existing commission. It can be applied to some and not all.

Nor does the principle suggested for assigning the duties of the two sections need to be applied with rigid consistency. It is quite possible to

have the Judicial Section handle certain administrative jobs of unique importance if it is thought that the gain in having them done by a judicial body outweighs the loss in administrative responsibility. Secretary Roper is said to believe that the vast interests involved in the granting of ship subsidies ought not to be confided to a single-headed department. This is highly debatable, but in applying the proposed plan to the Maritime Commission it would be quite possible to give the subsidy job to the Judicial Section.

The flexibility of the plan makes it peculiarly useful in dealing with the evolutionary aspects of the problems of regulation. The life histories of many of the independent commissions show startling changes in the process of growth. Set up often in a tentative and feeble fashion to explore the possibilities of regulation, they have gained in assurance and experience and have had their powers clarified and increased. They have undergone changes in structure, procedure, and function. Some of the needed adjustments, possible only through legislative change, have been difficult to achieve and long delayed. The ready adaptability of the suggested plan to the progressive development of any regulatory problem should be apparent from the earlier analysis of it. It is this quality that makes it especially useful in dealing with the long-time aspects of the problems of regulation.

### The Strategy of Reform

Fourth, the suggested plan is neither so novel nor so revolutionary as to rule out the practical possibility of its being considered on its merits and adopted. As already pointed out, the policy of putting an independent commission "in" an executive department was followed in the case of the Bituminous Coal Commission. It was seriously considered for the Social Security Board and the National Labor Relations Board. An analogy not quite so close is the Board of Tax Appeals, which took over in 1924 the job done before by the Committee on Appeals and Review set up in the Treasury.

The careful protection and segregation of the judicial and quasi-judicial work of regulation in a Judicial Section, with a prospect of eventual administrative court status, should meet in large measure any fear of weakening judicial independence. That independence is not weakened but strengthened. The members of existing independent commissions are fond of emphasizing the judicial nature of their work and take justifiable pride in it. They should not look with hostility upon increased recognition and independence for that judicial work.

If it seemed desirable to apply the scheme to any existing commission it could be done with a minimum disturbance of present arrangements. The commission itself could be carried over bodily as the new Judicial Section, and

would find its new job not startlingly different from its present one. The present staff of the

commission, with a responsible head added, could be welded into an Administrative Section.

## B. CRITICISMS OF THE PLAN

Several criticisms of the suggested plan may now be stated and appraised.

### Loss in Expertness of Personnel

In the first place, it is pointed out that the "mixing" of the functions performed by the regulatory commissions is itself an advantage. If the same body is doing policy-determining and administrative work, as well as judicial and quasi-judicial work, each part of the task will be better done because of the richer training and experience that results from the mixture of functions. This added wisdom and efficiency would be lost by the segregation of duties in the proposed plan. It is urged that this loss would be especially serious in the case of such a body as the Interstate Commerce Commission. It formulates and administers broad policies and it also makes quasi-judicial decisions. But it should make its decisions with its broad policies clearly in mind, and this would be much harder to do if the two jobs are confided to separate bodies. Every administrative task that the commission performs increases the expert wisdom it brings to bear on its judicial work. Its work in the field of administration and policy is made more impartial and stable by the sobering influence of its judicial responsibility. Administration and adjudication would both suffer from the proposed split-up of the regulatory job.

This is very true in the sense that any administrator or judge is wiser and more efficient the more he knows about the background and technical aspects of the problems with which he deals. In a Government still committed after 150 years to the principle of the separation of powers, it is, however, possible to over-emphasize the value of mixing different governmental functions in one body in order to insure the competent performance of any one of them. As already seen, a heavy price is paid in loss of administrative responsibility and in threat to judicial neutrality for this very mixture of functions in the independent commissions. This criticism of the proposed plan poses a problem that can be solved only by the weighing of relative values and liabilities.

But the proposal does not alter the present distribution of regulatory duties so drastically as appears on the surface. Division of labor within the regulatory commissions has become imperative with the increasing volume and complexity of the work to be done. A situation is developing in which the commissioners themselves are handling the quasi-judicial work, whereas the administrative work is being done by the commission's staff. Each Interstate

Commerce Commissioner is the head of one of the eleven bureaus set up in the commission. But each of those bureaus has a director, and when the writer asked Mr. Eastman how actively each commissioner managed his bureau he replied, "They practically run themselves." The proposed plan merely makes more formal and clean cut the rather normal division of labor that most of the commissions have been obliged to work out.

### Dangers of Political Control

A second criticism is directed against turning the important policy-determining and administrative work of the commissions over to departments that are politically controlled. Shall the vast interests at stake in the regulation of the railroads or the merchant marine be subjected to the sinister control of the spoilsman or the political opportunist? There are instances of subversive political interference with the regulatory process. In December 1930, the Secretary of Agriculture, under pressure from the refiners of corn sugar, reversed a ruling by the Food and Drug Administrator that when corn sugar (dextrose) was used as a substitute for sugar in jams, preserves, and jellies, the label must show that fact.<sup>13</sup> It will not be denied, however, by those familiar with the facts that the regulatory bureaus in the Department of Agriculture and other departments are in the main fearlessly handled by civil service administrators who testify to their freedom from higher executive interference. There is no reason why the suggested Administrative Sections, manned and headed by career men of high caliber, should not give a fearless and impartial administration of the law. There can be no effective administrative responsibility without the conferring of discretionary power. If wrongly used, it may lead to bad results, but this is not a problem confined to the field of Federal regulation.

### Danger in Abandoning the Board System

Third, it is urged that important rules and regulations should not be issued by a single officer but should come from the collective deliberation of a group. It is also urged that some of the administrative or managerial tasks of the regulatory commissions are too important to be handled by one man. The suggested plan is criticized because it confides all these tasks to a single-headed bureau in a department. This criticism will not survive close examination. In

<sup>13</sup> See E. Pendleton Herring, *Public Administration and the Public Interest* (New York: McOraw-Hill Book Co., 1936), pp. 238-39.



the first place, rule-making by an Administrative Section does not mean rule-making by a single officer, but by an entire hierarchy of officers whose successive checks are as effective as the collective efforts of any board. The rule-making now done by executive departments is quite as satisfactory as that done by independent commissions, with the added element of effective responsibility to its credit. The administrative bureaus make quite as much use as do the commissions of the valuable technique of advisory conferences on the formulation of rules. On the other hand, so far as administration carried on by a group is concerned, there is little to commend it. It is on the purely administrative side that the independent commissions are weakest, and gain rather than loss would result from centralizing control and responsibility, even in the administration of vitally important regulatory powers.

### Slowing Up of Efficiency

Fourth, it is urged that to "break down" a commission in a department, as here suggested, would mean a general slowing down of its tempo and efficiency, due to the fact that it is no longer a self-sufficient unit but is merely a cog in a vast machine. Though there may be an element of truth in this, it is not a serious indictment. There is no reason why the administrative subunits of the existing commissions should not be transferred almost bodily under the proposed plan and continue to function very much as they do now. Whatever review or supervision they receive from above should not take appreciably more time and energy than is now given to them by the commission itself. Nor is it possible to impeach on this ground the efficiency of the administrative jobs handled by the regulatory bureaus now working inside the walls of executive departments.

## C. COMMENT ON ALTERNATIVE PROPOSALS

Other plans for dealing with the independent commissions have merit in varying degrees, but it is believed that no one of them meets so squarely the major issues raised by the commission problem as does the plan suggested in this study.

### Improve the Independent Commissions

The first alternative proposal would retain the independent commissions but would improve them. It is not within the scope of this report to study in detail the various ways in which the independent commissions could be "tinkered up." None of these incidental improvements goes to the heart of the commission problem. The more important ones may be mentioned, however, since some of them are well worth working for, even if nothing more thorough is done.

Mergers of existing commissions are not out of the question. The new Maritime Act permits the transfer by Executive order to the Interstate Commerce Commission after two years of the meager regulatory duties of the Maritime Commission. Other shifts and combinations might possibly be made. In setting up a new regulatory power every effort should be made to put it into an existing agency rather than a new one.

Changes in internal organization might increase the efficiency of the commissions. Most of these would effect a better division of labor. Such changes have been made in the Interstate Commerce Commission, and in 1935 Mr. Eastman proposed much more drastic changes which did not win the Commission's approval. Changes of this kind are likely to set up divisions for handling specialized jobs and some sort of review of the work of such sections.

The procedure of some of the commissions has been sharply criticized, and it has also been urged that the unsatisfactory reporting of the decisions of some commissions has made it difficult for those subject to regulation to know what their rights and liabilities are, which has retarded the proper development of an administrative law in the field. Obviously, measures to correct these evils where they exist are to be supported strongly.

Much administrative confusion would be eliminated if the independent commissions were made clearly subject by statute to Presidential Executive orders of general application necessary to the administration of the Executive Branch. This could be done without endangering the judicial neutrality of the commission and would be highly desirable.

### Put Independent Commissions into Executive Departments

A second alternative would put independent commissions into executive departments but leave them independent. It would be possible to apply more broadly the policy followed in setting up the independent Bituminous Coal Commission "in" the Department of the Interior. What would be accomplished at the most would be the subjecting to departmental control of the budget, personnel, and matériel of the commission. It is doubtful whether any gains from this change would be great enough to justify the administrative disruption of the transition.

### Convert into Bureaus in Executive Departments

Third, it is suggested that independent commissions be converted into bureaus in executive



departments. There is not much support for this drastic proposal, although the successful operation of the regulatory bureaus already in the various departments makes it impossible to rule it out completely. In order to secure effective responsibility for the policy-determining side of the regulatory job, it sacrifices the independence necessary for the neutral handling of judicial work. Since the plan suggested in this study accomplishes the same gain without making this sacrifice, it seems clearly preferable.

### An Administrative Court Proposed

Fourth, a different kind of attack on the independent commission problem comes from the legal profession. Typical of this was the proposal for an administrative court presented to the American Bar Association by its special Committee on Administrative Law in 1936 but not adopted by the Association at its annual meeting of that year. This proposal was directed against two aspects of present administration believed by the Committee to be objectionable. One is the merging of policy-determining, prosecuting, and judicial work in the same hands. The other is the refusal of the constitutional courts to review as such the findings of fact that are made the basis of regulatory power by administrative officers.

The Committee's immediate proposal was less sweeping than its ultimate objective. It may be summarized as follows:

1. There is to be an administrative court of 40 judges, under the judicial superintendence of a Chief Justice, 35 of whom would be the members of the existing Court of Claims, Customs Court, Board of Tax Appeals, and Court of Customs and Patent Appeals.

2. The court would have a trial division of at least four sections and an appellate division with enough sections to handle its work.

3. The sections of the trial division would

take over the present jurisdiction of the legislative courts over claims, customs, and tax matters. This division would have original jurisdiction to revoke and suspend all licenses, permits, registrations, or other grants for regulatory purposes. The Committee found 54 cases in which administrative agencies now do this. The trial division would also take over the present jurisdiction of the courts of the District of Columbia to issue extraordinary writs against Federal officers and employees.

4. The appellate division would review the decisions of the various trial sections and would take over the present jurisdiction of the Court of Customs and Patent Appeals. This review would extend to all issues of law and fact.

5. The decisions of this administrative court would be final, subject only to review by the Supreme Court on certiorari.

This proposal is open to criticism upon two major grounds.

First, it transfers administrative work, the revocation of licenses, etc., to a separate and independent court. This is, admittedly, only an entering wedge. It is expected that other similar functions might later be taken over in the same way. This can hardly fail to impair the efficiency and the unity of the regulatory job and weaken the responsibility of the administrative agencies. In the words of John Dickinson, "I do not see how these quasi-judicial functions can be torn from the executive or administrative agency and leave more than a crippled torso behind." At the same time, this transfer of functions imposes on a strictly judicial body the making of decisions involving elements of administrative discretion. Second, the proposed review by the appellate division of the administrative court of all findings of fact as well as law involves judicial intrusion into that aspect of the regulatory function which should be the peculiar province of the administrative agency. This, however, is not an essential part of an administrative court plan.

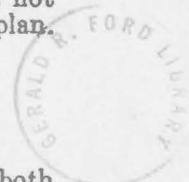
## D. CONCLUSION

The main lines of this study may now be pulled together in brief summary.

The independent regulatory commissions constitute a serious and increasing problem. They exist as areas of complete irresponsibility within which important policy-determining and administrative functions are being carried on. By that very irresponsibility they obstruct effective over-all management in the Executive Branch of the National Government. They hinder coordination of policy and coordination of administration. At the same time, the policy-determining aspects of the regulatory job are interwoven with judicial and quasi-judicial duties. The functions of prosecutor and judge are placed in the same hands, and the impartiality so necessary to the proper handling of

judicial work is imperiled by the pressures, both subjective and objective, which tend to influence the commissions on matters of policy. Thus the problem is not an accidental or superficial one; it arises from the inherent nature of the commissions and their work. It will remain as long as the commissions are kept; it will increase in seriousness as they are multiplied.

The plan here suggested embodies the only principles by which the independent commission problem can be solved, the principles of effective responsibility for policy-determining and administrative work, and of complete independence for judicial and quasi-judicial work. The proposed Administrative Section would be an integral part of the Executive Branch of the Government. The Judicial Section would re-



main wholly independent in the handling of its cases and the making of its decisions.

The analysis of the details of the suggested plan shows that the regulatory work now handled by the independent commissions can be satisfactorily divided up between the two sections. The initial stages of the regulatory job, where action is being initiated, investigations made, complaints filed, and records of findings prepared, are administrative in character and would be handled by the Administrative Section. The later stages, in which decisions are made or in which the preliminary decisions of administrative officers are reviewed as to their legality, are judicial or quasi-judicial in character and would be handled by the Judicial Section. In making this division of labor the suggested plan, so far from being novel and revolutionary, follows closely the general procedural steps through which the business of the independent regulatory commissions is now routed. It can, in short, be put into operation with a minimum of disturbance and readjustment.

The criticisms urged against the plan are not impressive. The success with which regulatory functions are now being handled under civil service bureau chiefs in the Department of Agriculture refutes the idea that an Administrative Section cannot be set up in a department on a career basis and do its work free from partisan and other ulterior pressures. The dividing up of the regulatory function between the two proposed sections will, of course, deprive each of the added experience and expertness that it might achieve if it performed the

whole job itself. But to emphasize unduly the disadvantage supposed to result from this aspect of the proposed plan is virtually to allege that if all administrative work could be placed in the hands of the courts the job of administration would be more impartially done and the work of adjudication more wisely and expertly handled. No such gains in expertness can possibly offset the loss of responsibility for the administrative job and the subtle undermining of judicial impartiality.

The advantages of the suggested plan are substantial. It meets squarely the problem of the independent commissions. It creates the clear responsibility for policy-determining and administrative work that is so essential to effective over-all management. At the same time, it not only preserves the judicial independence with which regulatory functions are now handled by the commissions, but it assures even more complete independence by relieving the proposed Judicial Section of the anomalous duty of functioning both as prosecutor and judge. Furthermore, in setting up the proposed sections and allocating their functions it is easy to retain a flexibility that will make the plan adaptable to different kinds of regulatory problems and to the evolving phases of the life history of any single regulatory function. The plan provides a principle or a technique by which the existing regulatory commissions may be dealt with if that seems desirable, but above all it affords a method of dealing with the continuing and long-range aspects of the independent commission problem.

The independent regulatory commissions

Agency	Date created	Size of commission	Tenure of office	Method of removal	Qualifications and disqualifications	Reeligibility	Salaries	Report to whom	Chairman appoint
Interstate Commerce Commission.	Feb. 4, 1887.....	<sup>1</sup> 5, <sup>17</sup> , <sup>19</sup> , <sup>11</sup> .	7 years staggered till successor chosen.	By President, for inefficiency, neglect of duty, malfeasance in office.	1. No more than 6 members from 1 political party. 2. Members must not be interested in any road under the Commission. 3. No other employment.	No comment. Have been reappointed.	\$12,000	Congress....	Members of Com for 1-year term.
Federal Trade Commission.	Sept. 26, 1914.....	5	7 years staggered.....	do.....	1. Not over 3 from same political party. 2. No other business while member of Commission.	No comment.....	10,000	do.....	Members of Com:
United States Shipping Board. <sup>1</sup>	Sept. 17, 1916, and Mar. 3, 1933.	<sup>4</sup> 5, <sup>17</sup> , <sup>13</sup>	6 years (1916) staggered; 3 years (1932) staggered; hold till successor.	do.....	1. Due regard to efficiency and ability. 2. Fair geographic representation. 3. Only 3 from same political party. 4. No other job or financial interest in shipping companies.	do.....	<sup>4</sup> 7,500 <sup>4</sup> 12,000	do.....	1914—Members of 1920—President.
Federal Radio Commission. <sup>1</sup>	Feb. 23, 1927.....	5	6 years staggered.....	No comment.....	1. Members must be residents—1 from each of 5 zones. 2. No financial interest in any radio concern. 3. Only 3 from same party.	do.....	\$30	do.....	Members of Comm
Federal Power Commission.	June 23, 1930.....	5	5 years staggered.....	do.....	2. No employee or pecuniary interest in power company.	do.....	10,000	do.....	Members of Board piration of his t office.
Securities and Exchange Commission.	June 6, 1934.....	5	do.....	do.....	1. Only 3 from same party, and to be appointed from alternate parties as nearly as practicable. 2. No other job or stock market operations.	do.....	10,000	do.....	Members of Com: annually.
Federal Communications Commission.	June 19, 1934.....	7	7 years staggered.....	do.....	1. Only 4 from same party. 2. No financial interest in products or services controlled. 3. No other job.	do.....	10,000	do.....	President.
National Labor Relations Board.	July 5, 1935.....	3	5 years staggered.....	By President, upon notice and hearing, for neglect of duty or malfeasance in office.	1. No other job.	May be reappointed.	10,000	Congress and President.	Do.
Bituminous Coal Commission.	Aug. 30, 1935.....	5	4 years.....	By President, for inefficiency, neglect of duty, malfeasance in office.	1. No financial interest in mining, gas, transportation, or associated industries.	No comment.....	10,000	Secretary of Interior.	By members, annual
U. S. Maritime Commission.	June 29, 1936.....	5	6 years staggered.....	By President, for neglect of duty or malfeasance.	1. Only 3 from the same party. 2. Appointed with regard to special fitness. 3. No financial interest in any shipping company for 3 years prior to appointment and none current. 4. No other job.	do.....	12,000	Congress.....	President.

<sup>1</sup> 1887.

<sup>2</sup> 1906.

<sup>3</sup> 1917.

<sup>4</sup> 1920.

<sup>5</sup> Extinct.

<sup>6</sup> 1916.

<sup>7</sup> 1932.

<sup>8</sup> Per day while at work.

The independent regulatory commissions—Continued

Agency	Duties	Subdelegation of powers	Modes of enforcement	Review by courts	Personnel—Civil service— June 30, 1936			Admini- strative budget 1936-37
					Classi- fied	Unclas- sified	Total	
Interstate Commerce Commission.	<ol style="list-style-type: none"> <li>1. Rates and traffic—just and reasonable rates and routing of traffic.</li> <li>2. Organization and finance—selection of plans for consolidation and new security issues.</li> <li>3. Property valuation—to serve as rate base.</li> <li>4. Investigations—research and violation of regulations.</li> <li>5. Service and safety—hours of employees, service and safety standards.</li> <li>6. Accounts and reports—form prescribed for all carriers.</li> <li>7. Prosecution—of violations of regulations or orders.</li> </ol>	Any function or work of the Commission may be delegated to an individual Commissioner or Board of Employees of the Interstate Commerce Commission. Parties affected by the decisions of such delegated authority may petition for hearing before Commission.	If order of Commission has been regularly made and duly served (in eyes of court), an injunction may be obtained to enforce obedience of carrier.	Transcript of hearing before Commission shall serve as facts of case unless new evidence is admitted by district court. Appeal may be taken to Supreme Court.	1,873	58	1,931	\$5,850,654
Federal Trade Commission.	<ol style="list-style-type: none"> <li>1. Prevention of unfair [methods of competition, price discrimination and other corporation practices in restraint of trade.</li> <li>2. Administration of Clayton Act.</li> <li>3. Trade practice conferences—with industry for trade standards.</li> <li>4. Economic investigations—at direction of President, Congress, or Commissioners.</li> </ol>	No comment.....	do.....	Transcript of hearing before Commission shall serve as facts of case unless new evidence is admitted by district court. Appeal may be taken to Supreme Court (except under Webb-Pomerene Act; there Commissioners hold hearings for facts but turn case over to Attorney General for enforcement).	306	260	572	1,603,309
U. S. Shipping Board	<ol style="list-style-type: none"> <li>1. Subsidize merchant fleet—useful for commerce and defense.</li> <li>2. Regulate carriers by water—no deferred rebates, discrimination, etc.</li> <li>3. Research—cost of construction abroad and discrimination against American exporters.</li> </ol>	Direction of various activities may be assigned to one or more Commissioners.	do.....	do.....			124	407,000
Federal Radio Commission.	<ol style="list-style-type: none"> <li>1. Classify radio stations.....</li> <li>2. Prescribe services to be rendered.</li> <li>3. Limit area to be served.</li> </ol>	No comment.....	By licensing all stations.....	No comment.....			124	465,380
Federal Power Commission.	<ol style="list-style-type: none"> <li>1. Regulation by license—of accounting methods, issuance of securities and wholesale rates in interstate commerce of all licenses and rates of licensees in States which have no regulatory body.</li> <li>2. Investigation of water-power utilization, sites, and cost of production.</li> <li>3. Collection of fees for licenses, etc.....</li> </ol>	do.....	<ol style="list-style-type: none"> <li>1. Licenses may be denied on stated grounds.</li> <li>2. Preliminary permits may be canceled.</li> <li>3. Licenses may be revoked by equity proceedings in district court by Attorney General on request of Commission.</li> <li>4. Failure to obey regulations is misdemeanor.</li> </ol>	do.....	259	93	332	379,024
Securities and Exchange Commission.	<ol style="list-style-type: none"> <li>1. Regulation of securities exchanges and their members by power to revoke registration privileges.</li> <li>2. Investigations to uncover violations of law.....</li> <li>3. Regulation of new securities issues.....</li> </ol>	do.....	<ol style="list-style-type: none"> <li>1. Revocation of registration privileges.</li> <li>2. May only apply to district court for injunction, to restrain violations of statute or by mandamus proceeding.</li> </ol>	<ol style="list-style-type: none"> <li>1. Findings of fact by Commission supported by evidence, conclusive. New evidence admitted by court first returned to Commission.</li> <li>2. Criminal penalties enforceable in United States Federal courts by Attorney General.</li> </ol>	617	463	1,080	2,264,464
Federal Communications Commission.	<ol style="list-style-type: none"> <li>1. Radio regulation by issuance of licenses to all but Government stations.</li> <li>2. Telephone and telegraph regulation: <ol style="list-style-type: none"> <li>(a) Rates must be just and reasonable in all interstate powers of Commission.</li> <li>(b) Interlocking directorates must be approved by Commission.</li> <li>(c) Valuation studies, form of accounts prescribed.</li> <li>(d) Certificates of convenience and necessity must issue from Commission.</li> </ol> </li> </ol>	Any duty or function may be assigned to an individual Commissioner or to a board of one or more employees of the Commission except investigation on Commission's initiative and contested proceedings involving hearings, unless parties of action agree. Parties affected by decisions of delegated power may petition for rehearing before Commission.	Injunctions of enforcement obtained from district courts by Attorney General at direction of Commission.	Review by district courts. Commission's findings of fact prima facie evidence.	582	157	739	1,525,060

Federal Communica-  
tions Commission.

1. *Rates regulated by issuance of licenses to all but Government stations.*
2. *Telephone and telegraph regulation:*
  - (a) *Rates must be just and reasonable in all interstate powers of Commission.*
  - (b) *Interlocking directorates must be approved by Commission.*
  - (c) *Valuation studies, form of accounts prescribed.*
  - (d) *Certificates of convenience and necessity must issue from Commission.*

Any duty or function that is not authorized by statute may be delegated to a board or agency for the purpose of holding unfair labor practice hearings.

Commission may apply to United States Circuit Court of Appeals in district of violation for an enforcement of its orders.

Commission's orders reviewable in United States circuit court on basis of law and may be appealed to the U. S. Supreme Court.



189125-37-17

National Labor Relations Board.	<ol style="list-style-type: none"> <li>1. <i>Prevention of unfair labor practices in commerce.</i></li> <li>2. <i>Investigation of facts, issues, and practices of employers and employees in labor controversies.</i></li> <li>3. <i>Protection of employees' right to organize and bargain collectively.</i></li> </ol>	Board may delegate functions to agent or agency for the purpose of holding unfair labor practice hearings.	Same as Interstate Commerce Commission, etc.	Same as Interstate Commerce Commission, etc.	105	98	128	4
Bituminous Coal Commission. <sup>1</sup>	<ol style="list-style-type: none"> <li>1. <i>Conservation of bituminous-coal resources of United States.</i></li> <li>2. <i>Stabilization of industry and promotion of interstate commerce by price and production agreements.</i></li> <li>3. <i>Research and recommendations on problems confronting industry.</i></li> </ol>	No comment.....	Commission may apply to United States Circuit Court of Appeals in district of violation for an enforcement of its orders.	Commission's orders reviewable in United States circuit court on basis of law and may be appealed to the U. S. Supreme Court.	33	150 27	150 60	6
U. S. Maritime Commission.	<ol style="list-style-type: none"> <li>1. <i>Operation of Government-owned merchant fleet.</i></li> <li>2. <i>Limited regulation of private water carriers in foreign commerce.</i></li> <li>3. <i>Construction and subsidy of merchant and naval auxiliary fleet.</i></li> </ol>	.....do.....	Same as Interstate Commerce Commission, etc.	Same as Interstate Commerce Commission, etc.	-----	-----	-----	(9)

<sup>1</sup> Extinct.

<sup>2</sup> Personnel and budget for fiscal year 1932.

<sup>3</sup> Regulation part of Guffey bill creating commission declared unconstitutional by Supreme Court, May 1936.

<sup>4</sup> Estimate for 1937 fiscal year.

<sup>5</sup> Actual personnel and budget for fiscal year 1937 following Supreme Court decision.

<sup>6</sup> Not yet organized.

1975  
RESEARCH

OFFICE OF THE DIRECTOR

"The Effect of Regulation on American Industry"

(Digest of a Draft Chapter for a Possible Book by

Dr. Edwin A. Gee)

1. Dr. Gee's topic is the present state and future prospects of what he calls the "innovation system."

2. Here are the principal elements of Dr. Gee's reasoning:

a. Innovation is the most important agent of change;

b. Innovation cannot take place without some risk; risk cannot be minimized or eliminated by government regulation; instead, we must weigh the dangers involved against the benefits to be gained;

c. The key incentive to innovation is profit; the innovation system can continue to function only if it is kept profitable;

d. It is crucial to understand the role of profits as the motive force of the innovation system:

- profits repay investors for the use of their assets;

- profits help to pay for future growth, in the form of new plants, better machines, greater productivity, and more jobs;

e. It is also crucial to understand what too much regulation does to the innovation system and the profit incentive:

- Much regulation is good and has, in balance, been of benefit to society;



- But an increasing amount is bad in that it fails to consider the major costs of regulations when they are directed towards minor or hypothetical threats to the public.

3. With this reasoning, Dr. Gee diagnoses that the present climate is against innovation:

- A greater percentage of profits is going for taxes;
- A greater percentage of profits is going for wages;

If present trends continue:

- The costs of goods will continue to rise;
- Profits will disappear altogether;
- Capitalization will become impossible;
- The rate of new-job creation will drop to zero;
- The system will "grind to a halt.. the golden goose will be dead; the magic money machine will be 'inoperative.'"

4. Dr. Gee illustrates this diagnosis by sketching the steps in the "innovation process" and describing how, at each point, government's role has become inhibiting, stifling incentive and threatening to destroy the innovation system.

STEP I - Research and Development:

There has been a:

- Drop in the rate of growth of basic research;
- Drop in the total rate of growth of research and development;
- Therefore, a drop in the "rate of discovery;



This has come about because of:

- Less government subsidy and support;
- Smaller government markets, therefore less support for initial production;
- Less venture capital;
- Ultimately, less profitability of the the overall innovation process.

The results are:

- "A lower rate of the generation of new knowledge and a smaller pool of information for the innovator to manipulate;"
- A corresponding decline in America's leadership in technology, research, and development.

STEP II - Compensations for Discovery

- Patents are harder to obtain, harder to defend, and harder to utilize; laws, regulations, and judicial decisions not only simply limit patent protection to the industrial innovator, but dramatically reduce the use of government innovation involving patents;

- Anti-trust policy "threatens the very existence of innovative resources," like the Bell Laboratories, menaced by the pending anti-trust suit against AT&T;

STEP III - Product Testing ("market assessment of innovation")

- Because of the welter of law and regulation, the cost of market evaluations and hence of new product development is almost prohibitive; proposed legislation is even more restrictive;

- A good example is the decline of new drug development (and the falling rate of new drug applications) in the chemical industry;



STEP IV - Construction of Manufacturing Facilities

- An example of the regulatory morass is the requirement for 26 permits from 13 separate government agencies in order to construct a chemical plant;

STEP V - Regulatory Compliance

- Pressure for more regulation often results from the distortion of data and obstructive arguments of special interest groups, "frequently spearheaded by poorly informed, emotionally involved individuals, buttressed by lawyers working for fees and pseudo-scientists seeking public recognition, with the group exploited by the media and politicians;"

- Supporters of greater regulatory activity argue that:

- More regulations cost only a small fraction of the GNP;

- The social benefits of these regulations greatly outweigh the costs;

- In fact, the reverse is true:

- The benefits are usually unknown, but small;

- The costs are known, high, and growing.

5. Dr. Gee concludes his argument with a detailed discussion of the effect of regulations on the automobile industry, which he summarizes with this formula:

- "there is a level of regulation wherein benefits exceed costs;"

- "beyond that point there is waste."

6. Dr. Gee reserves his detailed recommendations for a chapter yet to appear in draft form; here he offers these general suggestions:



-5-

OFFICE OF THE VICE PRESIDENT

WASHINGTON, D.C.

a. The need for "balance and perspective and measurement of negatives as well as positives" in evaluating the need for, and possible impacts of, regulations;

b. The need for the regulatory process to recognize its potential to do harm as well as its opportunity to do good;

c. The hope that, "If Congress and the Executive Branch were required to issue legislative and regulatory impact statements analagous to those required by EPA, many decisions would be better balanced."





FEDERAL AVIATION AGENCY  
T-4 AND T-5 BUILDINGS



UNITED STATES  
TARIFF COMMISSION



FEDERAL  
COMMUNICATIONS COMMISSION  
BROADCAST BUREAU  
HEARING DIVISION



FEDERAL TRADE  
COMMISSION



CIVIL AERONAUTICS BOARD  
WINGS A-B-C  
T-5 BUILDING



INTERSTATE  
COMMERCE  
COMMISSION

GOVERNMENT-BY-AGENCY—Regulatory agencies in specialized fields exercise many legislative and judicial functions. Above are seals or plaques of some of them.

## To Regulate the Regulators

**Federal agencies, which govern some of the most vital functions of our society, are in need of fundamental reforms, it is asserted, if they are to fulfill their roles.**

By ANTHONY LEWIS



REPORTS TO BE MADE TO CONGRESS

LETTER

FROM

CLERK, HOUSE OF REPRESENTATIVES

TRANSMITTING

A LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS, PURSUANT TO RULE III, CLAUSE 2, OF THE RULES OF THE HOUSE OF REPRESENTATIVES

*Dear Mr. Speaker:* Pursuant to the provisions of rule III, Clause 2, of the Rules of the House of Representatives, I have the honor to submit herewith a list of reports which it is the duty of my officer or department to make to Congress.

*Respectfully yours,*

*W. PAT JENNINGS,  
Clerk, U.S. House of Representatives.*



JANUARY 14, 1975.—Referred to the Committee on House Administration and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1975

45-681



REPORTS TO BE MADE TO CONGRESS

LETTER

FROM

CLERK, HOUSE OF REPRESENTATIVES

TRANSMITTING

A LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS PURSUANT TO RULE III, CLAUSE 2, OF THE RULES OF THE HOUSE OF REPRESENTATIVES



January 14, 1975—forwarded to the Committee on House Administration and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1975

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,  
OFFICE OF THE CLERK,  
Washington, D.C., January 14, 1975.

Hon. CARL ALBERT, *The Speaker, House of Representatives.*

DEAR MR. SPEAKER: In compliance with the requirements of rule III, clause 2, of the Rules of the House of Representatives, I have the honor to submit herewith a list of reports which it is the duty of any officer or department to make to Congress.

Respectfully yours,  
W. PAT JENNINGS,  
Clerk, U.S. House of Representatives.

(III)

LETTER OF TRANSMITTAL

House of Representatives  
 Office of the Clerk  
 Washington, D.C., January 14, 1978

Hon. CARL ALBERT, The Speaker, House of Representatives  
 Dear Mr. Speaker: In compliance with the requirements of the  
 III, clause 2, of the Rules of the House of Representatives, I have  
 the honor to submit herewith a list of reports which it is the duty of  
 any officer or department to make to Congress.  
 Respectfully yours,  
 W. Pat Jennings,  
 Chief, U.S. House of Representatives.

LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

PART I—BY THE PRESIDENT  
 A REPORT TO BE MADE ANNUALLY BY THE PRESIDENT  
 AND EXECUTIVE OFFICES OF THE PRESIDENT

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LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

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<b>PART I.—BY THE PRESIDENT OF THE UNITED STATES</b>		
<b>A. REPORTS TO BE MADE SPECIFICALLY BY THE PRESIDENT AND EXECUTIVE OFFICES OF THE PRESIDENT</b>		
The budget.....	31 U.S.C. 11(a)	Annually, 15 days after convening.
Current services budget.....	Pub. L. 93-344, § 300 (31 U.S.C. 1321)	Annually, by Nov. 10.
Budget estimates for the period July 1-Sept. 30, 1976.....	Pub. L. 93-344, § 502 (a)(1)	As soon as possible.
Proposed legislation to provide authorization of appropriations for the period July 1-Sept. 30, 1976.....	Pub. L. 93-344, § 502 (a)(2)	Do.
Amendments or revisions of budget authority and estimated outlays and receipts for ensuing fiscal year.....	31 U.S.C. 11(g)	By Apr. 10 and July 15 each year.
Estimated outlays and proposed budget authority if existing program levels are continued.....	Pub. L. 93-344, § 605(a) (31 U.S.C. 11a(a))	Annually, by Nov. 10.
Proposed rescission or reservation of any budget authority.....	Pub. L. 93-344, § 1012(a)	In each case.
Proposed deferral of any budget authority.....	Pub. L. 93-344, § 1013(a)	Do.
Statement and explanation of any revision of information previously submitted in a message proposing the rescission, reservation, or deferral of budget authority.....	Pub. L. 93-344, § 1014(c)	Do.
Economic report.....	15 U.S.C. 1022(a)	Annually, by Jan. 20.
Supplemental economic reports.....	15 U.S.C. 1022(b)	From time to time.
International economic report.....	Pub. L. 92-412, § 207(a)	Annually, 60 days after convening.
Environmental quality report.....	42 U.S.C. 4341	Annually.
Foreign assistance report.....	22 U.S.C. 2417	By Dec. 31 of each year.
United Nations.....	22 U.S.C. 287b	Annually.
Agricultural Trade Development and Assistance Act (Pub. L. 480).....	7 U.S.C. 1736b	By Apr. 1 of each year.
U.S. Arms Control and Disarmament Agency.....	22 U.S.C. 2590	Annually, by Jan. 31.
Progress in securing equitable share of NATO expenses.....	Pub. L. 93-155, § 812(d)	Quarterly.
Peace Corps.....	22 U.S.C. 2510	Once each year.
Special international exhibitions.....	22 U.S.C. 2458(b)	Annually.
International educational and cultural exchange program.....	do	Do.
International Coffee Agreement 1963.....	19 U.S.C. 1356i	Do.
Automotive products agreements.....	19 U.S.C. 2032	Do.
Establishment of a management system for U.S. foreign assistance.....	Pub. L. 90-554, § 621A(c)	Do.
Furtherance of peace and stability in the Middle East.....	22 U.S.C. 1964	Whenever appropriate.
Seating of Communist China in the United Nations.....	22 U.S.C. 2151 note	Do.
Famine and disaster relief.....	Pub. L. 93-559, § 28(a)	Quarterly, during fiscal year 1975.
World food needs.....	Pub. L. 93-559, § 55(a) (4)	Do.
Implementation of recommendations of the World Food Conference.....	Pub. L. 93-559, § 55(e)(6)	Apr. 29, 1975.
Notification of the use of special authority under the Foreign Assistance Act (military assistance).....	Pub. L. 92-226, § 304(a) (22 U.S.C. 2411)	Prior to exercising authority.
Proposed use of funds requested for Cambodia.....	Pub. L. 92-226, § 304(b) (22 U.S.C. 2415(e))	Whenever request is made.
Total amount of funds obligated for Cambodia.....	Pub. L. 92-226, § 304(b) (22 U.S.C. 2415(f))	Quarterly.
Proposed use of funds requested for Laos.....	Pub. L. 93-559, § 40(e)	Whenever request is made.
Total amount of funds expended for Laos.....	Pub. L. 93-559, § 40(f)	Quarterly.
Transfers of funds authorized for assistance to South Vietnam.....	Pub. L. 93-559, § 38(b)(3)	Prior to transfer.
Proposed use of funds requested for South Vietnam.....	Pub. L. 93-559, § 38(d)	Whenever request is made.
Total amount of funds obligated for South Vietnam.....	Pub. L. 93-559, § 38(e)	Quarterly.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
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<b>A. REPORTS TO BE MADE SPECIFICALLY BY THE PRESIDENT AND EXECUTIVE OFFICES OF THE PRESIDENT—Continued</b>		
Use of Middle East special requirements Fund.....	Pub. L. 93-559, § 42 [22 U.S.C. 2443(b)].	In each case.
Allocations of foreign assistance.....	22 U.S.C. 2413(a).	30 days after appropriation of funds.
Changes in allocations of foreign assistance.....	22 U.S.C. 2413(b).	10 days before provision of funds.
Report on his actions related to the level and sophistication of military expenditures by the recipients of development loans, Alliance loans or supporting assistance.....	22 U.S.C. 2344 note (Pub. L. 91-194, § 20).	Annually.
Report listing by country the total value of all deliveries of excess defense articles, disclosing both the aggregate original cost and the aggregate value at the time of delivery.....	22 U.S.C. 2321(b)(d).	Quarterly.
Report of each decision to furnish on a grant basis to any country excess defense articles which are major weapons systems, to the extent such major weapon systems were not included in the material previously submitted to Congress.....	do.	Promptly.
Reduction of the present military assistance program.....	Pub. L. 93-559, § 17(b).	During 1st session of 94th Congress.
Military sales, guaranties, and offers.....	Pub. L. 93-559, § 45(a) (5) [22 U.S.C. 2776(a)].	Quarterly.
Statement of intent to sell defense articles or services involving more than \$25 million.....	Pub. L. 93-559 [22 U.S.C. 2776(b)].	Before action.
Steps taken to limit conventional arms transfers.....	Pub. L. 93-559, § 51(c).	June 30, 1975.
Extraordinary circumstances necessitating the granting of security assistance to countries which violate human rights.....	Pub. L. 93-559, § 46 [22 U.S.C. 2304(b)].	Whenever proposed or furnished.
Action taken to assist developing African countries.....	Pub. L. 93-559, § 49.	When AID budgets for fiscal year 1975 and 1976 are submitted.
Summary of debt-servicing problems and debt relief of certain foreign countries.....	Pub. L. 87-195, § 645(g).	Annually, by Jan. 31.
Introducing U.S. Armed Forces abroad.....	Pub. L. 93-148, § 4(a).	Within 48 hours of action taken.
Information regarding the use of troops and committing the Nation to war.....	Pub. L. 93-148, § 4(b).	Upon request of Congress.
Status of hostilities when U.S. Armed Forces are engaged.....	Pub. L. 93-148, § 4(c).	At least once each 6 months.
Each determination to obligate funds appropriated in excess of \$1,700,000,000 to Israel.....	Pub. L. 93-240, title IV.	10 days prior to obligation.
Proposed construction at Diego Garcia.....	Pub. L. 93-552, § 613(a).	60 days prior to obligation.
Active duty status of the Ready Reserve units.....	Pub. L. 93-155, § 303(a).	Semiannually.
Implementation of § 507(b) of the Foreign Assistance Act of 1961, as amended (re furnishing of military assistance to American Republics in accordance with OAS-approved plans).....	22 U.S.C. 2319(b).	Do.
Impact of low-income-country development on national economy.....	Pub. L. 93-189, § 21.	Annually in March.
Determination that it is in the national interest for the Export-Import Bank to extend credit in connection with Communist countries' purchases.....	12 U.S.C. 635(b)(2).	Within 30 days.
Determination to exceed \$300 million in Eximbank guarantees to the U.S.S.R. when fossil fuels are involved.....	12 U.S.C. 635(b).	In each case.
Statement on his decision to modify or overrule a recommendation of the Secretary of Defense against exports of goods or technology which would significantly increase military capability of a controlled country.....	Pub. L. 93-500, § 9 [50 U.S.C. App. 2403(h)(3)].	Do.
Adequacy of export and re-export regulations to prevent nuclear proliferation.....	Pub. L. 93-500, § 14.	Apr. 29, 1975.
Adequacy of domestic and international safeguards to prevent proliferation, diversion, or theft of nuclear materials.....	do.	Do.
Reasons for not imposing import restrictions.....	Pub. L. 87-794, § 351(a)(2).	Within 60 days of decision.
Action taken on certification by the Secretary of Commerce of any fishing operations which diminish the effectiveness of an international fishery conservation program (Pelly amendment).....	Pub. L. 92-219 [22 U.S.C. 1978(b)].	Within 60 days after certification.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

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<b>PART I.—BY THE PRESIDENT OF THE UNITED STATES—Con.</b>		
<b>A. REPORTS TO BE MADE SPECIFICALLY BY THE PRESIDENT AND EXECUTIVE OFFICES OF THE PRESIDENT—Continued</b>		
Notice of intention to enter into any trade agreement.....	Pub. L. 93-618, § 102(e)(1).	90 days prior to action.
Proposed trade agreement, draft of implementing bill, statement of administrative action, and explanation of effects on existing law.....	Pub. L. 93-618, §§ 102(e)(2) and 162(a).	In each case.
Effect of trade agreements on competitive opportunities for U.S. exports.....	Pub. L. 93-618, § 104(d).	When applicable.
Recommendations as to appropriate rates of duty for articles affected by termination or withdrawal of a trade agreement.....	Pub. L. 93-618, § 125(e).	60 days after termination or withdrawal.
Recommendations for restoring equivalent competitive opportunities when a major industrial country fails to make appropriate trade concessions.....	Pub. L. 93-618, § 126(c).	As appropriate.
Administration of sec. 232 (national security) of the Trade Expansion Act of 1962.....	Pub. L. 93-618, § 127(c).	Annually.
Actions taken under sec. 232 of the Trade Expansion Act of 1962.....	do.	Within 60 days after action.
Trade agreements program.....	Pub. L. 93-618, § 163(a).	Annually.
Action taken, or determination not to take action, on an ITC recommendation for import relief.....	Pub. L. 93-618, § 203(b).	On day of action or determination.
Action taken with respect to unfair trade practices of foreign governments.....	Pub. L. 93-618, § 302(a).	Promptly.
Report that a nonmarket economy country does not impose unreasonable emigration restrictions.....	Pub. L. 93-618, § 402(b).	Before granting non-discriminatory treatment.
Waiver or extension of waiver of prohibition on trade with non-market economy countries which impose unreasonable emigration restrictions.....	Pub. L. 93-618 § 402(c) and (d).	As appropriate.
Any decision to extend nondiscriminatory trade treatment to the products of a foreign country.....	Pub. L. 93-618, § 407.	In each case.
Report that a nonmarket economy country does not impose unreasonable restrictions on citizens who wish to emigrate to the United States to join very close relatives.....	Pub. L. 93-618, § 409(b).	Before granting non-discriminatory treatment, and by June 30 and Dec. 31, thereafter.
Notice of intention to designate any country as a beneficiary developing country, or to terminate any such designation.....	Pub. L. 93-618, § 502(a).	Before action.
Determination that progress is being made in securing compensation from a country which has expropriated American property or abrogated agreements, or that waiver is in the national interest.....	Pub. L. 93-618, § 502(b).	Before designating as a beneficiary developing country.
Operation of title V of the Trade Act of 1974 (Generalized System of Preferences).....	Pub. L. 93-618, § 505(b).	Jan. 3, 1980.
International drug control.....	Pub. L. 93-618, § 606.	Annually.
Proposal for U.S. participation in an international exposition to be held in the United States.....	22 U.S.C. 2803.	As appropriate.
International Health Research Act of 1960 (United States-Japan cooperative medical science program).....	22 U.S.C. 2103(h).	Beginning of each regular session.
Programming of funds for international narcotics control.....	22 U.S.C. 2291(b)(1).	Quarterly.
Activities under international narcotics control program.....	22 U.S.C. 2291(b)(2).	Semiannually.
Negotiations with Canada and Mexico on deepwater ports.....	Pub. L. 93-627, § 22.	No time specified.
Exemptions granted Federal agencies from the provisions of the Privacy Act of 1974.....	5 U.S.C. 552a(p) (88 Stat. 1905).	Annually, by June 30.
Private ownership of gold and the effect on the international monetary position.....	Pub. L. 93-110, § 3(c).	When appropriate.
Report on the financing of the operation of the Howard University Hospital facilities, together with the President's recommendations on the rate at which Federal financial participation in the cost of operation shall be reduced.....	20 U.S.C. 129.	Within 2 years of completion of new construction.
Uniformity of eligibility standards in benefit programs for the elderly.....	Pub. L. 93-29, § 201(c).	Nov. 4, 1974.
Comments on the annual report of the National Advisory Council on the Education of Disadvantaged Children.....	20 U.S.C. 2411 (c).	Upon submission of Council's report.
Comments on the annual report of the National Advisory Council on Education Professions Development.....	20 U.S.C. 1091a(c).	Do.
Comments on the annual report of the National Advisory Council on Supplementary Centers and Services.....	20 U.S.C. 847a(c).	Do.
Comments on the annual report of the National Council on Quality in Education.....	Pub. L. 91-230, § 541(a)(3).	Do.
Reorganization plan on community services.....	Pub. L. 93-644, § 9(a).	After Mar. 15, 1975.
Report on urban growth.....	Pub. L. 91-609, § 703(a).	February, each even-numbered year.
Supplementary reports on urban growth.....	Pub. L. 91-609, § 703(b).	As appropriate.
National housing goals.....	42 U.S.C. 1441c.	Annually by Feb. 15, through 1979.
Management of the coastal zones.....	Pub. L. 92-583, § 313.	Nov. 1 of each year.
Report on the work of each River Basin Commission.....	42 U.S.C. 1962b-3(2).	Annually.
Health hazards of environmental pollution.....	Pub. L. 91-515, § 501d.	Annually.
Exemptions from national emission standards for hazardous air pollutants in the construction of stationary sources.....	42 U.S.C. 1857c-7(c)(2).	In each case.
Exemptions from air pollution control standards granted to agencies of the executive branch.....	42 U.S.C. 1857f.	Annually in January.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART I.—BY THE PRESIDENT OF THE UNITED STATES—Con.</b>		
<b>A. REPORTS TO BE MADE SPECIFICALLY BY THE PRESIDENT AND EXECUTIVE OFFICES OF THE PRESIDENT—Continued</b>		
Organization of energy and related functions of the Federal Government.	Pub. L. 93-438, § 109(a)	June 30, 1975.
Disposition of functions, continuation, or reorganization of the Federal Energy Administration.	Pub. L. 93-275, § 15(a)	Jan. 1, 1976.
Copy of any order requiring allocation of essential materials for energy development.	Pub. L. 93-577, § 12(b)	When issued.
Exemptions from the prohibition against Federal agencies entering into contracts with violators of the Clean Air Act.	42 U.S.C. 1857h-4(d)	In each case.
Measures taken to prohibit Federal agencies from entering into contracts with violators of the Clean Air Act.	42 U.S.C. 1857h-4(e)	Annually.
Methods to control the release of pesticides into the environment.	Pub. L. 92-500, § 104(1)-(2)	From time to time.
Reports on contracts entered into relating to procurement from violators of water quality standards.	Pub. L. 92-500, § 508(e)	Annually.
Study of water pollution goals and policies established by law.	Pub. L. 92-500, § 10	Oct. 18, 1974.
Study of water and related resources.	Pub. L. 93-251, § 80(c) 42 U.S.C. 1962-21	Within 1 year after study is funded.
Exemptions granted Federal agencies from noise control requirements.	Pub. L. 92-500, § 4(b)(2)	Annually, in January.
Activities of Federal agencies in the field of marine science.	33 U.S.C. 1106	Do.
Reasons for waiver of 30-day notice requirement for any proposed procurement policy or regulation.	Pub. L. 93-400, § 8(c)	In case of emergency.
Location of new Federal facilities in rural areas.	43 U.S.C. 4122	Annually, by Sept. 1.
Public utilities and other Government assisted services to rural areas.	Pub. L. 91-524, § 901(e)	Do.
Board of actuaries for the retired servicemen's family protection plan.	10 U.S.C. 1444	Annually.
Action taken or anticipated with respect to the annual report on Federal juvenile delinquency programs.	Pub. L. 93-415, § 204(c)	Within 90 days.
Office of Alien Property.	50 U.S.C. App. 6	Annually.
Adequacy of pay and allowances for members of the uniformed services.	37 U.S.C. 1008(a) and (b)	Annually, by Mar. 31
Compensation system for members of the uniformed services.	37 U.S.C. 1008(b)	Quadrennially.
U.S. aeronautics and space activities.	42 U.S.C. 2476(b)	January of each year.
Commercial communications satellite system.	47 U.S.C. 744(a)	Do.
Participation of the United States in international programs in meteorology.	S. Con. Res. 67 of May 29, 1968.	Annually by Mar. 1.
Relocation assistance to persons displaced from their homes, etc., by federally assisted programs.	Pub. L. 91-646, § 214	Jan. 15, 1972, to 1975.
Commission on Executive, Legislative, and Judicial Salaries (recommendations with respect to pay to be included in the budget).	2 U.S.C. 357, 358, 359	After the close of fiscal year 1969 and every 4th year thereafter.
Federal employees' comparability pay adjustment.	5 U.S.C. 5305(a)(3)	Annually.
Alternative plan for a Federal employees' pay adjustment, if the adjustment provided for in 5 U.S.C. 5305(a) is not submitted.	5 U.S.C. 5305(c)(1)	Whenever proposed, but not later than Sept. 1.
Actions taken under the Joint Funding Simplification Act of 1974.	Pub. L. 93-510, § 11 42 U.S.C. 4260j	Feb. 3, 1979.
Proposals for action or reasons for inaction on any public report made to him by a Presidential advisory committee.	Pub. L. 92-463, § 6(b)	Within 1 year after such report is made.
Activities and status of Presidential advisory committees in existence during the previous calendar year.	Pub. L. 92-463, § 6(c)	Annually, by Mar. 21.
Stockpiling of strategic and critical materials.	50 U.S.C. 98c	Semiannually.
Borrowing authority under the Defense Production Act.	50 U.S.C. App. 2094	Annually.
Plans, procedures, and facilities to prevent or minimize loss of life and property due to major disasters.	Pub. L. 91-606, § 203(h)	As required.
Feasibility of combining the Executive Protective Service and the U.S. Park Police within the National Capital Service Area.	Pub. L. 93-198, § 739(e)	Jan. 2, 1976.
Certification of claims or judgments arising from incidents involving nuclear warships.	Pub. L. 93-513	At his discretion.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART I.—BY THE PRESIDENT OF THE UNITED STATES—Con.</b>		
<b>BY THE EXECUTIVE OFFICES OF THE PRESIDENT</b>		
<b>By the Office of Management and Budget</b>		
Proposed legislation necessary to accomplish orderly transition to new fiscal year.	Pub. L. 93-344, § 502(b)	As appropriate.
Study of submitting the budget and enacting new budget authority at a session of Congress prior to the fiscal year affected.	Pub. L. 93-344, § 502(c)	Within 2 years of appointment of Congressional Budget Office Director.
Cumulative report on rescissions and deferrals of budget authority.	Pub. L. 93-344, § 1014(e)	By the 10th of each month.
Facts in each case of an apportionment or reapportionment which would indicate the necessity for a deficiency or supplemental estimate.	31 U.S.C. 665	As needed.
Horizontal budget relative to meteorology.	31 U.S.C. 25, Reorganization plan No. 2 of 1970, E.O. 11541.	Annually.
Study of procurement payable from nonappropriated funds.	Pub. L. 93-400, § 6(c)	Aug. 30, 1976.
Activities of the Office of Federal Procurement Policy.	Pub. L. 93-400, § 8(a)	At least annually.
Reduction of Federal paperwork.	Pub. L. 93-556, § 3(d)	Semiannually.
Plans for addressing the needs of Congress for fiscal, budgetary and program-related information.	Pub. L. 91-510, § 202(f)	Annually, by Mar. 1.
<b>By the Office of Economic Opportunity</b>		
Programs relevant to part A of the Economic Opportunity Act (Community development corps. under special impact programs).	Pub. L. 92-424, § 25(a)	Annually by Mar. 19.
Activities of the Office of Economic Opportunity (through the President).	42 U.S.C. 2948	120 days after each fiscal year.
Research and demonstration projects.	Pub. L. 88-452, § 232(b)	Annually.
Activities of the Intergovernmental Advisory Council on Community Services.	Pub. L. 93-644, § 5(f)	Mar. 1, 1976 and 1977.
Feasibility of establishing community economic development banks.	Pub. L. 92-324, § 25(a), 86 Stat. 702.	June 30, 1973. (Delayed.)
<b>By the Special Action Office for Drug Abuse Prevention</b>		
Activities of the Office and an accounting of funds expended.	21 U.S.C. 1143; Pub. L. 92-255, § 233.	Annually, by Mar. 1.
<b>By the Office of the Special Representative for Trade Negotiations</b>		
Trade negotiations and administration of trade agreements programs.	Pub. L. 93-618, § 141(c)	As appropriate.
Reviews and hearings on complaints of unfair trade practices by foreign governments.	Pub. L. 93-618, § 301(d)(2).	Semiannually.
<b>Advisory Committee for Trade Negotiations:</b>		
Report on trade agreements entered into.	Pub. L. 93-618, § 135(e)(1).	In each case.
Operation of the Trade Act of 1974.	Pub. L. 93-618, § 135(e)(2).	After Jan. 3, 1980.
<b>By the Council on Environmental Quality</b>		
Conduct of energy research and development.	Pub. L. 93-577, § 11(d)	As appropriate.
<b>By the Council on Wage and Price Stability</b>		
Containment of inflation and maintenance of the economy.	Pub. L. 93-387, § 5	From time to time

LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART I.—BY THE PRESIDENT OF THE UNITED STATES—Con.</b>		
<b>B. REPORTS BY CABINET-LEVEL DEPARTMENTS TRANSMITTED BY THE PRESIDENT</b>		
By the Department of State		
U.S. participation in activities of United Nations	22 U.S.C. 287b	Annually.
Action taken under the joint resolution on the Middle East	22 U.S.C. 1954	As appropriate.
Proceeds derived from dispositions, payments, and gifts under the Foreign Service Building Act, 1926	22 U.S.C. 300	Annually.
International Coffee Agreement	19 U.S.C. 1356(d)	Do.
Progress toward cessation of hostilities in Indochina	Pub. L. 93-559, § 34(b)(5)	Regularly.
Developments in U.S. policy toward independence of Portuguese African territories	Pub. L. 93-559, § 50(c)	No time specified.
Non-African country's use of foreign assistance in its African territories (military activities)	Pub. L. 93-189, § 38	As soon as practicable.
Repayment status of certain foreign loans over \$1,000,000 that remain unpaid	22 U.S.C. 2394(f)	Semiannually.
By the Department of Defense		
Awards program report on cash awards for suggestions, inventions, or scientific achievements to members of the Armed Forces	10 U.S.C. 1124(g)	Annually.
By the Department of the Interior		
National wilderness preservation system (see joint reports)	16 U.S.C. 1136	Opening session of each Congress.
Recommendations designating portions of the following areas as wilderness:		
Glen Canyon National Recreation Area, Ariz. and Utah	Pub. L. 92-593, § 9	Oct. 27, 1974.
Arches National Park, Utah	Pub. L. 92-155, § 3(b)	Nov. 12, 1974.
Canyonlands National Park, Utah	Pub. L. 92-154, § 6	Do.
Capitol Reef National Park, Utah	Pub. L. 92-207, § 5(c)	Dec. 18, 1974.
Buffalo National River, Ark.	Pub. L. 92-237, § 1	Mar. 1, 1975.
Cumberland Island National Seashore, Georgia	Pub. L. 92-536, § 9	Oct. 23, 1975.
Cape Lookout National Seashore, North Carolina	Pub. L. 93-477, § 406	Jan. 1, 1978.
Canaveral National Seashore, Florida	Pub. L. 93-626, § 8	Jan. 3, 1978.
Big Thicket National Preserve, Texas	Pub. L. 93-439, § 5	Oct. 11, 1979.
Big Cypress National Preserve, Florida	Pub. L. 93-440, § 7	Do.
Recommendations for designating additions to the National Wild and Scenic Rivers System:		
As listed in the following	16 U.S.C. 1275, 1276	Oct. 2, 1978.
Do	Pub. L. 93-621, § 1(a) (28)-(55)	Oct. 2, 1979.
Dolores River, Colo.	Pub. L. 93-621, § 1(a) (56)	Jan. 3, 1976.
Federal Coal Mine Health and Safety Act of 1969	30 U.S.C. 958(a) (Pub. L. 91-173, 511(a))	Annually, within 120 days after Congress convenes.
Status of the Natives and Native groups in Alaska, and a summary of actions taken under the Alaska Native Claims Settlement Act	85 Stat. 715 (Pub. L. 92-203, § 23)	When Congress convenes in 1985.
Nationwide outdoor recreation plan	16 U.S.C. 4601-1 (Pub. L. 88-29, § 2(c))	Every 5 years (next report due in 1978).
Report of an investigation by the Father Marquette Tercentenary Celebration Commission regarding a permanent national monument or memorial.	Pub. L. 89-187, § 2	When appropriate.

LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART I.—BY THE PRESIDENT OF THE UNITED STATES—Con.</b>		
<b>B. REPORTS BY CABINET-LEVEL DEPARTMENTS TRANSMITTED BY THE PRESIDENT—Continued</b>		
By the Department of Agriculture		
National wilderness preservation system (see joint reports)	16 U.S.C. 1136	Opening session of each Congress.
Recommendations designating portions of the following areas as wilderness:		
Oregon Dunes National Recreation Area	Pub. L. 92-260, § 3	Mar. 23, 1975.
Lower Minam, Oregon	Pub. L. 92-121, § 4	Oct. 21, 1977.
Indian Peaks area, Colorado	Pub. L. 92-528	As appropriate.
As listed in the following	Pub. L. 93-622, § 4(b) and (c)	Jan. 3, 1980.
Wild and Scenic Rivers System (see above under Department of the Interior)		
Cotton programs under title VI of the Agricultural Act of 1970	Pub. L. 91-524, § 609	Annually.
Report on the status of capitalization of the telephone bank	Pub. L. 92-12, § 406(a)	On or before July 4, 1975.
Rural fire protection areas	Pub. L. 92-419, § 403	Aug. 30, 1974.
Plans for works of improvement under the Watershed Protection and Flood Prevention Act	16 U.S.C. 1005(3)	As appropriate.
Assessment of the Nation's renewable resources of the forest, range, and other associated lands	Pub. L. 93-378, § 7(a)	When Congress convenes in 1976; during 1979; each 10th year thereafter.
Commodity Credit Corporation	Pub. L. 80-806, § 13	Annually.
By the Department of Commerce		
Report on the decennial census	13 U.S.C. 141(b) and 2 U.S.C. 2a(a)	During 1st week of Congress, 1981, and each 10 years thereafter.
By the Department of Labor		
Occupational Safety and Health Act of 1970	84 Stat. 1615 (Pub. L. 91-596, § 26)	120 days after Congress convenes.
Federal agency safety programs and responsibilities	Pub. L. 91-596, § 19(b)	Annually.
Safety and health matters covered by the Federal Coal Mine Health and Safety Act	30 U.S.C. 958(a)	120 days after Congress convenes.
Manpower requirement, resources, utilization and training	42 U.S.C. 2574	60 days after Congress convenes.
Employment and occupational resources, utilization, and training	Pub. L. 93-203, § 605(a)	Do.
By the Department of Health, Education, and Welfare		
Health matters covered by the Federal Coal Mine Health and Safety Act	30 U.S.C. 958(b)	120 days after Congress convenes.
Prevention and control of communicable diseases	Pub. L. 92-449, § 101 [42 U.S.C. 247b(g)]	Annually.
Occupational Safety and Health Act of 1970	84 Stat. 1615 (Pub. L. 91-596, § 26)	120 days after Congress convenes.
Electronic product radiation control program	42 U.S.C. 2631(a)	Annually, by Apr. 1.
Activities of the health research facilities program	42 U.S.C. 292(i)	Annually, by Jan. 15.
Budget estimate from the Director of the National Cancer Institute	Pub. L. 92-218, § 407(9)(A)	Annually.
Activities, under the national cancer program and a plan for the program during the next 5 years	42 U.S.C. 286e(b)	Do.
Activities under the national heart, blood vessel, lung, and blood disease program, and a plan for the program during the next 5 years	42 U.S.C. 287b(b)(2)	Do.
National Heart and Lung Advisory Council	42 U.S.C. 287g(b)(2)	Annually, by Jan. 31.
Administration of Cooley's anemia programs	Pub. L. 92-414, § 1115(a)	Annually, by Apr. 1.
Administration of sickle cell anemia programs	Pub. L. 92-294, § 1106	Do.
Report by the Administration on Aging on the Older Americans Act	Pub. L. 93-29, § 201(c)	Annually, by Oct. 31.

LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART 1.—BY THE PRESIDENT OF THE UNITED STATES—Con.</b>		
<b>B. REPORTS BY CABINET-LEVEL DEPARTMENTS TRANSMITTED BY THE PRESIDENT—Continued</b>		
By the Department of Housing and Urban Development		
Activities of the Department	42 U.S.C. 3536	Annually.
Report on programs including insurance, public housing, and rent supplement.	12 U.S.C. 1701o	Do.
National flood insurance program	42 U.S.C. 4027	Do.
Public housing program	42 U.S.C. 1407(b)	Do.
Amount of loans, contributions, and grants contracted for, and information with respect to builders' cost certifications required by sec. 227 of National Housing Act.	12 U.S.C. 1701p	Do.
Administration of the National Mobile Home Construction and Safety Standards Act of 1974.	Pub. L. 93-383, § 626(a)	Annually, on Mar. 1.
By the Department of Transportation		
Activities of the Department	49 U.S.C. 1658	Annually.
Administration of the Highway Safety Act of 1966	23 U.S.C. 401 note	Annually, on Mar. 1.
Administration of the National Traffic and Motor Vehicle Safety Act of 1966.	15 U.S.C. 1408	Do.
Administration of the Natural Gas Pipeline Safety Act of 1968	49 U.S.C. 1683	Annually, by Mar. 17.
Administration of the Federal Railroad Safety Act of 1970	45 U.S.C. 440	Annually, by May 1.
Transportation of hazardous materials	Pub. L. 93-633, § 109(e)	Annually.
Awards program report on cash awards for suggestions, inventions; or scientific achievements to members of the Armed Forces.	10 U.S.C. 1124(g)	Do.
Administration of the Alaska Railroad	43 U.S.C. 976g	Do.
<b>JOINT REPORTS</b>		
(Transmitted through the President)		
Survey reports directed by Secretary of the Army and Secretary of Agriculture of watershed areas in United States; Puerto Rico; and the Virgin Islands for flood control and allied purposes.	Pub. L. 87-639 (76 Stat. 438), 16 U.S.C. 1009, Pub. L. 85-500, § 206 (72 Stat. 317)	As required.
Joint report by Secretaries of Interior and Agriculture concerning the National Wilderness Preservation System.	16 U.S.C. 1136	Beginning of each regular session.
Joint report by Secretaries of Transportation and HUD on how Federal policies and programs can assure that urban transportation systems effectively serve both national transportation needs and the comprehensive planned development of urban areas.	49 U.S.C. 1653(g)	Annually.

LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART 1.—BY THE PRESIDENT OF THE UNITED STATES—Con.</b>		
<b>C. REPORTS ORIGINATED BY HEADS OF INDEPENDENT AGENCIES, BOARDS, COMMISSIONS, ETC.; AND TRANSMITTED BY THE PRESIDENT</b>		
Appalachian Regional Commission	40 App. U.S.C. 304	6 months after end of fiscal year.
Report by the Civil Service Commission, including the following:	5 U.S.C. 1308(a)(1)	Annually.
Government employees incentive awards	5 U.S.C. 1308(a)(2)	Do.
Action taken by the Commission relative to political activity by employees.	5 U.S.C. 1308(a)(3)	End of each fiscal year.
Government employees training programs	5 U.S.C. 1308(a)(4)	Annually.
Corporation for Public Broadcasting	81 Stat. 371 (Pub. L. 90-129, sec. 396(i))	Dec. 31 of each year.
By the Energy Research and Development Administration:		
Activities of the Administration	Pub. L. 93-438, § 307(a)	Annually.
Desirability and feasibility of transferring to DOD the functions of ERDA respecting military application and restricted data.	Pub. L. 93-438, § 307(b)	Within 1 year after Administrator of ERDA takes office.
By the Federal Council on the Aging:		
Annual report	Pub. L. 93-29, § 201(c)	Annually, by Mar. 1.
Study of the impact of taxes on the elderly	do	Nov. 4, 1974.
Federal Prevaling Rate Advisory Committee	5 U.S.C. 5347(e)	Annually.
Interdepartmental Council on Juvenile Delinquency	Pub. L. 92-381, sec. 409	120 days after end of fiscal year.
National Advisory Council on Adult Education	20 U.S.C. 1209(d)	Annually.
National Advisory Council on Economic Opportunity	42 U.S.C. 2945(c)	Do.
National Advisory Council on Extension and Continuing Education	20 U.S.C. 1009(c)	Do.
National Aeronautics and Space Administration	42 U.S.C. 2476(a)	Semiannually.
National Cancer Advisory Board	Pub. L. 92-218, § 4108(g)	Jan. 31 of each year.
National Capital Housing Authority	Pub. L. 93-198, § 202(b) [5 D.C.C. 107]	Annually.
National Credit Union Administration	12 U.S.C. 1752a(e)	Annually.
National Endowment for the Arts	20 U.S.C. 959(b)	Do.
National Endowment for the Humanities	do	Do.
National Housing Partnership Corporation	42 U.S.C. 3938	6 months after end of each fiscal year.
National Institute of Building Sciences	Pub. L. 93-383, § 809(i)	Annually.
National Science Foundation	42 U.S.C. 1862(f)	Jan. 15 of each year.
National Science Board	42 U.S.C. 1863(g)	Jan. 31 of each year.
Nuclear Regulatory Commission	Pub. L. 93-438, § 307(c)	Annually.
By the President's Biomedical Research Panel on biomedical and behavioral research conducted and supported under NIH and NIMH programs.	Pub. L. 93-352, § 201(c)(1)	15 months after panel takes office.
Railroad Retirement Board	45 U.S.C. 228j(b)(4)	Annually.
St. Lawrence Seaway Development Corporation	33 U.S.C. 989(a)	Do.
By the U.S. Information Agency on activities under the Mutual Educational and Cultural Exchange Act of 1961	22 U.S.C. 2458(b)	Do.
Recommendations of the Water Resources Council, regarding each newly established River Basin Commission's plan, for water and related land resources development together with the President's recommendations.	42 U.S.C. 1692a-3(3)(b), 1962b-3(3)	After establishment of each river basin commission.
Level B plan by the Water Resources Council on all river basins	Pub. L. 92-500, § 209(b)	Annually by Jan. 31.
White House Conference on Libraries and Information Sciences	Pub. L. 93-568, § 1(d)	7 months after conference ends.
D.C. budget (the Mayor submits the budget after adoption by the Council, through the President).	Pub. L. 93-198, § 446	Annually.
Request for Federal payment (the Mayor of the District of Columbia submits request by Dec. 1 through the President).	Pub. L. 93-198, § 501(c)	Do.
<b>International Organization Representatives</b>		
Independent evaluation of programs	22 U.S.C. 2221(1)(e)(3)	When received.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART II.—BY THE HEAD OF EACH DEPARTMENT AND AGENCY</b>		
Except when a different time is expressly prescribed by law, the various annual reports required to be submitted to Congress by the executive and military departments shall be made at the commencement of each regular session.	5 U.S.C. 2952	Annually beginning of the session.
Note.—The appropriations made for printing and binding shall not be used for any annual report or the accompanying documents unless the manuscript and proof therefor is furnished to the Public Printer in the following manner: Manuscript of the documents accompanying such annual reports on or before the 1st day of November of each year; manuscript of the annual reports on or before the 15th day of November of each year; complete revised proofs of the accompanying documents on the 1st day of December of each year and of the annual reports on the 10th day of December of each year; and all of said annual reports and accompanying documents shall be printed, made public, and available for distribution not later than within the first 5 days after the assembling of each regular session of Congress. The provisions of this section shall not apply to the annual reports of the Smithsonian Institution, the Commissioner of Patents, the Comptroller of the Currency, and the Secretary of the Treasury.	44 U.S.C. 1111	(Printer's deadlines for submitting certain annual reports).
Estimates of the additional personnel and expenditures for personnel services and for all other objects to be required by the first 5 years of any function, activity, or authority which may be created or expanded as a result of legislative proposals entailing an annual expenditure of appropriated funds in excess of \$1 million.	5 U.S.C. 2953	Required, when pertinent, in all reports to Congress.
Professional and scientific positions established under 5 U.S.C. 3104 and 5 U.S.C. 5361.	5 U.S.C. 3104(c)	Annually, by Dec. 31.
Positions in grades GS-16, 17, and 18	5 U.S.C. 5114(a)	Annually, by Feb. 1.
Claims settled involving the loss or damage of the personal property of a military or civilian employee of the Government.	31 U.S.C. 241(e)(Public Law 88-558, as amended by Public Law 89-185)	Annually.
Expenditure of obligation in excess of appropriation or apportionment.	31 U.S.C. 665(i)(2)	Immediately when violation occurs.
Disposal of foreign excess property	40 U.S.C. 514(d) (Public Law 81-152, §404)	Each January or such other time as is deemed desirable.
Any omission from contracts of a clause authorizing review by the Comptroller General of pertinent books and records of the contractor or his subcontractors where the agency head determines that the public interest would be best served by such omission:		
Negotiated with foreign contractors	41 U.S.C. 254(c)	When clause omitted.
National defense contracts	50 U.S.C. 1433(b)	Do.
Amendments and modifications to contracts under authority to facilitate the national defense.	50 U.S.C. 1434(a)	Annually, by Mar. 15.
Relocation assistance to persons displaced from their homes, etc., by federally assisted programs.	42 U.S.C. 4634	Annually to the President for transmittal to Congress.
Activities under the Freedom of Information Act	5 U.S.C. 552(d)	Annually, by Mar. 1.
Notice of any proposal for new or altered Federal records systems	5 U.S.C. 552a(o)	In advance.
Analysis, appraisal, and evaluation of the application, administration, and execution of laws enacted by Congress.	Pub. L. 79-601, §136(a)	Whenever requested by a committee of Congress.
All requests for authorizing legislation for a fiscal year	Pub. L. 93-344, §607 [31 U.S.C. 111c]	By May 15 of year prior to fiscal year.
Activities under sec. 18(f) of the Federal Trade Commission Act	Pub. L. 93-637, §202(a)	Annually.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART III—REPORTS BY CABINET-LEVEL DEPARTMENTS MADE DIRECTLY TO CONGRESS</b>		
<b>A.—1. BY THE DEPARTMENT OF STATE</b>		
Financial contributions by the United States to international organizations in which the United States participates as a member.	22 U.S.C. 262a	Annually.
Center for Cultural and Technical Interchange Between East and West.	22 U.S.C. 2056(c)	Do.
International strategic control program under the Battle Act (Mutual defense assistance control.)	22 U.S.C. 1613a(b)	Semiannually.
Leases or other rental arrangements for a period of less than 10 years and requiring an annual payment in excess of \$25,000, for the use of the Foreign Service abroad.	Pub. L. 89-636	As appropriate.
Presidential determination that it is vital to the national security to order defense articles from stocks of the Department of Defense and defense services.	22 U.S.C. 2318(a)	Promptly upon making determination.
Notice of President's intent to consent to 3d party transfer of U.S. origin defense articles.	22 U.S.C. 2753(a)	Prior to granting consent.
Presidential consent to the transfer of title of a defense article by a purchasing country or international organization.	do	Promptly upon consent.
Presidential determination that it is important to the national security that sales, credits, or guaranties under the Foreign Military Sales Act be extended to a country that has seized American fishing vessels (during a period of 1 year after such seizure), or that the President has received reasonable assurances against future violations.	22 U.S.C. 2753(b)	Promptly upon determination or receipt of assurances.
Determination not to transfer foreign assistance funds to cover amounts paid to owners of seized fishing vessels.	22 U.S.C. 1975(b)	In each case.
Presidential determination that it is important to the national security to waive any prohibition against assistance to countries engaging in certain trade or shipping.	Pub. L. 93-559, § 33 [22 U.S.C. 2424]	In each case.
Presidential determination that extension of credit in connection with the sale of sophisticated weapons systems to underdeveloped countries is important to the national security.	Pub. L. 90-629, § 4	Within 30 days of determination.
Exports of significant defense articles	22 U.S.C. 2776	Semiannually.
Proposed coproduction or licensed production outside the United States of defense articles of U.S. origin.	22 U.S.C. 2791(b)	In advance of any such transaction.
Presidential determination that furnishing of sophisticated weapons systems on a grant basis is important to the national security.	22 U.S.C. 2312	Within 30 days of determination.
Presidential determination to provide military assistance to an African country for other than internal security or civic action purposes.	22 U.S.C. 2320	Promptly upon determination.
Presidential determination that it is important to the national security to waive the regional ceiling on foreign military sales to African countries.	Pub. L. 93-559, § 45 (a)(8) [22 U.S.C. 2773(b)]	Promptly.
Secretary's determination of compliance with or violation of international law in the testing, development, transportation, storage, or disposal of any lethal chem. or biol. warfare agent proposed by the Secretary of Defense.	Pub. L. 91-441, § 506 (b)(2)	After appropriate notice by Secretary of Defense.
Presidential determination that the furnishing of defense services to any country or international organization will strengthen the security of the United States.	22 U.S.C. 2753(a)(1)	Promptly upon making determination.
Plan for future U.S. economic and military assistance to South Vietnam and steps to reduce U.S. civilian and military personnel abroad.	Pub. L. 93-475, § 15(b)	By Apr. 26, 1975.
Text of any international agreement other than a treaty to which United States is a party.	Pub. L. 92-403, § 112(b)	As soon as practicable after agreement has become effective.
Text of any international agreement proposing a modification in the terms of a debt owed to the United States by a foreign government under the Foreign Assistance Act of 1961.	Pub. L. 93-333, § 4	At least 30 days prior to effective date of agreement.
Texts of any International Labor Organization conventions or recommendations which would require actions by Congress.	Article 19 of the ILO constitution.	As appropriate.
Recommendations on development grants to assist medical research outside the United States.	Pub. L. 93-189, § 4(2)	June 30, 1974.
Expenditures and activities under the U.S. Information and Educational Exchange Act of 1948.	22 U.S.C. 1439	Annually.
Costs of reimbursing travel and per diem expenses of members of the advisory committee on Northwest Atlantic fisheries.	Pub. L. 81-845, § 4(b)	Do.
Certification of the validity of any claim for loss or damage to items in an exhibition of the Metropolitan Museum of Art in the U.S.S.R.	Pub. L. 93-476	As appropriate.
Political contributions made by Ambassadorial and Ministerial appointees.	Pub. L. 93-126, § 6	When nominated.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>A.—1. BY THE DEPARTMENT OF STATE—Continued</b>		
(These determinations originate in the Agency for International Development when related to economic assistance and in the Department of State when related to military assistance and are made by the President or the Secretary of State, and are transmitted to the Congress by the Agency for International Development in the case of economic assistance, and by the Department of State in the case of military assistance, on behalf of the President or the Secretary as the case may be)		
Findings required by sec. 620(f) of the Foreign Assistance Act in making a determination to waive the prohibition on the furnishing of assistance to Communist countries.	22 U.S.C. 2370(f)	Promptly upon making the requisite findings.
Determination that it is not in the national interest to conclude arrangements for receipt of interest income under agreement accruing foreign currency proceeds to the United States.	22 U.S.C. 2363(d)	Promptly upon making the determination.
Presidential determination that it is in the national interest to make sales under title I of Pub. L. 480 with countries which have expropriated property owned by U.S. citizens.	7 U.S.C. 1736d	As appropriate.
Current information on sales made to United Arab Republic under title I of Pub. L. 480.	7 U.S.C. 1703	Do.
Presidential determination that it is in the national interest to make sales under title I of Pub. L. 480 to countries which trade with Cuba or North Vietnam.	7 U.S.C. 1703(d)(3)	Do.
Unvouchered use of funds pursuant to sec. 614(c) of FAA.	22 U.S.C. 2364(c)	Promptly.
Recommendations on food protection and population growth.	22 U.S.C. 2270	Annually.
Report of (1) determination that a country's aggressive military efforts or hostile participation in international conference has ceased; where such action was cause for termination of assistance under sec. 620(i); and (2) receipt of assurances that such efforts will not be renewed.	22 U.S.C. 2370(i)	Prior to furnishing assistance.
Report of determination that assistance to a country more than 6 months in default on any loan made under that act is in the national interest.	22 U.S.C. 2370(q)	Prior to furnishing assistance.
Governments in arrears in United Nations dues and assessments with respect to the payment of such arrearages.	22 U.S.C. 2370(u)	Unspecified, annually by practice.
(These determinations and findings are made by the President but, in accordance with the practice on all sec. 614(a) determinations, will be transmitted by the Agency for International Development in the case of economic assistance, and by the Department of State in the case of military assistance, on behalf of the President)		
Comparison of current fiscal year programs and activities with those presented to the Congress in the previous fiscal year, with an explanation of any substantial changes; a chart showing on a country-by-country basis the extent of planned U.S. assistance for the next fiscal year; proposed contributions to multilateral financial agencies for the next fiscal year; and a statement by country of Export-Import Bank financed projects during last fiscal year.	22 U.S.C. 2394(d) ( § 634(d), FAA of 1961).	In the material submitted to Congress on both the F.A. Act and the appropriation legislation.
Report of any determinations under secs. 303, 610, 614(a), or 614(b) of the Foreign Assistance Act and of any finding under secs. 503 or 521(c) of that act.	do	Promptly upon making the determination.
Specific plan for each country receiving bilateral grant economic assistance whereby such grant assistance shall be reduced and terminated.	22 U.S.C. 2394(e)	In recommending programs for each fiscal year.
Reobligations of deobligated prior year foreign assistance funds.	82 Stat. 1138	As appropriate.
Obligations for engineering and architectural fees and services on any one project in excess of \$25,000.	82 Stat. 1139	At least twice annually.
Determination that the withholding of economic assistance from a Communist country would be contrary to the national interest.	82 Stat. 1140	Promptly upon making determination.
Steps taken to establish a management system in foreign assistance.	22 U.S.C. 2381a	Annually.
(Reports submitted directly by the Agency for International Development)		
Development loan agreements committing funds in advance of appropriations under authority of sec. 202(b) of the Foreign Assistance Act of 1961, as amended.	22 U.S.C. 2162(c)	Upon conclusion of agreements.
Aid furnished to Yugoslavia.	22 U.S.C. 1853	As appropriate.
Programming and obligation of the contingency fund.	22 U.S.C. 2261(b)	Quarterly.
(Reports submitted by semi-independent public bodies that are staffed by Department of State personnel)		
Advisory Committee on the Arts.	Pub. L. 87-256	Annually.
Board of Foreign Scholarships.	do	Do.
U.S. Advisory Commission on International Educational and Cultural Affairs.	do	Do.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

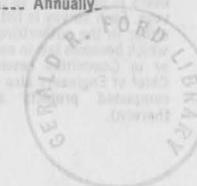
Nature of the report	Authority	When expected to be made
<b>A.—2. BY THE DEPARTMENT OF THE TREASURY</b>		
Annual report of the Secretary of the Treasury on the state of the finances.	5 U.S.C. 2952; 31 U.S.C. 757c(1), 1027 and 1030.	Annually, beginning of each regular session.
Combined statement of receipts, expenditures, and balances of the U.S. Government.	31 U.S.C. 1029	Do.
Operations of the stabilization fund.	31 U.S.C. 822a(a)	Do.
Self-insurance program for fidelity losses.	31 U.S.C. 1203	Annually, by Dec. 31st.
Foreign currencies on hand acquired by departments and agencies without payment of dollars.	22 U.S.C. 2363(c)	Semiannually.
Foreign credits by the U.S. Government.	22 U.S.C. 2394(f)	Do.
Contingent and unfunded liabilities of the Federal Government.	31 U.S.C. 757(f)	1st day of each regular session.
Annual report of the Comptroller of the Currency.	12 U.S.C. 14	Annually.
Determination not to impose countervailing duties on imported products subject to bounties or grants.	Pub. L. 93-618, § 331 [19 U.S.C. 1303(e)]	Promptly.
Transportation of merchandise by certain barges and the extension of reciprocity granted by foreign countries. (Sec. 27, Merchant Marine Act of 1920; 46 U.S.C. 883.)	Pub. L. 92-173, § 2	Annually, until 1976.
Domestic international sales corporations (DISCs).	Pub. L. 92-178, § 506	Annually.
Audit of the Student Loan Marketing Association.	20 U.S.C. 1087-2(k)	Do.
Plans for addressing needs of Congress for fiscal, budgetary, and program-related information.	31 U.S.C. 1152(f)	Annually, by Mar. 1st.
<b>Federal Trust Funds</b>		
State and Local Government Assistance Trust Fund.	Pub. L. 92-512, § 105(2)	Annually, by Mar. 1st.
Adjustment assistance trust fund.	Pub. L. 93-618, § 245(a)	Do.
Highway trust fund.	23 U.S.C. 120, note	Do.
Airport and airway trust fund.	49 U.S.C. 1724(e)(1)	Annually.
Operation and status of the trust funds during the preceding fiscal year and the next ensuing 5 fiscal years with respect to the Federal old-age and survivors insurance and Federal disability insurance trust funds, and during the next 2 fiscal years with respect to the Federal hospital insurance and the Federal supplementary medical insurance trust funds.	42 U.S.C. 401(c)(2), 1395i(b)(2), 1395j(b)(2)	Annually, by Apr. 1st.
Report whenever the Board of Trustees is of the opinion that the amount of any of the trust funds is unduly small.	42 U.S.C. 401(c)(3), 1395i(b)(3), 1395j(b)(3)	Immediately when circumstances require.
<b>Emergency Loan Guarantee Board</b>		
Operations under the Emergency Loan Guarantee Act.	15 U.S.C.A. 1851	Annually.
<b>National Advisory Council on International Monetary and Financial Policies</b>		
Participation of the United States in the International Monetary Fund, the International Bank for Reconstruction and Development, the International Finance Corporation, the Inter-American Development Bank, the International Development Association, and the Asian Development Bank.	22 U.S.C. 282b, 283b, 284b, 285b(b), 286b(b)(5) and (6), 286b-1, and 286k-1; Reorganization Plan No. 4 May 27, 1965.	Do.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Subject	Requiring statute	Report required to be submitted to Congress by the—			Reporting frequency
		Secretary of Defense	Army	Navy	
<b>A.—3. BY THE DEPARTMENT OF DEFENSE</b>					
Report of the Department of Defense (including the status of the reserve programs).	10 U.S.C. 133(c)	X			Annually.
Amounts spent on chemical and biological warfare agents.	Pub. L. 91-211, § 409(a) [50 U.S.C. 1511]	X			Do.
Transportation, testing or disposal of lethal chemical or biological warfare agents in the U.S.	50 U.S.C. 1512 (Public Law 91-121, sec. 409(b)(4)).	X			10 days prior to transportation, or 30 days before testing.
Emergency disposal of chemical or biological warfare agent.	Pub. L. 91-441, § 506(a) [50 U.S.C. 1518]	X			Immediately when accomplished.
Deployment, storage, or disposal of chemical or biological warfare agents outside United States.	50 U.S.C. 1513(1)	X			As required.
Pertinent details of the proposed action regarding substantial reduction or elimination of a major weapons system.	10 U.S.C. 125(c)	X			Do.
Development and procurement schedules for each weapon system for which fund authorization is requested.	10 U.S.C. 139(a)	X			Annually.
Supplemental report regarding contracts for the procurement of any such weapon system (other than procurement of units for operational testing and evaluation and/or long lead-time items).	10 U.S.C. 139(b)	X			30 to 60 days before contract award.
Agreements for cooperation with other nations or regional defense organizations under the Atomic Energy Act of 1954.	Pub. L. 85-479, § 4 [42 U.S.C. 2153(d)]	X			In each case.
Actions taken to increase the combat proportion of U.S. personnel in Europe.	Pub. L. 93-365, § 302(a).	X			Semiannually.
Results of assessments of costs and possible loss of combat effectiveness of NATO through lack of standardization; and evaluation of relative priority and effect of each such action.	Pub. L. 93-365, § 302(c).	X			No time specified.
Specific assessments and evaluations made of NATO weapons systems standardization, and results achieved.	do	X			Semiannually.
Study of possibility of increasing the strategic airlift crew ratio through components of the Selected Reserve.	Pub. L. 93-365, § 403(b).	X			By Feb. 1, 1975.
Notice of use of authority to increase the civilian personnel strength of the Department of Defense.	Pub. L. 93-365, § 403(c).	X			In each case.
Application of nuclear propulsion to major combatant vessels for the strike forces of the Navy.	Pub. L. 93-365, § 803 [10 U.S.C. 7291, note].	X			Annually, when President submits budget.
Relative status of the Air Force Reserve and the Air National Guard.	Pub. L. 93-155, § 810(b).	X			Jan. 31, 1975.
Independent research and development and bid and proposal programs.	10 U.S.C. 2358, note	X			Annually, by Mar. 15.
Condition and operation of working capital funds.	10 U.S.C. 2208(i)	X			Annually.
Specially qualified scientific and professional personnel (to include similar NSA personnel).	10 U.S.C. 1582	X			Annually, by Feb. 1.
Status of training of, and progress made in strengthening Reserve components of the Armed Forces.	10 U.S.C. 279	X			Annually in January.
Active duty strength level of components of the Armed Forces and civilian personnel.	10 U.S.C. 133, note	X			Annually, by Feb. 15.
Average student load in training categories for each component of the Armed Forces.	10 U.S.C. 138(d)(2)	X			Annually, by Mar. 1.
Progress of ROTC flight training program.	10 U.S.C. 2110(b)	X	X	X	Annually in January.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Subject	Requiring statute	Report required to be submitted to Congress by the—				Reporting frequency
		Secretary of Defense	Army	Navy	Air Force	
<b>A.—3. BY THE DEPARTMENT OF DEFENSE—Continued</b>						
Estimated airborne alert and increased military personnel expenses as excepted expenses in accordance with the provisions of Rev. Stat. 3732 (41 U.S.C. 11).	Pub. L. 93-437, § 813(d).	X				Monthly.
Presidential exemptions in the interest of national defense (relating to apportionments) and the use of authority to provide for the cost of an airborne alert and increased military personnel.	do	X				Immediately.
Estimated obligations incurred for clothing, subsistence, etc.	41 U.S.C. 11(b)	X				Quarterly.
Each construction project involving \$1,000,000 or more in support of Vietnamese or other free world forces in South Vietnam.	Pub. L. 90-408, § 502 (82 Stat. 386).	X				As required.
Certifications that the use of foreign currencies for payment of contracts is not feasible.	Pub. L. 93-437, § 835; Pub. L. 93-636, § 109.	X				As required (quarterly, by practice).
Property, supplies, and commodities received from foreign countries.	Pub. L. 93-437, § 819.	X				30 days after each quarter.
Transfers of funds in the national interest within DOD.	Pub. L. 93-437, § 834.	X				Promptly.
Negotiated R.D.T. & E. and mobilization base contracts.	10 U.S.C. 2304(e)	X				Semiannually, May 19 and Nov. 19.
Transfers of appropriated funds between subdivisions for operations and maintenance.	Pub. L. 93-437, title III.	X				Promptly.
Receipts and disbursements from sale of surplus military supplies, equipment and material and lumber or timber products.	Pub. L. 93-437, § 812.	X				Quarterly.
Officers above O-4 entitled to flying pay.	37 U.S.C. 301(g)		X	X	X	Annually, on or before Jan. 1.
Special pay of officers holding positions of a critical nature.	37 U.S.C. 306(f)	X				By Mar. 1, of each year.
U.S. Soldiers' Home	24 U.S.C. 42, 59, and 60.		X			Annually.
Transfer of Government communications facilities—Alaska.	40 U.S.C. 786	X				In January of each year.
Dollar summary of contracts with (a) small business, (b) other than small business, and (c) research and development.	Pub. L. 85-536, § 10 (d) [15 U.S.C. 639 (d)].	X				Monthly.
Action taken under the Defense Industrial Reserve Act.	Pub. L. 80-883, § 5, as amended.	X				Annually, by Apr. 1.
Annual report and audit of American National Red Cross Society.	36 U.S.C. 6	X				Annually.
Grants made to institutions or organizations for the support of basic scientific research.	Pub. L. 85-934, § 3 [42 U.S.C. 1893].	X	X	X	X	Annually, on or before June 30.
Amendments and modification of contracts under authority to facilitate the national defense.	Pub. L. 85-804, § 4 (a) (72 Stat. 972), [50 U.S.C. 1434].	X	X	X	X	Annually, by Mar. 15.
Abstract of returns and reports of all Adjutants General of the National Guard.	32 U.S.C. 314(d)		X			To be included in annual report.
Meritorious claims in excess of \$15,000 incident to noncombat activities of the Armed Forces.	10 U.S.C. 2734(d), 10 U.S.C. 2733(d), 32 U.S.C. 715(d).		X	X	X	As required.
Listing of each research and development contract over \$50,000.	10 U.S.C. 2357		X	X	X	Semiannually.
Breakdown of dollar value of construction contracts completed by each of the construction agencies.	Pub. L. 93-552, § 604.		X	X	X	Annually.
Construction contracts awarded on other than a competitive basis.	do		X	X	X	Do.
Water resource development projects costing less than \$10,000,000.	42 U.S.C. 1962d-5(a)		X			As required.
Identification of each construction project estimated to exceed authorization by 25 percent or reduced within authorization.	Pub. L. 93-552, § 603(d).	X				Annually.



## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Subject	Requiring statute	Report required to be submitted to Congress by the—				Reporting frequency
		Secretary of Defense	Army	Navy	Air Force	
<b>A.—3. BY THE DEPARTMENT OF DEFENSE—Continued</b>						
Recycling of materials	Pub. L. 93-552, §612		X	X	X	Annually.
Administration and progress relating to absentee voting.	50 U.S.C. 1461	X				Biennially; odd-numbered years.
Need and amount of payments made for title search and title insurance costs.	42 U.S.C. 1594(d)	X				As required.
Approvals authorized from funds under contracts or agreements with Federal contract research centers.	10 U.S.C. 2358, note.	X				Do.
Acquisition of individual reserve forces facilities costing more than \$50,000.	10 U.S.C. 2233a(1)	X				Do.
Defense-related employment	50 U.S.C. 1436(d)	X				Annually by Dec. 31.
Proposed loan or donation of certain excess material and material of historical interest to public and private organizations.	10 U.S.C. 7545(c)	X				30 days before transfer.
Terminal and transfer facilities on harbors and waterways.	33 U.S.C. 550; 40 Stat. 911.		X			In annual report.
Deterioration of works of improvement of rivers and harbors.	33 U.S.C. 549; 30 Stat. 1150.		X			Do.
Study of debris and obsolete building removal on Aleutian Islands.	Pub. L. 93-251, § 35.		X			Mar. 7, 1975.
California Debris Commission report.	33 U.S.C. 667; 27 Stat. 508.		X			Annually.
List of authorized projects for works of improvements of rivers, harbors, and waterways for navigation, beach erosion, flood control, etc., which have been authorized for at least 8 years without appropriations and are no longer required.	Pub. L. 93-251, § 12.		X			Do.
Public works activities to aid navigation of rivers.	23 Stat. 147		X			Annually, by Jan. 1.
Susquehanna River Basin study	Pub. L. 91-611, § 235(d) (84 Stat. 1834).		X			As required.
Extent of stream bank erosion demonstration program.	Pub. L. 93-251, § 32.		X			June 30, 1978.
Study of Summerville Lake multiple-purpose project, Gauley River, W. Va.	Pub. L. 91-611, § 227 (84 Stat. 1832).		X			As required.
Study of the Fort Randall multiple-purpose project; South Dakota.	Pub. L. 91-611, § 226 (84 Stat. 1832).		X			Do.
Anchorage, Alaska L-K Street slide area investigation.	Pub. L. 91-611, § 121 (84 Stat. 1823).		X			Do.
Feasibility of constructing a hydraulic model of the Great Lakes.	Pub. L. 93-251, § 81.		X			June 30, 1976.
Study of a navigation channel extending from St. Georges Creek, Md., to the Harry Lundeberg School of Seamanship at Piney Point, Md.	Pub. L. 91-611, § 102 (84 Stat. 1819).		X			As required.
Study regarding the establishment of a national recreation area in the Upper Kentucky and Licking River Basins.	Pub. L. 91-611, § 231(a)		X			Do.
Improvement of the Mississippi River—Results of program to demonstrate the practicability of extending the navigation season on the Great Lakes and St. Lawrence Seaway.	22 Stat. 203 Pub. L. 91-611, § 107(b)		X			Do. By July 30, 1974.
Study of land use practices and recreational uses at water resource development projects.	Pub. L. 93-251, § 25.		X			June 30, 1975.
Study of local cooperation involving hold and save harmless provisions required for water resources development projects.	Pub. L. 93-251, § 24.		X			Do.
Surveys and reviews of possible water resource projects (Chief of Engineers is authorized to conduct surveys. Each survey is listed by name either in the authorizing legislation which becomes law in each Congress or in Committee resolutions. The Chief of Engineers also may review completed projects and report thereon).	Pub. L. 89-789, § 209; Pub. L. 90-483, § 219; Pub. L. 91-611, § 216; Pub. L. 91-611, § 217; Pub. L. 93-251.		X			As required.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Subject	Requiring statute	Report required to be submitted to Congress by the—				Reporting frequency
		Secretary of Defense	Army	Navy	Air Force	
<b>A.—3. BY THE DEPARTMENT OF DEFENSE—Continued</b>						
Inventory and status of agreements between non-Federal interests and the Secretary of the Army regarding construction of any water resources projects.	Pub. L. 91-611, § 221(e).		X			Annually.
Water conservation plans—Puerto Rico.	Pub. L. 91-611, § 204(a).		X			As required.
Preparation of water conservation plans within the boundaries of any State.	Pub. L. 93-251, § 22(a).		X			Do.
Investigation of alternative methods regarding the project for the Sandridge Dam and Reservoir, Ellicott Creek, N.Y., for flood protection.	Pub. L. 91-611, § 201.		X			Prior to start of project.
Reviews of costs:						
Santa Cruz Harbor, Calif.	Pub. L. 93-251, § 37.		X			Mar. 7, 1975.
Anaheim Bay, Calif.	Pub. L. 93-251, § 38.		X			Do.
Ohio River Basin	Pub. L. 93-251, § 41.		X			Aug. 28, 1976.
Feasibility of including power facilities in the Pattonsburg Lake (Grand River, Mo.-Iowa) project.	Pub. L. 93-251, § 53.		X			As required.
Beach erosion study at Presque Isle Peninsula, Erie, Pa.	Pub. L. 93-251, § 57.		X			Do.
Survey of modification of ship channel at Corpus Christi, Tex.	Pub. L. 93-251, § 71.		X			June 30, 1974.
Visitor protection services at water resources development projects.	Pub. L. 93-251, § 75.		X			Dec. 31, 1974.
Survey of Great South Bay, N.Y.	Pub. L. 93-251, § 76.		X			July 31, 1975.
Study of Washington, D.C., future water needs.	Pub. L. 93-251, § 85(b)(1).		X			As required.
Pilot project testing for the treatment of water from the Potomac estuary.	Pub. L. 93-251, § 85(b)(2).		X			3 years after project starts.
Study of sedimentation in the Potomac River Basin.	Pub. L. 93-251, § 86(b).		X			Mar. 7, 1977.
Development of rail transportation within the Big South Fork National River and Recreation Area.	Pub. L. 93-251, § 108(e)(7).		X			As required.
Special pay for duty subject to hostile fire and for certain designated officers.	37 U.S.C. 310(d)	X				Annually by Mar. 1.
Property held by Army, Navy, and Air Force.	10 U.S.C. 2701(b)	X				Annually.
Facts and justification regarding closing of installations.	10 U.S.C. 2662, note (Pub. L. 93-368, § 613(a)).	X	X	X	X	As required.
All purchases and condemnation proceedings regarding naval petroleum and oil shale reserves.	10 U.S.C. 7425(b)			X		Annually.
Contracts for conservation of oil reserves.	10 U.S.C. 7424(b)			X		Do.
Amount appropriated and expended under each specific head of appropriation; balance remaining unexpended at end of fiscal year and estimate of probable demands.	10 U.S.C. 7217			X		Do.
Transfer of naval vessels to friendly foreign countries on a loan or other basis.	50 U.S.C. App. 1878.	X				When transfers are made.
Proposed transfer of a vessel to a State, municipality, or nonprofit organization.	10 U.S.C. 7308(c)			X		60 days before transfer.
Proposed donation of surplus equipment.	10 U.S.C. 7545			X		30 days before donation.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>A.—3. BY THE DEPARTMENT OF DEFENSE—Continued</b>		
By the Defense Civil Preparedness Agency, DOD		
Civil defense operations	50 U.S.C. App. 2258	Annually.
Financial contributions to States for civil defense personnel and administrative expenses.	50 U.S.C. App. 2258	Annually.
Financial contributions to States for civil defense equipment and facilities expenses.	50 U.S.C. App. 2281(f)	Do.
All property acquisitions of civil defense	50 U.S.C. App. 2281(h)	Do.
<b>A.—4. BY THE DEPARTMENT OF JUSTICE</b>		
A report of business of the Department of Justice for the last preceding fiscal year.	28 U.S.C. 522	At the commencement of each session.
A report listing the names of all persons upon whom the President has conferred the Young American Medal for Bravery, and the Young American Medal for Service.	42 U.S.C. 1925	At the end of fiscal year.
Administration of the Foreign Agents Registration Act of 1938, as amended.	22 U.S.C. 621	From time to time (Annually by practice.)
Studies of voluntary agreements and programs authorized by § 708 of the Defense Production Act.	Pub. L. 81-774, § 708(e)	Annually.
Surveys of any activity of the Government which may affect small business.	15 U.S.C. 639(c)	Do.
Activities of the Interstate Oil Compact Commission	Pub. L. 92-322, § 2	June 30, 1974.
Study of methods of implementing a uniform law governing liability for oil spills.	Pub. L. 93-627, § 18(a)	July 3, 1975.
Identical bidding in advertised public procurement	Executive Order No. 10936, § 7.	Annually.
Performance of responsibilities under Pub. L. 89-175 (balance of payments).	31 U.S.C. 933	Semiannually.
Proceedings under the Trading With the Enemy Act	50 U.S.C. App. 6; E.O. No. 9788.	Annually.
Report of the Attorney General on extortionate credit transactions.	18 U.S.C. 891, note	At the end of fiscal year.
Administration of the Attorney General's function under the Truth in Lending Act.	15 U.S.C. 1613	Annually, by Jan. 3.
Federal law enforcement and criminal justice assistance activities.	42 U.S.C. 3795	Biennially.
Proceedings instituted under the Subversive Activities Control Act of 1950.	50 U.S.C. 794(f)	Annually, by Jan. 10.
National Institute of Corrections, Bureau of Prisons	18 U.S.C. 4352(b)	Annually, by Dec. 31.
National Institute of Law Enforcement and Criminal Justice on research, development, evaluation, and training programs.	87 Stat. 204	Annually.
Community Relations Service	42 U.S.C. 2000g-3	Annually, by Jan. 31.
Federal Prison Industries, Inc.	18 U.S.C. 4127	Annually.
<b>By the Immigration and Naturalization Service</b>		
Refugees conditionally entering the United States pursuant to § 203(a)(7) of the Immigration and Nationality Act, as amended.	8 U.S.C. 1153f	Semiannually, by Jan. 15 and June 15.
Approved visa petitions according certain beneficiaries 3d and 6th preference classification under § 203(a)(3) or (6) of the Immigration and Nationality Act.	8 U.S.C. 1154(d)	On the 1st and 15th day of each month when in session.
Admission of aliens who were affiliated with certain subversive organizations and who have established opposition to such subversion.	8 U.S.C. 1182(a)(28)(i)(i)(b).	Promptly upon admission of alien.
Admission of certain excludable nonimmigrants convicted of certain crimes and certain subversive activities.	8 U.S.C. 1182(d)(6)	By practice, promptly after exercise of authority.
Suspension of deportation of certain aliens of good character (with required residency) when deportation causes hardship (§ 244(a), Immigration and Nationality Act).	8 U.S.C. 1254(c)(1)	1st day of each month when in session.
Withdrawals of suspension of deportation previously granted an alien.	8 U.S.C. 1256(a)	On the 1st and 15th day of each month when in session.
Adjustment of status of a nonimmigrant to that of an alien lawfully admitted for permanent residence.	8 U.S.C. 1255b(c)	1st day of each month when in session.
<b>By the Law Enforcement Assistance Administration</b>		
Administration of law enforcement assistance	87 Stat. 214	Annually, by Dec. 31.
Analysis and evaluation of juvenile delinquency programs	Pub. L. 93-415, § 204(b)(5).	Annually, by Sept. 30.
Comprehensive plan for juvenile delinquency programs	Pub. L. 93-415, § 204(b)(6).	Annually, by Mar. 1.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>A.—5. BY THE DEPARTMENT OF THE INTERIOR</b>		
Integration of remaining functions under the Saline Water Conversion Act of 1971 with ongoing water resources programs.	42 U.S.C. 1959f	By Dec. 31, 1975.
Water resources research program	42 U.S.C. 1961c-7	Annually, by Oct. 1.
Certification that an adequate soil survey and land classification has been made and that the lands to be irrigated are susceptible to agricultural production by irrigation.	43 U.S.C. 309a	Prior to initiation of construction.
Approval of projects under the Small Reclamation Projects Act	Pub. L. 84-984, § 4(c) [43 U.S.C. 422d(c)].	In each case.
Proposals received under the Small Reclamation Projects Act	43 U.S.C. 422j	Do.
Deferments of payments for reclamation projects	43 U.S.C. 485b-1	Do.
Proposed contracts negotiated under section 7(a) or (b)(1) of the Reclamation Project Act of 1939, as amended.	43 U.S.C. 485f(c)	Do.
Proposed projects under the Reclamation Project Act of 1939	43 U.S.C. 485h(a)	On approval by Secretary.
Proposed contracts for drainage works and minor construction over \$200,000 on Federal reclamation projects.	43 U.S.C. 505	60 days prior to execution.
Colorado River storage projects and participating projects	43 U.S.C. 620e	Annually, by Jan. 1.
Additional reclamation projects near Chief Joseph Dam	60 Stat. 568	From time to time.
Studies on Colorado River water quality	70 Stat. 105, 111	Not specified.
	76 Stat. 102, 393; 88 Stat. 274.	Every odd-numbered year.
Planning reports on certain units in the Colorado River Water Quality Improvement program.	43 U.S.C. 1593	As completed.
Investigations of projects for conservation, development, and utilization of water resources of Alaska, with appropriate recommendations.	69 Stat. 618	From time to time.
Consolidated financial statement on a payout basis for all projects of the Federal Columbia River power system and for all other projects to the extent to which their costs are to be repaid from the system's revenues.	16 U.S.C. 835j (Pub. L. 89-444 as amended).	Annually.
Feasibility of transferring Eklutna project to public ownership	64 Stat. 382	Upon completion of amortization.
Minerals exploration assistance program	Pub. L. 85-701, § 5 [30 U.S.C. 645i]	Annually.
Geological surveys conducted outside the national domain	42 U.S.C. 31(c)	Annually by Jan. 31.
Refunds on Outer Continental Shelf leases	43 U.S.C. 1339(b)	30 days prior.
Report of expenditures and receipts, Outer Continental Shelf lands.	43 U.S.C. 1343	Annually, by Sept. 1.
State of domestic mining, minerals, and mineral reclamation industries, including a statement of the trend in utilization and depletion of these resources.	30 U.S.C. 21a	Annually.
Administration of the Federal Metal and Nonmetallic Mines Safety Act.	Pub. L. 89-577, § 20 [30 U.S.C. 739i]	Do.
Activities under the Coal Research Act	Pub. L. 86-599, § 7	Annually, by Feb. 15.
Implementation of Alaska Native Claims Settlement Act	Pub. L. 92-203, § 23.	Annually, until 1984.
Pipeline spillage on Federal lands	Pub. L. 93-153, § 100(87 Stat. 583).	Annually.
Report on whether the following trails should be added to the national trails system as national scenic trails: Continental Divide Trail; Potomac Heritage Trail; Old Cattle Trails of the Southwest; Lewis and Clark Trail; Natchez Trace; North Country Trail; Kiltanning Trail; Oregon Trail; Santa Fe Trail; Long Trail; Mormon Trail; Gold Rush Trails in Alaska; Mcroon Battalion Trail; and El Camino Real, Fla.	82 Stat. 919	As appropriate.
Land exchange at Cape Cod National Seashore	75 Stat. 288	Within 30 days.
Sawtooth National Recreation Area	Pub. L. 92-400, § 14(a)	Dec. 31, 1974.
Study of Honokohau National Historic Landmark	Pub. L. 92-346, § 3	July 11, 1973. (Delayed).
Study and investigation of the Great Dismal Swamp	Pub. L. 92-478	Oct. 9, 1974.
Study of proposed road alignments within and adjacent to Glen Canyon National Recreation Area.	Pub. L. 92-593, § 8(e)	Oct. 27, 1974.
Deletion of lands from the Grand Canyon National Park	Pub. L. 93-620, § 3(c)	Jan. 3, 1976.
Comprehensive plan for conserving the upstream resources of the New River, Tenn.	Pub. L. 93-251, § 108 (h).	Mar. 7, 1975.
Means of preserving the San Juan National Historic Site	Pub. L. 93-477, § 403(a)	Oct. 26, 1975.
Means of preserving the Ohio and Erie Canal	Pub. L. 93-477, § 404(a).	Do.
Effect of a hydroelectric project on the Sequoia National Park (by the National Park Service).	Pub. L. 93-522, § 4	180 days before termination of permit.
Proposed awards of concession leases and contracts involving \$100,000 or more, or of 5 years or more.	16 U.S.C. 17b-1	As required.
National Visitor Center	Pub. L. 90-264	Annually.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>A.—5. BY THE DEPARTMENT OF THE INTERIOR—Continued</b>		
Water resources and waterfowl management potential of the Clear Lake National Wildlife Refuge.	16 U.S.C. 695g	As studies are completed.
Activities of the U.S. Fish and Wildlife Service under the Fish and Wildlife Act of 1956.	16 U.S.C. 742h	Annually.
Reports on (1) the availability and abundance and the biological requirements of the fish and wildlife resources; (2) the collection and dissemination of statistics on commercial and sport fishing; (3) the collection and dissemination of statistics on the nature and availability of wildlife, progress in acquisition of additional refuges and measures being taken to foster a coordinated program to encourage and develop wildlife values; (4) any other matters of public interest in connection with fish and wildlife operations.	16 U.S.C. 742d	Periodically.
Personnel detailed and equipment loaned from Federal agencies the U.S. Fish and Wildlife Service.	Pub. L. 93-280 [16 U.S.C. 743(2)(C)]	Annually.
Anadromous and Great Lakes fisheries studies.	Pub. L. 89-304, § 2 [16 U.S.C. 757b]	As completed.
Status of all marine mammal species and population stocks subject to the provisions of the Marine Mammal Protection Act of 1972.	Pub. L. 92-522, § 103(f)	Annually.
National Fisheries Center and Aquarium Advisory Board.	16 U.S.C. 1057	Do.
Protection of Wild Horses and Burros Act.	Pub. L. 92-195	June 15, 1974, and every 2 years thereafter.
Migratory Bird Conservation Commission.	Pub. L. 70-770, § 3 [16 U.S.C. 715b]	Annually, by the 1st Monday in December.
Acquisition cost of all real property disposed of during the fiscal year.	Pub. L. 81-152, § 203(o) [40 U.S.C. 484(o)]	During the 1st quarter following close of fiscal year.
Notice of proposed contracts for scientific or technological research involving more than \$25,000.	Pub. L. 89-672, § 1(d) [42 U.S.C. 1900(d)]	As appropriate.
Report of the Government Comptroller of Guam on the financial condition of the Trust Territory of the Pacific Islands.	Pub. L. 93-111, § 2	Annually.
Report of the Government Comptroller of Guam on its fiscal condition.	48 U.S.C. 1422(g)	At the close of the fiscal year.
Report of the Governor of Guam on the status of the Guam Economic Development Fund.	Pub. L. 90-601, § 6 [48 U.S.C. 1428d]	Annually.
Notice of intention to remove or transfer the Government Comptroller of the Virgin Islands.	Pub. L. 83-517, § 17(a) [48 U.S.C. 1599(a)]	60 days prior.
Report of the Government Comptroller of the Virgin Islands on the fiscal condition.	48 U.S.C. 1599(h)	At the close of the fiscal year.
All laws enacted by the legislature of the Virgin Islands.	48 U.S.C. 1575(g)	Annually.
Report of the Governor on the transactions of the government of the Virgin Islands.	48 U.S.C. 1591	Do.
<b>(a) Bureau of Reclamation</b>		
Finding of feasibility of full water supply to lands in Rexburg Branch area; Teton Basin project.	78 Stat. 926	Prior to construction.
Progress in developing a general plan to meet future water needs of the Western United States.	Pub. L. 90-537	June 30, 1975 and June 30, 1977 (final).
Status of the revenues from and the cost of constructing, operating, and maintaining each lower basin unit of the central Arizona project for the preceding fiscal year.	do	Annually.
Feasibility report on Uinta unit of central Utah project.	do	Before construction.
Annual consumptive use and losses of water from the Colorado River System.	do	After each successive 5-year period; starting Oct. 1, 1970.
Report describing actual operation under adopted criteria for coordinated long-range operation of Colorado River reservoirs for preceding Colorado River compact water year and projected operation for the current year.	82 Stat. 885	Annually, by June 1st.
Business-type budgets for all operations financed by the Upper Colorado River Basin Fund.	43 U.S.C. 620d(g) (Pub. L. 84-485)	Annually.
Business-type budgets for all operations financed by the Lower Colorado River Basin Development Fund.	Pub. L. 90-537	Do.
<b>(b) Bureau of Land Management</b>		
Certain negotiated contracts involving sales of mineral and vegetative material on public lands.	30 U.S.C. 602(b) (Pub. L. 87-689)	To be made Jan. 1 and July 1 each year.
Compensatory royalty agreements relating to oil or gas which were entered into during the previous year involving unleased government lands.	30 U.S.C. 226(g)	Beginning of each regular session.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>A.—5. BY THE DEPARTMENT OF THE INTERIOR—Continued</b>		
<b>(c) Bureau of Indian Affairs</b>		
Adjustments or eliminations of reimbursable debts of Indians or Indian tribes.	25 U.S.C. 386a	Annually by the 1st Monday in December.
Adjustments or cancellations of irrigation charges on lands within Indian reservations.	25 U.S.C. 389e	Annually on 1st Monday of each session.
Status of bilingual education programs for Indian children.	88 Stat. 508 [20 U.S.C. 880b-8 (c) and (d)]	Annually, by Nov. 1.
Assistance in construction of schools necessary for the education of Indians.	Pub. L. 93-638, § 204(f)	Apr. 4, 1978.
Acceptance of gifts for the benefit of Indians.	Pub. L. 90-333	Annually.
Manner of payment of a judgment to any Indian tribe.	Pub. L. 93-134, § 2(a) and 4	180 days after appropriation of funds.
Plan for assumption of assets of Menominee Enterprises, Inc.	Pub. L. 93-197, § 6(a)	Dec. 22, 1974.
<b>(d) Bureau of Mines</b>		
Helium gas conservation, production, purchase, and sale.	50 U.S.C. 167n	Annually.
Investigations and recommendations for alleviating dangerous and undesirable effects of pollution due to domestic sewage; mine, petroleum, and industrial wastes; erosion silt; and other polluting substances.	16 U.S.C. 665	As investigations are conducted.
Anthracite mine water control and mine sealing and filling program.	30 U.S.C. 575	Annually, February 1.
Federal Coal Mine Health and Safety Act.	Pub. L. 91-173; § 511(a)	120 days after convening each session.
Federal Coal Mine Health and Safety Act Interim Compliance Panel. Investigation and study on recovery of useful energy and materials.	Pub. L. 91-173, § 5(f)(2). 84 Stat. 1229 [42 U.S.C. 3253a].	Annually. At least annually.
<b>A.—6. BY THE DEPARTMENT OF AGRICULTURE</b>		
Scope of conservation reserve program for preceding year and basis for participation in program in the States and regions.	70 Stat. 194	Annually by Mar. 15.
Operations for the disposal of surplus commodities held by CCC.	70 Stat. 199	Annually.
Operations, expenditures, and obligations under the Soil Conservation and Domestic Allotment Act.	50 Stat. 329	Do.
Activities of the Rural Electrification Administration.	49 Stat. 1366	Annually, by Jan. 20.
Results of operations as to each commodity insured by the Federal Crop Insurance Corporation.	61 Stat. 719	Annually.
Grants to States for construction of research facilities at State agriculture experiment stations.	77 Stat. 92	Do.
Operations under Food Stamp Act during preceding calendar year and projected needs for ensuing calendar year.	82 Stat. 958	Annually, by Jan. 20.
Final evaluation of the special supplemental food program for pregnant and lactating women and children.	Pub. L. 89-642, § 17(e)	Mar. 30, 1975.
National Advisory Council on Child Nutrition.	84 Stat. 215	Annually.
Information and technical assistance to small communities and less populated areas.	84 Stat. 1383	Annually, by Sept. 1.
Horse protection in interstate commerce.	84 Stat. 1496	By June 30, odd-numbered years.
Study of Special Management Unit, Washakie Wilderness and recommendation for its use.	Pub. L. 92-476, § 5(b)	Oct. 9, 1977.
Transportation, sale, and handling of animals for research and pets.	7 U.S.C. 2155 (84 Stat. 1955)	Annually, by Mar. 31.
Telephone Bank Board.	85 Stat. 33	Annually.
Progress in attaining goals for rural development.	Pub. L. 92-419, § 603 (b)(4)	Annually, by Sept. 1.
National reforestation needs.	Pub. L. 92-421, § 3	Annually.
Evaluation of the renewable resource program.	Pub. L. 93-378, § 7(c) [16 U.S.C. 1606(c)]	Annually, at time of submission of budget.
Agreements signed for use of foreign currencies (Public Law 480).	7 U.S.C. 1704a	Within 60 days after agreement is made.
Loss of livestock while being transported.	87 Stat. 237	Annually.
Each cotten insect eradication program.	87 Stat. 235	Upon accomplishment.
Dairy import study.	87 Stat. 223	By Jan. 1, 1975.
<b>A.—7. BY THE DEPARTMENT OF COMMERCE</b>		
All moneys received and disbursed by the Department and description of the work done by the Department in fostering, promoting, and developing foreign and domestic commerce.	15 U.S.C. 1519	In annual report.
State Technical Services Act.	15 U.S.C. 1364	Annually, by Jan. 31.
Effects of pollution abatement on international trade.	Pub. L. 92-500, § 6(b)	At least annually.
Foreign Trade Zones Board.	19 U.S.C. 81p(c)	1st day of session.
International marine technology transfer.	Pub. L. 89-454, § 205(c)	Sept. 30, 1974 (delayed).
<b>(a) Domestic and International Business Administration</b>		
International Exposition on Environment.	P.L. 92-598, § 5	1 year after exposition closes.
Export controls.	50 U.S.C. App. 2409	Semiannually.
Operation of mobile trade fairs.	46 U.S.C. 1122b(d)	Annually.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>A—7. BY THE DEPARTMENT OF COMMERCE—Continued</b>		
<b>(b) Economic Development Administration</b>		
Public Works and Economic Development Act of 1965	42 U.S.C. 3217	Annually.
Special economic development and adjustment assistance	Pub. L. 89-136, sec. 904(b) [42 U.S.C. 3244(b)].	Do.
<b>(c) Maritime Administration</b>		
Activities under the Shipping Act, 1916	46 U.S.C. 811	Annually, by Dec. 1.
Activities under the Merchant Marine Act, 1936	46 U.S.C. 1118	Beginning of each session.
Use of U.S.-flag commercial vessels for the transportation of Government personnel and certain cargoes.	46 U.S.C. 1241(b)(2)	Annually.
Acquisition of obsolete vessels in exchange for credits to be applied to new vessel construction.	46 U.S.C. 1160(f)	Annually, when Congress convenes.
Claims arising under the Suits in Admiralty Act agreed to since the previous session.	46 U.S.C. 752	Do.
Activities or transactions under the Ship Sales Act, 1946	50 U.S.C. App. 1746	Do.
War-risk insurance activities and expenditures and receipts	46 U.S.C. 1291	Do.
Relative cost of shipbuilding in the various coastal districts	46 U.S.C. 1123	By July of each year.
Collusive bidding in contracts involving construction or reconditioning merchant vessels.	46 U.S.C. 1152(b)	When violation occurs.
<b>(d) National Bureau of Standards</b>		
Results of research studies and development of test methods into the flammability of products, fabrics, and materials.	15 U.S.C. 2101	Annually.
Recommendation upon industry failure to develop or abide by voluntary product standards.	15 U.S.C. 1454(e)	Whenever determination is made.
Development of voluntary product standards for any consumer commodity under the Fair Packaging and Labeling Act.	15 U.S.C. 1457	Annually, in January.
Master plans for fire prevention and control	Pub. L. 93-498, § 10(b) [15 U.S.C. 2209(b)].	Oct. 29, 1978.
Activities relating to fire prevention and control	Pub. L. 93-498, § 16 [15 U.S.C. 2215].	Annually.
<b>(e) National Oceanic and Atmospheric Administration</b>		
Activities of the National Marine Fisheries Service under the Fish and Wildlife Act of 1956.	16 U.S.C. 742h	Do.
Investigations and recommendations for alleviating pollution due to domestic sewage, mine, petroleum and industrial wastes, erosion silt and other polluting substances.	16 U.S.C. 665	As investigations are conducted.
Marketing, availability, competition, and other matters of public interest in connection with any phases of fish and wildlife operations.	16 U.S.C. 742d	Periodically.
Studies and recommendations of conservation and enhancement of anadromous and Great Lakes fishery resources.	16 U.S.C. 757b	As completed.
Central Western and South Pacific Fisheries Development Act	Pub. L. 92-444, § 4	June 30, 1976.
Dumping of material into ocean waters	Pub. L. 93-532, § 201	Annually.
Long-range effects of pollution, over-fishing, and man-induced changes of ocean ecosystems.	Pub. L. 93-532 § 202(c)	Annually, by January.
Marine sanctuaries	Pub. L. 93-532 § 302(d)	Annually, by Nov. 1.
Administration of the management of the coastal zone	Pub. L. 92-583, § 313(a)	Do.
Status of marine mammal species and population stocks	Pub. L. 92-522, § 103(f)	Annually by June 20.
Suspension of programs involving the taking of marine mammals on land.	Pub. L. 92-522, § 112(d)	When appropriate.
<b>(f) Patent Office</b>		
A report of the moneys received and expended by the Patent Office and statistics concerning the work of the Office.	35 U.S.C. 14	In annual report of the Secretary.
<b>(g) Economic Development Planning Regional Commissions</b>		
Activities and programs: New England, Ozarks, Four Corners, Coastal Plains, Old West, Pacific Northwest, and Upper Great Lakes.	Pub. L. 89-136, § 510 [42 U.S.C. 3189].	Annually, by Jan. 31.
<b>(h) U.S. Travel Service</b>		
Activity performed under the International Travel Act	22 U.S.C. 2125	Annually.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>A.—8. BY THE DEPARTMENT OF LABOR</b>		
Account of all money received and disbursed and description of the work done by the Department.	29 U.S.C. 560	Annually.
Safety provisions and the causes and prevention of injuries in employments covered by the Longshoremen's and Harbor Workers' Compensation Act as amended.	33 U.S.C. 941(B)(1)	From time to time.
Report describing the experience under the grants program authorized by the Occupational Safety and Health Act.	29 U.S.C. 672h	June 30, 1973 (Delayed).
Fair Labor Standards Act	29 U.S.C. 204(d)	Annually, in January.
Economic effect of certain wage and hour exemptions	Pub. L. 93-259, § 27(3)	Jan. 1, 1976.
Study of means to assist high unemployment groups	Pub. L. 93-259, § 27(3)	By May 1, odd-numbered years.
Unemployment due to foreign competition	29 U.S.C. 204(e)	As necessary.
Number of cases reviewed and the number of exemplary rehabilitation certificates issued.	29 U.S.C. 606	Annually, not later than Jan. 15
Study of involuntary retirement	29 U.S.C. 624	No date specified.
Employee Retirement Income Security Act of 1974	Pub. L. 93-406, § 513(b)	Annually.
Study of steps necessary to protect rights of employees under Federal procurement, construction, and research contracts and grants.	Pub. L. 93-406, § 3032(a)	Sept 2, 1976.
Proposed regulations for protection of pension and retirement rights of employees under Federal contracts and grants.	Pub. L. 93-406, § 3032(d)	Sept. 2, 1977, if determined to be feasible.
Activities and financial statements of the Pension Benefit Guaranty Corp., with actuarial evaluation for next 5 years.	Pub. L. 93-406, § 4008	Annually.
Age Discrimination in Employment Act	29 U.S.C. 632	Annually, in January.
Emergency Employment Act of 1971	Pub. L. 92-54, § 13	Annually.
Work incentive programs (aid to families with dependent children).	42 U.S.C. 640	Annually, by July 1.
Federal Coal Mine Health and Safety Act	30 U.S.C. 936(b)	Annually, by Jan. 1.
Obligations of funds (1974 Approp.) for consultants on products exceeding \$25,000.	Pub. L. 93-192, § 409	At least twice annually.
Public employment programs	Pub. L. 93-203, § 209	Annually.
Impact of energy shortage on manpower needs	Pub. L. 93-203, § 506	Mar. 31, 1974.
Summer job programs for disadvantaged youths	Pub. L. 93-203, § 605(c)	Annually, by Mar. 1.
Special reports by Bureau of Labor Statistics	29 U.S.C. 6	As required.
<b>Manpower Administration</b>		
Reports and recommendations by the advisory committee formed by Administrator of Veterans' Affairs with respect to vocational rehabilitation and education relative to veterans' affairs.	38 U.S.C. 1788	As it deems desirable.
Use of educational and training facilities in manpower programs (in conjunction with Secretary of HEW).	Pub. L. 93-203, § 605(b)	No time specified.
<b>A.—9. BY THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE</b>		
National Advisory Committee on Handicapped Children	20 U.S.C. 1403(b)	Annually.
National Planning and Advisory Council recommendations for implementing the final report of the White House Conference on Handicapped Individuals.	Pub. L. 93-516, § 302(e)	90 days after final report is submitted to the President.
International Education Act	20 U.S.C. 1176(c)	Annually, by Jan. 31.
Fair Packaging and Labeling Act	15 U.S.C. 1457	Annually, in January.
Accidental burning of products, fabrics, or related materials	15 U.S.C. 1201(a)	Annually.
Safe school study	Pub. L. 93-380, § 825(c)	Dec. 1, 1976.
Study of athletic injuries	Pub. L. 93-380, § 826(b)	Feb. 21, 1976.
Projects financed with Federal funds under the Social Security Act.	42 U.S.C. 1320(b)	Annually.
Assessment of program of reimbursement to States for interim assistance payments under subsec. 1631(g) of the Social Security Act.	Pub. L. 93-368, § 5 [42 U.S.C. 1383(g)(6)].	May 2, 1976.
Gallaudet College	31 D.C. Code 1053(c)	Annually
National Advisory Council on Vocational Education	20 U.S.C. 1244(a)(2)(B)	Do.
State and Federal control of health hazards from electronic product radiation and other types of ionizing radiation.	42 U.S.C. 263e(a)	As necessary.
Use of nonmedical electronic products for commercial and industrial purposes.	do	Do.
Study of development of procedures for detection and measurement of electronic product radiation emissions from products not subject to the Radiation Control for Health and Safety Act of 1968.	do	Do.
Radiation Control for Health and Safety Act of 1968	42 U.S.C. 2631	Annually by Apr. 1.
Claims for black lung benefits	30 U.S.C. 936(b)	Within 120 days after convening.
Health consequences of smoking	15 U.S.C. 1337	Annually.
Activities of advisory councils established under the Public Health Service Act and Public Law 88-164.	42 U.S.C. 3509	Annually by Mar. 31.
Health consequences of using marijuana	21 U.S.C. 187	Annually.
Administration of drug abuse prevention programs	Pub. L. 92-255 § 405	Do.
Administration of the comprehensive alcohol abuse and alcoholism prevention, treatment, and rehabilitation program.	42 U.S.C. 4552(f)	Do.
Health consequences of using alcoholic beverages	42 U.S.C. 4552(2)	Dec. 31, 1974, and every third year.
Recommendations to further the prevention, treatment, and control of alcoholism.	42 U.S.C. 4552(4)	As required.
Federal programs dealing with alcoholism	42 U.S.C. 4552(5)	Annually, by Dec. 31.

LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>A.—9. BY THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—Continued</b>		
Program to improve medical assistance in areas with health manpower shortages (Emergency health personnel program.)	Pub. L. 92-585 § 329(g)	Annually, by May 15.
Plan for research program on aging	Pub. L. 93-296, § 3	May 31, 1975.
Emergency medical services	Pub. L. 93-154, § 2(a)	Annually.
Study of legal barriers to the delivery of emergency medical care	Pub. L. 93-154, § 4	Nov. 16, 1974.
Health maintenance organizations	Pub. L. 93-222, § 1315	Annually.
Quality of health care in the United States	Pub. L. 93-222, § 3	Annually, by Mar. 1.
Use of educational and training facilities in manpower programs (in conjunction with Secretary of Labor).	Pub. L. 93-203, § 605(b)	No time specified.
Community economic development	Pub. L. 93-644, § 10(b)	Annually, by June 4.
Prevention and control of communicable diseases	Pub. L. 92-449, § 317(g)	Annually, by Jan. 1.
Individuals receiving benefits under Supplemental Security Income for the Aged, Blind, and Disabled.	Pub. L. 92-603, § 301	Annually.
Status of services to handicapped children in Headstart programs	Pub. L. 92-424, § 3(b)(2)	Do.
National Institute of Occupational Safety and Health	29 U.S.C. 671	Do.
Progress toward achieving the purpose of Occupational Safety and Health Act.	29 U.S.C. 675	120 days after convening.
Family planning services (sec. 5(c), Public Law 91-572)	42 U.S.C. 3505(c)	Annually on Jan. 1 until 1977.
Programs administered by each State under 42 U.S.C. 602(a)(15) concerning services to families with dependent children.	42 U.S.C. 602(c)	Annually.
Advisory Board on Child Abuse and Neglect	Pub. L. 93-247	July 31, 1975.
Status and accomplishments of runaway houses receiving grants under the Runaway Youth Act.	Pub. L. 93-415, § 315	Annually.
Survey of the runaway youth population	Pub. L. 93-415, § 321	June 30, 1975.
By the National Commission for the Protection of Subjects of Biomedical and Behavioral Research:		
Recommendations respecting the functions and authority of the National Advisory Council for the Protection of Subjects of Biomedical and Behavioral Research.	Pub. L. 93-348, § 202(d)	2 years after the members of the Commission take office.
Activities of the Commission	Pub. L. 93-348, § 204(d)	Periodically.
Final report on activities and recommendations	Pub. L. 93-348, § 204(d)	90 days after expiration of 2-year period.
Activities of diabetes research and training centers	Pub. L. 78-410, § 435(b) (as added by Pub. L. 94-354, § 5).	Annually, by June 30.
Assistance to States for providing social services	Pub. L. 93-647, § 4	July 1, 1977.
Child support programs	Pub. L. 93-647, § 101(a)	Annually, by June 30.
<b>(a) Education Division</b>		
Report of the National Center for Education Statistics	Pub. L. 90-247, § 406(d) (1) [20 U.S.C. 1221e-1(d)(1)]	Annually, by Mar. 1.
Study of the measure of poverty used under title I of ESEA	Pub. L. 93-380, § 823(2)	Oct. 20, 1975.
<b>(1) Office of Education</b>		
National Technical Institute for the Deaf	20 U.S.C. 684(b)	Annually.
National Council on Quality in Education	20 U.S.C. 868(a), 1233b	Annually, by Mar. 31.
Budget programs prepared and submitted as provided for wholly owned Government corporations by the Government Corporation Control Act.	20 U.S.C. 1082(b)(1) (HEA, IV-B), 20 U.S.C. 745(a) (HEA, title III), 20 U.S.C. 993(b) (NVSLA).	Annually.
Report by the Commissioner of Education on (1) condition of education in the Nation, (2) developments in the administration, utilization, and impact of Office of Education programs, (3) results of investigations and activities by the Office of Education, and (4) such facts and recommendations as will serve the purpose for which the Office of Education is established (as set forth in 20 U.S.C. 1).	20 U.S.C. 1231a, 20 U.S.C. 242(c), 20 U.S.C. 642(c), 20 U.S.C. 581(c), 20 U.S.C. 1231b, 20 U.S.C. 1231c, 20 U.S.C. 1233b, 20 U.S.C. 1233g, 20 U.S.C. 331a(a)(3).	Annually, by Mar. 31.
Effectiveness of general assistance to graduate schools	Pub. L. 92-318, § 1001(b)	Annually.
Schedule of expected family contributions under basic educational opportunity grants.	Pub. L. 92-318, § 131(b)	Annually, by Feb. 1.
Condition of bilingual education in the U.S. and administration of the Bilingual Education Act.	88 Stat. 508 [20 U.S.C. 880b-8(c) and (d)].	By Nov. 1, 1975 and 1977.
National Advisory Council on Bilingual Education report on the condition of bilingual education in the U.S. and administration of the Bilingual Education Act.	88 Stat. 511 [20 U.S.C. 880b-11(c)].	Annually, by Nov. 1.
Community Education Advisory Council's evaluation of programs and operation of the Community Schools Act.	Pub. L. 93-380, § 405(g) (6).	Annually.
Current status of career education programs.	Pub. L. 93-380, § 406(e)	Nov. 1, 1975.
National Advisory Council for Career Education report on the current status of career education programs.	Pub. L. 93-380, § 406(g) (4).	Do.
Programs and activities under the Women's Educational Equity Act of 1974.	Pub. L. 93-380, § 408(f)	Annually.

LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>A.—9. BY THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—Continued</b>		
<b>(1) Office of Education—Continued.</b>		
Results, findings, and recommendations of the White House Conference on Education (from the National Conference Committee).	Pub. L. 93-380, § 804(c) (2).	Dec. 1, 1977.
Study of late funding of elementary and secondary education programs.	Pub. L. 93-380, § 824(b)	Aug. 21, 1975.
Guidelines for implementing a program of assistance to States for State equalization plans.	Pub. L. 93-380, § 842(a) (2).	Apr. 1, 1975.
Amended guidelines (see above)	Pub. L. 93-380, § 842(a) (4).	July 1, 1975.
Proposed standards, rules, regulations, or requirements in connection with administration of education programs.	Pub. L. 90-247, 431(d) (1) [20 U.S.C. 1232(d) (1)].	Whenever published in the Federal Register.
<b>(2) National Institute of Education</b>		
Activities of the Institute	Pub. L. 93-380, § 405(c) (3) (F) [20 U.S.C. 1221e(c)(1)(F)].	Annually, by Mar. 31.
Study of purposes and effectiveness of compensatory education programs.	Pub. L. 93-380, § 821(c)	Interim report by Dec. 31, 1975; final report 9 months later.
<b>(b) Public Health Service</b>		
Activities of the Public Health Service	42 U.S.C. 229, 42 U.S.C. 277(b).	At the beginning of each regular session.
Acquisition of necessary medical facilities for civil defense	50 U.S.C. App. 2281(h)	Quarterly.
Proposed closing or transfer of any Public Health Service hospital	Pub. L. 92-585, § 3.	90 days of continuous session prior to action.
Any recommendation relative to Public Health Service Hospitals (reducing services) with copy of approval of State health planning agency.	Pub. L. 93-155, § 818(b)(2)	When recommending legislative action.
Diabetes mellitus plan (from National Commission on Diabetes)	Pub. L. 93-354, § 3(i)(1)	Sept. 7, 1975.
Arthritis plan (from National Commission on Arthritis and Related Musculoskeletal Diseases).	Pub. L. 93-640, § 3(j)(1)	210 days after funds are appropriated.
Arthritis Plan activities (from National Institute of Arthritis, Metabolism, and Digestive Diseases).	Pub. L. 93-640, 5(a)	Annually.
Activities under title IX of the Public Health Service Act (Heart Disease, Cancer, Stroke, and Kidney Disease Amendments) and §314 (Grants and services to States).	Pub. L. 78-410, § 227 [42 U.S.C. 236].	Annually, by Jan. 1.
Health services research and evaluation; health statistics	Pub. L. 78-410, § 380(a) (1) [42 U.S.C. 242m(a) (1)].	Annually, by Sept. 1.
Health care costs and financing	Pub. L. 78-410, § 308 (a) (2)(A) [42 U.S.C. 242 m(a)(2)(A)].	Do.
Health resources	Pub. L. 78-410, § 308(a) (2)(B) [42 U.S.C. 242 m(a)(2)(B)].	Do.
Utilization of health resources	Pub. L. 78-410, § 308(a) (2)(C) [42 U.S.C. 242 m(a)(2)(C)].	Do.
Health of the Nation's people	Pub. L. 78-410, § 308(a) (2)(D) [42 U.S.C. 242 m(a)(2)(D)].	Do.
<b>(c) Social Security Administration</b>		
Social Security Advisory Committees	42 U.S.C. 1314(f)	Annually.
Administration of the functions of the Secretary under 42 U.S.C., ch. 7, relating to social security.	42 U.S.C. 904	At the beginning of each regular session.
Administration of the insurance programs under pts. A and B of title XVIII of the Social Security Act on health care of the aged.	42 U.S.C. 1395ll (a) and (b)	Annually.
Health Insurance Benefits Advisory Council	42 U.S.C. 1395ddd(b)	Do.
Reports by each quadrennially appointed Advisory Council on Social Security.	42 U.S.C. 907	During 1969 and every 4th year thereafter.

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Nature of the report	Authority	When expected to be made
<b>A.—9. BY THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—Continued</b>		
(d) Rehabilitation Services Administration		
Study of comprehensive rehabilitation service needs	Pub. L. 93-112, § 130(b)	By Feb. 1, 1975.
Activities carried out under the Rehabilitation Act of 1973	Pub. L. 93-112 § 404	Annually, by Oct. 28.
Long-range projection for the provision of comprehensive services to the handicapped and related programs of research, etc.	Pub. L. 93-112, § 405 (a)(1)	By Mar. 26, 1975.
Study of the role of sheltered workshops in rehabilitation and employment of the handicapped.	Pub. L. 93-112, § 406(d)	By Sept. 26, 1975.
Study of allotment of funds among States for grants for basic vocational rehabilitation services.	Pub. L. 93-112, § 407(b)	By June 30, 1974.
National standards for funds set aside under the Randolph-Sheppard Act.	Pub. L. 93-516, § 210(b)(2)	Dec. 7, 1975.
(e) Office of Surplus Property Utilization		
Report showing acquisition cost of all personal property donated and of all real property disposed of under Public Law 152, 81st Cong., secs. 203 (j) and (k) respectively (40 U.S.C. 484 (j) and (k) respectively), for distribution to, educational or public health institutions.	40 U.S.C. 484(o)	During the calendar quarter following the close of each fiscal year.
(f) Administration on Aging		
Report on improved transportation services for the elderly	Pub. L. 93-29, § 401	Jan. 1, 1975.
<b>A.—10. BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT</b>		
Plan for the liquidation and termination of the reinsurance and direct insurance programs for riot affected areas.	12 U.S.C. 1749bbb(b)(2)	On Apr. 30, 1978, or as soon thereafter as possible.
Status of demonstration projects concerning housing abandonment	84 Stat. 1788	Annually.
Modification of regulations for the provision of community development funds.	Pub. L. 93-383, § 106(j)	Mar. 31, 1977.
Community development activities and progress	Pub. L. 93-383, § 113(a)	Annually.
Co-investment under the National Housing Act	88 Stat. 680	Mar. 1, 1975.
Mobile home safety and construction standards, inspection requirements, and problems of disposal.	Pub. L. 93-383, § 626(c)	Aug. 22, 1975.
Housing allowance program	Pub. L. 91-609, § 504(c)	Feb. 22, 1976.
Urban homesteading program	Pub. L. 93-383, § 810(e)	Annually, beginning in 1977.
Solar energy demonstration projects	Pub. L. 91-609, § 506(e)	In each case.
Federal activities under the Solar Heating and Cooling Demonstration Act of 1974.	Pub. L. 93-409, § 12(c)	Annually.
Condominium and cooperative study	Pub. L. 93-383, § 821	Aug. 22, 1975.
Need for further legislation on real estate settlements	Pub. L. 93-533, § 14(a)	June 22, 1980.
Measures to be taken on real estate settlements	Pub. L. 93-533, § 14(b)	Do.
Feasibility demonstrations on including real estate settlement cost statements in special information booklets.	Pub. L. 93-533, § 15	June 30, 1976.
<b>A.—11. BY THE DEPARTMENT OF TRANSPORTATION</b>		
Implementation of the National Transportation policy	49 U.S.C. 1702	Annually.
High-Speed Ground Transportation Act of 1965	49 U.S.C. 1640(a)	Do.
Urban area traffic operations improvement programs (TOPICS)	23 U.S.C. 135(d)	Do.
National transportation system and the effectiveness of the Rail Passenger Service Act of 1970.	Pub. L. 92-518, § 308(c)	Do.
Comprehensive railroad safety report	Pub. L. 93-633, § 203(c)	Mar. 17, 1976.
Studies of fare-free urban mass transportation systems	Pub. L. 93-503, 205	June 30, 1975.
Study of integration of rail service with other modes of transportation	Pub. L. 93-496, 17	Oct. 28, 1975.
Outstanding grants and other contractual agreements under sec. 4(c) of the Urban Mass Transportation Act, as amended.	Pub. L. 91-453, 3(d)	Annually.
Transactions negotiated under section 303(e) of the Federal Aviation Act of 1958.	49 U.S.C. 1344	Do.
Report on operations under pt. II, Airport and Airway Development Act of 1970, including airport development accomplished.	49 U.S.C. 1724	Annually, by Jan. 3.
Report on activities under Aviation War Risk Insurance Act	49 U.S.C. 1539	In annual report.
Air traffic controllers	Pub. L. 92-297, § 9	Aug. 16, 1977.
Projects approved under the special bridge replacement program	23 U.S.C. 144(h), Pub. L. 91-605, § 204.	Annually.
Programs and policies under the Uniform Relocation Assistance Act of 1970.	Pub. L. 91-646, § 214	Annually, through 1975.
Report by the St. Lawrence Seaway Development Corporation on justification for modification of the project.	33 U.S.C. 989(b)	Annually.
Report on vessels carrying certain cargoes in bulk (title II, Ports and Waterways Safety Act).	Pub. L. 92-340, § 203	Annually until 1983.
Research in marine sanitation (solid waste disposal equipment)	86 Stat. 822	Prior to effective date of any regulation established.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>A.—11. BY THE DEPARTMENT OF TRANSPORTATION—Continued</b>		
Report on number, rank, and positions of members of the Armed Forces detailed to the Department.	49 U.S.C. 1657(d)	Annually.
Report of the operations and expenditures of the Coast Guard	14 U.S.C. 651	Annually, in January.
Leasing of housing facilities near Coast Guard installations	Pub. L. 92-943, § 4 (14 U.S.C. 475)	Annually, by Apr. 1.
Special pay of officers (Coast Guard) holding positions of a critical nature.	37 U.S.C. 306(f)	Annually, by Mar. 1.
Officers above the rank of lieutenant commander assigned to duty on air activities.	37 U.S.C. 301(g)	Annually.
Contracts negotiated without advertising for experimental, development, or research work.	10 U.S.C. 2304(e)	Semiannually.
Contracts negotiated without advertising because of a determination that it is in the interest of national defense.	Do.	Do.
Meritorious claims in excess of \$25,000 incident to noncombat activities of the Coast Guard.	10 U.S.C. 2733(d), 2734 (d); 32 U.S.C. 715(d)	As required.
Administration of the Deepwater Port Act	Pub. L. 93-627, § 20	Annually.
Appropriations and staffing needed to monitor the construction, operation, and maintenance of oil pipelines.	Pub. L. 93-627, § 21(b)	Mar. 4, 1975.
Review of all laws and regulation relating to oil pipelines on Federal lands and the Outer Continental Shelf.	Pub. L. 93-627, § 21(c)	July 3, 1975.
Daylight Saving Time	Pub. L. 93-182, § 4	July 31, 1975.
Estimates of the future highway needs of the Nation	Pub. L. 93-139, § 3	Biennially (even numbered years).
Revised estimates of costs of completing the Interstate System for use in making apportionments of Interstate System funds.	23 U.S.C. 104(b)(5)	Not later than Jan. 12, 1974, 1975, and 1977.
Notification of certain State highway safety programs	23 U.S.C. 402(h)	90 days prior to effective date.
Study of user access to parks and public recreation areas	Pub. L. 93-87, § 134(b)	Jan. 1, 1975.
Pavement marking demonstration project	Pub. L. 93-87, § 205(g)	Annually, by Jan. 1.
Improvements at high-hazard locations on highways	Pub. L. 93-87, § 209(e)	Do.
Elimination of roadside obstacles	Pub. L. 93-87, § 210(a)	Do.
Citizen participation in highway safety	Pub. L. 93-87, § 212(a)	June 30, 1974
Feasibility of establishing a National Center for Statistical Analysis of Highway Operations.	Pub. L. 93-87, § 213(a)	Jan. 1, 1975.
Research into handling of traffic infractions administratively	Pub. L. 93-87, § 222	July 1, 1975.
Basis for authorization of appropriations for continuing programs in highway safety.	Pub. L. 93-87, § 225	Jan. 10, 1976.
Driver education evaluation program	Pub. L. 93-87, § 226(a)	July 1, 1975.
Safer roads demonstration program (public roads not on a Federal-aid system).	Pub. L. 93-87, § 230(a)	Interim report on Jan. 1, 1975. Final report on Jan. 1, 1976.
Enforcement of motor vehicle bumper standards	Pub. L. 92-513, § 112	Annually, by Mar. 31.
Proposed motor vehicle safety standard for occupant restraint systems.	Pub. L. 89-563, § 125(c)(4) (15 U.S.C. 1410b(c)(4))	Whenever promulgated.
Carpool demonstration programs	Pub. L. 93-239, § 3	Dec. 31, 1974.
Railroad-Highway crossings demonstration projects	Pub. L. 93-87, § 163(j)	Annually, and upon completion.
Relocation of railroad lines from the central area of cities	Pub. L. 93-87, § 163(i)	July 1, 1975.
Improvement of railroad crossings	Pub. L. 93-87, § 203(e)	Annually.
Block-signal systems for automatic control of railway trains	45 U.S.C. 35	Do.
The financial condition of railroads, as follows:		
Penn Central Railroad	Pub. L. 91-663, § 10 [45 U.S.C. 669]	Annually, by Apr. 20.
Central Railroad of New Jersey	do	Annually, by July 20.
Study of a high-speed ground transportation system between Tijuana and Vancouver via Seattle, Portland, Sacramento, Fresno, and San Diego.	Pub. L. 93-496, § 13	Interim report, Jan. 30, 1976; final report, Jan. 30, 1977.
By the Federal Aviation Administration		
Effectiveness of procedures for screening airline passengers and property for weapons.	Pub. L. 85-726, § 315(a) [49 U.S.C. 1356(a)]	Semiannually.
Regulations or amendments thereto for the screening of airline passengers and property.	do	30 days before regulations take effect, except in an emergency.



## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>B. JOINT REPORTS MADE DIRECTLY TO CONGRESS</b>		
Secretaries of the Treasury and Commerce: Study of foreign direct and portfolio investment in the United States.	Pub. L. 93-479, § 10	Interim: Oct. 26, 1975; Final: Apr. 26, 1976.
Secretaries of the Treasury and HUD: Direct financing study	Pub. L. 93-383, § 822	Aug. 22, 1975.
Secretary of the Treasury and Director of OMB: Development of data processing system for fiscal data, with GAO comments.	Pub. L. 91-510, § 202(b)	Annually, by Sept. 1.
Secretaries of the Interior and Agriculture: Activities under the Youth Conservation Corps Act.	Pub. L. 92-597, § 5 [16 U.S.C. 1705]	Annually, by Apr. 1.
Secretaries of the Interior and Agriculture: Wild and Free Roaming Horses and Burros on Public Lands Act.	Pub. L. 92-195, § 10 [16 U.S.C. 1340]	Biennially.
Secretary of Agriculture and head of the military department concerned: Notice of intention to interchange lands.	70 Stat. 656 [16 U.S.C. 505a]	45 days before interchange.
Secretaries of Agriculture and HUD: Planning assistance for development of rural multicounty areas.	Pub. L. 91-524, § 901(c) [42 U.S.C. 3122(c)]	Annually, by Sept. 1.
Secretary of Agriculture and the Comptroller General: Special supplemental food program.	Pub. L. 89-642, § 17(e)	Mar. 30, 1975.
Secretaries of Commerce and Labor: Information gathered from the trade monitoring system.	Pub. L. 93-618, § 282	Regularly.
Secretaries of Commerce and HEW: School-age population survey	Pub. L. 93-380, § 822(a)	Aug. 21, 1975.
Secretaries of Commerce and HEW: Study of the feasibility of updating the number of educationally deprived children.	Pub. L. 93-380, § 822(b)	Do.
Secretary of Commerce and ITC: Commodity classification systems.	Pub. L. 93-618, § 608(b)	Aug. 1, 1975.
Secretaries of Labor and HEW: Use of community colleges, vocational schools, etc., to carry out training programs.	Pub. L. 93-203, § 605(b)	No time specified.
<b>PART IV. REPORTS BY INDEPENDENT AGENCIES MADE DIRECTLY TO CONGRESS</b>		
<b>1. BY THE ADMINISTRATIVE CONFERENCE OF THE UNITED STATES</b>		
Report on the activities of the Conference	5 U.S.C. 575	Annually and interim reports from time to time.
Study of rulemaking procedures under section 18 of the FTC Act	Pub. L. 93-637, § 202(d)	June 4, 1976.
<b>2. BY THE AMERICAN INDIAN POLICY REVIEW COMMISSION</b>		
Final report	Pub. L. 93-580, § 5(a)	Dec. 30, 1976.
<b>3. BY THE AMERICAN REVOLUTION BICENTENNIAL ADMINISTRATION</b>		
Report of activities including accounting of funds	Pub. L. 93-179, § 7(b)	Annually, until June 30, 1977.
<b>4. BY THE CIVIL AERONAUTICS BOARD</b>		
Unfair competitive practices to which U.S. air carriers are subject in international services.	Pub. L. 93-623, § 2(c)	Annually.
<b>5. BY THE COMMISSION ON FEDERAL PAPERWORK</b>		
Final report	Pub. L. 93-556, § 3(c)	2 years after first meeting.
<b>6. BY THE COMMODITY FUTURES TRADING COMMISSION</b>		
Budget estimates or requests	88 Stat. 1390 [7 U.S.C. 4a(9)(A)]	Whenever submitted to President or OMB.
Legislative recommendations, testimony or comments	88 Stat. 1391 [7 U.S.C. 4a(9)(B)]	Do.
Activities of the Commission	88 Stat. 1392 [7 U.S.C. 12-2]	Annually.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART IV. REPORTS BY INDEPENDENT AGENCIES MADE DIRECTLY TO CONGRESS—Continued</b>		
<b>7. BY THE DISTRICT OF COLUMBIA</b>		
District of Columbia budget	Pub. L. 93-198, § 446	Annually.
Report of the Mayor on the functions transferred to him by the provisions of Reorganization Plan No. 3 of 1967.	1 D.C.C. 238	Annually by the 1st Monday of December.
Implementation of the Comptroller General's audit recommendations	Pub. L. 93-198, § 736(b)(3)	90 days after receipt of audit.
<b>District of Columbia Council</b>		
Report concerning the functions transferred to it by the provisions of Reorganization Plan No. 3 of 1967.	1 D.C.C. 238	Annually, by the first Monday of December.
Agreements and transfer of jurisdiction over property between the United States and the District of Columbia.	8 D.C.C. 115	From time to time.
Copies of acts passed requiring congressional review	Pub. L. 93-198, § 602(c)	In each case.
Copies of the reports filed by owners of property specifically exempted from taxation, showing the use being made of such properties and of any changes in such use, with recommendations.	47 D.C.C. 801c	Annually, by Mar. 1.
Charter amendment	Pub. L. 93-198, § 303(a)	When certified.
District Unemployment Compensation Board	46 D.C.C. 313(c)	Annually, by May 1.
D.C. Office of Civil Defense	6 D.C.C. 1026	Annually.
District of Columbia Auditor	Pub. L. 93-198, § 455(d)	Do.
District of Columbia Redevelopment Land Agency	5 D.C.C. 714	Annually, as of Sept. 30.
District of Columbia Armory Board on the National Guard Armory	2 D.C.C. 1710	Annually in January.
District of Columbia Armory Board on the Robert F. Kennedy Memorial Stadium	2 D.C.C. 1728	Do.
District of Columbia Bail Agency	23 D.C.C. 1307	Annually, by June 15.
WMATA audit	WMATA Compact, § 70(a)	Annually.
All annual and special reports made to parties to the WMATA Compact	Pub. L. 89-774, § 6(b)	In each case.
Any information requested by the Congress from WMATA	Pub. L. 89-774, § 6(c)	Do.
Board of Trustees of the University of the District of Columbia	Pub. L. 93-471, § 404	Annually, by Nov. 1.
D.C. Public Defender Service		Annually.
D.C. Public Service Commission	§ 8, Act of Mar. 4, 1913	Do.
C & P Telephone Co. statement of receipts and expenditures.	33 Stat. 375	Annually, by Jan. 15.
Comparative balance sheets for the previous year from all public utilities operating in the District of Columbia.	43 D.C.C. 313	Annually, by Feb. 1.
<b>8. BY THE EAST-WEST FOREIGN TRADE BOARD</b>		
Trade between the U.S. and nonmarket economy countries	Pub. L. 93-618, § 411(c)	Quarterly.
<b>9. BY THE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION</b>		
Comprehensive plan for energy research, development, and demonstration.	Pub. L. 93-577, § 6(a)	June 30, 1975.
Nonnuclear energy research and development program	Pub. L. 93-577, § 6(b)	Do.
Proposed establishment of any joint Federal-industry nonnuclear experimental, demonstration, or commercial corporation.	Pub. L. 93-577, § 7(b)(7)	Prior to establishment.
Nonnuclear energy research and development activities	Pub. L. 93-577, § 15	Annually.
Management of Federal helium programs, as they relate to energy.	Pub. L. 93-438, § 104(e)	Apr. 11, 1975.
Proposed agreements for cooperation with other nations on atomic energy.	Pub. L. 93-485, § 1 [42 U.S.C. 2153(d)]	In each case.
Proposed distribution of special nuclear materials to the International Atomic Energy Agency or to any group of nations.	Pub. L. 93-377, § 2 [42 U.S.C. 2074a(ii)]	Do.
Meritorious claims involving nuclear detonation which exceed \$5,000.	75 Stat. 478 [42 U.S.C. 2207]	As appropriate.
Geothermal Energy Coordination and Management Project:		
Program definition of integrated effort for developing geothermal energy resources.	Pub. L. 93-410, § 102(a)(2)	Interim: Jan. 31, 1975; final: Aug. 31, 1975.
Schedule of objectives for inventorying geothermal resources	Pub. L. 93-410, § 102(a)(3)	Aug. 31, 1975.
Activities of the project	Pub. L. 93-410, § 302(a)	Annually.
Activities of each geothermal demonstration project	Pub. L. 93-410, § 302(b)	Within 1 year after termination of each project.
Financial report on the Geothermal Resources Development Fund	Pub. L. 93-410, § 204(c)	Annually.
Solar Energy Coordination and Management Project:		
Activities of the project	Pub. L. 93-473, § 13	Annually.
Program definition of integrated effort for developing solar energy resources.	Pub. L. 93-473, § 15(b)	Interim: Mar. 1, 1975; final: June 30, 1975.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART IV. REPORTS BY INDEPENDENT AGENCIES MADE DIRECTLY TO CONGRESS—Continued</b>		
<b>10. BY THE ENVIRONMENTAL PROTECTION AGENCY</b>		
Legislation that may be required to provide for reduction in water consumption and the total flow of sewage.	33 U.S.C. 1254(o)(2).....	By Oct. 18, 1973.
Results of the Lake Tahoe study.....	Pub. L. 92-500, §114(c).....	By Oct. 18, 1973.
State reports on the water quality of all navigable waters in such State, with an analysis.	33 U.S.C. 1315b(2).....	Annually, by Oct. 1.
Administration of ocean dumping, including recommendations for additional legislation if deemed necessary.	Pub. L. 92-532, §112.....	Annually, by June 30.
Methods of financing costs of preventing, controlling and abating pollution.	33 U.S.C. 1327(a).....	By Oct. 18, 1974.
Implementation of the Federal Water Pollution Control Act.	Pub. L. 92-500, §516(a).....	Annually.
Estimates of costs of implementation of the Federal Water Pollution Control Act received from States.	Pub. L. 92-500, § 516(b)(1).....	As received.
National requirements and costs of water pollution control.....	do.....	Feb. 10, odd-numbered years.
Study of maximum safe contaminant levels for drinking water, and list of contaminants the safe levels of which cannot be determined.	88 Stat. 1664 [42 U.S.C. 300j-1(e)].....	Dec. 16, 1976.
Costs of carrying out national drinking water regulations.....	88 Stat. 1683 [42 U.S.C. 300j-1(e)].....	Periodically.
Waste disposal study as it affects public water systems.....	88 Stat. 1683 [42 U.S.C. 300j-1(a)(4)].....	Dec. 16, 1975.
Studies of control of chemicals in drinking water.....	88 Stat. 1613 [42 U.S.C. 300j-1(a)(7)].....	June 16, 1975.
Rural water survey.....	Pub. L. 93-523, §3(b).....	Do.
Continuous emission reduction technology study.....	Pub. L. 88-206, §119(k)(1) [42 U.S.C. 1857c-10(k)(1)].....	Dec. 22, 1974.
Resource recovery and source reduction.....	42 U.S.C. 3253a(a).....	At least annually.
Implementation of secs. 3-7 of the Energy Supply and Environmental Coordination Act of 1974.	Pub. L. 93-319, §7 [15 U.S.C. 795].....	Jan. 31, 1975.
Development of systems to implement motor vehicle emission standards.	42 U.S.C. 1871-1(b)(4).....	Annually, by July 1.
Costs of implementing air pollution controls.....	42 U.S.C. 1857j-1(a).....	Annually, by Jan. 10.
Progress in the prevention and control of air pollution.....	42 U.S.C. 1857j-2.....	Do.
<b>11. BY THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION</b>		
Report on activities.....	42 U.S.C. 2000e-4(d).....	Do.
Recommendations on elimination of discrimination.....	do.....	As necessary.
<b>12. BY THE EQUAL EMPLOYMENT OPPORTUNITY COORDINATING COUNCIL</b>		
Activities of the Council.....	Pub. L. 92-261, §715.....	Annually, by July 1.
<b>13. BY THE EXPORT-IMPORT BANK OF THE UNITED STATES</b>		
Operations as of the close of business each fiscal year.....	12 U.S.C. 635g.....	Annually.
Actions taken under export expansion facility program.....	Pub. L. 90-390.....	Quarterly.
Notice of proposed financial guarantee of \$60 million or more for use in connection with fossil fuels in the U.S.S.R.	12 U.S.C. 635(b)(3).....	25 legislative days before final action.
<b>14. BY THE FARM CREDIT ADMINISTRATION</b>		
Administration of the Agricultural Marketing Act.....	12 U.S.C. 1141b(3).....	Annually.
Condition of the Farm Credit System, administration of the Farm Credit Act of 1971, and recommendations for legislative changes.	12 U.S.C. 2252(3).....	Do.
<b>15. BY THE FEDERAL COMMUNICATIONS COMMISSION</b>		
Report of the Commission.....	47 U.S.C. 154(k).....	Annually.
Anticompetitive practices under the Communications Satellite Act of 1962; and evaluation of corporation's capital structure.	47 U.S.C. 744(c).....	In annual report, and as desirable.
Pending applications and hearing cases.....	47 U.S.C. 155(e).....	Monthly.
<b>16. BY THE FEDERAL DEPOSIT INSURANCE CORPORATION</b>		
Report of operations.....	12 U.S.C. 1827(a).....	As soon as practicable after Jan. 1 in each year.

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Nature of the report	Authority	When expected to be made
<b>PART IV. REPORTS BY INDEPENDENT AGENCIES MADE DIRECTLY TO CONGRESS—Continued</b>		
<b>17. BY THE FEDERAL ELECTION COMMISSION</b>		
Budget estimates or requests.....	Pub. L. 92-225, § 311(d)(1) [2 U.S.C. 437d(d)(1)].....	Whenever submitted to President or OMB.
Legislative recommendations, testimony, or comments.....	Pub. L. 92-225, § 311(d)(2).....	Do.
Activities of the Commission.....	Pub. L. 92-225, § 312 [2 U.S.C. 437e].....	Annually, by Mar. 31.
Proposed rules and regulations concerning the disclosure of Federal election campaign funds.	Pub. L. 92-225, § 316(c)(1) [2 U.S.C. 248(c)(1)].....	Prior to prescribing a rule or regulation.
Expenses of and payments to candidates from the Presidential Primary Matching Payment Account.	Pub. L. 93-443, § 408(c) [26 U.S.C. 9039(a)].....	As soon as practicable after each payment period.
Proposed rules and regulations governing the Presidential Primary Matching Payment Account.	Pub. L. 93-443, § 408(c) [26 U.S.C. 9039(c)].....	Prior to prescribing a rule or regulation.
Expenses of Presidential campaigns and nominating conventions.....	Pub. L. 92-178, § 801; Pub. L. 93-443, § 406(b)(1) [26 U.S.C. 9009(a)].....	After each Presidential election.
Proposed rules and regulations governing the Presidential Election Campaign Fund.	Pub. L. 93-443, § 409(a) [26 U.S.C. 9009(c)].....	Prior to prescribing a rule or regulation.
<b>18. BY THE FEDERAL ENERGY ADMINISTRATION</b>		
Marketing of refined petroleum products.....	Pub. L. 93-159, § 4(c)(2)(A).....	Monthly.
Exemptions from allocation regulation when no shortage exists.....	Pub. L. 93-159, § 4(e)(2).....	As required.
Action proposed concerning conflicts of interest.....	Pub. L. 93-275, § 4(d)(1).....	10 days prior to action.
Oil and gas reserves in the United States and Outer Continental Shelf, and existing and potential productive capacity for crude oil and each major petroleum product for each of the next 10 years.	Pub. L. 93-275, § 15(b).....	July 6, 1975.
Activities of the Administration.....	Pub. L. 93-275, § 15(c).....	Annually.
Economic impact of FEA actions.....	Pub. L. 93-275, § 18(d).....	Semiannually.
Nature and number of grievances filed and actions taken.....	Pub. L. 93-275, § 21(c).....	Quarterly.
Recommendations for assisting those adversely affected by shortages.....	do.....	From time to time.
Energy conservation methods study.....	Pub. L. 93-319, § 8(a).....	Dec. 22, 1974.
Imports, reserves, production, refinery activities, and inventories of petroleum products.	Pub. L. 93-319, § 11(c)(2).....	Quarterly, during fiscal year 1975.
<b>19. BY THE FEDERAL FINANCING BANK</b>		
Activities of the bank.....	Pub. L. 93-244, § 13.....	Annually.
<b>20. BY THE FEDERAL HOME LOAN BANK BOARD</b>		
Report of operations (including FSLIC).....	12 U.S.C. 1437.....	Annually.
Conversions of insured institutions from the mutual to the stock form of organization.	Pub. L. 93-495, § 105(d) [12 U.S.C. 1464(j)(5)].....	At least annually.
<b>21. BY THE FEDERAL MARITIME COMMISSION</b>		
Report of activities.....	46 U.S.C. 1118.....	Annually.
<b>22. BY THE FEDERAL MEDIATION AND CONCILIATION SERVICE</b>		
Annual report.....	29 U.S.C. 172(c).....	End of each fiscal year.
<b>23. BY THE FEDERAL METAL AND NONMETALLIC MINE SAFETY BOARD OF REVIEW</b>		
Annual report, including information regarding the cases heard by it and the disposition of each.	30 U.S.C. 729(l).....	Annually.
<b>24. BY THE FEDERAL POWER COMMISSION</b>		
Permits and licenses issued.....	16 U.S.C. 797(d).....	Annually, by January 3.
Investigations relating to electric energy.....	16 U.S.C. 825].....	As required.
Effect and operation of interstate compacts relating to conservation, production, transportation or distribution of natural gas.	15 U.S.C. 717].....	Do.
Reports of stays of effective dates of orders relicensing hydroelectric projects.	16 U.S.C. 807.....	Do.
Recommendations for development of water resources by the Federal Government.	16 U.S.C. 800.....	Do.
Reports of costs of structures on nongovernment waters required in connection with hydroelectric projects and recommendations regarding Federal contribution thereto.	16 U.S.C. 805.....	Do.

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Nature of the report	Authority	When expected to be made
<b>PART IV. REPORTS BY INDEPENDENT AGENCIES MADE DIRECTLY TO CONGRESS—Continued</b>		
<b>25. BY THE FEDERAL RESERVE SYSTEM</b>		
Board of Governors	12 U.S.C. 247	Annually.
Policy actions of Federal Open Market Committee and Board	12 U.S.C. 247a	Do.
Direct purchases and sales of U.S. Government obligations from or to the United States.	12 U.S.C. 355	Do.
Securities Exchange Act of 1934	15 U.S.C. 78w	Do.
Bank Holding Company Act	12 U.S.C. 1844(d)	Do.
Approval of nonbank acquisitions by a bank holding company under sec. 4(c)(8) of the Bank Holding Company Act.	12 U.S.C. 1843(c)	Do.
Approval of bank mergers and consolidations	12 U.S.C. 1828(c)(9)	Do.
Administration of and recommendations as to changes in the Truth in Lending Act.	15 U.S.C. 1613	Do.
<b>26. BY THE FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION</b>		
Insured institutions in default	12 U.S.C. 1729(e)	Annually.
<b>27. BY THE FEDERAL TRADE COMMISSION</b>		
Annual report	15 U.S.C. 46(f)	Annually.
Special reports with recommendations	do	From time to time.
Trade conditions in foreign countries where associations, combinations, or practices of manufacturers, merchants, traders, or other conditions may affect the foreign trade of the United States.	15 U.S.C. 46(h)	Do.
Effectiveness of cigarette labeling and current practices and methods of cigarette advertising and promotion.	Pub. L. 91-222	Annually.
Study of rulemaking procedures under sec. 18 of the FTC Act	Pub. L. 93-637, §202(d)	June 4, 1976.
<b>28. BY THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES</b>		
Operations under the War Claims Act of 1948, as amended	50 U.S.C. App. 2008	Annually, by Dec. 31.
Operations under the International Claims Settlement Act of 1949, as amended.	22 U.S.C. 1622(c)	Do.
Report of the Micronesia Claims Commission, concerning its operations.	Pub. L. 92-39	Do.
<b>29. BY THE GENERAL SERVICES ADMINISTRATION</b>		
Property management	40 U.S.C. 492	Annually in January and as deemed desirable.
Excessive stocking of property, above reasonable inventory levels by executive agencies.	40 U.S.C. 487(a)	From time to time.
Surveys of Government records and records management and disposal practices and promotion of improved records management practices and controls in executive agencies.	44 U.S.C. 2902	Do.
Disposal of records	44 U.S.C. 3303a	Annually.
Report to the President and Congress on violations by Federal agencies of Federal Records Act of 1950, as codified.	44 U.S.C. 2111	If corrective measures are not taken within reasonable time.
Prospectus on proposed building project	40 U.S.C. 606	Before beginning project.
Report showing the location, space, cost, and status of each public building the construction, alteration, or acquisition of which is to be under authority of this act, and which was uncompleted as of the date of the last preceding report.	40 U.S.C. 610(a)	Each January promptly after the convening of the Congress.
Transfer of civil defense funds to any other agency or Government corporation.	50 U.S.C. App. 2260	Within 30 days after transfer of such funds.
Building project surveys as requested by either the Senate or House	40 U.S.C. 610(b)	After completion of survey.
Proposed disposal by negotiation of certain real or personal property having a fair market value in excess of \$1,000.	40 U.S.C. 484(e)(6)	In advance of disposal.
Report of a proposed gift of a Presidential archival depository	44 U.S.C. 2108(a)	60 days before acceptance.
Stockpiling of strategic and critical materials	50 U.S.C. 98c	Semiannually.
Notice of proposed disposition of strategic and critical materials which have been determined to be excess to stockpile needs.	50 U.S.C. 98b(e)	Prior to disposition.
Projects undertaken and carried out for publication of historical documents, including the receipt and use of all appropriated and donated funds.	44 U.S.C. 2507	Annually.

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Nature of the report	Authority	When expected to be made
<b>PART IV. REPORTS BY INDEPENDENT AGENCIES MADE DIRECTLY TO CONGRESS—Continued</b>		
<b>29. BY THE GENERAL SERVICES ADMINISTRATION—Con.</b>		
Receipts from the disposal of surplus real property, disbursements therefrom for authorized expenses and fees, and transfers to the land and water conservation fund.	40 U.S.C. 485(b) and 16 U.S.C. 4601-5a.	Annually with budget estimates.
Automatic data processing equipment inventory, utilization, and acquisitions.	40 U.S.C. 759(c)	Do.
Environmental impact statement regarding proposals for legislation significantly affecting the quality of the human environment.	42 U.S.C. 4332	With the recommendation or report.
Acres and value of real property as may have been transferred to another agency for wildlife conservation purposes.	16 U.S.C. 667d	Submitted with annual budget.
Determinations and findings supporting negotiated purchase contracts.	Pub. L. 92-313 (86 Stat. 216).	Promptly after contract negotiation.
Proposals for regulation of public access to certain Presidential tape recordings.	Pub. L. 93-526, § 104(a).	Mar. 19, 1975.
Transfer of personnel and functions relating to transportation payments audits.	Pub. L. 93-604, § 203(d).	Within 6 months of transfer.
<b>30. BY THE GORGAS MEMORIAL INSTITUTE OF TROPICAL AND PREVENTIVE MEDICINE, INC.</b>		
Operation of the Gorgas Memorial Laboratory, including the report on the audit of the Institute.	22 U.S.C. 278b	1st week of each regular session.
<b>31. BY THE INDIAN CLAIMS COMMISSION</b>		
Final determination of the Commission in each claim	25 U.S.C. 70t	After each determination is made.
<b>32. BY THE INTERSTATE COMMERCE COMMISSION</b>		
Regulation of commerce	49 U.S.C. 21	Annually, by Jan. 3.
A statement of the final valuations of common carriers	49 U.S.C. 19a(d)	Annually, by Jan. 19.
Report on a balanced national transportation system and the effectiveness of the Rail Passenger Service Act. (This report may be submitted jointly with the Secretary of Transportation, at their discretion).	Pub. L. 91-518, § 308(c)	Annually, by Mar. 15.
<b>33. BY THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS</b>		
A report of operations, including a detailed statement of all public and private moneys received and disbursed.	72 Stat. 1700, 78 Stat. 4	Annually.
A detailed report of any memorial which the Board of Trustees proposes to provide within the John F. Kennedy Center for the Performing Arts.	78 Stat. 4	At any time.
<b>34. BY THE JOINT FEDERAL-STATE LAND USE PLANNING COMMISSION FOR ALASKA</b>		
Activities during the preceding calendar year	Pub. L. 92-203, § 17(a) (8)(A).	Annually, by Jan. 31.
Final report	Pub. L. 92-203, § 17 (a)(10).	By May 30, 1976.
<b>35. BY THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION</b>		
Notification of NASA research and development projects exceeding \$250,000.	Pub. L. 93-316, § 1(d)	On each occasion.
Notice of modification of NASA facilities	Pub. L. 93-316, § 3	30 days prior.
Notification of proposed use of funds for deleted NASA programs; expenditures exceeding authorizations; or not reviewed by Congress.	Pub. L. 93-316, § 4	Do.
Scientific and engineering positions established in NASA under 42 U.S.C. 2473(b)(2).	42 U.S.C. 2473(a)	Annually.
Negotiated R.D.T. & E. and mobilization contracts	10 U.S.C. 2304(e)	Semiannually.
Report on former employees	42 U.S.C. 2462(d)	Annually, by Dec. 31.
Disposal of land valued in excess of \$50,000	42 U.S.C. 2471, et. seq.	30 days prior to reporting to disposal agency.
<b>36. BY THE NATIONAL CAPITAL PLANNING COMMISSION</b>		
Land acquired for the park, parkway, and playground system during the preceding fiscal year, the method of acquisitions, and the cost of each tract.	40 U.S.C. 74	Annually by the 1st Monday of December.
<b>37. BY THE NATIONAL COMMISSION ON ELECTRONIC FUND TRANSFERS</b>		
Findings and recommendations	Pub. L. 93-495, § 203(b)	Oct. 28, 1976.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART IV. REPORTS BY INDEPENDENT AGENCIES MADE DIRECTLY TO CONGRESS—Continued</b>		
<b>38. BY THE NATIONAL COMMISSION ON SUPPLIES AND SHORTAGES</b>		
Activities and findings.....	88 Stat. 1169 [50 U.S.C. App. 2169(g)].	From time to time.
Institutional adjustments to aid in the examination and analysis of supplies and shortages.....	88 Stat. 1169 [50 U.S.C. App. 2169(h)].	Mar. 1, 1975.
<b>39. BY THE NATIONAL LABOR RELATIONS BOARD</b>		
Cases heard, decisions rendered, and account of disbursements.....	29 U.S.C. 153(c).	Annually, at the beginning of each session.
<b>40. BY THE NATIONAL MEDIATION BOARD</b>		
Annual report for the fiscal year.....	45 U.S.C. 154.	Annually.
<b>National Railroad Adjustment Board (Through the National Mediation Board)</b>		
Each division of the Adjustment Board shall submit a report of its activities to the Mediation Board, and the substance of such report shall be included in the annual report of the Mediation Board. Report shall state in detail all cases heard, all actions taken, the names, salaries, and duties of all agencies, employees, and officers receiving compensation, and an account of all moneys appropriated.	45 U.S.C. 153v.	Annually.
<b>41. BY THE NATIONAL SCIENCE FOUNDATION</b>		
Federal support funds to nonprofit institutions for research.....	42 U.S.C. 862(a)(7).	Annually.
Statement concerning the nature of the transfer of funds within NSF programs.....	Pub. L. 93-413, § 6(A).	30 legislative days prior to transfer (see exception).
<b>42. BY THE NATIONAL TRANSPORTATION SAFETY BOARD</b>		
Activities of the Board.....	Pub. L. 93-633, § 305.	Annually.
<b>43. BY THE NAVAJO AND HOPI INDIAN RELOCATION COMMISSION</b>		
Details of relocation.....	Pub. L. 93-531, § 13(a).	Within 2 years of court's ruling.
<b>44. BY THE NUCLEAR REGULATORY COMMISSION</b>		
Need for and feasibility of establishing a security agency within the Office of Nuclear Material Safety and Safeguards.....	Pub. L. 93-438, § 204(b) (2)(C).	Feb. 8, 1976.
Results of the nuclear energy center site survey.....	Pub. L. 93-438, § 207(a) (4).	Oct. 11, 1975, and from time to time thereafter.
Abnormal occurrences at or associated with any facility licensed or regulated under the Atomic Energy Act of 1954 or the Energy Reorganization Act of 1974.....	Pub. L. 93-438, § 208.	Quarterly.
<b>45. BY THE OVERSEAS PRIVATE INVESTMENT CORPORATION</b>		
Operations of the corporation.....	22 U.S.C. 2200a(a).	Annually.
Transfer of operations to private insurance companies, multilateral organizations and institutions, or other entities.....	22 U.S.C. 2200a(b).	Jan. 1, 1976.
<b>46. BY THE RENEGOTIATION BOARD</b>		
Report of activities.....	50 U.S.C. App. 1224.	Annually.

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Nature of the report	Authority	When expected to be made
<b>PART IV. REPORTS BY INDEPENDENT AGENCIES MADE DIRECTLY TO CONGRESS—Continued</b>		
<b>47. BY THE SECURITIES AND EXCHANGE COMMISSION</b>		
Administration of the Securities Act of 1933, Securities Exchange Act of 1934, Public Utility Holding Company Act of 1935, Investment Company Act of 1940, Investment Advisers Act of 1940, Bretton Woods Agreement Act, Inter-American Development Bank Act, and the Asian Development Bank Act, as well as SEC services to Federal courts under ch. X of the National Bankruptcy Act. Survey of the operations of investment partnership (commonly called hedge funds) which are not registered under the Investment Company Act.	15 U.S.C. 78w(b), 79w, 80a-45(a), 80b-16; 22 U.S.C. 286k-2, 283h (b), 285h(b).	Annually by February.
Securities Investor Protection Corporation (SIPC).....	Pub. L. 91-598.	Annually.
Regulation of small business investment companies.....	Pub. L. 90-104.	February.
<b>48. BY THE SELECTIVE SERVICE SYSTEM</b>		
Operation of the system.....	50 U.S.C. App. 460(g).	Semiannually.
<b>49. BY THE SMALL BUSINESS ADMINISTRATION</b>		
State of small business in the Nation.....	15 U.S.C. 639(a), and 687(g)(2).	Annually.
Account of funds appropriated, and recommendations with respect to the administration of the small business subcontracting program established under sec. 8(d) of the Small Business Act.	15 U.S.C. 639(b).	Do.
Study of the program for guaranteeing surety against loss for a principal's breach of bond.	15 U.S.C. 694b(c).	Aug. 23, 1975.
<b>50. BY THE SMITHSONIAN INSTITUTION</b>		
Reports of the American Historical Association concerning its proceedings and the condition of historical study in America.	36 U.S.C. 20.	Annually.
Reports of the National Society of the Daughters of the American Revolution that are deemed of historical importance.	36 U.S.C. 18b.	Do.
Statement of the expenditures of the preceding fiscal year, under appropriations for "International Exchanges," "North American Ethnology," and the "National Museum."	20 U.S.C. 49.	At the beginning of each regular session.
Salaries of all officers and employees paid from appropriations under the Smithsonian Institution.	20 U.S.C. 58.	Annually.
Progress of activities under the National Museum Act.	20 U.S.C. 65a(6).	Do.
Operations of the National Air and Space Museum including all public and private moneys received and disbursed.	20 U.S.C. 77c(b).	Do.
Operations during the preceding year of the Canal Zone Biological Area.	20 U.S.C. 79b(f).	Do.
Expenses of the National Zoological Park.....	20 U.S.C. 83.	At beginning of each regular session.
Conservation of endangered plant species.....	Pub. L. 93-205, §12.	Dec. 28, 1974.
<b>Regents of the Smithsonian Institution</b>		
Operations, expenditures, and condition of the Institution.....	20 U.S.C. 57.	At each session.
<b>51. BY THE SUBVERSIVE ACTIVITIES CONTROL BOARD</b>		
Report of hearings.....	50 U.S.C. 791(c).	Annually.
<b>52. BY THE TENNESSEE VALLEY AUTHORITY</b>		
Financial statement and complete report as to the business of the Corporation covering the preceding Government fiscal year.	16 U.S.C. 831h.	Annually, in December.
<b>53. BY THE U.S. CIVIL SERVICE COMMISSION</b>		
Report of activities.....	49 U.S.C. 1325.	Annually.
Federal employee's group life insurance program.....	5 U.S.C. 1308(d).	Do.
Federal employee's health benefits program.....	5 U.S.C. 1308(e).	Do.
Retired Federal Employee's Health Benefits Act.....	74 Stat. 852.	Do.
Board of actuaries of the civil service retirement system.....	5 U.S.C. 8347(f).	Do.
Total number of positions established for grades 16, 17, and 18 of the general schedule.	5 U.S.C. 5114.	Annually, by Feb. 1.
Sums credited to the Civil Service retirement and disability fund as the Government contribution.	5 U.S.C. 8348(g).	Annually.
Employment of administrative law judges.....	5 U.S.C. 1305.	Do.
Analysis of Government employees training programs.....	5 U.S.C. 1308(b).	Do.
Employment of disabled veterans and Vietnam veterans in the Federal Government.	38 U.S.C. 2014(e).	Annually.
<b>54. BY THE U.S. COMMISSION ON CIVIL RIGHTS</b>		
Final report of activities.....	Pub. L. 85-315, § 104(b).	End of fiscal year 1978.
Interim reports.....	do.	As appropriate.

LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART IV. REPORTS BY INDEPENDENT AGENCIES MADE DIRECTLY TO CONGRESS—Continued</b>		
<b>55. BY THE U.S. CONSUMER PRODUCT SAFETY COMMISSION</b>		
Administration of the Consumer Product Safety Act.....	Pub. L. 92-573, § 27(j).....	Annually, by Oct. 1.
Budget estimates or requests.....	Pub. L. 92-573, § 27(k)(1).....	Whenever submitted to the President or OMB.
Legislative recommendations, testimony, etc.....	Pub. L. 92-573, § 27(k)(2).....	Do.
Study of the safe level of lead in residential paint.....	Pub. L. 93-151, § 3.....	Dec. 31, 1974.
<b>56. BY THE U.S. INFORMATION AGENCY</b>		
Expenditures made and activities carried on under the U.S. Information and Educational Exchange Act of 1948.....	22 U.S.C. 1439 (Pub. L. 80-402).....	Semiannually.
<b>57. BY THE U.S. INTERNATIONAL TRADE COMMISSION</b>		
Activities of the Commission.....	46 Stat. 698 [19 U.S.C. 1332(g)].....	Annually, 1st Monday in Dec.
Operation of the trade agreements program.....	Pub. L. 93-618, § 163(b).....	Annually.
East-West trade statistics.....	Pub. L. 93-618, § 410.....	Quarterly.
Formulation of an international commodity code.....	Pub. L. 93-618, § 608(c)(1).....	June 1, 1975.
<b>58. BY THE U.S. POSTAL SERVICE</b>		
Comprehensive statement to the appropriate committees of the Congress of compliance with the public service cost policy established under 39 U.S.C. 101(b).....	39 U.S.C. 2401(b)(3) (Pub. L. 91-375, § 2).....	Annually.
Operations of the Service under title 39, United States Code.....	39 U.S.C. 2402.....	Do.
<b>59. BY THE VETERANS' ADMINISTRATION</b>		
Annual report.....	38 U.S.C. 214.....	At the close of each fiscal year.
Sharing of medical facilities and exchange of medical information.....	38 U.S.C. 5057.....	Annually, not more than 60 days after end of fiscal year.
Disposition of cases granted relief from administrative error, overpayments and forfeiture.....	38 U.S.C. 210(c).....	Annually on Jan. 1.
Study of claims for survivors' dependency and indemnity compensation.....	Pub. L. 93-295, § 207.....	Feb. 13, 1975.
Study of variable tuition assistance allowance programs.....	Pub. L. 93-508, § 105(c).....	Dec. 3, 1975.
Study of veterans' pensions as they affect the elderly.....	Pub. L. 93-527, § 8(b).....	Aug. 13, 1975.
<b>Advisory Committee on Cemeteries and Memorials</b>		
Reports and recommendations.....	Pub. L. 93-43, § 2(a) (87 Stat. 75).....	Periodically.

LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART V. REPORTS BY THE JUDICIAL AND LEGISLATIVE BRANCHES</b>		
<b>A. JUDICIAL BRANCH</b>		
<b>By the Supreme Court of the United States</b>		
Federal rules of criminal procedure.....	18 U.S.C. 3771.....	} Not later than May 1 in the year proposed.
Federal rules of civil procedure.....	28 U.S.C. 2072.....	
Rules of procedure under the Bankruptcy Act.....	28 U.S.C. 2075.....	
Federal rules of evidence.....	28 U.S.C. 2076.....	
Proceedings of the Judicial Conference of the United States.....	28 U.S.C. 331.....	Annually.
<b>By the Federal Judicial Center</b>		
Recommendations submitted to the Judicial Conference of the United States.....	28 U.S.C. 623(b).....	When Judicial Conference meets.
<b>By the Court of Claims</b>		
Judgements rendered by the court during the previous year, stating the amounts thereof and the parties in whose favor they were rendered together with a brief synopsis of the nature of the claims.....	28 U.S.C. 791(c).....	1st day of each regular session of Congress.
Congressional reference cases.....	28 U.S.C. 1492.....	From time to time.
<b>By the Administrative Office of the U.S. Courts</b>		
Activities of the Office and the state of the business of the courts, together with statistical data and recommendations required by 28 U.S.C. 604(a)(3).....	28 U.S.C. 604(a)(4).....	Do.
Number of applications for orders authorizing the interception of wire or oral communications, and the number of such orders and extensions granted or denied during the preceding calendar year.....	18 U.S.C. 2519(3).....	In April annually.
District Court plans for the disposition of criminal cases.....	18 U.S.C. 3167.....	
First report.....		Oct. 1, 1976.
Second report.....		Oct. 1, 1978.
Suspension of time limits provided through the Speedy Trial Act.....	18 U.S.C. 3174(c).....	10 days after Judicial Conference approval.
Accomplishments of pretrial service agencies.....	18 U.S.C. 3155(a).....	Annually.
Administration and operation of the Speedy Trial Act.....	18 U.S.C. 3155(b).....	July 1, 1979.
<b>B. LEGISLATIVE BRANCH</b>		
<b>By the Joint Committee on Internal Revenue Taxation</b>		
Report of income tax, etc., refunds and credits of over \$100,000.....	26 U.S.C. 6405(b).....	Annually.
Results of investigations, with recommendations.....	26 U.S.C. 8922(3).....	From time to time.
<b>By the Standing Committees of the House</b>		
Application, administration, and execution of laws within the jurisdiction of each standing committee, except Appropriations, the Budget, House Administration, Rules, and Standards of Official Conduct.....	Rule XI, clause 29(b) of the Rules of the House.....	Each odd-numbered year by Jan. 2.
Name, profession, and total salary of each person employed by each committee or subcommittee, and accounting of funds expended.....	Rule XI, clause 81.....	Semiannually, by Jan. 15 and July 15.
Study by the Committee on the Budget of agencies and programs exempted by law from the President's budget.....	Pub. L. 93-344, § 606 [31 U.S.C. 11b].....	From time to time.
<b>By the Architect of the Capitol</b>		
Report on expenditures of appropriations.....	40 U.S.C. 162h.....	Semiannually.
Expenses of the John W. McCormack Residential Page School.....	Pub. L. 91-510.....	Annually.
Recommendations on East Front sound and light show.....	Pub. L. 93-266, § 2.....	As appropriate.
<b>By the Clerk of the House and the Sergeant at Arms</b>		
Expenditure of appropriated funds.....	2 U.S.C. 104a (Pub. L. 88-454).....	Semiannually.
Report by the Sergeant at Arms of funds drawn, the application and disbursement of same, and the balance remaining.....	2 U.S.C. 84.....	Beginning of each regular session.
List of reports which it is the duty of any officer or department to make to Congress.....	Rule III, clause 2, Rules of the House.....	At the commencement of every regular session.
Investigation of any application for waiver of a claim by the United States against an officer or employee of the House.....	Pub. L. 93-359, § 3(c).....	In each case.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART V. REPORTS BY THE JUDICIAL AND LEGISLATIVE BRANCHES—Continued</b>		
<b>B. LEGISLATIVE BRANCH—Con.</b>		
<b>By the General Accounting Office</b>		
Work of the General Accounting Office, legislation to facilitate the rendition and settlement of accounts and such other matters relating to the receipt, disbursement, and application of public funds recommendations for economy or efficiency in public expenditures. Expenditures or contracts made by any department or establishment in violation of law.	31 U.S.C. 53(a)	Beginning of each regular session, or at any time.
Administrative examination of accounts and claims in the respective departments and establishments and the adequacy and effectiveness of departmental inspection of the offices and accounts of fiscal officers.	31 U.S.C. 53(c)	At any time.
Meritorious claims or demands against the United States including material facts and recommendations thereon.	31 U.S.C. 53(d)	Do.
Any departure by the Federal Maritime Commission and the Secretary of Commerce (Maritime Administration) from the provisions of the act of June 29, 1936 (49 Stat. 1958), as amended.	31 U.S.C. 236	Do.
Any failure of the executive agencies to comply with the principles and standards of accounting for property.	46 U.S.C. 1117	Annually or oftener.
Audit of receipts and disbursements pertaining to fiscal records of the Office of Sergeant at Arms, House of Representatives.	40 U.S.C. 486(b)	At any time.
Review of the accounting systems prescribed by the Comptroller General for executive agencies under the authority of sec. 112(c) of the Budget and Accounting Procedures Act of 1950.	2 U.S.C. 81a	At least once each 6 months.
Study of research programs for the control of water pollution.	31 U.S.C. 66(c)	From time to time.
Review of fiscal assistance to State and local governments.	86 Stat. 897	Oct. 1, 1973. (Delayed).
Audit of railroads receiving loans to restore facilities damaged during the natural disaster of June 1972.	86 Stat. 934	As may be necessary.
Audit of District of Columbia government.	Pub. L. 92-591 § 12	When appropriate.
International organization groups.	Pub. L. 93-198, § 736(b)(1)	Annually.
Evaluation of health maintenance organizations.	22 U.S.C. 2221(e)(3)	Periodically.
Economic impact on employers.	Pub. L. 93-222, § 1314(a)	After 3 years of operation.
Comparison of health maintenance organizations.	Pub. L. 93-222, § 1314(b)	Dec. 29, 1976.
Study of adjustment assistance programs.	Pub. L. 93-222, § 1314(c)	Do.
Audit of the financial activities of the Government Printing Office.	Pub. L. 93-618, § 280(a)	Jan. 31, 1980.
Review of office and activities of the government comptroller of the Virgin Islands.	44 U.S.C. 309(c)	Every three years.
Audits of the financial transactions of the Architect of the Capitol.	48 U.S.C. 1599(j)	Annually.
Review of the reports of audit and findings of the Inter-American Development Bank for suggestions for improving the scope of the audit or auditing and reporting standards.	31 U.S.C. 67(c)	At any time.
Failure of Director of Office of Economic Opportunity or head of any Federal agency administering poverty program to comply with requirements relating to public announcement concerning research or demonstration contracts.	22 U.S.C. 283j-1(c)	Periodically.
Review of office and activities of the government comptroller of Guam.	42 U.S.C. 2946(c)	At any time.
Studies of Federal grant-in-aid programs.	48 U.S.C. 1422(d)	Annually.
Audit of the House Beauty Shop activities.	42 U.S.C. 4242	At any time.
Results of audit of accounts of recipients of grants made under the Airport and Airway Development Act of 1971.	83 Stat. 347	As required.
List of all reports issued by GAO during each calendar month and cumulative list of preceding 12 months.	49 U.S.C. 1726(c)	Annually by Jan. 3.
Audit of accounts of any private organizations which perform services or activities in or on the U.S. Capitol buildings or grounds.	31 U.S.C. 1174	Monthly and annually.
Audit of the administrative expenses of the Exchange Stabilization Fund.	40 U.S.C. 193m-1	Annually.
Results of audits of financial transactions made for railroad reorganization purposes under the Emergency Rail Service Act of 1970.	31 U.S.C. 822a(b)	At any time.
Audits of financial transactions of wholly owned and mixed ownership Government corporations, together with a report of any impairment of capital, and program expenditures carried on or made without authority of law.	45 U.S.C. 667	Do.
Audit of the Federal Deposit Insurance Corporation.	31 U.S.C. 851, 858	Every three years.
Audit of the financial transactions of the common carrier by railroad involved in the development of high-speed ground transportation.	12 U.S.C. 1827(c)	Do.
Audit of the Corporation for Public Broadcasting for any fiscal year during which Federal funds are available to finance its operations.	Pub. L. 92-348, § 6	In each case.
	47 U.S.C. 396	Each fiscal year audited.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART V. REPORTS BY THE JUDICIAL AND LEGISLATIVE BRANCHES—Continued</b>		
<b>B. LEGISLATIVE BRANCH—Con.</b>		
<b>By the General Accounting Office—Continued</b>		
Audit of financial transactions of the National Homeownership Foundation, including any program or expenditure carried on without authority of law.	12 U.S.C. 1701y(g)	Every three years.
Audit of Federal National Mortgage Association to continue for such period as there are outstanding obligations guaranteed by Government National Mortgage Association.	12 U.S.C. 1716b, note	At any time.
Audit of the Federal Home Loan Mortgage Corporation.	12 U.S.C. 1456(b)	Do.
Audit of the financial transactions of the National Railroad Passenger Corporation for which Federal funds are available.	84 Stat. 1340	Do.
Audit of the Rural Telephone Bank's financial transactions.	85 Stat. 29	Annually.
Audit of all accounts, books, records, and transactions of any borrower with respect to which an application for a loan guarantee is made under Emergency Loan Guarantee Act.	15 U.S.C. 1846(b)	Do.
Audit of Federal education programs.	86 Stat. 334	Upon request.
Evaluation of the special supplemental food program for pregnant and lactating women and infants.	42 U.S.C. 1786(e)	Mar. 30, 1975.
Implementation of title II of the Energy Reorganization Act of 1974 (Nuclear Regulatory Commission) by the Nuclear Safety and Licensing Commission.	Pub. L. 93-438, § 306(b)	Feb. 8, 1980.
Audit of the Legal Services Corporation.	Pub. L. 88-452, § 1009(b)(3)	Each year Federal funds are available to the Corp.
Federal Energy Administration programs.	Pub. L. 93-275, § 12(a)	As appropriate.
Audit of the Small Business Administration.	Pub. L. 93-386, § 13	Feb. 23, 1975.
Audit of the Bonneville Power Administration.	Pub. L. 93-454, § 11(d)	Annually.
Audits of the National Commission on Electronic Fund Transfers.	Pub. L. 93-495, § 205(b)	Each time audited.
Initial standard terminology, definitions, classifications, and codes for fiscal, budgetary, and program-related data and information.	Pub. L. 91-510, § 202(a)(2)	June 30, 1975.
Additional reports and recommendations for the development, establishment, and so forth, of standard terminology for budgetary information.	Pub. L. 91-510, § 202(a)(2) [31 U.S.C. 1152(a)]	When advisable.
Needs of Congress for fiscal, budgetary, and program-related information.	Pub. L. 91-510, § 202(e) [31 U.S.C. 1152(e)]	Annually, by Sept. 1.
Review of each message from the President proposing the rescission, reservation, or deferral of budget authority, or revising a previous message.	Pub. L. 93-344, § 1014(b) and (c) [31 U.S.C. 1404]	In each case.
Any reservation or deferral of budget authority established or proposed but not reported by the President.	Pub. L. 93-344, § 1015(a) [31 U.S.C. 1405]	Do.
Any incorrect classification by the President of a proposed rescission, reservation, or deferral of budget authority.	Pub. L. 93-344, § 1015(b) [31 U.S.C. 1405]	Do.
Notice of intention to bring civil action to require that budget authority be made available for obligation.	Pub. L. 93-344, § 1016 [31 U.S.C. 1406]	25 days of continuous session of Congress before bringing action.
<b>By the Congressional Budget Office</b>		
Study of the reduction or elimination of nonessential expenditures.	Pub. L. 93-344, § 502(c) [31 U.S.C. 1405]	Not later than 2 years date.
Study of the feasibility of submitting the budget and enacting new budget authority for a fiscal year during the regular session of Congress which begins in the year preceding the year such fiscal year begins.	Pub. L. 93-344, § 502(c)(e)(1)	Not later than 2 years after the first Director of the Office is appointed.
<b>By the Cost Accounting Standards Board</b>		
Activities of the Board.	50 U.S.C. App. 2168(k)	Annually.
Notification of proposed standards.	50 U.S.C. App. 2168(h)(3)	As required.
<b>By the Library of Congress</b>		
A report for the preceding fiscal year as to the affairs of the Library including the copyright business, including a detailed statement of all receipts and expenditures.	2 U.S.C. 139	At the beginning of each regular session.
Library of Congress Trust Fund Board: Report of moneys, securities, and operations.	2 U.S.C. 163	Annually.
National Commission on New Technological Uses of Copyrighted Works:		
Interim report.	Pub. L. 93-573, § 206(a)	Within 1 year of first meeting.
Final report.	Pub. L. 93-573, § 206(b)	Dec. 31, 1977.
<b>By the Government Printing Office</b>		
Annual business-type budget program for the operations under the revolving fund.	44 U.S.C. 309(c)	At the beginning of each session.
<b>By the Office of Technology Assessment</b>		
Report of technological programs requiring further analyses.	Pub. L. 92-484, § 11	Annually, by Mar. 15.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART VI. REPORTS BY SEMI-INDEPENDENT BOARDS, COMMISSIONS, AND RELATED AGENCIES, INCLUDING INTERNATIONALLY COMPRISED AGENCIES</b>		
<b>ADVISORY BOARD ON CHILD ABUSE AND NEGLECT</b>		
Programs and activities.....	Pub. L. 93-247, § 6(b)	July 31, 1975.
<b>ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS</b>		
Report of activities.....	Pub. L. 86-380, [42 U.S.C. 4275(3)]	Annually.
Multistate taxation of banks, etc.....	Pub. L. 93-100, § 7(e)(2)	Dec. 31, 1974.
Impact of full deposit insurance for public units on funds available for housing and on State and local bond markets.....	Pub. L. 93-495, § 101(f)	Oct. 28, 1976.
<b>ADVISORY COUNCIL ON HISTORIC PRESERVATION</b>		
Report of activities.....	Pub. L. 89-663, § 202(b)	Annually.
Special reports.....	do.	As appropriate.
<b>AMERICAN REVOLUTION BICENTENNIAL BOARD</b>		
Study of activities of ARBA.....	Pub. L. 93-179, § 10(i)	Semiannually, until June 30, 1977.
<b>ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD</b>		
Report of activities.....	Pub. L. 93-112, § 502(g)	Annually.
Transportation barriers to the handicapped.....	do.	Interim: Mar. 26, 1975; final: Sept. 30, 1975.
Housing needs of the handicapped.....	do.	Do.
Alternative approaches to architectural, transportation, and attitudinal barriers confronting the handicapped.....	Pub. L. 93-112, § 502(b)(5) & (6).	As appropriate.
<b>BOARD FOR INTERNATIONAL BROADCASTING</b>		
Activities of the Board and evaluation of the operation of Radio Free Europe and Radio Liberty.....	Pub. L. 93-129, § 4(a)(8)	Annually, by Oct. 30.
<b>COMMISSION ON THE ORGANIZATION OF THE GOVERNMENT FOR THE CONDUCT OF FOREIGN POLICY</b>		
Report of the Commission's findings.....	Pub. L. 92-352, § 603, as amended.	June 30, 1975.
<b>COMMISSION ON THE REVIEW OF THE NATIONAL POLICY TOWARD GAMBLING</b>		
Report of its finding and recommendations.....	Pub. L. 91-452, § 805(b)	Interim reports as appropriate; final rept. Jan. 1, 1978.
<b>COMMISSION ON REVISION OF THE FEDERAL COURT APPELLATE SYSTEM</b>		
Report on disposition of the caseload of the Federal courts of appeal.....	Pub. L. 92-489, § 6(2)	June 21, 1975.
<b>DEFENSE MANPOWER COMMISSION</b>		
Study of overall manpower requirements of the Department of Defense.....	Pub. L. 93-155, § 707	(a) Interim reports. (b) Final report in 2 years.
<b>THE ENVIRONMENTAL FINANCING AUTHORITY</b>		
Annual report.....	Pub. L. 92-500, § 12(m)	Annually.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART VI. REPORTS BY SEMI-INDEPENDENT BOARDS, COMMISSIONS, AND RELATED AGENCIES, INCLUDING INTERNATIONALLY COMPRISED AGENCIES—Continued</b>		
<b>MARINE MAMMAL COMMISSION</b>		
Annual report.....	Pub. L. 92-522, § 204	Jan. 31.
<b>NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE</b>		
A comprehensive annual report setting forth an overall assessment of the status of the Nation's marine and atmospheric activities and such other reports as may be requested by the President.....	Pub. L. 92-125	June 30. From time to time.
<b>NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN</b>		
Report of its activities, findings, and recommendations.....	20 U.S.C. 241(c)	Annually by Mar. 31.
<b>NATIONAL ADVISORY COUNCIL ON EDUCATION PROFESSIONS DEVELOPMENT</b>		
Report of its findings and recommendations.....	Pub. L. 90-35, § 502(c) [20 U.S.C. 1091a(c)].	Annually, by Jan. 31.
<b>NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION</b>		
Report of activities.....	Pub. L. 92-318, § 442(b)(6).	Annually, by Mar. 31.
<b>NATIONAL ADVISORY COUNCIL ON SUPPLEMENTARY CENTERS AND SERVICES</b>		
Report on activities.....	20 U.S.C. 847a(c)	Annually, by Jan. 20.
<b>NATIONAL COMMISSION ON INDIVIDUAL RIGHTS</b>		
Report on its findings and recommendations.....	Pub. L. 91-452, § 1208	Interim reports as appropriate (but at least every 2 years); final report by Jan. 1, 1978.
<b>NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE</b>		
Report of activities.....	Pub. L. 91-345, § 5(a)(7)	Annually, by Jan. 31.
<b>NATIONAL COMMISSION FOR MANPOWER POLICY</b>		
Coordination of manpower training programs.....	Pub. L. 93-203, § 504	Jan. 31, 1975.
Manpower goals.....	Pub. L. 93-203, § 505	Annually, by Sept. 1.
<b>NATIONAL COUNCIL ON QUALITY IN EDUCATION</b>		
Report on activities.....	Pub. L. 91-230, § 541(a)(3)	Annually.
<b>NATIONAL PROFESSIONAL STANDARDS REVIEW COUNCIL</b>		
Report on activities.....	42 U.S.C. 1320c-12(f)	Annually.
<b>NATIONAL STUDY COMMISSION ON ENVIRONMENT</b>		
Report on the national goal of eliminating the discharge of pollutants from treatment works.....	33 U.S.C. 1325(e)	Oct. 18, 1975.
<b>NATIONAL STUDY COMMISSION ON RECORDS AND DOCUMENTS OF PUBLIC OFFICIALS</b>		
Final report of the Commission.....	44 U.S.C. 3322	Mar. 31, 1976.
<b>NATIONAL WATER COMMISSION</b>		
Report on water resources.....	42 U.S.C. 1962a, note	Interim reports.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART VI. REPORTS BY SEMI-INDEPENDENT BOARDS, COMMISSIONS, AND RELATED AGENCIES, INCLUDING INTERNATIONALLY COMPRISED AGENCIES—Continued</b>		
<b>PRIVACY PROTECTION STUDY COMMISSION</b>		
Budget estimates, legislative recommendations, etc.	Pub. L. 93-579, §5(a)(5)	Whenever submitted to the President or OMB.
Activities of the Commission	Pub. L. 93-579, §5(g)	Annually (final report 2 years after all members appointed).
<b>HARRY S. TRUMAN SCHOLARSHIP FOUNDATION</b>		
Activities of the Foundation	Pub. L. 93-642, §13(b)	Annually.
<b>U.S. ADVISORY COMMISSION ON INFORMATION</b>		
Programs and activities	22 U.S.C. 1468	Semiannually.
<b>U.S. RAILWAY ASSOCIATION</b>		
Activities and recommendations	Pub. L. 93-236, §202(e)	Annually, by Sept. 30.
Program budget and lending amount	Pub. L. 93-236, §202(f)	Annually.
Copies of budget estimates	Pub. L. 93-236, §202(g)	When submitted to OMB.
Preliminary plan for Northeast rail services	Pub. L. 93-236, §207(a)	300 days after enactment.
Final plan for Northeast rail services	Pub. L. 93-236, §208(a)	450 days after enactment.
Evaluation of final plan for Northeast rail services	Pub. L. 93-236, §207(d)	480 days after enactment.
Revised plan for Northeast rail services	Pub. L. 93-236, §208(b)	If final plan is disapproved.
(Internationally comprised)		
<b>CANADA—UNITED STATES INTERPARLIAMENTARY GROUP</b>		
The American group report	22 U.S.C. 276f	Annually, when funds are appropriated.
<b>MEXICO—UNITED STATES INTERPARLIAMENTARY GROUP</b>		
The American Group report	22 U.S.C. 276j	Do.
<b>PART VII. FEDERALLY CHARTERED PRIVATE CORPORATIONS</b>		
<b>BY THE AMERICAN ACADEMY OF ARTS AND LETTERS</b>		
Report of the Academy	§ 4 of its charter	Annually.
<b>BY THE ATLANTIC STATES MARINE FISHERIES COMMISSION</b>		
Activities of the Commission	Pub. L. 77-539; Pub. L. 81-72	Annually.
<b>BY THE AVIATION HALL OF FAME, INC.</b>		
Report and financial audit	Pub. L. 88-372, § 15(b)	Annually, 6 months after end of fiscal year.
<b>BY THE COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED</b>		
Report including names of members, dates of meetings and description of its activities.	Pub. L. 92-28	Annually, by Sept. 30.
<b>BY THE COMMUNICATIONS SATELLITE CORPORATION</b>		
Report of activities and accomplishments (including anticompetitive practices).	47 U.S.C. 744(b) and (c)	Annually.
<b>BY THE CONSOLIDATED RAIL CORPORATION</b>		
Activities and accomplishments	Pub. L. 93-236, § 301 (g)	Annually, by Sept. 30.
<b>BY THE FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION</b>		
Formulation of plans for the design, construction, and location of a permanent memorial.	69 Stat. 694	Interim annual reports of progress.

## LIST OF REPORTS WHICH IT IS THE DUTY OF ANY OFFICER OR DEPARTMENT TO MAKE TO CONGRESS

Nature of the report	Authority	When expected to be made
<b>PART VII. FEDERALLY CHARTERED PRIVATE CORPORATIONS—Continued.</b>		
<b>BY THE HOOVER INSTITUTION ON WAR, REVOLUTION, AND PEACE</b>		
Expenditure of funds received as grants from the U.S.	Pub. L. 93-585, § 4	Annually.
<b>BY THE LEGAL SERVICES CORPORATION</b>		
Activities of the Corporation	42 U.S.C. 2996(c)	Annually.
<b>BY LITTLE LEAGUE BASEBALL</b>		
Annual report	Pub. L. 88-378, § 14(b)	Annually.
<b>BY THE NATIONAL ACADEMY OF SCIENCES</b>		
Report of the Academy's Committee on Motor Vehicle Emissions	42 U.S.C. 1857f-1(c)(3)	Semiannually.
Quality of hospital care for veterans (Interim and final report)	Pub. L. 93-82, § 201	Within 2 years after agreement with VA.
Washington, D.C., metropolitan area future water needs (in conjunction with the National Academy of Engineering).	Pub. L. 93-251, § 85(b)(3)	1 year after Corps of Engineers reports are submitted.
<b>BY THE NATIONAL COUNCIL ON RADIATION PROTECTION AND MEASUREMENTS, INC.</b>		
Scope of financial audit including verification of assets and liabilities, surplus or deficit analysis and income and expenses.	Pub. L. 88-376, § 14(b)	Annually, 6 months after end of fiscal year.
<b>BY THE NATIONAL FOREST RESERVATION COMMISSION</b>		
Operations and expenditures in detail during the preceding fiscal year.	16 U.S.C. 513	Annually, by the 1st Monday in Dec.
<b>BY THE NATIONAL HOMEOWNERSHIP FOUNDATION</b>		
Activities in encouraging private and public organizations to provide increased homeownership and housing opportunities in urban and rural areas for lower income families.	12 U.S.C. 1701(f)(1)	Annually, 120 days after end of fiscal year.
Alternate means of financing housing	12 U.S.C. 1701(f)(2)	As appropriate.
<b>BY THE NATIONAL INSTITUTE OF ARTS AND LETTERS</b>		
Report of activities	§ 4 of its charter	Annually.
<b>BY THE NATIONAL PARK FOUNDATION</b>		
Proceedings and activities, including a full and complete statement of receipts, expenditures, and investments.	Pub. L. 90-209	At the end of each fiscal year.
<b>BY THE NATIONAL RAILROAD PASSENGER CORPORATION</b>		
Report of itemized revenues and expenses	Pub. L. 91-518, § 308(a)(1)	Monthly.
Report on passengers carried and on time performance	Pub. L. 91-518, § 308(a)(2)	Do.
Report of activities	Pub. L. 91-518, § 308(b)	Annually, by Jan. 15.
Budget estimates or requests	Pub. L. 91-518, § 601(b)(1)	Whenever submitted to the President or OMB.
Legislative recommendations, testimony, etc.	Pub. L. 91-518, § 601(b)(2)	Do.
<b>BY THE PACIFIC TROPICAL BOTANICAL GARDEN</b>		
Financial audit and verification of assets and liabilities, surplus or deficit, and income and expenses.	Pub. L. 88-449, § 10(b)	Annually, 6 months after end of fiscal year.
<b>BY THE PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION</b>		
Report of activities	Pub. L. 92-578, § 11	Annually, in January.
<b>BY THE STUDENT LOAN MARKETING ASSOCIATION</b>		
Report of activities	Pub. L. 92-318, § 133(a)	Annually, by July 1

The following private corporations are required to submit a report pursuant to Public Law 88-504, sec. 3 (36 U.S.C. 1103) within 6 months after the close of each fiscal year, setting forth the scope of their financial audit including statements of assets and liabilities, analysis of surplus or deficit, and statement of income and expenses; and a report of commercial-type endeavors:

- (1) Agricultural Hall of Fame.
- (2) American Chemical Society.
- (3) American Historical Association.
- (4) The American Legion.
- (5) The American National Theater and Academy.
- (6) American Society of International Law.
- (7) American Symphony Orchestra League.
- (8) American War Mothers.
- (9) AMVETS (American Veterans of World War II).
- (10) Belleau Wood Memorial Association.
- (11) Big Brothers of America.
- (12) Blinded Veterans Association.
- (13) Blue Star Mothers of America.
- (14) Board for Fundamental Education.
- (15) Boy Scouts of America.
- (16) Boy's Clubs of America.
- (17) Civil Air Patrol.
- (18) Conference of State Societies, Washington, District of Columbia.
- (19) The Congressional Medal of Honor Society of the United States of America.
- (20) Daughters of the American Revolution.
- (21) Disabled American Veterans.
- (22) The Foundation of the Federal Bar Association.
- (23) Future Farmers of America.
- (24) Girl Scouts of America.
- (25) Grand Army of the Republic.
- (26) Jewish War Veterans, U.S.A., National Memorial, Inc.
- (27) Ladies of the Grand Army of the Republic.
- (28) Legion of Valor of the United States of America, Incorporated.
- (29) Marine Corps League.
- (30) Military Chaplains Association of the United States of America.
- (31) Military Order of the Purple Heart of the United States of America.
- (32) National Academy of Sciences.
- (33) National Conference on Citizenship.
- (34) National Fund for Medical Education.
- (35) National Music Council.
- (36) National Safety Council.
- (37) National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic.
- (38) The National Yeoman F.
- (39) Naval Sea Cadet Corps.
- (40) Navy Club of the United States of America.
- (41) Reserve Officers Association.
- (42) Sons of the American Revolution.
- (43) Sons of Union Veterans of the Civil War.
- (44) United Spanish War Veterans.
- (45) United States Blind Veterans of World War I.
- (46) United States Olympic Association.
- (47) Veterans of Foreign Wars of the United States.
- (48) Veterans of World War I of the United States of America.

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*Pat Cannon*  
*Issues*  
THE WHITE HOUSE

WASHINGTON

March 11, 1975  
*Regulatory*

MEMORANDUM FOR

JOHN BARNUM  
JIM BLUM

FROM:

MIKE DUVAL *D*

SUBJECT:

TRUCK BRAKE REGULATIONS

A couple of weeks ago I received a call from a local lawyer by the name of Geoffrey R. Myers. He was referred to me by another member of the White House Staff.

Myers advised me that he was calling in response to President Ford's announced intention to reduce the inflationary impact of Federal regulations. He stated that MVSS 121 was having a very serious impact on the small companies at the end of the truck and trailer manufacturing cycle. I advised him that DOT and CWPS had an ongoing study to determine the economic consequences of this regulation and that the President was determined to minimize the adverse economic impacts of this and all other Federal regulations. I suggested that he send to us in writing any facts and recommendations he might have.

He has sent me a detailed memorandum which is attached. One of the points he develops is the impact of the regulation on competition within this industry. Accordingly, I have sent a copy of Myers' memorandum to the White House Counsel's Office for their transmission to the Justice Department. I have suggested that Justice contact DOT directly if they have any interest in this matter.

Although the economic analysis contained in the Myers memo appears weak, e.g., it does not separate the impact on these companies because of the general recession versus the impact caused directly by MVSS 121, nevertheless, he does bring home very strongly the point that some of these small companies are likely to be forced out of business and this raises serious problems concerning unemployment and competition.

I recommend that you consider the points raised by Mr. Myers as a part of your ongoing economic assessment of the regulation. I would like to get together with both of you, at your convenience next week, to discuss the status of this overall study.

APRIL 24, 1975

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*and* People

By ALAN L. OTTEN

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