

Ronald Reagan Presidential Library Digital Library Collections

This is a PDF of a folder from our textual collections.

Collection: Roberts, John G.: Files

Folder Title: JGR/*Chadha* (9 of 9)

Box: 8

To see more digitized collections visit:

<https://reaganlibrary.gov/archives/digital-library>

To see all Ronald Reagan Presidential Library inventories visit:

<https://reaganlibrary.gov/document-collection>

Contact a reference archivist at: reagan.library@nara.gov

Citation Guidelines: <https://reaganlibrary.gov/citing>

National Archives Catalogue: <https://catalog.archives.gov/>



Department of Justice

For immediate delivery to:

*Mike Paroady
Pete Roussel
John Roberts*

FOR IMMEDIATE RELEASE
THURSDAY, JUNE 23, 1983

AG
202-633-2007

Attorney General William French Smith today issued the following statement:

The Supreme Court has reaffirmed in a strong and compelling opinion the vital and important role under our Constitution of the principle of separation of powers. As the Solicitor General argued to the Supreme Court, the Framers of our Constitution thoughtfully provided that when Congress acts to legislate it must be through the affirmative votes of both Houses with the participation by the President through his approval or veto. Once a law is passed, the President is given the constitutional power to execute the laws and Congress may not act to reverse or invalidate such Executive action except through subsequent legislation.

I am most gratified by the Supreme Court's decision. ^b The long term effect of this decision will be a better and more effective Congress as well as a more effective presidency. ^b

N078

UW

SCOTUS-VETO (TOPS N027)

BY RICHARD CARELLI

WASHINGTON (AP) -- IN A MOMENTOUS SHIFT OF POLITICAL CLOUT FROM CONGRESS TO THE PRESIDENCY, THE SUPREME COURT TODAY BARRED USE OF THE 'LEGISLATIVE VETO' TO THWART EXECUTIVE DECISIONS.

THE COURT, BY A 6-3 VOTE, SAID CONGRESS NO LONGER MAY RELY ON THE LONG-USED DEVICE TO SET ASIDE NUMEROUS GOVERNMENT AGENCY REGULATIONS AND PRESIDENTIAL ORDERS.

THE DECISION MEANS CONGRESS WILL HAVE TO SCRAP PORTIONS OF MORE THAN 200 LAWS IN WHICH THE VETO DEVICE HAS BEEN USED TO DICTATE THE SPENDING OF BILLIONS OF DOLLARS.

FOR EXAMPLE, THE LEGISLATIVE VETO PLAYS A KEY ROLE IN THE IMPORTANT 1973 WAR POWERS ACT. AS PASSED BY CONGRESS -- OVER THE VETO OF THEN-PRESIDENT RICHARD M. NIXON -- THE ACT AUTHORIZES AN END TO THE USE OF U.S. ARMED FORCES IN HOSTILITIES WHEN BOTH HOUSES OF CONGRESS APPROVE A CONCURRENT RESOLUTION.

EXPERTS HAVE PREDICTED THAT IT COULD TAKE CONGRESS DECADES TO FULLY COMPLY WITH TODAY'S DECISION. PRESUMABLY, REGULATIONS THAT HAVE ALREADY BEEN VETOED BY CONGRESS ARE NOT AFFECTED BY TODAY'S DECISION.

THE ONE-HOUSE VETO, AND ITS COUSIN THE TWO-HOUSE VETO, SHORT-CIRCUITS THE CONVENTIONAL WAY A LAW COMES INTO BEING, AND HAS ALLOWED CONGRESS TO EXERT MUCH MORE INFLUENCE ON RULE-MAKING BY THE EXECUTIVE BRANCH'S AGENCIES.

THE COURT, IN ONE OF THE MOST IMPORTANT SEPARATION-OF-POWERS DECISIONS IN ITS HISTORY, SAID TODAY THAT THE NATION'S FOUNDING FATHERS NEVER MEANT TO GIVE CONGRESS THAT MUCH POWER.

IN OTHER DECISIONS TODAY, THE COURT:

-- GAVE POLICE A LITTLE MORE LATITUDE IN QUESTIONING CRIMINAL SUSPECTS WHO HAVE BEEN TOLD THEY HAVE A RIGHT TO A LAWYER AND TO REMAIN SILENT.

UNDER A LEGISLATIVE VETO PLAN, CONGRESS PASSES A LAW ALLOWING THE PRESIDENT OR CERTAIN AGENCIES TO ISSUE REGULATIONS HAVING THE EFFECT OF LAW. THE REGULATIONS ARE SENT TO CONGRESS IN THE FORM OF RECOMMENDATIONS AND WILL BECOME LAW UNLESS VETOED WITHIN A CERTAIN NUMBER OF DAYS BY A MAJORITY VOTE.

AP-WX-06-23-83 1405EDT



REAGAN for PRESIDENT

901 South Highland Street
Arlington, Virginia 22204
(703) 685-3400

1/30/80

Sig dec + realignment of Exec Branch power

FEDERAL REGULATION

Federal regulation has grown inexorably over the past decade, leading to a massive federal bureaucracy that is subject to neither the Congress nor the voters. Such regulation now costs consumers about \$120 billion per year, according to regulation expert Murray Wiedenbaum.

Fortunately, a deregulation trend is building. We should continue pursuing such deregulation in a vigorous, systematic, and orderly manner. We must improve the quality of regulation where it is warranted, but reduce and eliminate it in the countless areas where it is not. It is the government's duty to protect us from each other, not from ourselves or from our own inability to use common sense in dealing with others.

A successful deregulation program must be one of action, not just words. We should, on a broad scale, re-evaluate regulations, identify unnecessary ones, and eliminate them. Moreover, we should establish a "sunset" procedure for regulations with substantial impact, and give Congress veto power over all federal regulations.

WASHINGTON — The long-running debate over legislative vetoes was once described as "80 years of sparring between the executive and the legislature." Now that the Supreme Court has clearly held such devices to be unconstitutional, rhetorical flourishes have continued. Some suggest that the Supreme Court has delivered a devastating blow to Congress's ability to oversee the executive's execution of the law. Others suggest that Congress will respond by stripping the executive of important discretionary power previously granted by Congress with legislative-veto strings attached.

Such hyperbole may be understandable after so broad and unequivocal a Supreme Court decision. The rare decisions that resolve fundamental issues about the distribution of power among the branches of our Government tend to cause overreaction. Once the hysteria subsides, however, this decision will be examined more rationally. Indeed, the Justice Department has already begun its own analysis of the effect this decision will have on the host of laws containing legislative veto provisions.

The important point is that Congress has not lost, nor need it forgo, its important oversight of the executive branch. Nor should Congress precipitously put a straitjacket on vital Presidential powers.

The Chadha decision will simply require that actions by Congress that are legislative in nature — those with the purpose and effect of altering the legal rights of people outside the legislative branch — be accomplished in the manner clearly prescribed by the Constitution: enactment by a majority of both Houses of Congress followed by presentation to the President for his approval or veto, with a Congressional override of a veto if two-thirds of both houses concur.

That is the process that was so carefully selected in 1787 in Philadel-

William French Smith is Attorney General of the United States.

Congress: No Loss In Ruling By Court

By William French Smith

phia. The system of checks and balances it ordains has helped preserve liberty in this country for nearly 200 years. Insistence on adherence to this mechanism is necessary for many reasons, not the least of which is the continued involvement of the only person (other than the Vice President) elected by all the people of the United States.

Legislative vetoes were a shortcut by which Congress, one of its houses or even a committee could exclude the President and occasionally parts of Congress from the process of creating or eliminating laws. The Chief Justice quite properly observed, however, that such inventions, whether efficient or convenient, could not be substituted for the "hard choices consciously made by men who had lived under a form of government that permitted arbitrary governmental acts to go unchecked."

Some have suggested that the decision removes Congressional restraints over unelected bureaucrats who will now run amok with intrusive and oppressive regulations. In fact, Congress still can — and should — overturn bad regulations with proper legislation. If this decision encourages Congress to exercise greater restraint when it delegates power to administrative agencies, that is not a loss to the President. It is a victory for the American people. Congress, not the agencies, should make the legislative policy decisions in our country. It is as

inappropriate and unworkable for the executive or the Judiciary to do Congress's job as it is for Congress to attempt the tasks assigned to the President.

The decision does mean that Congress should not try to participate directly, except through its oversight role, in all of the minutiae of executive branch decision making. As Thomas Jefferson noted nearly 200 years ago: "Nothing is so embarrassing nor so mischievous in a great assembly as the details of executing. The smallest trifle of that kind occupies as long as the most important act of legislation and takes [the] place of everything else."

The decision is a return to our moorings. It does not displace Congress as the most powerful branch of our Government. It simply requires Congress to use constitutionally prescribed procedure for the exercise of legislative power. The Court has reminded us that the Constitution prevents any one branch of our Government from wielding ultimate power without the cooperative efforts of the other branches.

LEGISLATIVE VETO

Q: What is your reaction to the Supreme Court's decision in INS v. Chadha, striking down the legislative veto?

A: As you know, the Supreme Court agreed with our legal arguments in that case, and naturally I was pleased with the result. I think the decision will force Congress to draft laws with greater care and precision, since Congress will not have a chance to veto subsequent agency actions based on those laws. In the long run this will make for a more effective Congress and a more effective Executive branch.

Q: During the campaign you supported the legislative veto, as a means for Congress to police the bureaucracy. Hasn't Congress now lost that power?

A: We argued against the legislative veto in Court because we became convinced that the Constitution did not permit Congress to take action without going through the full process of passing a bill through both Houses and presenting it to the President for veto or approval. In the long run, I think the Court's decision will make the bureaucracy more responsible, because it will force Congress to make the hard choices about what it wants the bureaucracy to do, and spell those out in the statutes. In the past, Congress gave some agencies and the bureaucracy too much leeway in the first instance while reserving the power to later veto their actions. Without that power, Congress can be expected to be more circumspect in the delegation of authority in the future.

Q: Will you ignore legislative veto provisions in existing laws, such as the War Powers Act?

A: I don't want to get into the question of the impact of the decision on specific statutes. The Justice Department is reviewing that issue and will look at each particular question as it comes up. The decision is clear, however, that unless Congress passes a bill through both Houses and presents it for Presidential veto or approval, its actions are without legal effect. We certainly expect Congress to act consistent with the decision.

Immigration and Naturalization Service v. Chadha
(U.S. Supreme Court, June 23, 1983)

The Supreme Court yesterday issued a historic ruling on the respective powers of the Executive and Legislative branches. In Immigration and Naturalization Service v. Chadha, the Court agreed with the Administration's legal arguments and struck down a "legislative veto" provision in terms that strongly suggest that all legislative veto provisions are unconstitutional. Under the Immigration and Nationality Act, the Attorney General has the authority to suspend deportation of an alien. He did so in Chadha's case, but the House of Representatives, acting pursuant to a legislative veto provision, "vetoed" the Attorney General's decision. In an opinion written by the Chief Justice, joined by Justices Brennan, Marshall, Blackmun, Stevens, and O'Connor, the Court ruled that the exercise of such a veto power by the House was unconstitutional.

The opinion of the Court stresses that a proper exercise of legislative power under the Constitution requires action by both Houses of Congress and presentment of the question to the President for veto or approval. The opinion contains numerous passages emphasizing the importance placed by the Framers on the President having an opportunity to review legislative actions before they could become effective. The legislative veto device is unconstitutional precisely because it purports to give effect to Congressional action while totally avoiding presentment of the question to the Chief Executive. While Chadha involved a one-house legislative veto, its reasoning strongly suggests that a two-house legislative veto -- by concurrent resolution -- is also unconstitutional. As the Chief Justice's opinion concluded: "To accomplish what has been attempted by one House of Congress in this case requires action in conformity with the express procedures of the Constitution's prescription for legislative action: passage by a majority of both Houses and presentment to the President."

Justice Powell concurred separately, not reaching the legislative veto question. He thought the House's action unconstitutional as an exercise of judicial power, determining the specific rights of one individual under the law. Justice White dissented. He considered the legislative veto a useful device for Congress to reserve control over executive agency actions. Justice Rehnquist also dissented on a technical point, with which White agreed. Rehnquist argued that this particular legislative veto provision was not severable from the provision giving the Attorney General

the power to suspend deportations. Thus, if Congress could not veto the suspension order, the Attorney General lacked the power to order suspension in the first place.

This is a historic ruling in favor of the Executive Branch. It means that Congress can no longer interfere with executive actions short of passing a bill through both Houses and presenting it to the President for his approval. There are nearly 200 statutory provisions containing legislative vetoes, and the Court's opinion, as noted by Justice Powell, "apparently will invalidate every use of the legislative veto." Some prominent examples of acts with legislative veto provisions include the War Powers Act, the Department of Defense Appropriation Authorization Act, and the Federal Trade Commission Improvements Act. Provisions in these and other acts purporting to allow Congress to disapprove executive decisions by a one-house veto or concurrent resolution are presumably invalid under Chadha.

Some argue that Congress has lost a valuable tool permitting it to police the executive agencies and making the bureaucracy more responsible to the elected representatives of the people. In fact, the Chadha decision will promote better government by forcing Congress to draft statutes more clearly and narrowly. Congress will not be able to delegate vast power to agencies with the assurance that it can step in later if it disagrees with what an agency is doing. As the Attorney General stated yesterday, "[t]he long term effect of this decision will be a better and more effective Congress as well as a more effective presidency."

Severability problems may arise in connection with some legislative veto provisions, a concern highlighted by Justice Rehnquist's dissent. If a legislative veto provision is not severable -- if a court rules Congress would not have given the executive the authority in question if Congress could not "veto" its exercise in any particular case -- then the grant of authority to the executive may be struck down, along with the legislative veto. While most legislative veto provisions, like the one in Chadha, should be found to be severable, the question can only be decided on a case-by-case basis, after examination of each statute and its legislative history.

*please
return
to John
Roberts*

THE WHITE HOUSE
WASHINGTON

Chadha

Date 7.19.83

Suspense Date _____

MEMORANDUM FOR: *John*

FROM: **DIANNA G. HOLLAND**

ACTION

- ☐ Approved
- ☐ Please handle/review
- ☐ For your information — *your copy*
- ☐ For your recommendation
- ☐ For the files
- ☐ Please see me
- ☐ Please prepare response for
_____ signature
- ☐ As we discussed
- ☐ Return to me for filing

COMMENT

*Harry Semme sent
attached for information
for FFF, RAAH and
you.*



Department of Justice

STATEMENT

OF

EDWARD C. SCHMULTS
DEPUTY ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

BEFORE

THE

SUBCOMMITTEE ON ADMINISTRATIVE LAW
AND GOVERNMENTAL RELATIONS
COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

CONCERNING

LEGISLATIVE VETO

ON

JULY 18, 1983

Mr. Chairman and Members of the Subcommittee:

I appreciate the opportunity to appear before you today as a representative of the Administration and the Department of Justice in connection with your effort to assess the impact of the recent decisions handed down by the Supreme Court holding legislative veto devices unconstitutional.

Before addressing those cases and the practical consequences of their impact on statutes containing legislative vetoes, I want to make two brief points that will, I hope, put the remarks that follow in their appropriate context. First, we believe that a large portion of the legal debate between Congress and the Executive that has gone on with increasing intensity for 63 years since President Woodrow Wilson vetoed a bill containing such a device / has been resolved by the Judicial Branch, which is of course charged with deciding what the Constitution means. Thus, although some legal issues remain which I will discuss generally below, our purpose today should be to look forward rather than to reiterate the sincerely held and vigorously articulated views on the constitutional issue which have now been definitively addressed and adjudicated by the Supreme Court.

/ 59 Cong. Rec. 7026 (1920). Under that bill, the Congressional Joint Committee on Printing would have been empowered to control, through the issuance of regulations, the right of the Executive Branch to print information generated within the Executive Branch. President Wilson argued that once Congress had made an appropriation, it was to the Executive to administer that appropriation and that committees of Congress could not be empowered to share in that administration.

Second, the policy debate regarding Congress's oversight over the Executive's execution of the law, an important issue that so often became hopelessly entangled with the constitutional debate, may now proceed with both of our Branches knowing, for the first time, the constitutional ground rules governing that debate. To the extent that certainty is a virtue in the law, and I believe it almost invariably is, both of our Branches were benefitted by the clarity and scope of the Supreme Court's decisions.

Turning to that policy debate, I would start by reiterating, with emphasis, a point consistently made by my predecessors and other representatives of the Department of Justice who have appeared over the years before various Committees of Congress to discuss legislative vetoes: There are many effective and fully constitutional mechanisms whereby Congress can carry out its constitutional oversight function.

To a certain extent, especially in the domestic area, Congress can effectively limit its need to review the Executive's execution of the law by placing more specific and precise limits on the authority, for example, of agencies to issue rules. And, to the extent that going at the problem at the front end is unsuccessful, Congress, with participation by the President, can override unwise, inappropriate or excessively burdensome rules, by enactment of legislation through the use of expediting

mechanisms which do not have to be tied to the unconstitutional legislative veto devices with which they have so often been associated.

Because administrative rulemaking has been such a focal point of legislative veto proponents, especially in the House of Representatives, I believe it warrants special attention now. If there has been a theme that has reverberated time and again in the debate over legislative veto, it is that the rulemaking agencies are out of control and that rules embodying major policy decisions are issued by non-elected officials and are constantly imposing excessive burdens on the private sector.

All of these concerns have come to be reduced to the rather simplistic phrase "political accountability." I could not agree more with the proponents of legislative vetoes that political accountability is of enduring and central importance in our constitutional system. The bringing to bear of federal power in a system originally designed to provide for a limited federal government nearly always will raise a fundamental issue regarding the distribution of power between the federal government and the States. In addition, if the electorate comes to believe that they no longer have control, through the ballot box, over their government, the original design of the Framers will have been frustrated.

So the question arises: how are we to ensure the attainment of political accountability in our system of administrative rulemaking without reliance on legislative veto?

It was to ensure such accountability over Executive Branch rulemaking that President Reagan instituted, less than a month into this Administration, systematic review of proposed rules through issuance of Executive Order 12291. Although the Administration believes this program has been notably successful in reducing the growth of regulatory burdens while maintaining critical aspects of regulation central to the statutes passed by Congress, my point is a more limited one: since Executive Order 12291 was signed on February 13, 1983, the electorate has been able to look to the President for the kind of political accountability that is so necessary in our system. As members of this subcommittee and Congress are aware, some of the rules issued in this Administration have been more popular with some segments of the population than with others. But no one has had any doubt that this Administration, including the President himself, stood politically accountable for those rules. As the Chief Justice observed in Chadha, the President is often the only elected official who can and does bring a truly "national" perspective, and, I would add, accountability, to matters of pervasive national interest.

Of course, political accountability is much less easy to maintain where there is little or no responsibility and power to maintain it, which brings me to the subject of the so-called independent regulatory commissions. Although the existence of these commissions has been tolerated in our constitutional jurisprudence, I could not disagree more with the suggestion, contained in Justice White's dissenting opinion in the natural gas pricing rule case, that the "Constitution commands" that these commissions cannot be made "subject to the direct control of either Congress or the Executive Branch." _/ First, through the use of an expedited joint resolution procedure, the Legislative and Executive Branches can, together, ensure greater control over rules issued by such commissions. Second, I believe the legislative veto decisions mark an appropriate point in our history for serious reexamination of the wisdom of the creation of this "fourth branch of the government" _/ The interrelationships between various federal regulatory schemes and their collective impact on the economy have become, in many instances, too complex to administer absent the unifying force of Presidential oversight. I know that this subject is regarded as both complex and politically sensitive, but I believe the

_/ Process Gas Consumers Group v. Consumers Energy Council of America, Nos. 81-2008 et al., (U.S. July 6, 1983) (White, J., dissenting) slip op. at 4-5.

_/ Id., at 5.

complexity derives from historical considerations that, for the most part, no longer exist, and the political sensitivity arises from the erroneous perception that "independence" in our government is somehow more virtuous or effective than "accountable" and "responsive" management.

I raise the subject simply to suggest that the time is ripe for a reexamination of the nature of these "independent" commissions and the justifications for their continued existence. Those that perform largely adjudicatory functions, such as the Merit Systems Protection Board, could well deserve to continue with their "independent" status. Others may, in the judgment of our two Branches, deserve to be brought under the supervision of the Presidency as a means of securing the accountability with which we are all concerned. My remarks are not intended to prejudge the outcome of such a debate, but rather to foster that debate.

In the non-domestic areas of foreign affairs and trade, political accountability as discussed above has not presented the same problem because the interest of Congress is usually directed towards oversight of relatively highly visible public actions taken by the President or his Cabinet officers. Because the Department of Justice has very little involvement in these areas outside the provision of legal counsel to those officials

charged with that decisionmaking, I will make only two brief, related points. First, because virtually all Executive decisions in this area implicate this Nation's foreign relations, they -- and the statutory authorities implicated -- must be viewed as involving the delicate interplay between the exercise of Congress's legislative power and the exercise by the President of his inherent constitutional powers.

Second, because of this interplay of constitutional powers, great care must be taken in any restructuring of Congressional oversight in this area to ensure that the tools necessary for the President to conduct our foreign relations are not denied. In this area, much more than in the domestic area, the need for flexibility in meeting the exigencies of any particular situation should remain paramount.

Turning now to the Supreme Court decisions themselves, I believe their thrust is captured most succinctly at that point in the Chief Justice's opinion in which he defines that kind of "legislative action" that is subject to the requirements of the Presentment Clauses. In Chadha, he defined that action as action having "the purpose and effect of altering the legal rights, duties and relations of persons, including . . . Executive Branch officials and [other persons] outside the legislative

branch." _/ The sweep of this analysis, confirmed beyond any serious doubt by the Court's summary affirmances on July 6, 1983 of the unanimous decisions of the United States Court of Appeals for the District of Columbia Circuit involving the "Phase II" natural gas pricing rule and the Federal Trade Commission's "used-car" rule, _/ may well, in the words of Justice Powell in his concurring opinion in Chadha, "give . . . one pause." But, as I said at the outset, the clarity and breadth of the Court's decisions provide certainty as regards the substantive constitutional issue and set the ground rules for an ongoing dialog on the question of Congressional oversight of the Executive's execution of the law.

Because the Court's opinion speaks for itself, the outstanding legal questions (and therefore uncertainties) revolve around what we lawyers refer to as the "severability" issue. Let me use the three cases actually decided by the Court to illustrate this issue.

/ Immigration and Naturalization Service v. Chadha, No. 80-1832 (U.S. June 23, 1983) slip op. at 32.

/ Process Gas Consumers Group v. Consumers Energy Council of America, Nos. 81-2008 et al. (U.S. July 6, 1973), aff'g Consumers Energy Council of America v. FERC, 673 F.2d 425 (D.C. Cir. 1982), and Consumers Union, Inc. v. FTC, 691 F.2d 575 (D.C. Cir. 1982).

In Chadha, the House and Senate had argued vigorously that if the one-House veto device were unconstitutional, then the statutory power of the Attorney General "attached" to the veto device -- the power to suspend deportation of an otherwise deportable alien -- should likewise fall because Congress would not have extended such power to the Attorney General without the legislative veto "string" attached.

In rejecting Congress's argument on this issue, the Court began its analysis by restating its prior view that "the invalid portions of a statute are to be severed '[u]nless it is evident that the Legislature would not have enacted those provisions which are within its power, independently of that which is not.'" Buckley v. Valeo, 424 U.S. 1, 108 (1976), quoting Champlin Refining Co. v. Corporation Comm'n, 280 U.S. 210, 234 (1932)." Slip op. at 10-11. The Court then relied on two distinct presumptions; first, the presumption that arose from the inclusion in the Immigration and Nationality Act of 1952 of a so-called "severability clause"; / second, the presumption the Court identified

/ Immigration and Naturalization Service v. Chadha, slip op. at 10-11. The severability clause, 8 U.S.C. § 1101, provides:

"If any particular provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby."

(emphasis in opinion of the Court).

based on the fact that the statutory scheme was, as a practical matter, "fully operative" once the unconstitutional provision was severed. _/ In addition, the Court found nothing in the legislative history of the 1952 Act to rebut these presumptions. _/

In Consumer Energy Council of America v. FERC, 673 F.2d 425 (D.C. Cir. 1982), the Court of Appeals was faced with deciding the severability of a one-House legislative veto device attached to rulemaking authority in a statute that did not contain a severability clause and a statute the legislative history of which arguably suggested non-severability. Notwithstanding the absence of a severability clause and the presence in the legislative history of the Natural Gas Policy Act of "contradictory comments" on point, the Court of Appeals found the one-House veto mechanism to be severable, 673 F.2d at 442, despite arguments of the House and Senate and other parties to the contrary.

_/ Id. at 13. The Court found this "presumption" in its earlier decision in Champlin Refining Co. v. Corporation Comm'n, 286 U.S. 210, 234 (1932). I note, however, that the Champlin decision did not specifically analyze the continuing operability of a statute after severance of its unconstitutional part as creating a "presumption" of severability. Thus Chadha should probably be viewed as having recognized a new "presumption" as regards severability.

_/ I note that Justice Rehnquist, joined by Justice White, dissented from the Court's holding and analysis of the legislative history, concluding that that history demonstrated "that Congress was unwilling to give the Executive Branch permission to suspend deportation on its own." Slip op. at 3 (Rehnquist, J., dissenting).

Finally, in Consumers Union Inc. v. FTC, 691 F.2d 575 (D.C. Cir. 1982), the issue of severability was not contested, largely because the two-House legislative veto involved was enacted separately from, and subsequent to, the underlying rulemaking authority as part of a statute specifically designed to secure judicial resolution of the constitutionality of that legislative veto device.

Because we anticipate that the issue of severability will arise or be introduced into litigation involving statutes containing legislative veto devices, I believe it would not be especially appropriate for me to delve too deeply, or with any particularity, into it at this time. _/ I will say that we regard

_/ For example, on July 5, 1983 Exxon Corp. filed a motion in the United States District Court here in Washington to be relieved from a \$1.6 billion judgement entered by that court on June 7, 1983. Exxon's argument is essentially that the statutes under which the judgment was obtained, the Emergency Petroleum Allocation Act and the Energy Policy and Conservation Act, are invalid because they contain legislative veto mechanisms that are, Exxon alleges, in severable from the remainder of those statutes. United States v. Exxon Corp., Civ. No. 78-1035 (D.D.C.).

In addition, federal employee unions have sued in that same court, arguing that the one-House veto provision in the federal statute governing federal workers pay, the Federal Pay Comparability Act of 1970, 5 U.S.C. §§ 5301 et seq., is unconstitutional and that the alternative pay plans submitted by the President in 1979, 1980 and 1982 were therefore invalid and full "comparability" raises are now due. AFGE, AFL-CIO v. Reagan, Civ. No. 83-1914 (D.D.C. filed July 5, 1983).

the Supreme Court's summary affirmance of the Consumer Energy Council of America v. FERC case as significant, because if the Court had wanted to reverse the apparent trend toward "severability" in the recent cases decided by the D.C. Circuit, _/ it presumably would have used that case as a vehicle to do so. Thus, as it has done with regard to the merits of the legislative veto issue, we believe the Court has injected considerable certainty into the "severability" issue even though the issue will remain, as it always has been, one to be decided in otherwise appropriate cases on a statute-by-statute basis.

In closing, I want to emphasize as strongly as possible that the Executive Branch will continue, as it has done in the past, to observe scrupulously the "reporting" and "waiting" features that are central to virtually all existing legislative veto devices. Although some minor adjustments to these provisions may prove desirable after we gain experience with their use

_/ Most recently in that Circuit a three-judge panel of the D.C. Circuit found severable an unconstitutional "committee approval" provision attached to the authority of the Department of Housing and Urban Development to spend appropriations for internal reorganizations that had not been "approved" by the House and Senate Committees on Appropriations. In that particular case, Congress had placed a prohibition on HUD's existing power to engage in internal reorganization but had permitted its appropriations committees in effect to waive that new statutory prohibition. The Court of Appeals struck down the prohibition as being inseverable from the "committee approval" device, thereby rendering this congressional checks on HUD's exercise of statutory power a total nullity. AFGE, AFL-CIO v. Pierce, No. 82-2372 (D.C. Cir. Dec. 8, 1982).

absent their unconstitutional feature, we believe that experience under them -- with the informal give-and-take they envision as well as the opportunity for the enactment of legislation they provide -- will be the soundest basis on which to proceed.

In reaction to Chadha, some Members of the House have suggested that the engine of Government is broken and that there is an urgent need to fix it. I disagree as the Chief Justice concluded in his opinion for the Court:

"With all the obvious flaws of delay, untidiness, and potential for abuse, we have not yet found a better way to preserve freedom than by making the exercise of power subject to the carefully crafted restraints spelled out in the Constitution. _/

The engine is not broken. Whether it will need some oil here and there after Chadha is something that time and experience will demonstrate, but I believe the important thing is that we approach the post-Chadha era with the same spirit of comity and mutual respect that must characterize the relations between our two Branches if we are to continue to realize the full potential in that truly unique document, the Constitution of the United States.

/ Immigration and Naturalization Service v. Chadha, slip op. at 39.

Mr. Chairman, once again I want to thank you and the Subcommittee for the opportunity to present our views on this important subject. I have attached to this statement a compilation of currently enacted legislative veto devices prepared since Chadha was decided by the Office of Legal Counsel of the Department of Justice. I hope this compilation will prove useful to this and other Committees of Congress in the coming months. I will endeavor as best I can to respond to any questions you may have.



U.S. Department of Justice
Office of Legal Counsel

Washington, D.C. 20530

JUL 15 1983

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: Effects of Immigration and Naturalization
Service v. Chadha on Existing Laws

You have requested a comprehensive analysis of the effect of the Supreme Court's decision in Immigration and Naturalization Service v. Chadha on existing statutes of the United States. As a partial response to this request, we have prepared the attached inventory of currently effective statutes that contain legislative vetoes. Because we have organized this list by public law number, some of the items refer to multiple legislative veto provisions in the same title of the U.S. Code, or to provisions included in separate titles. We have included at the conclusion of the inventory two indices listing the 126 public laws and the 207 separate sections that are described in the inventory. */

We have compiled this information from material contained in an appendix to Justice White's dissenting opinion in Chadha, the briefs filed in Chadha, research published by the Congressional Research Service, information furnished to us by Executive Branch agencies and departments, a computer print-out of statutes containing legislative vetoes that was made available to us by the General Accounting Office, and our own research. In the course of preparing this compilation, we have discovered that these sources include, to various degrees, statutory provisions that are not legislative veto devices because they do not, on their face, authorize the Houses or Committees of Congress to take action altering the legal rights of Executive Branch officials or other persons, and legislative veto devices that are no longer legally effective. We have not included such provisions in the following inventory.

Theodore B. Olson
Assistant Attorney General
Office of Legal Counsel

*/ To our knowledge, this inventory is comprehensive. It is entirely possible, however, that we have not identified every legislative veto provision that is currently effective. We will update this inventory to include any additional provisions that we identify or that are brought to our attention.

COMPILATION OF CURRENTLY
EFFECTIVE STATUTES THAT
CONTAIN LEGISLATIVE VETO
PROVISIONS

Office of Legal Counsel
Department of Justice
July 15, 1983

The following is a compilation, by public law number, of statutes in effect as of July 15, 1983, that contain legislative veto provisions. It has been prepared for the use of the Attorney General by the Office of Legal Counsel, Department of Justice. The list is drawn from material contained in an appendix to Justice White's dissenting opinion in Immigration and Naturalization Service v. Chadha, No. 80-1832 (June 23, 1983), research published by the Congressional Research Service, information furnished to the Office of Legal Counsel by Executive Branch agencies and departments, a computer print-out of statutes made available to the Office of Legal Counsel by the General Accounting Office, and research by the Office of Legal Counsel.

While the compilation is as complete as possible, there may be statutes or discrete provisions containing legislative vetoes that have not yet been identified by the Office of Legal Counsel or by the various agencies. This inventory will be updated periodically to include any such additional provisions.

July 15, 1983

TABLE OF CONTENTS

	<u>Page</u>
<u>I. FOREIGN AFFAIRS AND NATIONAL SECURITY</u>	
<u>A. War and National Defense</u>	
War Powers Resolution, Pub. L. No. 93-148 . . .	1
H.R. J. Res. 683, Pub. L. No. 94-110	1
National Emergencies Act, Pub. L. No. 94-412 .	1
International Emergency Economic Powers Act, Pub. L. No. 95-223	1
Neutrality Act of 1939, 54 Stat. 4	2
Arms Control and Disarmament Act of 1961, Pub. L. No. 87-297	2
<u>B. International Assistance and Arms Export Control</u>	
Foreign Assistance Act of 1961, Pub. L. No. 87-195	2
Export Administration Act, <u>amended by</u> Depart- ment of Defense Appropriation Authorization Act, 1975, Pub. L. No. 93-365	2
International Development and Food Assistance Act of 1975, Pub. L. No. 94-161	2
International Security Assistance and Arms Control Act of 1976, Pub. L. No. 94-329 . .	3
International Security Assistance Act of 1977, Pub. L. No. 95-92	3
International Development and Security Cooperation Act of 1980, Pub. L. No. 96-533	3
International Security and Development Cooperation Act of 1981, Pub. L. No. 97-113	4

	<u>Page</u>
 C. <u>Department of Defense</u>	
Defense Reorganization Act of 1958, Pub. L. No. 85-599	4
Department of Defense Appropriation Author- ization Act, 1974, Pub. L. No. 93-155 . . .	4
Department of Defense Authorization Act, 1982, Pub. L. No. 97-86	4
Department of Defense Authorization Act, 1983, Pub. L. No. 97-252	5
Military Construction Codification Act, Pub. L. No. 97-214	5
Defense Production Act of 1950, Pub. L. No. 81-774	5
Defense Production Act Amendments, 1970, Pub. L. No. 91-379	5
Energy Security Act, Defense Production Act Amendments of 1980, Pub. L. No. 96-294 . .	6
Rubber-Producing Facilities Disposal Act, Pub. L. No. 83-205	6
Disposal of Surplus Vessels and Other Naval Property, Pub. L. No. 79-649	6
Long-Range Proving Ground for Guided Missiles, 1949, Pub. L. No. 81-60	7
 D. <u>Armed Forces Personnel</u>	
Department of Defense Authorization Act, 1981, Pub. L. No. 96-342	7
Universal Military Training and Service Amendments of 1951, Pub. L. No. 82-51 . . .	7
Veterans Health Program Extension and Improve- ment Act of 1979, Pub. L. No. 96-151 . . .	7

	<u>Page</u>
 II. <u>IMMIGRATION AND NATIONALITY</u>	
Immigration and Nationality Act of 1952, Pub. L. No. 82-414	8
Immigration and Nationality Act Amendments, Pub. L. No. 85-316	8
 III. <u>BUDGET</u>	
Congressional Budget and Impoundment Control Act of 1974, Pub. L. No. 93-344	8
 IV. <u>INTERNATIONAL TRADE</u>	
Trade Expansion Act of 1962, Pub. L. No. 87-794	8
Trade Act of 1974, Pub. L. No. 93-618	9
Export-Import Bank Amendments of 1974, Pub. L. No. 93-646	9
Export Administration Act of 1979 ("EAA"), Pub. L. No. 96-72	9
 V. <u>ENERGY</u>	
Trans-Alaska Pipeline Authorization Act, Pub. L. No. 93-153	9
Federal Nonnuclear Energy Research and Development Act of 1974, Pub. L. No. 93-577	9
Energy Policy and Conservation Act, Pub. L. No. 94-163	10
Naval Petroleum Reserves Production Act of 1976, Pub. L. No. 94-258	10
Department of Energy Act of 1978 -- Civilian Applications, Pub. L. No. 95-238	10

	<u>Page</u>
Outer Continental Shelf Lands Act Amendments of 1978, Pub. L. No. 95-372	10
Natural Gas Policy Act of 1978, Pub. L. No. 95-621	11
Energy Security Act, United States Synthetic Fuels Corporation Act of 1980, Pub. L. No. 96-294	11
Energy Research and Development Administration Authorization Act, Pub. L. No. 94-187 . . .	12
Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980, Pub. L. No. 96-164	12
Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1981, Pub. L. No. 96-540	12
Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1982, Pub. L. No. 97-90	12

VI. ATOMIC ENERGY AND NUCLEAR MATERIALS

Atomic Energy Act of 1954, Pub. L. No. 83-703, <u>as amended</u>	13
Atomic Energy Act Amendment of 1957, Pub. L. No. 85-79, <u>as amended</u>	13
Atomic Energy Act Amendments of 1964, Pub. L. No. 88-489	13
Atomic Energy Act Amendments of 1974, Pub. L. No. 93-377	14
Nuclear Non-Proliferation Act of 1978, Pub. L. No. 95-242	14

Nuclear Regulatory Commission Authorization, Pub. L. No. 97-415	14
Nuclear Waste Policy Act of 1982, Pub. L. No. 97-425	15

VII. FEDERAL PAY AND EMPLOYMENT

Federal Pay Comparability Act of 1970, Pub. L. No. 91-656	15
Postal Revenue and Federal Salary Act of 1967, Pub. L. No. 90-206	15
Civil Service Reform Act of 1978, Pub. L. No. 95-454	16
Central Intelligence Agency Retirement Act of 1964 for Certain Employees, Pub. L. No. 88-643	16
International Development and Food Assistance Act of 1978, Pub. L. No. 95-424	16

VIII. LAND AND NATURAL RESOURCES

Water Resources Development Act of 1974, Pub. L. No. 93-251	16
Federal Land Policy and Management Act of 1976, Pub. L. No. 94-579	17
Marine Protection, Research, and Sanctuaries Act Amendments, 1980, Pub. L. No. 96-332 .	17
National Parks and Recreational Act of 1978, Pub. L. No. 95-625	17
Forest and Rangeland Renewable Resources Planning Act of 1974, Pub. L. No. 93-378 .	17
Act to Expedite the Rehabilitation of Federal Reclamation Projects, Pub. L. No. 81-451 .	18
Act to Facilitate the Construction of Drainage Works, Etc., Pub. L. No. 84-575	18

	<u>Page</u>
Amendment to Watershed Protection and Flood Prevention Act, Pub. L. No. 87-639	18
Imperial Dam Project Modifications -- Colorado River Basin Salinity Control Act, Pub. L. No. 93-320	18
Conveyance of Submerged Lands to Guam, Virgin Islands, and American Samoa, Pub. L. 93-435	19
Olympic National Park -- Authority to Accept Land, Pub. L. No. 94-578	19
Alaska National Interest Lands Conservation Act, Title IX, Implementation of Alaska Native Claims Settlement Act and Alaska Statehood Act, Pub. L. No. 96-487	19
 IX. <u>INDIAN AFFAIRS</u>	
Indian Claims Judgment Funds Act, 1973, Pub. L. No. 93-134, <u>as amended</u>	20
Menominee Restoration Act, Pub. L. No. 93-197	20
Restoration of Indian Tribes of Unclaimed Payments, 1961, Pub. L. No. 87-283	20
* Government-Owned Utilities Used for Bureau of Indian Affairs, 1961, Pub. L. No. 87-279	20
Act of July 1, 1932, Pub. L. No. 72-240, <u>as amended</u>	21
Education Amendments of 1978, Pub. L. No. 95-561	21
 X. <u>TRANSPORTATION</u>	
Regional Rail Reorganization Act of 1973, Pub. L. No. 93-236	21

Union Station Redevelopment Act of 1981, Pub. L. No. 97-125	21
Federal-Aid Highway Act of 1976, Pub. L. No. 94-280	22
Energy Policy and Conservation Act, Pub. L. No. 94-163, <u>amending</u> the Motor Vehicle Information and Cost Savings Act	22
Revisions of Title 49, U.S.C.A., Pub. L. No. 97-449	22

XI. DISTRICT OF COLUMBIA

District of Columbia Self-Government and Governmental Reorganization Act, Pub. L. No. 93-198	23
District of Columbia Retirement Reform Act, Pub. L. No. 96-122	23
Pennsylvania Avenue Development Corporation Act of 1972, Pub. L. No. 92-578	23
Dwight D. Eisenhower Memorial Bicentennial Civic Center Act, Pub. L. No. 92-520	23

XII. AGRICULTURE

Futures Trading Act of 1978, Pub. L. No. 95-405	23
Agriculture and Food Act of 1981, Pub. L. No. 97-98	24
Taft Anti-Inflation Law, Pub. L. No. 80-395 .	24

XIII. RULEMAKING

Department of Education Organization Act, Pub. L. No. 96-88	24
--	----

	<u>Page</u>
Education Amendments of 1974, Pub. L. No. 93-380	25
Education Amendments of 1978, Pub. L. No. 95-561	25
Education Amendments of 1980, Pub. L. No. 96-374	25
Student Financial Assistance Technical Amendments Act of 1983, Pub. L. No. 97-301	25
Federal Election Campaign Act Amendments, Pub. L. No. 93-443	26
Federal Election Campaign Act Amendments of 1979, Pub. L. No. 96-187	26
Federal Rules of Evidence, Pub. L. No. 93-595	26
Airline Deregulation Act of 1978, Pub. L. No. 95-504	26
Federal Trade Commission Improvements Act of 1980, Pub. L. No. 96-252	27
Multiemployer Pension Plan Amendments Act of 1980, Pub. L. No. 96-364	27
Farm Credit Act Amendments of 1980, Pub. L. No. 95-592	27
Comprehensive Environmental Response, Compensation and Liability Act of 1980 Pub. L. No. 96-510	27
National Historic Preservation Act Amendments of 1980, Pub. L. No. 96-515	28
Coastal Zone Management Improvement Act of 1980, Pub. L. No. 96-464	28

	<u>Page</u>
Federal Insecticide, Fungicide and Rodenticide Extension Act, 1980, Pub. L. No. 96-539 . . .	28
Motor Vehicle and Schoolbus Safety Amendments of 1974, Pub. L. No. 93-492	28
Presidential Recordings and Materials Preservation Act, Pub. L. No. 93-526 ' . . .	28
Amendment to Social Security Act Child Support Provisions, Pub. L. No. 94-88	29
Omnibus Budget Reconciliation Act of 1981, Consumer Product Safety Amendments of 1981, Pub. L. No. 97-35	29
Emergency Interim Consumer Product Safety Standard Act of 1978, Pub. L. No. 95-319 .	29
Omnibus Budget Reconciliation Act of 1981, Rail Passenger Service Act, Pub. L. No. 97-35	29
Omnibus Budget Reconciliation Act of 1981, Amendment to Highway Safety Programs, Pub. L. No. 97-25	30
International Navigational Rules Act of 1977, Pub. L. No. 95-75	30
Social Security Amendments of 1977, Pub. L. No. 95-216	30
Housing and Community Development Amendments of 1978, Pub. L. No. 95-557	30

XIV. APPROPRIATIONS ACTS

Energy and Water Development Appropriations Act, 1982, Pub. L. No. 97-88	31
Appropriations -- Department of the Interior -- Fiscal Year 1982, Pub. L. No. 97-100 . . .	31

	<u>Page</u>
Department of Interior and Related Agencies Appropriations Act, 1983, Pub. L. No. 97-394	31
Department of Housing and Urban Development -- Independent Agencies Appropriations Act, 1982, National Aeronautics and Space Administration Research and Development Appropriation, Pub. L. No. 97-101	32
Department of Housing and Urban Development -- Independent Agencies Appropriations Act, 1983, National Aeronautics and Space Administration Research and Development Appropriation, National Science Foundation Research and Related Activities Appropria- tion, Pub. L. No. 97-272	32
Department of Housing and Urban Development -- Independent Agencies Appropriations Act, 1983, Pub. L. No. 97-272	32
Department of Housing and Urban Development -- Independent Agencies Appropriations Act, 1984, National Aeronautics and Space Administration Appropriation, Pub. L. No. 98-45	33
Department of Transportation and Related Agencies Appropriations Act, 1983, Pub. L. No. 97-369	33
Foreign Assistance and Related Programs Appropriations Act, 1982, Pub. L. No. 97-121	34
District of Columbia Appropriations Act, 1983, Pub. L. No. 97-378	34
Joint Resolution Making Continuing Appropria- tions for the Fiscal Year 1982, Pub. L. No. 97-92	34
Supplemental Appropriations Act, 1982, Pub. L. No. 97-257	34
Further Continuing Appropriations Act, 1983, Pub. L. No. 97-377	35

	<u>Page</u>
 XV. <u>MISCELLANEOUS</u>	
Full Employment and Balanced Growth Act of 1978, Pub. L. No. 95-523	35
Omnibus Budget Reconciliation Act of 1981, Post Secondary Student Assistance Amend- ments of 1981, Pub. L. No. 97-35	35
National Aeronautics and Space Administration Authorization Act, 1983, Pub. L. No. 97-324	36
National Aeronautics and Space Administration Authorization Act, 1984, Pub. L. No. 98-	36
Enactment of Title 44, United States Code, "Public Printing and Documents," 1968, Pub. L. No. 90-620	36
United States Information and Educational Exchange Act of 1948, Pub. L. No. 80-402 . .	36

APPENDIX A

Index by Public Law Number

APPENDIX B

Index by United States Code Citation

I.

FOREIGN AFFAIRS AND NATIONAL SECURITY

A. War and National Defense

WAR POWERS RESOLUTION, Pub. L. No. 93-148, § 5, 87 Stat. 555, 556-557, 50 U.S.C. § 1544 (absent declaration of war or specific statutory authorization, President may be directed by concurrent resolution to remove forthwith United States armed forces engaged in foreign hostilities; resolution also requires President to consult and report with regard to deployment of armed forces abroad -- these requirements are not affected by Chadha; resolution also requires withdrawal of armed forces after 60 days unless Congress affirmatively authorizes troops to remain by legislation -- Chadha has no impact on constitutional issues raised by this provision) (H.J. Res. 542) (Nov. 7, 1973)

H.R. J. RES. 683, Pub. L. No. 94-110, § 1, 89 Stat. 572, 22 U.S.C. § 2441 note (civilian personnel assigned to monitor Israeli withdrawal from Sinai must be withdrawn if Congress adopts a concurrent resolution) (H.J. Res. 683) (Oct. 13, 1975)

NATIONAL EMERGENCIES ACT, Pub. L. No. 94-412, § 202, 90 Stat. 1255, 50 U.S.C. § 1622 (declaration of national emergency by President authorizes his use of a number of important statutory powers, including power over economic transactions under the International Emergency Economic Powers Act; national emergency may be terminated by concurrent resolution) (H.R. 3884) (Sept. 14, 1976)

INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT ("IEEPA"), Pub. L. No. 95-223, § 207(2)(b), 91 Stat. 1625, 1628, 50 U.S.C. § 1706(b) (Supp. V 1981) (broad power to regulate economic transactions is triggered by declaration of emergency by President based on "unusual and extraordinary threat" from outside the United States, but emergency may be terminated by concurrent resolution procedure contained in National Emergencies Act) (H.R. 7738) (Dec. 28, 1977)



NEUTRALITY ACT OF 1939, 54 Stat. 4, 22 U.S.C. § 441 (Congress, by concurrent resolution, may find that a state of war exists between foreign states requiring President to issue a proclamation naming the states involved; this makes it unlawful under other provisions for American vessels to carry passengers or goods to such countries and for certain materials to be exported from the United States to those countries) (H.J. Res. 306) (Nov. 4, 1939)

ARMS CONTROL AND DISARMAMENT ACT OF 1961, Pub. L. No. 87-297, § 47, 75 Stat. 631, 638, 22 U.S.C. § 2587(b) (transfer of functions to Arms Control and Disarmament Agency subject to 60-day legislative review and one-House veto) (H.R. 9118) (Sept. 26, 1961)

B. International Assistance and Arms Export Control

FOREIGN ASSISTANCE ACT OF 1961, Pub. L. No. 87-195, § 617, 75 Stat. 424, 444, 22 U.S.C. § 2367 (financial assistance made available for the complete range of foreign assistance programs authorized by the Act may be terminated by concurrent resolution; if terminated, an additional 8-month grace period is allowed for shut down) (S. 1983) (Sept. 4, 1961)

EXPORT ADMINISTRATION ACT, amended by DEPARTMENT OF DEFENSE APPROPRIATION AUTHORIZATION ACT, 1975, Pub. L. No. 93-365, § 709(c), 88 Stat. 399, 408, 50 U.S.C. app. § 2403-1(c) (if Secretary of Defense determines that the export of goods or technology will significantly increase the present or potential military capability of any "controlled country," he may oppose such export. The President may overrule the Secretary by reporting his disagreement to Congress; Congress may in turn adopt concurrent resolution overruling the President, thereby giving decisive legal force to Secretary of Defense's decision against export) (H.R. 14592) (Aug. 5, 1974)

INTERNATIONAL DEVELOPMENT AND FOOD ASSISTANCE ACT OF 1975, Pub. L. No. 94-161, §§ 302(2), 310, 89 Stat. 849, 857, 860, 22 U.S.C. §§ 2151a, 2151n (President may provide certain funds to the International Fund for Agricultural Development, subject to approval by the Foreign Relations Committees)

(Foreign Relations Committees may require reports on human rights situation in countries receiving foreign assistance; if Congress disagrees with Administration's justification for continued assistance, it may terminate assistance by concurrent resolution under 22 U.S.C. § 2367) (H.R. 9005) (Dec. 20, 1975)

INTERNATIONAL SECURITY ASSISTANCE AND ARMS CONTROL ACT OF 1976, Pub. L. No. 94-329, §§ 211, 301(a), 302(a) & (b), 90 Stat. 729, 743, 748, 751, 752, 22 U.S.C. §§ 2304(c)(3), 2314(g)(4)(C), 2755(d), 2776(b) (information on human rights policies and exclusionary policies of countries receiving defense and security assistance, sales, or credits must be submitted at the request of either House or the appropriate Foreign Affairs Committee; assistance must be suspended if information is not transmitted within time allowed) (statute generally regulates sales of military equipment to foreign countries through a licensing system requiring periodic cumulative reports to Congress of licenses granted. Provides for 30-day congressional review and disapproval by concurrent resolution of certain sales of defense equipment or services (15 day review for NATO countries, Japan, Australia or New Zealand); exception for presidentially certified national security emergencies) (H.R. 13680) (June 30, 1976); see also International Development Cooperation Act of 1980, Pub. L. No. 96-533, 22 U.S.C. § 2776(c), p. 3.

INTERNATIONAL SECURITY ASSISTANCE ACT OF 1977, Pub. L. No. 95-92, §§ 16, 20, 91 Stat. 614, 622, 22 U.S.C. § 2753(d)(2) (Supp. V 1981) (except in presidentially certified emergency, Congress may disapprove by concurrent resolution certain transfers of defense equipment or services; President must give 30 days notice of proposed transfer (15 days where NATO countries, Japan, Australia or New Zealand is transferee) per § 102(a) of Pub. L. No. 97-113, 95 Stat. 1520, 22 U.S.C. § 2753(d)(2)(B)) (H.R. 6884) (August 5, 1977)

INTERNATIONAL DEVELOPMENT AND SECURITY COOPERATION ACT OF 1980, Pub. L. No. 96-533, § 107(b), 94 Stat. 3131, 3136, 22 U.S.C. § 2776(c)(2) (Supp. V 1981) (authorizes disapproval by concurrent resolution of certain applications for commercial licenses to export defense equipment or services) (H.R. 6942) (Dec. 16, 1980)

INTERNATIONAL SECURITY AND DEVELOPMENT COOPERATION ACT OF 1981, Pub. L. No. 97-113, §§ 109(a), 102(a), 737(b) & (c), 95 Stat. 1525, 1520, 1562, 22 U.S.C. §§ 2796b, 2753(d)(2)(B), 2429(b)(2) & 2429a (Supp. V 1981) (authorizes Congress to disapprove by concurrent resolution certain agreements to lease or loan defense equipment under ch. 2 of Part II of the Foreign Assistance Act of 1961) (authorizes 15-day period for disapproval by concurrent resolution of certain Arms Export Control Act transfers to NATO countries, Japan, Australia or New Zealand) (authorizes congressional disapproval by concurrent resolution, and immediate suspension pursuant to such disapproval, of nuclear enrichment transfers to foreign nations which deliver nuclear reprocessing equipment, materials, or technology to another foreign nation) (S. 1196) (Dec. 29, 1981)

C. Department of Defense

DEFENSE REORGANIZATION ACT OF 1958, Pub. L. No. 85-599, § 3(a), 72 Stat. 514, 10 U.S.C. § 125 (Secretary's authority to transfer, reassign, abolish, and consolidate functions within the Department of Defense is subject to veto by resolution of either House) (H.R. 12541) (Aug. 6, 1958)

DEPARTMENT OF DEFENSE APPROPRIATION AUTHORIZATION ACT, 1974, Pub. L. No. 93-155, § 807, 87 Stat. 605, 615 (1973), 50 U.S.C. § 1431, 50 U.S.C. app. §§ 468, 2092, 10 U.S.C. § 2307 (amends four separate laws to authorize one-House veto of (1) defense procurement contracts in excess of \$25,000,000 in which generally applicable statutory contract law has been waived; (2) loans to private business in excess of \$25,000,000 to facilitate defense production; (3) advance payments on any defense procurement contract in excess of \$25,000,000; and (4) orders for goods which require payments in excess of \$25,000,000, placed by an agency under authority of the Military Selective Service Act) (H.R. 9286) (Nov. 16, 1973)

DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1982, Pub. L. No. 97-86, § 911, 95 Stat. 1099, 1121, 10 U.S.C. § 2382(b) (Supp. V 1981) (authorizes concurrent resolution disapproving presidential regulations controlling excessive profits on defense contracts during emergency periods) (S. 815) (Dec. 1, 1981)

DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1983, Pub. L. No. 97-252, § 1107, 96 Stat. 718, 744, 10 U.S.C. § 139(e)(3) (prohibition on obligation of funds for major defense acquisition program which exceeds estimated costs may be waived by the Committees on Armed Services of the House and Senate) (S. 2248) (Sept. 8, 1982)

MILITARY CONSTRUCTION CODIFICATION ACT, Pub. L. No. 97-214, §§ 2, 5, 96 Stat. 153, 154-57, 165, to be codified at 10 U.S.C. §§ 2803-07, 2854, 2676 (decision by the Secretary of Defense to undertake certain military construction projects not otherwise authorized by law or costing in excess of amounts otherwise authorized must be transmitted to the appropriate committees of Congress for 21 days; decision may not be implemented until end of 21-day period unless both committees approve the construction before end of period) (Secretary of Defense's decision to carry out repairs, restorations or replacements of military facilities in excess of certain limits must be transmitted to appropriate committees of Congress for 21 days; decisions may not be carried out until end of 21-day period unless committees approve decision before end of period) (Secretary of Defense's award of contract for the acquisition of land must be transmitted to appropriate committees for 21 days, if scope of acquisition is 25% less than that approved by Congress or if cost exceeds certain limits; award may not become effective until end of 21-day period unless both committees approve the award before end of period) (H.R. 6451) (July 12, 1982)

DEFENSE PRODUCTION ACT OF 1950, Pub. L. No. 81-774, § 717, formerly § 716, 64 Stat. 822, 50 U.S.C. app. § 2166(b) (Congress may terminate Act or any section of the Act and authority conferred thereunder by concurrent resolution) (H.R. 9176) (Sept. 8, 1950)

DEFENSE PRODUCTION ACT AMENDMENTS, 1970, Pub. L. No. 91-379, § 103, 84 Stat. 796, 50 U.S.C. app. § 2168(h)(3) (cost accounting standards promulgated by the Cost Accounting Standards Board may be disapproved by a concurrent resolution; the Board is an "agent of Congress" and consists of the Comptroller General and four persons appointed by him; U.S. has taken the position in litigation that regulations issued by the Board cannot have legal

force of themselves, but that the Department of Defense "adopted" the regulations, thus avoiding the separation of powers issue, see The Boeing Co. v. U.S., No. 80-1024, Brief for U.S. in Opposition, (March 1983). Board was terminated for lack of funding on Sept. 30, 1980, see U.S. Government Manual 706 (1982-83), but § 103 has not been repealed) (S. 3302) (Aug. 15, 1970).

ENERGY SECURITY ACT, DEFENSE PRODUCTION ACT AMENDMENTS OF 1980, Pub. L. No. 96-294, §§ 104(b)(3), 104(e), 94 Stat. 611, 618, 619-628, 50 U.S.C. app. §§ 2091(e)(1)(B), 2095, 2096 (Supp. V 1981) (provides for prior submission to Congress of "synthetic fuel actions" involving: loans and loan guarantees made by the Departments of Defense, Energy and Commerce for synthetic fuel development; awards of contracts for the purchase or commitment to purchase more than 75,000 barrels per day equivalent of synthetic fuel; and presidential determination to use authority with respect to synthetic fuel in energy shortages of less than 25%; Congress may disapprove actions by resolution of either House, in accordance with procedures established by 50 U.S.C. app. § 2097) (S. 932) (June 30, 1980)

N.B.: Energy Security Act also added the "United States Synthetic Fuels Corporation Act of 1980" to title 42, see p. ____; President's authority under DPA Amendments to enter into new contracts or commitments ceased on the date the Synthetic Fuels Corporation was established and became operational pursuant to that Act, see Exec. Order 12346 (Feb. 8, 1982).

RUBBER PRODUCING FACILITIES DISPOSAL ACT OF 1953, Pub. L. No. 83-205, Act of August 7, 1953, ch. 338, § 9, 67 Stat. 412, 50 U.S.C. app. § 1941g (Commission's proposals and contracts for sale of U.S. owned rubber-producing facilities to be carried out unless either House of Congress disapproves of contracts or proposals within 60 days of their submission to Congress) (H.R. 5728) (Aug. 7, 1953)

DISPOSAL OF SURPLUS VESSELS AND OTHER NAVAL PROPERTY, Pub. L. No. 79-649, § 6, 60 Stat. 897, 898, 10 U.S.C. §§ 7308, 7545 (Congress may disapprove by concurrent resolution Secretary of Navy's proposed transfer of obsolete and condemned vessels and articles of historical interest to states or local governments or to non-profit organizations) (S. 1547) (Aug. 7, 1946)

LONG-RANGE PROVING GROUND FOR GUIDED MISSILES, 1949, Pub. L. No. 81-60, § 2, 63 Stat. 66, 50 U.S.C. § 502 (prior to acquisition of land for establishment of long-range proving ground for guided missiles and other weapons, Secretary of Defense must "come into agreement" with Armed Services Committee of House and Senate) (H.R. 1741) (May 11, 1949)

D. Armed Forces Personnel

DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1981, Pub. L. No. 96-342, § 302(b)(1), 94 Stat. 1077, 1087, 10 U.S.C. § 520 (Secretary of Defense's waiver of statutory limitation on enlistment and induction of persons scoring below a prescribed level on Armed Forces Qualifications Test is subject to disapproval by concurrent resolution) (H.R. 6974) (Sept. 8, 1980)

UNIVERSAL MILITARY TRAINING AND SERVICE AMENDMENTS OF 1951, Pub. L. No. 82-51, § 1(j), 65 Stat. 75, 80, 50 U.S.C. app. § 454(k) (President authorized to decrease or eliminate periods of service for persons in armed forces; Congress retains parallel authority to decrease or eliminate such service by concurrent resolution, in effect reserving to itself power to review and countermand by concurrent resolution a presidential decision not to decrease or eliminate the period of service) (S. 1) (June 19, 1951)

VETERANS HEALTH PROGRAM EXTENSION AND IMPROVEMENT ACT OF 1979, Pub. L. No. 96-151, § 307, 93 Stat. 1097, 38 U.S.C. § 219 note (Supp. V 1981) (Administrator of VA directed to conduct study of any long-term adverse health effects resulting from exposure to dioxins ("Agent Orange Study"), pursuant to protocol approved by Director of Office of Technology Amendment, an officer of the Legislative Branch; Director of OTA also assigned responsibility for monitoring the VA's compliance with the protocol; VA's authority to proceed with study thus is subject to veto by legislative officer) (S. 1039) (Dec. 20, 1979)

II.

IMMIGRATION AND NATIONALITY

IMMIGRATION AND NATIONALITY ACT OF 1952, Pub. L. No. 82-414, § 245(b)-(d), 66 Stat. 163, 216-17, 8 U.S.C. § 1254(c)-(d) (suspension of deportation granted by the Attorney General may be overridden by either one-house veto or concurrent resolution depending upon grounds of alien's deportation. The one-House veto provision was struck down in Chadha) (H.R. 5678)(June 27, 1952)

IMMIGRATION AND NATIONALITY ACT AMENDMENTS, Pub. L. No. 85-316, § 13(c), 71 Stat. 639, 642-43, 8 U.S.C. § 1255b(c) (Attorney General's determinations of adjustment of status of aliens must be submitted to Congress and may be vetoed by either House) (S. 2792)(Sept. 11, 1957)

III.

BUDGET

CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974, Pub. L. No. 93-344, § 1013, 88 Stat. 297, 334-35, 2 U.S.C. § 684 (in order to defer (spend at a rate slower than that required by statute) appropriated funds, President must transmit deferral message to Congress, which may disapprove it by resolution of either House) (H.R. 7130) (July 12, 1974)

IV.

INTERNATIONAL TRADE

TRADE EXPANSION ACT OF 1962, Pub. L. No. 87-794, § 351, 76 Stat. 872, 899, 19 U.S.C. § 1981(a) (unless President imposes a tariff or duty based on Tariff Commission action transmitted to him, the tariff or duty recommended by Tariff Commission may be imposed, with or without the President's agreement, by concurrent resolution of approval) (H.R. 11970) (Oct. 11, 1962)

TRADE ACT OF 1974, Pub. L. No. 93-618, §§ 203(c), 302(b), 331, 402(d), 404, 405(c), 407, 88 Stat. 1978, 2016, 2043, 2051-52, 2057-60, 2063-64, 19 U.S.C. §§ 1303(e) 2253(c), 2412(b), 2432, 2434, 2435, 2437 (proposed presidential actions on import relief and actions concerning certain countries may be disapproved by concurrent resolution; various presidential proposals for waiver extensions and for extension of nondiscriminatory treatment to products of foreign countries may be disapproved by simple (either House) or concurrent resolutions) (H.R. 10710)(Jan. 3, 1975)

EXPORT-IMPORT BANK AMENDMENTS OF 1974, Pub. L. No. 93-646, § 8, 88 Stat. 2333, 2336, 12 U.S.C. § 635e (presidentially proposed limitation for exports to USSR in excess of \$300,000,000 must be approved by concurrent resolution) (H.R. 15977)(Jan. 4, 1974)

EXPORT ADMINISTRATION ACT OF 1979 ("EAA"), Pub. L. No. 96-72, §§ 7(d)(2), 7(g)(3), 93 Stat. 503, 518, 520, 50 U.S.C. app. §§ 2406(d)(2)(B), 2406(g)(3) (Supp. V 1981) (President may propose, under § 7(d)(2), export of Alaskan North Slope crude oil, which must be approved by concurrent resolution) (under § 7(g)(3), action by Secretary of Commerce to prohibit or curtail export of agricultural commodities may be disapproved by concurrent resolution) (S. 737) (Sept. 29, 1979)

V.

ENERGY

TRANS-ALASKA PIPELINE AUTHORIZATION ACT, Pub. L. No. 93-153, § 101, 87 Stat. 576, 582, 30 U.S.C. § 185(u) (except for exchanges and temporary transportation, domestically produced crude oil transported over federal rights of way may be exported only upon presidential findings; Congress may disapprove findings by concurrent resolution) (S. 1081) (Nov. 16, 1973)

FEDERAL NONNUCLEAR ENERGY RESEARCH AND DEVELOPMENT ACT OF 1974, Pub. L. No. 93-577, § 12, 88 Stat. 1878, 1892-1893, 42 U.S.C. § 5911 (rules or orders proposed by the President concerning allocation or acquisition of essential materials may be disapproved by resolution of either House) (S. 1283) (Dec. 31, 1974)

ENERGY POLICY AND CONSERVATION ACT, Pub. L. No. 94-163, §§ 159(a) & (e), 201(d)(2), 201(b) & (d)(1), 89 Stat. 871, 886, 891 (1975), 42 U.S.C. §§ 6239(a) & (e), 6261(d)(2), 6261(b) & (d)(1) (certain presidentially proposed "energy actions" involving Strategic Petroleum Reserve and amendments to energy conservation contingency plans may be disapproved by resolution of either House pursuant to procedures established by § 551, 42 U.S.C. § 6421) (energy conservation contingency plans must be transmitted to both Houses for approval pursuant to procedures established by § 552, 42 U.S.C. § 6422) (S. 622) (Dec. 22, 1975); amended by Energy Security Act, Pub. L. No. 96-294, § 803, 94 Stat. 776, 42 U.S.C. § 6240(e)(1) & (2) (President's request to suspend provisions requiring build-up of SPR and limiting sale or disposal of SPR in emergency situations must be submitted to Congress and approved pursuant to § 552, 42 U.S.C. § 6422) (S. 932) (June 30, 1980)

NAVAL PETROLEUM RESERVES PRODUCTION ACT OF 1976, Pub. L. No. 94-258, § 201, 90 Stat. 303, 309, 10 U.S.C. § 7422(c)(2)(C) (President's extension of production period for naval petroleum reserves may be disapproved by resolution of either House) (H.R. 49) (April 5, 1976)

DEPARTMENT OF ENERGY ACT OF 1978 -- CIVILIAN APPLICATIONS, Pub. L. No. 95-238, §§ 107, 207(b), 92 Stat. 47, 55, 70, 22 U.S.C. § 3224a, 42 U.S.C. § 5919(m) (Supp. V 1981) (international agreements and expenditures by Secretary of Energy of appropriations for foreign spent nuclear fuel storage must be approved by concurrent resolution, if not consented to by legislation) (plans for use of appropriated funds may be disapproved by the appropriate committee of either House) (financing in excess of \$50,000,000 for demonstration facilities must be approved by resolution in both Houses, if not consented to by legislation) (S. 1340) (Feb. 1978)

OUTER CONTINENTAL SHELF LANDS ACT AMENDMENTS OF 1978, Pub. L. No. 95-372, §§ 205(a), 208, 92 Stat. 629, 641, 668, 43 U.S.C. §§ 1337(a)(4), 1354(c) (Supp. V 1981) (establishment by Secretary of Energy of oil and gas lease bidding system may be disapproved by resolution of either House) (export of oil and gas from the Outer Continental Shelf may be disapproved by concurrent resolution) (S. 9) (Sept. 18, 1978)

NATURAL GAS POLICY ACT OF 1978, Pub. L. No. 95-621, §§ 122(c), 202(c) & 206(d)(2), 507, 92 Stat. 3350, 3370, 3371, 3372, 3380, 3406, 15 U.S.C. §§ 3332, 3342(c), 3346(d)(2) 3417 (Supp. V 1981) (presidential reimposition of natural gas price controls may be disapproved by concurrent resolution) (Congress may reimpose natural gas price controls by concurrent resolution) (Federal Energy Regulatory Commission amendment to pass through incremental costs of natural gas, and exemptions therefrom, may be disapproved by resolution of either House) (procedure for congressional review established) (H.R. 5289) (Nov. 9, 1978)

ENERGY SECURITY ACT, UNITED STATES SYNTHETIC FUELS CORPORATION ACT OF 1980, Pub. L. No. 96-294, §§ 126(d)(2), 126(d)(3), 132(a)(3)(B), 133(a)(3)(B), 137(b), 137(c), 141(d), 179(a), 94 Stat. 649, 659, 660, 663, 666, 679, 42 U.S.C. § 8722(d)(2), 8722(d)(3), 8732(a)(3)(B), 8733(a)(3)(B), 8737(b), 8737(c), 8741(d), 8779 (Supp. V 1981) (request by Synthetic Fuels Corporation (SFC) for additional time to submit comprehensive strategy may be disapproved by resolution of either House, pursuant to § 128, 42 U.S.C. § 8724) (amendments to the comprehensive strategy proposed by the SFC Board of Directors must be approved by concurrent resolution pursuant to § 129, 42 U.S.C. § 8725) (loans for costs of synthetic fuel projects in excess of 250% of initial estimated cost may be disapproved by resolution of either House, pursuant to § 128, 42 U.S.C. § 8724) (loan guarantees for costs of synthetic fuel projects in excess of 250% of initial estimated costs may be disapproved by resolution of either House pursuant to § 128, 42 U.S.C. § 8724) (acquisition by the SFC of control of a synthetic fuel project that was receiving financial assistance may be disapproved by either House pursuant to § 128, 42 U.S.C. § 8724) (lease-back of synthetic fuel projects acquired by the SFC may be disapproved by either House pursuant to § 128, 42 U.S.C. § 8724) (SFC contract renegotiations exceeding initial cost estimates by 175% may be disapproved by either House pursuant to § 128, 42 U.S.C. § 8724) (proposed financial assistance to synthetic fuel projects in the Western Hemisphere outside the U.S. may be disapproved by resolution of either House pursuant to § 128, 42 U.S.C. § 8724) (S. 932) (June 30, 1980)

N.B.: Energy Security Act also amended Defense Production Act of 1950, p. 6.

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION AUTHORIZATION ACT, Pub. L. No. 94-187, § 201, 89 Stat. 1063, 1069 (ERDA [now DOE] may enter into cooperative arrangements for research, development, design, construction and operation of Liquid Metal Fast Breeder Reactor powerplant if details are submitted to the appropriate committees 45 days prior to effective date of arrangement; committees may waive conditions of all or part of the 45-day period) (H.R. 3474) (Dec. 31, 1975)

DEPARTMENT OF ENERGY NATIONAL SECURITY AND MILITARY APPLICATIONS OF NUCLEAR ENERGY AUTHORIZATION ACT OF 1980, Pub. L. No. 96-164, §§ 201, 203, 93 Stat. 1259, 1262, 1262-63 (committees may waive all or portion of 30-day report-and-wait period for submission of programs that will use funds appropriated pursuant to the Act) (committees may waive all or portion of 30-day report-and-wait period for construction projects in excess of specified limits) (S. 673) (Dec. 29, 1979)

DEPARTMENT OF ENERGY NATIONAL SECURITY AND MILITARY APPLICATIONS OF NUCLEAR ENERGY AUTHORIZATION ACT OF 1981, Pub. L. No. 96-540, §§ 201, 203, 94 Stat. 3197, 3200-01, 3201 (committees may waive all or portion of 30-day report-and-wait period for submission of programs that will use funds appropriated pursuant to the Act) (committees may waive all or portion of 30-day report-and-wait period for construction projects in excess of specified limits) (S. 3074) (Dec. 17, 1980)

DEPARTMENT OF ENERGY NATIONAL SECURITY AND MILITARY APPLICATIONS OF NUCLEAR ENERGY AUTHORIZATION ACT OF 1982, Pub. L. No. 97-90, §§ 201, 203, 212, 95 Stat. 1163, 1167, 1167-68, 1171 (committees may waive all or portion of 30-day report-and-wait period for submission of programs that will use funds appropriated pursuant to the Act) (committees may waive all or portion of 30-day report-and-wait period for construction projects in excess of specified limits) (committees may waive all or portion of 30-day report-and-wait period for proposed environmental impact statements that will cost in excess of \$250,000) (H.R. 3413) (Dec. 14, 1981)

VI.

ATOMIC ENERGY AND NUCLEAR MATERIALS

ATOMIC ENERGY ACT OF 1954, Pub. L. No. 83-703, §§ 51, 61, 123(c), 164, 68 Stat. 919, 929, 932, 940, 951, 42 U.S.C. §§ 2071, 2091, 2153(c) & (d), amended by Pub. L. No. 85-479, § 4, 72 Stat. 276, 277-78 (1958), Pub. L. No. 85-681, § 4, 72 Stat. 632 (1958) and Pub. L. No. 93-485, 88 Stat. 1460 (1974), 2204 (NRC's determination that something is "special nuclear material" must be reported to the appropriate committees for a 30-day period, which the committees can waive) (any determination by the NRC that certain material is "source material" must, after it has been approved by the President, be reported to the appropriate committees for 30-day review, which they may waive) (the undertaking of certain international cooperation agreements is prohibited until they are submitted for committee approval for either 30- or 60-day waiting periods, depending upon which section of the Act they arise under; the 30 day waiting period may be waived by the committees; during the 60 day waiting period Congress may disapprove the agreement by concurrent resolution) (NRC required to submit contracts entered into for electric utility services to the appropriate committees for a 45-day report-and-wait period, which the committees may waive) (H.R. 9757) (Aug. 30, 1974)

ATOMIC ENERGY ACT AMENDMENTS OF 1957, Pub. L. No. 85-79, § 2, 71 Stat. 274, 275, amended by Pub. L. No. 88-489, § 13, 78 Stat. 602, 605 (1964), 42 U.S.C. § 2078 (NRC must submit to the appropriate committees proposals for guaranteed purchase prices and purchase periods for plutonium, and criteria for waiver of charges for certain licenses for a 45-day report-and-wait period which the committee may waive) (S. 2243) (July 3, 1957)

ATOMIC ENERGY AMENDMENTS OF 1964, Pub. L. No. 88-489, § 16, 78 Stat. 602, 606, 42 U.S.C. § 2201 (NRC's proposed criteria for setting terms of contracts for production or enrichment of special nuclear material must be submitted to the appropriate committees for 45-day period, which the committees may waive) (S. 3075) (Aug. 26, 1964)

ATOMIC ENERGY ACT AMENDMENTS OF 1974, Pub. L. No. 93-377, § 2, 88 Stat. 472, 474, 42 U.S.C. § 2074(a) (foreign distribution of special nuclear material is subject to a 60-day waiting period during which Congress may disapprove by a concurrent resolution) (S. 3669) (Aug. 17, 1974)

NUCLEAR NON-PROLIFERATION ACT OF 1978, Pub. L. No. 95-242, §§ 104(f), 303(a), 304(a), 304(b), 306, 307, 308, 401, 92 Stat. 120, 123, 130-31, 134-35, 137-39, 144, 22 U.S.C. § 3223(f), 42 U.S.C. §§ 2153(c) & (d), 2155(b), 2157(b), 2158, 2160(f) (Supp. V 1981) (Executive agreements with foreign governments related to export of nuclear material and technology; agreements concerning storage and disposition of spent nuclear fuel or proposed export of nuclear facilities, materials, or technology; and proposed agreements for international cooperation in nuclear reactor development must be submitted to Congress. Committees may waive waiting period for certain agreements; other agreements are subject to disapproval by concurrent resolution) (President's decision to grant license for export of nuclear materials or facilities despite negative finding by NRC may be overridden by Congress by concurrent resolution during 60-day review period) (President's determination to export nuclear materials or facilities to countries that fail to abide by safeguards may be overridden by Congress by concurrent resolution during 60-day review period) (President's decision to continue export of nuclear equipment and materials to countries that violate certain safeguards, laws, or agreements may be overridden by Congress by concurrent resolution during 60-day review period) (commitments by U.S. to store foreign spent nuclear material in the U.S. may be overridden by Congress by concurrent resolution during 60-day review period; provision does not apply if President determines there is an emergency situation and that storage is in the national interest) (H.R. 8638) (Mar. 10, 1978).

NUCLEAR REGULATORY COMMISSION AUTHORIZATION, Pub. L. No. 97-415, § 1(c), 96 Stat. 2067, 2068 (reallocation of appropriations may not be made until after 30-day report-and-wait period, which committees may waive) (H.R. 2330) (Jan. 4, 1983)

NUCLEAR WASTE POLICY ACT OF 1982, Pub. L. No. 97-425, § 302, 96 Stat. 2202, 2257, to be codified at 42 U.S.C. § 10222(a)(4) (Secretary of Energy's decision to adjust fee imposed on generators of nuclear power in order to recover full cost of disposing of their wastes may be disapproved by either House) (H.R. 3809) (Jan. 7, 1983)

VII.

FEDERAL PAY AND EMPLOYMENT

FEDERAL PAY COMPARABILITY ACT OF 1970, Pub. L. No. 91-656, § 3, 84 Stat. 1946, 1949, 5 U.S.C. § 5305 (provides for annual review and adjustment of GS schedule pay by President after considering report of agent and recommendations of Advisory Committee on Federal Pay; if President, because of national emergency or economic conditions affecting general welfare, considers it inappropriate to make pay adjustment based on report of his agent and recommendations of the Advisory Committee, he shall transmit alternative plan to Congress by September 1 of that year; if either House of Congress adopts a resolution disapproving the President's alternative plan within 30 days of continuous session after date on which plan is transmitted, the President shall adjust the rates of pay based on the report of his agent and the Advisory Committee and in accordance with the statutory principles of comparability) (H.R. 13000) (Jan. 8, 1971)

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967, Pub. L. No. 90-206, § 225(i), 81 Stat. 613, 644, 2 U.S.C. § 359, amended by Pub. L. No. 95-19, Title IV, § 401(a), 91 Stat. 45, 2 U.S.C. § 359 (1977 amendment to legislation governing quadrennial review of executive, judicial, and legislative salaries provides that President's recommendations for pay rates will become effective 30 days after a majority of both Houses approves the recommendations; Congress must act within sixty days of the submission of the President's recommendations; earlier law provided that recommendations would become effective after 30 days unless a statute had been enacted during that 30-day period establishing other rates of pay or either House disapproved the recommendations; this provision was altered pending a challenge to its constitutionality in McCorkle v. U.S., 559 F.2d 1258 (4th Cir. 1977), which held the provision severable so as to avoid reaching the constitutional question) (orig. bill H.R. 7977; 1977 amend. H.R. 4800) (Dec. 16, 1967; Apr. 12, 1977)

CIVIL SERVICE REFORM ACT OF 1978, Pub. L. No. 95-454, § 515, 92 Stat. 1111, 1179, 5 U.S.C. § 3131 note (Supp. V 1981) (continuation of Senior Executive Service may be disapproved by concurrent resolution) (S. 2640) (Oct. 13, 1978)

CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT OF 1964 FOR CERTAIN EMPLOYEES, Pub. L. No. 88-643, § 201(a), 78 Stat. 1043, 50 U.S.C. § 403 note (rules and regulations governing CIA retirement system become effective "after approval by the Chairman and ranking minority members of the Armed Services Committees of the House and Senate") (H.R. 8427) (Oct. 13, 1964)

INTERNATIONAL DEVELOPMENT AND FOOD ASSISTANCE ACT OF 1978, Pub. L. No. 95-424, § 401(b), 92 Stat. 937, 956, 22 U.S.C. § 2385a(b)(2) (Supp. V 1981) (President must submit regulations establishing uniform personnel system for foreign service employees to Congress for 90-day review; regulations subject to one-House veto during that time) (H.R. 12222) (October 6, 1978) (date was amended and fixed at May 1, 1979 by 93 Stat. 378)

VIII.

LAND AND NATURAL RESOURCES

WATER RESOURCES DEVELOPMENT ACT OF 1974, Pub. L. No. 93-251, § 12, 88 Stat. 16, 17, 33 U.S.C. § 579 (Secretary of Army, acting through Corps of Engineers, directed to submit annually to Congress a list of water resource development projects which have been authorized for at least eight years without any funds having been appropriated for them, and which he has determined should no longer be authorized; any project on list is "deauthorized" at the end of a 90-day period unless either House adopts a resolution stating that the project should continue to be authorized. In effect the law gives the Secretary a constitutionally questionable power to "deauthorize" projects, and makes it subject to an unconstitutional one-House veto) (H.R. 10203) (March 7, 1974)

FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976 ("FLPMA"), Pub. L. No. 94-579, §§ 203(c), 204(c)(1) & (1)(2), 90 Stat. 2743, 2750, 2751, 2752, 43 U.S.C. §§ 1713(c), 1714(c)(1) & (1)(2) (sale of public lands in excess of two thousand five hundred acres, withdrawal of public lands aggregating five thousand acres or more, or termination of withdrawal of certain public lands may be disapproved by concurrent resolution) (S. 507) (Oct. 21, 1976)

MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT AMENDMENTS, 1980, Pub. L. No. 96-332, § 2, 94 Stat. 1057, 16 U.S.C. § 1432 (b)(2) (Supp. V 1981) (designation by the Secretary of Commerce of an area as a marine sanctuary may be disallowed by a concurrent resolution of both Houses of Congress) (S. 1140) (Aug. 29, 1980)

NATIONAL PARKS AND RECREATIONAL ACT OF 1978, Pub. L. No. 95-625, § 1301, 92 Stat. 3467, 3549 (Supp. V 1981) (Secretary of Agriculture shall not process any exchange of more than 6,400 acres of land owned by the Burlington Northern Railroad in Montana for land owned by the United States elsewhere in Montana unless authorized by concurrent resolution of Congress) (S. 791) (Nov. 10, 1978)

FOREST AND RANGELAND RENEWABLE RESOURCES PLANNING ACT OF 1974, Pub. L. No. 93-378, § 7(a), 88 Stat. 476, 478, 16 U.S.C. § 1606 (Secretary of Agriculture shall prepare and update a Renewable Resource Assessment and a Renewable Resource Program to be transmitted, together with a Statement of Policy to be used in framing budget requests, by the President to the Congress. The President, "subject to other actions of the Congress," shall carry out programs already established by law in accordance with the Statement of Policy, as amended or modified by Congress, unless the Statement is disapproved by resolution of either House) (S. 2296) (Aug. 17, 1974)

ACT TO EXPEDITE THE REHABILITATION OF FEDERAL RECLAMATION PROJECTS, Pub. L. No. 81-451, 64 Stat. 11, 43 U.S.C. § 504 (This is a report and wait requirement with a two-committee waiver provision. Expenditures of funds for federal reclamation projects can be made only after the organizations concerned have obligated themselves in installments fixed in accordance with their ability to pay, as determined by the Secretary of the Interior in light of their outstanding repayment obligations. No such determination of the Secretary shall become effective until the expiration of 60 days after it is submitted to specified House and Senate Committees. However, with the approval in writing of each committee, it may become effective in less than 60 days) (H.R. 7220)

ACT TO FACILITATE THE CONSTRUCTION OF DRAINAGE WORKS, ETC., Pub. L. No. 84-575, 70 Stat. 274, 43 U.S.C. § 505 (This is a report and wait requirement with a two-committee waiver provision. The Secretary of Interior must report to both Houses of Congress 60 days before contracting with one "repayment organization" for more than \$200,000 for construction of "drainage facilities and other minor items." The Secretary of Interior may execute such a contract in less than 60 days with the approval of both the Senate and House Committees in writing) (H.R. 6268)

AMENDMENT TO WATERSHED PROTECTION AND FLOOD PREVENTION ACT, Pub. L. No. 87-639, § 1, 76 Stat. 438, 16 U.S.C. § 1009 (Senate or House Committee on Public Works may adopt resolution authorizing and directing Secretary of the Army and Secretary of Agriculture to make joint investigations and surveys of watershed areas in accordance with their existing authorities; reports recommending installation of works of improvement for flood prevention or conservation of water are then submitted to Congress through the President for authorization as provided for in that chapter) (H.R. 380) (Sept. 5, 1962)

IMPERIAL DAM PROJECT MODIFICATIONS -- COLORADO RIVER BASIN SALINITY CONTROL ACT, Pub. L. No. 93-320, § 208, 88 Stat. 266, 274, 43 U.S.C. § 1598(a) (authorizes the Secretary of the Interior to provide for modifications of the Imperial Dam projects authorized by the Act "as determined to be appropriate

for purposes of meeting the objective of [the Act]." However, no funds for any such modifications may be expended until the expiration of a 60-day period after the proposed modification has been submitted to "appropriate committees of Congress," and not then if disapproved by such committees. However, funds may be expended prior to the expiration of the 60-day period if Congress by concurrent resolution so approves) (H.R. 12165) (June 24, 1974)

CONVEYANCE OF SUBMERGED LANDS TO GUAM, VIRGIN ISLANDS, AND AMERICAN SAMOA, Pub. L. No. 93-435, § 1(c), 88 Stat. 1210, 1211, 48 U.S.C. § 1705(c) (conditions the Secretary of Interior's authority to convey certain submerged lands on his being informed by House and Senate Committees on Interior and Insular Affairs, during a 60-day waiting period, that they "wish to take no action with respect to the proposed conveyance") (H.R. 11559) (Oct. 5, 1974)

OLYMPIC NATIONAL PARK -- AUTHORITY TO ACCEPT LAND, Pub. L. No. 94-578, § 320, 90 Stat. 2732, 2739-40, 16 U.S.C. § 251g (authorizes the Secretary of the Interior to acquire privately-owned lands to be included within the boundaries of Olympic National Park, with certain exceptions, after having transmitted the results of a study of the lands to the President and the Congress within two years of October 21, 1976. The plans shall take effect unless disapproved by majority vote of either House within 90 legislative days of their submission to Congress) (H.R. 13713) (Oct. 21, 1976)

ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT, Title IX, Implementation of Alaska Native Claims Settlement Act and Alaska Statehood Act, Pub. L. No. 96-487, § 906(j)(5), 94 Stat. 2371, 2441, 43 U.S.C. § 1635(j)(5) (Supp. V 1981) (providing that certain withdrawals or designations of lands outside the boundaries of, e.g., a conservation system unit or national forest, shall not, without more, remove these lands from the status of vacant, unreserved, and unappropriated public lands that the State of Alaska is entitled to select for conveyance to the State; however, withdrawals exceeding 5,000 acres that Congress approves by concurrent resolution within no later than 180 days of the withdrawal or Dec. 2, 1980, are excepted from this status) (H.R. 39) (Dec. 2, 1980)

N.B.: This section intersects with Congress' power under FLPMA (p. 17) to disapprove by concurrent resolution withdrawals aggregating 5,000 acres or more.

IX.

INDIAN AFFAIRS

INDIAN CLAIMS JUDGMENT FUNDS ACT, 1973, Pub. L. No. 93-134, §§ 2(b), 5, 87 Stat. 466, 468, amended by Pub. L. No. 97-164, § 160(a)(1), 96 Stat. 48, and Pub. L. No. 97-458, 96 Stat. 2512 25 U.S.C. §§ 1402(e), 1405 (Congress may extend period in which Secretary of the Interior must propose and submit to Congress a plan for the use and distribution of Indian judgment funds, by action of appropriate committees)(introduction in either House of a joint resolution disapproving plan by Secretary of the Interior for distribution of judgment funds awarded to Indian tribes or groups recommences 60-day period during which Congress may decide whether to adopt plan) (S. 1016) (Jan. 12, 1983)

MENOMINEE RESTORATION ACT, Pub. L. No. 93-197, § 6, 87 Stat. 770, 773, 25 U.S.C. § 903d(b) (plan by Secretary of the Interior for assumption of the assets of the Menominee Indian corporation may be disapproved by resolution of either House) (H.R. 10717) (Dec. 22, 1973)

RESTORATION OF INDIAN TRIBES OF UNCLAIMED PAYMENTS, 1961, Pub. L. No. 87-283, § 2, 75 Stat. 584, 25 U.S.C. § 165 (Secretary of the Interior may not restore to tribal ownership or deposit in the Treasury certain unclaimed individual payments until 60 days after he notifies the House and Senate Committees on Interior and Insular Affairs of the proposed action and each Committee notifies him that it has no objection) (S. 1768) (Sept. 22, 1961)

GOVERNMENT-OWNED UTILITIES USED FOR BUREAU OF INDIAN AFFAIRS, 1961, Pub. L. No. 87-279, 75 Stat. 577, 25 U.S.C. § 15 (no contract by the Secretary of the Interior relating to the sale, operation, maintenance, repair, or relocation of government-owned utilities used in the administration of the BIA shall be executed until 60 days after the contract and a statement of reasons for proposing the contract is submitted to the House and Senate Committees on Interior and Insular Affairs, and neither House has an objection) (S. 1501) (Sept. 22, 1961)

ACT OF JULY 1, 1932, Pub. L. No. 72-240, 47 Stat. 564, amended by Pub. L. No. 97-375, § 208(a), 96 Stat. 1824, 25 U.S.C. § 386a (Secretary of the Interior is authorized to adjust or eliminate reimbursable charges of Government against individual Indians or Indian tribes and shall report adjustments or eliminations to Congress not later than 60 calendar days after end of fiscal year in which they are made; proceedings shall not be effective until approved by Congress unless Congress fails to act within 90 days thereon, favorably or unfavorably, by concurrent resolution) (H.R. 10884) (July 1, 1932)

EDUCATION AMENDMENTS OF 1978, Pub. L. No. 95-561, § 1138, 92 Stat. 2143, 2327, 25 U.S.C. § 2018 (Supp. V 1981) (regulations required under §§ 1126-1137 of Pub. L. No. 95-561, relating to BIA education functions, are deemed regulations of general applicability, which must be submitted for congressional review under 20 U.S.C. § 1232) (H.R. 15) (Nov. 1, 1978) (see also p. 25)

X.

TRANSPORTATION

REGIONAL RAIL REORGANIZATION ACT OF 1973, Pub. L. No. 93-236, 87 Stat. 985, § 208, 45 U.S.C. § 718 (Supp. V 1981) (final system plan adopted by the United States Railway Association and revisions may be disapproved within 60 days by a resolution of either House) (H.R. 9142) (Jan. 2, 1974)

N.B.: The time periods within which plans must be submitted suggest that plans can no longer be submitted under this provision, 45 U.S.C. § 717. Nevertheless technical changes were made in the congressional veto provision as recently as 1980. 45 U.S.C. § 718(a) (Supp. V 1981)

UNION STATION REDEVELOPMENT ACT OF 1981, Pub. L. No. 97-125, § 3, 95 Stat. 1667, 1670, 8 U.S.C. § 814(e) (Supp. V 1981) (no funds from the Northeast Corridor Improvement Project and other rail projects in excess of \$29 million shall be available for rehabilitation of Union Station if, within 90 days of continuous session after request for such excess funds, either the House Committee on Energy and Commerce or the Senate Committee on Commerce, Science, and Transportation disapproves the request) (S. 1192) (Dec. 29, 1981)

FEDERAL-AID HIGHWAY ACT OF 1976, Pub. L. No. 94-280, § 107(b)(2), 90 Stat. 425, 430-31, amending 23 U.S.C. § 104 (b)(5)(A) (requires Secretary of Transportation to transmit revised estimates of the cost of completing the then-designated Interstate [Highway] System ("Interstate Cost Estimates") on specified dates and transmit the same to the Senate and the House within ten days. Upon approval by Congress, the Secretary shall use the Federal share of the approved estimates for making apportionments for subsequent fiscal years. For estimates submitted in 1961 and before, § 104(h)(5)(A) provides "upon approval by the Congress by concurrent resolution;" for estimates submitted in 1965 and after, § 104(b)(5)(A) provides only "upon approval by the Congress") (H.R. 8235)

N.B.: Although the language does not compel the interpretation, this provision has been treated by DOT and Congress as permitting approval by concurrent resolution. Approvals have sometimes been done by concurrent resolution, and sometimes, if a highway bill is pending, by adding a provision to it. See, e.g., S. Con. Res. 62, Dec. 15, 1975, approving an interstate cost estimate for fiscal year 1977, and H. Con. Res. 282, July 21, 1977, which affirmatively revised the estimate for fiscal year 1979.

ENERGY POLICY AND CONSERVATION ACT, Pub. L. No. 94-163, § 301, 89 Stat. 871, 901, amending § 502 of the Motor Vehicle Information and Cost Savings Act, 15 U.S.C. § 2002(a)(4) & (5) (Secretary of Transportation may, by rule, amend the average fuel economy standard specified in § 2002(a)(1) for model year 1985 and subsequent model years; any such amendment which increases an average fuel economy standard to above 27.5 miles per gallon or below 26.0 miles per gallon shall not take effect if either House disapproves it) (S. 622) (Dec. 22, 1975)

REVISIONS OF TITLE 49, U.S.C.A., Pub. L. No. 97-449, § 334, 96 Stat. 2413, 2430, 49 U.S.C. § 334, which codifies § 145 of the Airline Deregulation Act of 1978, Pub. L. No. 95-504, § 45, 92 Stat. 1705, 1753, formerly 49 U.S.C. § 1341 note (S. 2493) (Secretary of Transportation may impose a charge for an approval, test, authorization, certificate, permit, registration, transfer or rating related to aviation that has not been approved by Congress only if the charge was in effect on Jan. 1, 1973 and it is not more than that charge) (H.R. 6993)

N.B.: Although the language does not require the interpretation, this provision has been treated in practice by DOT and Congress as permitting approval by concurrent resolution.

XI.

DISTRICT OF COLUMBIA

DISTRICT OF COLUMBIA SELF-GOVERNMENT AND GOVERNMENTAL REORGANIZATION ACT, Pub. L. No. 93-198, §§ 303, 602(c)(1) and (2), 87 Stat. 774, 784, 814 (District of Columbia Charter amendments ratified by electors must be approved by concurrent resolution) (acts of District of Columbia Council may be disapproved by concurrent resolution) (acts of District of Columbia Council under certain titles of D.C. Code may be disapproved by resolution of either House) (S. 1435) (Dec. 24, 1973)

DISTRICT OF COLUMBIA RETIREMENT REFORM ACT, Pub. L. No. 96-122, § 164, 93 Stat. 866, 891-92 (required reports to Congress on the District of Columbia retirement program may be rejected by resolution of either House) (S. 1037) (Nov. 17, 1979)

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION ACT OF 1972, Pub. L. No. 92-578, § 4(d), 86 Stat. 1266, 1269-70, 40 U.S.C. § 874(d) (Pennsylvania Avenue Development Corporation may not proceed with development plan if, within 60 days of transmittal to Congress, either House passes a resolution of disapproval) (H.R. 10751) (Oct. 27, 1972)

DWIGHT D. EISENHOWER MEMORIAL BICENTENNIAL CIVIC CENTER ACT, Pub. L. No. 92-520, § 3, 86 Stat. 1019, 1021, 40 U.S.C. § 616(d)(4) (District of Columbia may not enter into any purchase contract for construction of civic center until 30 days after approval by four committees of center's design and estimated cost) (S. 3943) (Oct. 21, 1972)

XII.

AGRICULTURE

FUTURES TRADING ACT OF 1978, Pub. L. No. 95-405, 92 Stat. 865, § 26, 7 U.S.C. § 16a (Supp. V 1981) (plan of fees developed by the Commodity Futures Trading Commission to cover the estimated cost of regulating transactions cannot be implemented until approved by the House and Senate Agriculture Committees) (S. 2391) (Sept. 30, 1978)

AGRICULTURE AND FOOD ACT OF 1981, Pub. L. No. 97-98, Title XV, § 1522, 95 Stat. 1213, 1336, 16 U.S.C. § 3443 (Supp. V 1981) (Secretary of Agriculture required to submit plans for testing feasibility of reducing excessive sedimentation in no more than five publicly owned reservoirs to the Senate Committee on Agriculture, Nutrition, and Forestry and the House Committee on Agriculture for approval prior to implementation) (S. 884) (Dec. 22, 1981)

TAFT ANTI-INFLATION LAW, Pub. L. No. 80-395, § 7, 61 Stat. 947, 50 U.S.C. app. § 1917 (Commodity Credit Corp. may carry out projects to stimulate production of food in non-European countries but program must be submitted to Congress and is subject to disapproval by concurrent resolution within 60 days) (S.J. Res. 167) (Dec. 30, 1947)

XIII.

RULEMAKING

DEPARTMENT OF EDUCATION ORGANIZATION ACT, Pub. L. No. 96-88, § 414(b), 93 Stat. 668, 685, 20 U.S.C. § 3474 (Supp. V 1981) (rules and regulations promulgated with respect to the various functions, programs and responsibilities transferred by this Act may be disapproved by concurrent resolution) (S. 210) (Oct. 17, 1979)

EDUCATION AMENDMENTS OF 1974, Pub. L. No. 93-380, § 509 88 Stat. 484, 567, amending the General Education Provisions Act, Pub. L. No. 90-247, § 431, formerly § 421, 81 Stat. 783 [H.R. 7819], as added Pub. L. No. 91-230, § 401(a)(10), 84 Stat. 121, 169 [H.R. 514], renumbered, Pub. L. No. 92-318, § 301(a)(1), 86 Stat. 235, 326 [S. 659]; amended by, Pub. L. No. 94-142, § 7, 89 Stat. 773, 796 [S. 6] (limiting application to final standards; adding provision that failure of Congress to disapprove shall not represent or be evidence of approval), and Pub. L. No. 94-482, § 405, 90 Stat. 2081, 2231 [S. 2657] (conforming amendment based upon new definition of "regulation"), and Pub. L. No. 96-374, § 1302, 94 Stat. 1367, 1497 [H.R. 5192] (congressional disapproval of final regulations "in whole or in part"), and Pub. L. No. 97-35, § 533(a)(3), 95 Stat. 357, 453 [H.R. 3982] (exempting regulations relating to family contribution schedules), 20 U.S.C. § 1232(d)(1) (Supp. V 1981) (Department of Education regulations must lie before Congress for 60 days and may be disapproved by concurrent resolution) (H.R. 69) (Aug. 21, 1974)

EDUCATION AMENDMENTS OF 1978, Pub. L. No. 95-561, §§ 1212, 1409, 92 Stat. 2143, 2341, 2369, 20 U.S.C. §§ 927, 1221-3(e) (Supp. V 1981) (rules and regulations proposed under the Act relating to procedures for educational agencies and institution to submit information and minimum allotment of funds to schools in the defense dependents' education system may be disapproved by concurrent resolution) (H.R. 15) (Nov. 1, 1978)

EDUCATION AMENDMENTS OF 1980, Pub. L. No. 96-374, § 451(a), 94 Stat. 1367, 1445, amended by Pub. L. No. 97-35, § 533(a), 95 Stat. 357, 453, 20 U.S.C. § 1089(a)(2) (Supp. V 1981) (schedule of expected family contributions to be used in determining a student's need for financial assistance, and any amendments thereto, shall be transmitted to Congress at the time of publication in the Federal Register (for 1982 and years thereafter, on April 1 for proposed rules and June 1 for amended rules), which shall be effective on July 1 of the following year unless disapproved by either House prior to July 15 of the year of publication. A new schedule, taking into consideration recommendations made in the resolution of disapproval, shall be published within 15 days of the resolution. If within 15 days of the submission of the revised schedule, either House disapproves, the Secretary shall publish another revised schedule within 15 days. This procedure is repeated until neither Houses adopts a resolution of disapproval.) (H.R. 5192) (Oct. 3, 1980) [Note special procedures for 1984-85 only, Pub. L. No. 97-301, 96 Stat. 1400]

STUDENT FINANCIAL ASSISTANCE TECHNICAL AMENDMENTS ACT OF 1983, Pub. L. No. 97-301, §§ 6, 9, 96 Stat. 1400, 1401, 1403, 20 U.S.C. §§ 1078, 1089 (Supp. V 1981) (separate schedule for family contribution for academic year 1984-85 as established by the Secretary of Education shall be effective unless disapproved by either House within 30 days. The statute provides a formula if no separate schedule is established. Separate schedule is also required for 1983-84 subject to veto provisions of 20 U.S.C. § 1089) (S. 2852) (Oct. 13, 1982)

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS, Pub. L. No. 93-443, §§ 408(c), 409, 88 Stat. 1263, 1301-02, 1303-4, amended by Pub. L. No. 94-283, § 304(a), (b), 90 Stat. 498, 26 U.S.C. §§ 9009(c), 9039(c) (Federal Election Commission rules and regulations governing presidential campaign funds may be disapproved by either House during 30-day review period) (FEC rules and regulations on presidential primary matching funds may be disapproved by either House during 30-day review period) (S. 3044) (Oct. 15, 1974)

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS OF 1979, Pub. L. No. 96-187, § 109, 93 Stat. 1339, 1364, 2 U.S.C. § 438(d)(2) (Supp. V 1981) (rules and regulations of the Federal Election Commission may be disapproved by resolution of either House) (H.R. 5010) (Jan. 8, 1980)

FEDERAL RULES OF EVIDENCE, Pub. L. No. 93-595, § 2, 88 Stat. 1926, 1948, 28 U.S.C. § 2076 (any amendments by Supreme Court to Federal Rules of Evidence must be laid before Congress 180 days and may be disapproved by resolution of either House; but amendments may take effect earlier only if Congress enacts a statute to that effect and Supreme Court may not put into effect a rule affecting evidentiary privilege without a statute affirmatively approving such a privilege rule (these last two provisions are not legislative vetoes)) (H.R. 5463)

AIRLINE DEREGULATION ACT OF 1978, Pub. L. No. 95-504, § 43(f)(3), 92 Stat. 1705, 1752, 49 U.S.C. § 1552(f) (Supp. V 1981)(Section 1552(a)(1) authorizes the Secretary of Labor to make monthly assistance payments to employees who are deprived of employment or adversely affected as to compensation in connection with the termination of the CAB and transfer of its functions. Section 1552(d)(1) creates a right of first hire for protected employees who are terminated by air carriers. Section 1552(f)(1) authorizes the Secretary to issue implementing rules and regulations. Section 1552(f)(3) provides that final rules under § 1552 shall not be issued until 30 legislative days after submission to the Senate Committee on Commerce, Science and Transportation and the House Committee on Public Works. The final rule will become effective 60 legislative days after submission unless either House adopts a resolution stating that it disapproves the rule) (S. 2493) (Oct. 24, 1978)

FEDERAL TRADE COMMISSION IMPROVEMENTS ACT OF 1980, Pub. L. No. 96-252, § 21(a), 94 Stat. 374, 393, 15 U.S.C. § 57a-1 (Supp. V 1981) (Federal Trade Commission rules may be disapproved by concurrent resolution) (H.R. 2313) (May 28, 1980) ✓

MULTIEMPLOYER PENSION PLAN AMENDMENTS ACT OF 1980, Pub. L. No. 96-364, § 102, 94 Stat. 1208, 1213, 29 U.S.C. § 1322(a) (Supp. V 1981) (every five years Pension Benefit Guaranty Corporation (PBGC) shall conduct study to determine premiums needed to maintain basic-benefit guarantee levels for multiemployer plans; if premium increase necessary, PBGC submits three revised schedules; Congress may approve either of two schedules by concurrent resolution and if it approves neither, then third alternative goes into effect two years after schedule was submitted to Congress; in addition, revised premium schedule proposed by PBGC for voluntary supplemental coverage may be disapproved by concurrent resolution) (H.R. 3904) (Sept. 26, 1980)

FARM CREDIT ACT AMENDMENTS OF 1980, Pub. L. No. 96-592, § 508, 94 Stat. 3437, 3449-50, 12 U.S.C. § 2121 (Supp. V 1981) (certain Farm Credit Administration regulations may be disapproved or delayed by resolution of either House) (S. 1465) (Dec. 24, 1980)

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT OF 1980, Pub. L. No. 96-510, § 305, 94 Stat. 2767, 2809, 42 U.S.C. § 9655 (Supp. V 1981) (any rule or regulation promulgated or repromulgated under title I of the Act, entitled "Hazardous Substances Releases, Liability Compensation," must be transmitted simultaneously to the Senate and the House. If a concurrent resolution is adopted within 90 days by both Houses, or if one House adopts such a resolution within 60 days and the other House has not disapproved it within 30 days, the regulation shall not become effective. There are further complications in § 9655(b). The Secretary of Transportation is given authority by § 108(3) of title I to issue regulations denying entry to ports and other places to vessels which fail to meet financial responsibility requirements under § 108(1). Section 108(5) of title I states that

evidence of financial responsibility for motor carriers covered by the Act shall be governed by § 30 of the Motor Carriers Act of 1980; therefore § 305 may also affect motor vehicles) (H.R. 7020) (Dec. 11, 1980)

NATIONAL HISTORIC PRESERVATION ACT AMENDMENTS OF 1980, Pub. L. No. 96-515, § 501, 94 Stat. 2987, 3004, 16 U.S.C. § 470w-6 (Supp. V 1981) (regulation proposed by the Secretary of the Interior may be disapproved by concurrent resolution) (H.R. 5496) (Dec. 12, 1980)

COASTAL ZONE MANAGEMENT IMPROVEMENT ACT OF 1980, Pub. L. No. 96-464, § 12, 94 Stat. 2060, 2067, 16 U.S.C. § 1463a (Supp. V 1981) (rules proposed by the Secretary of Commerce may be disapproved by concurrent resolution) (S. 2622) (Oct. 18, 1980)

FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE EXTENSION ACT, 1980, Pub. L. No. 96-539, § 4, 94 Stat. 3194, 3195, 7 U.S.C. § 136w (Supp. V 1981) (rules or regulations promulgated by the Administrator of the Environmental Protection Agency under the Federal Insecticide, Fungicide and Rodenticide Act may be disapproved by concurrent resolution) (H.R. 7018) (Dec. 17, 1980)

MOTOR VEHICLE AND SCHOOLBUS SAFETY AMENDMENTS OF 1974, Pub. L. No. 93-492, § 109, 88 Stat. 1470, 1482-83, 15 U.S.C. § 1410b(b)(3)(B) & (C) (forbids Secretary of Transportation from implementing any motor vehicle safety standard which is disapproved by concurrent resolution within 60 days of transmittal) (S. 355) (Oct. 27, 1974)

PRESIDENTIAL RECORDINGS AND MATERIALS PRESERVATION ACT, Pub. L. No. 93-526, § 104, 88 Stat. 1695, 1696-97, 44 U.S.C. § 2107 note (Administrator, within 90 days of enactment of Title, shall submit regulations governing public access to tape recordings and other materials; regulations are subject to disapproval resolution by either House; any change in regulations are subject to same veto procedures) (S. 4016) (Dec. 19, 1974)

AMENDMENT TO SOCIAL SECURITY ACT CHILD SUPPORT PROVISIONS, Pub. L. No. 94-88, § 208(d)(1), 89 Stat. 433, 436, 42 U.S.C. § 602 note (standards by Secretary of HEW for state plans relating to aid to families with dependent children shall require cooperation of recipient in establishing paternity and obtaining support payments unless the recipient has good cause, based upon best interests of the child on whose behalf aid is claimed, not to cooperate; proposed standards shall be effective 60 days after submission to Congress unless disapproved by either House) (H.R. 7710) (Aug. 9, 1975)

OMNIBUS BUDGET RECONCILIATION ACT OF 1981, CONSUMER PRODUCT SAFETY AMENDMENTS OF 1981, Pub. L. No. 97-35, §§ 1201(a), 1207, 95 Stat. 357, 718-20, 15 U.S.C. §§ 1204, 1276, 2083 (Supp. V 1981) (consumer product safety rule promulgated by Commission may not take effect if both Houses adopt concurrent resolution disapproving rule within 90 days or if one House within 60 days adopts concurrent resolution of disapproval and the other House does not disapprove within 30 days of transmittal; regulations promulgated by Commission under Federal Hazardous Substances Act and under Flammable Fabrics Act are subject to same concurrent resolution of disapproval procedures) (H.R. 3982) (Aug. 13, 1981)

EMERGENCY INTERIM CONSUMER PRODUCT SAFETY STANDARD ACT OF 1978, Pub. L. No. 95-319, § 3(a), 92 Stat. 386, 388, 15 U.S.C. § 2082(c)(2)(D)(iv) (Supp. V 1981) (Consumer Product Safety Commission's decision to postpone implementation of revisions to interim cellulose insulation safety standards may be overridden by negative vote of both appropriate House and Senate Committees) (S. 204) (July 11, 1978)

OMNIBUS BUDGET RECONCILIATION ACT OF 1981, RAIL PASSENGER SERVICE ACT, Pub. L. No. 97-35, §§ 1142, 1183(a), 95 Stat. 658-59, 695, 45 U.S.C. §§ 564(c)(3), 761, 767 (Supp. V 1981) (Secretary of Transportation may amend final proposal setting forth criteria under which National Railroad Passenger Corporation is authorized to add or discontinue routes and services by submitting to Congress draft amendments which shall take effect unless either House adopts a resolution of disapproval) (Secretary of Transportation required to submit a plan for sale of United States interest in common stock of Consolidated Rail Corporation

which shall be deemed approved after 60 days unless both Houses of Congress pass concurrent resolution of disapproval; if sale of Conrail en bloc is not feasible, Secretary may enter into freight transfer agreements which, 60 days after submission to Congress, shall be deemed approved unless either House passes a resolution of disapproval; Secretary has not yet submitted sale plan) (H.R. 3982) (Aug. 13, 1981)

OMNIBUS BUDGET RECONCILIATION ACT OF 1981, AMENDMENT TO HIGHWAY SAFETY PROGRAMS, Pub. L. No. 97-35, § 1107(d), 95 Stat. 626, 23 U.S.C. § 402(j) (Supp. V 1981) (Secretary of Transportation shall promulgate rule establishing programs determined most effective in reducing accidents and injuries; if either House of Congress disapproves by resolution, Secretary may not obligate funds to carry out this section for that or any subsequent fiscal year, unless specifically authorized to do so by statute) (H.R. 3982) (Aug. 13, 1981)

INTERNATIONAL NAVIGATIONAL RULES ACT OF 1977, Pub. L. No. 95-75, § 3(d), 91 Stat. 308, 33 U.S.C. § 1602(d) (Supp. V 1981) (proposed amendments to the International Regulations for Preventing Collisions at Sea may be disapproved by concurrent resolution) (H.R. 186) (July 7, 1977)

SOCIAL SECURITY AMENDMENTS OF 1977, Pub. L. No. 95-216, § 317(a), 91 Stat. 1509, 1539, 42 U.S.C. § 433(e)(2) (Supp. V 1981) (agreements to establish "totalization arrangements" between the U.S. Social Security system and analogous systems of foreign countries subject to disapproval by one-House veto within a 90-day period) (H.R. 9346) (Dec. 20, 1977)

HOUSING AND COMMUNITY DEVELOPMENT AMENDMENTS OF 1978, Pub. L. No. 95-557, § 324, 92 Stat. 2080, 2103, 42 U.S.C. § 3535(o) (Supp. V 1981) (all HUD rules and regulations are subject to a delay of up to 120 days if the appropriate committee reports out a resolution of disapproval) (S. 3084) (Oct. 31, 1978)

XIV.

APPROPRIATIONS ACTS

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1982, Pub. L. No. 97-88, §§ 302, 504, 95 Stat. 1135, 1146, 1149 (proposed transfers between appropriations for certain activities must be submitted to the House and Senate Appropriations Committees and the appropriate authorizing committees for approval) (no funds may be used to implement, administer or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with applicable law) (H.R. 4144) (Dec. 4, 1981)

N.B.: The Department of Justice has taken the position that provisions such as the restriction on use of funds to implement, administer or enforce regulations that have been disapproved is unconstitutional insofar as it would be invoked by the exercise of power purportedly granted by any legislative veto device, at least if the exercise occurs subsequent to the enactment of the bill. See, e.g., Letter to Chairman Mark O. Hatfield, Senate Committee on Appropriations, from Robert A. McConnell, Assistant Attorney General, Office of Legislative Affairs re H.R. 4169 (Oct. 27, 1981).

APPROPRIATIONS -- DEPARTMENT OF THE INTERIOR -- FISCAL YEAR 1982, Pub. L. No. 97-100, § 307, 95 Stat. 1391, 1416 (no funds may be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with applicable law; this provision is unconstitutional insofar as it purports to apply to regulations disapproved after enactment of the Act, see note supra) (H.R. 4035) (Dec. 23, 1981)

DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1983, Pub. L. No. 97-394, Title II, §§ 310, 312, 96 Stat. 1966, 1985, 1987, 1989 (appropriation structure for the Forest Service may not be altered without approval of the House and Senate Committees on Appropriations) (transfers of funds by the Forest Service pursuant to 7 U.S.C. § 2257 must be approved by House and Senate Committees on Appropriations) (Secretary of

Energy must submit certain contracts or agreements to the House and Senate Appropriations Committees 30 days prior to effective date; committees may waive all or portion of period) (Secretary of Energy must submit contract agreements for research and development at Bartlesville Energy Technology Center to House and Senate Appropriations Committees 30 days prior to effective date; committees may waive all or portion of period) (H.R. 7356) (Dec. 30, 1982)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT -- INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1982, Pub. L. No. 97-101, National Aeronautics and Space Administration Research and Development Appropriation, 95 Stat. 1417, 1426 (appropriations for certain activities may not be used beyond specified amounts without approval of Committees on Appropriations) (H.R. 4034) (Dec. 23, 1981)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT -- INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1983, Pub. L. No. 97-272, National Aeronautics and Space Administration Research and Development Appropriation, National Science Foundation Research and Related Activities Appropriation, 96 Stat. 1160, 1169, 1171 (appropriations for certain activities may not be used beyond specified amounts without approval of Committees on Appropriations; no funds may be used for a fifth space-shuttle orbiter without approval of Committees on Appropriations) (no funds to be used for advanced ocean drilling program, and no more than \$12 million for deep sea drilling project, without approval of Committees on Appropriations) (H.R. 6956) (Sept. 30, 1982)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT -- INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1983, Pub. L. No. 97-272, §§ 409, 413, 96 Stat. 1160, 1164, 1172, 1179 (no funds can be used by HUD to reorganize the Department without the prior approval of the appropriate committees; provision held to be unconstitutional in AFGE v. Pierce, No. 82-2372 (D.C. Cir. Dec. 8, 1982)) (Secretary of HUD and heads of agencies may provide funds to Neighborhood Reinvestment Corporation to implement Neighborhood Reinvestment Corporation Act, if approved by appropriate committees) (no

part of appropriation for personal compensation and benefits shall be reprogrammed without approval of House and Senate Appropriations Committees) (no part of appropriation shall be used to enforce a regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States; this provision is unconstitutional insofar as it purports to apply to regulations disapproved after enactment of Act, see note supra p. 31) (H.R. 6956) (Sept. 30, 1982)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT -- INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1984, Pub. L. No. 98-45, National Aeronautics and Space Administration Appropriation, ___ Stat. ___ (appropriations for certain activities may not be used beyond specified amounts without approval of Committees on Appropriations; NASA Administrator may authorize lease or construction of facility with approval of Committees on Appropriations) (H.R. 3133) (July 12, 1983)

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1983, Pub. L. No. 97-369, Salaries and Expenses appropriations for Office of the Secretary, fourth proviso of Operations appropriation for FAA, second proviso of Rail Service Assistant appropriation for FRA, § 319, 96 Stat. 1765, 1768, 1772-73, 1783 (none of the funds in this Act are available for sale of government-owned Conrail securities without the prior consent of the House and Senate Committees on Appropriations) (FAA shall not undertake any reorganization of its regional office structure without the prior approval of both House and Senate Appropriations Committees) (none of the funds in this Act shall be available for the sale of Washington Union Station without the prior approval of the House and Senate Committees on Appropriations) (none of the funds in this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States; this provision is unconstitutional insofar as it purports to apply to regulations disapproved after enactment of Act, see note supra p. 31) (H.R. 7019)

FOREIGN ASSISTANCE AND RELATED PROGRAMS APPROPRIATIONS ACT, 1982, Pub. L. No. 97-121, § 514, 95 Stat. 1647, 1651, 1655 (unnumbered section, 95 Stat. 1651, provides that no funds provided for the Special Requirements Fund shall be obligated without the prior written approval of the Appropriations Committees of both houses of Congress) (§ 514 provides that none of the funds made available by the Act may be obligated under an appropriation account to which they were not appropriated without the written prior approval of the Appropriations Committees of both Houses of Congress) (H.R. 4559)

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1983, Pub. L. No. 97-378, § 123, 96 Stat. 1925, 1933 (prohibits reprogramming of appropriated funds unless advance approval is sought pursuant to method set forth in H.R. Rep. No. 443, which accompanied 1980 Appropriations Act, Pub. L. No. 96-93, and which requires that all programming requests be submitted to the House and Senate Appropriations Committees for approval if the dollar amount exceeds \$50,000 annually or if the result of the proposal would entail an increase or decrease of 10 percent annually in the affected programs or projects. Both Committees must approve before reprogramming may take effect; if either Committee objects, reprogramming is denied) (H.R. 7144) (Dec. 22, 1982)

JOINT RESOLUTION MAKING CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 1982, Pub. L. No. 97-92, Title IV, § 109, 95 Stat. 1193 (reorganization of Bureau of Alcohol, Tobacco and Firearms after March 30, 1983 is subject to disapproval by appropriations committees) (H.R. Res. 370) (Dec. 15, 1981)

SUPPLEMENTAL APPROPRIATIONS ACT, 1982, Pub. L. No. 97-257, § 303, 96 Stat. 818, 873-74 (subjects presidential proposals to rescind, reserve, or defer funds available to maintain certain prescribed federal personnel levels to §§ 1012 and 1013 of the Impoundment Control Act of 1974, p. 8) (H.R. 6863) (passed over President's veto Sept. 10, 1982)

FURTHER CONTINUING APPROPRIATIONS ACT, 1983, Pub. L. No. 97-377, Title V, Title VII, §§ 101(b) & (f), 125, 96 Stat. 1830, 1846, 1868, 1906, 1907-08, 1913 (funds approved and available until September 30, 1984, for engineering development of a basing mode for the MX missile, or for testing of the MX missile, may not be obligated or expended until approved by concurrent resolution) (no funds can be used by the Department of Commerce to reimburse the working capital fund established pursuant to 15 U.S.C. § 1521 for any program, project, or activity which had not been performed as a central service, unless the House and Senate Appropriations Committees approve such use) (foreign assistance funds appropriated by 1982 Foreign Assistance and Related Agencies Appropriations Act for a specific purpose may not be reprogrammed without the prior approval of both Committees on Appropriations) (low income housing regulations on maximum development costs may not be implemented with appropriated funds unless certain provisions are waived by appropriate committees) (no appropriations or funds available under the Energy and Water Development Act, 1982, may be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 1982 without prior approval of the Committees on Appropriations) (approval by Appropriations Committees required for certain NASA contracts exceeding specified dollar amounts) (H.R. Res. 631) (Dec. 21, 1982)

XV.

MISCELLANEOUS

FULL EMPLOYMENT AND BALANCED GROWTH ACT OF 1978, Pub. L. No. 95-523, § 304(b); 92 Stat. 1887, 1906, 31 U.S.C. § 1322 (Supp. V 1981) (presidential timetable for reducing unemployment may be superseded by concurrent resolution) (H.R. 50) (Oct. 27, 1978)

OMNIBUS BUDGET RECONCILIATION ACT OF 1981, POST SECONDARY STUDENT ASSISTANCE AMENDMENTS OF 1981, Pub. L. No. 97-35, §§ 532d, 533, 95 Stat. 451-53, 20 U.S.C. §§ 1078, 1089 (Supp. V 1981) (Secretary shall submit annually a schedule of expected family contributions with respect to student loans under § 1078

and student assistance under § 1089 to each House; if either House adopts resolution of disapproval of schedule or amendments in whole or in part within three and 1/2 months of submission, Secretary shall publish new schedule within 15 days; procedure is repeated until neither House adopts resolution of disapproval (H.R. 3982) (Aug. 13, 1981).

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT, 1983, Pub. L. No. 97-324, 96 Stat. 1597, §§ 103, 104 (Committees on Appropriations may waive requirement that 30 days elapse before Administration takes certain actions after reporting to Congress) (H.R. 5890) (Oct. 15, 1982).

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT, 1984, Pub. L. No. 98- , Stat. , §§ 103, 104, 110 (Committees on Appropriations may waive requirement that 30 days elapse before Administrator takes certain actions after reporting to Congress) (H.R. 2065) (July 15, 1983)

ENACTMENT OF TITLE 44, UNITED STATES CODE, "PUBLIC PRINTING AND DOCUMENTS," Pub. L. No. 90-620, § 1, chap. 5, "Production and Procurement of Printing and Binding," 82 Stat. 1238, chap. 5, 44 U.S.C. §§ 501-17 (Joint Committee on Printing approves printing in field printing plants operated by Executive agencies, § 501) (Joint Committee approves non-GPO printing, binding, and blank-book work, § 502) (Joint Committee may permit GPO to authorize Executive agencies to purchase non-GPO printing, § 504) (Joint Committee establishes regulations for GPO to sell publication plates, § 505, as amended by Pub. L. No. 94-553, § 105(a)(1) (1976)) (Joint Committee fixes standards of paper, § 509) (Joint Committee determines minimum portions of each quality of paper, § 510) (Joint Committee awards paper and envelope contracts, § 511) (Joint Committee approves paper contracts, § 512) (Joint Committee may accept nonconforming paper at a discount, § 513) (Joint Committee resolves quality disputes between GPO and paper contractors, § 514) (GPO enters into new contracts "under direction of Joint Committee, § 515) (Joint Committee may authorize purchase of paper on open market, § 517) (H.R. 18612) (Oct. 22, 1968)

UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948, Pub. L. No. 80-402, 62 Stat. 6, § 1006, 22 U.S.C. § 1431 note (powers under this act relating to dissemination of information abroad by USIA may be terminated by concurrent resolution) (H.R. 3342) (Jan. 27, 1948)

APPENDIX A

LEGISLATIVE VETO STATUTES

INDEX BY PUBLIC LAW NUMBER

<u>Pub. L. No.</u>	<u>U.S.C. Cite</u>	<u>Popular Name</u>	<u>Page</u>
54 Stat. 4	22 U.S.C. § 441	Neutrality Act of 1939	2
72-240	25 U.S.C. § 386a	Act of July 1, 1932	21
79-649	10 U.S.C. § 7308, 7545	Disposal of Surplus Vessels and Other Naval Property	6
80-395	50 U.S.C. app. § 1917	Taft Anti-Inflation Law	24
80-402	22 U.S.C. § 1431 <u>note</u>	United States Infor- mation and Educational Exchange Act of 1948	36
81-60	50 U.S.C. § 502	Long Range Proving Ground for Guided Missiles, 1948	7
81-451	43 U.S.C. § 504	Act to expedite the rehabilitation of Federal reclamation projects	18
81-774	50 U.S.C. app. § 2166(b)	Defense Production Act of 1950	5
82-51	50 U.S.C. app. § 454(k)	Universal Military Training and Service Amendments of 1951	7

<u>Pub. L. No.</u>	<u>U.S.C. Cite</u>	<u>Popular Name</u>	<u>Page</u>
82-414	8 U.S.C. § 1254(c) & (d)	Immigration and Nationality Act of 1952	8
83-205	50 U.S.C. app. § 1941g	Rubber Producing Facilities Disposal Act of 1953	6
83-703 (amended by 85-479, 85-681, 93-485)	42 U.S.C. §§ 2071, 2091, 2153(c) & (d), 2204	Atomic Energy Act of 1954	13
84-575	43 U.S.C. § 505	Act to facilitate the construction of drainage works, etc.	18
85-79 (amended by 88-489)	42 U.S.C. § 2078	Atomic Energy Act Amendments of 1957	13
85-316	8 U.S.C. § 1255b(c)	Immigration and Nationality Act Amendments	8
85-599	10 U.S.C. § 125	Defense Reorganization Act of 1958	4
87-195	22 U.S.C. § 2367	Foreign Assistance Act of 1961	2

<u>Pub. L. No.</u>	<u>U.S.C. Cite</u>	<u>Popular Name</u>	<u>Page</u>
87-279	25 U.S.C. § 15	Government-Owned Utilities Used for Bureau of Indian Affairs	20
87-283	25 U.S.C. § 165	Restoration of Indian Tribes of Unclaimed Payments, 1961	20
87-297	22 U.S.C. § 2587(b)	Arms Control and Disarmament Act of 1961	2
87-639	16 U.S.C. § 1009	Amendment to Watershed Protection and Flood Prevention Act	18
87-794	19 U.S.C. § 1981(a)	Trade Expansion Act of 1962	8
88-489	42 U.S.C. § 2201	Atomic Energy Act Amendments of 1964	13
88-643	50 U.S.C. § 403 <u>note</u>	Central Intelligence Agency Retirement Act of 1964 for Certain Employees	16
90-206 (amended by 95-19)	2 U.S.C. § 359	Postal Revenue and Federal Salary Act of 1967	15
90-620	44 U.S.C. §§ 501-17	Enactment of title 44, U.S. Code, "Public Printing and Documents"	36

<u>Pub. L. No.</u>	<u>U.S.C. Cite</u>	<u>Popular Name</u>	<u>Page</u>
91-379	50 U.S.C. app. § 2168(h)(3)	Defense Production Act Amendments, 1970	5
91-656	5 U.S.C. § 5305	Federal Pay Compara- bility Act of 1970	15
92-520	40 U.S.C. § 616(d)(4)	Dwight D. Eisenhower Memorial Bicentennial Civic Center Act	23
92-578	40 U.S.C. § 874(d)	Pennsylvania Avenue Redevelopment Corpora- tion Act of 1972	23
93-134 (amended by 97-164, 97- 458)	25 U.S.C. §§ 1402(e), 1405	Indian Claims Judgment Funds Act	20
93-148	50 U.S.C. § 1544	War Powers Resolution	1
93-153	30 U.S.C. § 185(u)	Trans-Alaska Pipeline Authorization Act	9
93-155	50 U.S.C. § 1431, 50 U.S.C. app. §§ 468, 2092, 10 U.S.C. § 2307	Dept. of Defense Appropriation Authorization Act, 1974	4
93-197	25 U.S.C. § 903d(b)	Menominee Restoration Act	20

<u>Pub. L. No.</u>	<u>U.S.C. Cite</u>	<u>Popular Name</u>	<u>Page</u>
93-198	Uncodified	District of Columbia Self-Government and Governmental Reorganization Act	23
93-236	45 U.S.C. § 718	Regional Rail Reorganization Act of 1973	21
93-251	33 U.S.C. § 579	Water Resources Development Act of 1974	16
93-320	43 U.S.C. § 1598(a)	Imperial Dam Project Modifications -- Colorado River Basin Salinity Control Act	18
93-344	2 U.S.C. § 684	Congressional Budget and Impoundment Control Act of 1974	8
93-365	50 U.S.C. app. § 2403-1(c)	Export Administration Act, amended by Dept. of Defense Appropriation Authorization Act, 1975	2
93-377 (amended by 93-485)	42 U.S.C. §§ 2074(a)	Atomic Energy Act Amendments of 1974	14
93-378	16 U.S.C. § 1606	Forest and Rangeland Renewable Resources Planning Act of 1974	17
93-380 (amended by 94-142, 94-482, 96-374, 97-35)	20 U.S.C. §§ 1232(d)(1)	Education Amendments of 1974	24

<u>Pub. L. No.</u>	<u>U.S.C. Cite</u>	<u>Popular Name</u>	<u>Page</u>
93-435	48 U.S.C. § 1705(c)	Conveyance of Submerged Lands to Guam, Virgin Islands, and American Samoa	19
93-443, amended by 94-283	26 U.S.C. §§ 9009(c), 9039(c)	Federal Election Campaign Act Amendments	26
93-492	15 U.S.C. § 1410b(b)(3)(B) & (C)	Motor Vehicle and School-Bus Safety Amendments of 1974	28
93-526	44 U.S.C. § 2107 <u>note</u>	Presidential Recordings and Materials Preservation Act	28
93-577	42 U.S.C. § 5911	Federal Nonnuclear Energy Research and Development Act of 1974	9
93-595	28 U.S.C. § 2076	Federal Rules of Evidence	26
93-618	19 U.S.C. §§ 1303(e), 2253(c), 2412(b), 2432, 2434, 2435, 2437	Trade Act of 1974	9
93-646	12 U.S.C. § 635e	Export-Import Bank Amendments of 1974	9

<u>Pub. L. No.</u>	<u>U.S.C. Cite</u>	<u>Popular Name</u>	<u>Page</u>
94-88	42 U.S.C. § 602 <u>note</u>	Amendments to Social Security Act Child Support Provisions	29
94-110	22 U.S.C. § 2441 <u>note</u>	H.R. J. Res. 683	1
94-161	22 U.S.C. §§ 2151a 2151n	International Development and Food Assistance Act of 1975	2
94-163	42 U.S.C. §§ 6239(a) & (e), 6261(d)(2), 6261(b) & (d)(1), 15 U.S.C. § 2002(a)(4) & (5)	Energy Policy and Conservation Act, Motor Vehicle Information and Cost Savings Act	10,20
94-187	Uncodified	Energy Research and Development Administration Authorization Act	12
94-258	10 U.S.C. § 7422(c)(2)(C)	Naval Petroleum Reserves Production Act of 1976	10
94-280	23 U.S.C. § 104(b)(5)(A)	Federal Aid Highway Act of 1976	22
94-329	22 U.S.C. §§ 2304(c) (3), 2314(g)(4)(C), 2755(d), 2776(b)	International Security Assistance and Arms Control Act of 1976	3
94-412	50 U.S.C. § 1622	National Emergencies Act	1
94-578	16 U.S.C. § 251g	Olympic National Park-- Authority to accept land	19
94-579	43 U.S.C. §§ 1713(c), 1714(c)(1) & (1)(2)	Federal Land Policy and Management Act of 1976	17

<u>Pub. L. No.</u>	<u>U.S.C. Cite</u>	<u>Popular Name</u>	<u>Page</u>
95-75	33 U.S.C. § 1602(d)	International Navigational Rules Act of 1977	30
95-92	22 U.S.C. § 2753(d)(2)	International Security Assistance Act of 1977	3
95-216	42 U.S.C. § 433(e)(2)	Social Security Amendments of 1977	30
95-223	50 U.S.C. § 1706(b)	International Emergency Economic Powers Act	1
95-238	22 U.S.C. § 3224a, 42 U.S.C. § 5919(m)	Dept. of Energy Act of 1978 -- Civilian Applications	10
95-242	22 U.S.C. § 3223(f), 42 U.S.C. §§ 2153(c) & (d), 2155(b), 2157(b), 2158	Nuclear Non-Proliferation Act of 1978	14
95-319	15 U.S.C. § 2082(c)(2)(D)(iv)	Emergency Interim Consumer Product Safety Standard Act of 1978	29
95-372	43 U.S.C. §§ 1337(a)(4), 1354(c)	Outer Continental Shelf Lands Act Amendments of 1978	10
95-405	7 U.S.C. § 16a	Futures Trading Act of 1978	23
95-424	22 U.S.C. § 2385a(b)(2)	International Development and Food Assistance Act of 1978	16
95-454	5 U.S.C. § 3131 <u>note</u>	Civil Service Reform Act of 1978	16

<u>Pub. L. No.</u>	<u>U.S.C. Cite</u>	<u>Popular Name</u>	<u>Page</u>
95-504	49 U.S.C. § 1552(f)	Airline Deregulation Act of 1978	26
95-523	31 U.S.C. § 1322	Full Employment and Balanced Growth Act of 1978	35
95-557	42 U.S.C. § 3535(o)	Housing and Community Development Amendments of 1978	29
95-561	25 U.S.C. § 2018, 20 U.S.C. §§ 927, 1221-3(e)	Education Amendments of 1978	21,25
95-621	15 U.S.C. §§ 3332, 3342(c), 3346(d)(2), 3417	Natural Gas Policy Act of 1978	11
95-625	Uncodified	National Parks and Recreational Act of 1978	17
96-72	50 U.S.C. app. §§ 2406(d)(2)(B), 2406(g)(3)	Export Administration Act of 1979	9
96-88	20 U.S.C. § 3474	Dept. of Education Organization Act	24
96-122	Uncodified	District of Columbia Retirement Reform Act	23
96-151	38 U.S.C. § 219 <u>note</u>	Veterans' Health Program Extension and Improvements Act of 1979	7
96-164	Uncodified	Dept. of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980	12

<u>Pub. L. No.</u>	<u>U.S.C. Cite</u>	<u>Popular Name</u>	<u>Page</u>
96-187	2 U.S.C. § 438(d)(2)	Federal Election Campaign Act Amendments of 1979	26
96-252	15 U.S.C. § 57a-1	Federal Trade Commission Improvements Act of 1980	27
96-294	50 U.S.C. app. §§ 2091(e)(1)(B), 2095, 2096, 42 U.S.C. §§ 8722(d)(2) & (3), 8732(a)(3)(B), 8733(a)(3)(B), 8737, 8741(d), 8779, 6240	Energy Security Act, Defense Production Act Amendments of 1980 (title 50 U.S.C.), U.S. Synthetic Fuel Corporation Act of 1980 (title 42 U.S.C.) and <u>amending</u> Energy Policy and Conservation Act (42 U.S.C. § 6240)	6,11
96-332	16 U.S.C. § 1432(b)(2)	Marine Protection, Research, and Sanctuaries Act Amendments of 1980	17
96-342	10 U.S.C. § 520	Dept. of Defense Authorization Act, 1981	7
96-364	29 U.S.C. § 1322(a)	Multiemployer Pension Plan Amendments Act of 1980	27
96-374 (amended by 97-35)	20 U.S.C. § 1089(a)(2)	Education Amendments of 1980	25
96-464	16 U.S.C. § 1463a	Coastal Zone Management Improvements Act of 1980	28
96-487	43 U.S.C. § 1635(j)(5)	Alaskan National Interest Lands Conservation Act	19
96-510	42 U.S.C. § 9655	Comprehensive Environmental Response, Compensation and Liability Act of 1980	27
96-515	16 U.S.C. § 470w-6	National Historic Preservation Act Amendments of 1980	28

<u>Pub. L. No.</u>	<u>U.S.C. Cite</u>	<u>Popular Name</u>	<u>Page</u>
96-533	22 U.S.C. § 2776(c)(2)	International Development and Security Cooperation Act of 1980	3
96-539	7 U.S.C. § 136w	Federal Insecticide, Fungicide and Rodenticide Extension Act, 1980	28
96-540	Uncodified	Dept. of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1981	12
96-592	12 U.S.C. § 2121	Farm Credit Act Amendments of 1980	27
97-35	15 U.S.C. §§ 1204, 1276, 2083 20 U.S.C. §§ 1078, 1089, 23 U.S.C. § 402(j), 45 U.S.C. §§ 761, 767, 564(c)(3)	Omnibus Budget Reconciliation Act of 1981: Consumer Product Safety Amendments of 1981 (title 15 U.S.C.) Post Secondary Student Assistance Amendments of 1981 (title 20 U.S.C.) Amendment to Highway Safety Programs (title 23 U.S.C.) Rail Passenger Service Act (title 45 U.S.C.)	29,35
97-86	10 U.S.C. § 2382(b)	Dept. of Defense Authorization Act, 1982	4
97-88	Uncodified	Energy and Water Development Appropriations Act, 1982	31
97-90	Uncodified	Dept. of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1982	12

<u>Pub. L. No.</u>	<u>U.S.C. Cite</u>	<u>Popular Name</u>	<u>Page</u>
97-92	Uncodified	Joint resolution making continuing appropriations for fiscal year 1982	34
97-98	16 U.S.C. § 3443	Agriculture and Food Act of 1981	24
97-100	Uncodified	Appropriations - Dept. of Interior -- Fiscal Year 1982	31
97-101	Uncodified	Dept. of HUD -- Independent Agencies Appropriation Act, 1982	32
97-113	22 U.S.C. §§ 2429(b)(2), 2429a, 2753(d)(2)(B), 2796b	International Security and Development Cooperation Act of 1981	4
97-121	Uncodified	Foreign Assistance and Related Programs Appropriations Act, 1982	34
97-125	8 U.S.C. § 814(e)	Union Station Redevelopment Act of 1981	21
97-214	10 U.S.C. §§ 2676, 2803-07, 2854	Military Construction Codification Act	5
97-252	10 U.S.C. § 139b(e)(3)	Dept. of Defense Authorization Act, 1983	5
97-257	Uncodified	Supplemental Appropriations Act, 1982	34
97-272	Uncodified	Dept. of Housing and Urban Development - Independent Agencies Appropriation Act, 1983	32

<u>Pub. L. No.</u>	<u>U.S.C. Cite</u>	<u>Popular Name</u>	<u>Page</u>
97-301	20 U.S.C. §§ 1078, 1089	Student Financial Assistance Technical Amendments Act of 1983	25
97-324	Uncodified	National Aeronautics and Space Administration Authorization Act, 1983	36
97-369	Uncodified	Dept. of Transportation and Related Agencies Appropriations Act, 1983	33
97-377	Uncodified	Further Continuing Appropriations Act, 1983	35
97-378	Uncodified	District of Columbia Appropriations Act, 1983	34
97-394	Uncodified	Dept. of Interior and Related Agencies Appropriations Act, 1983	31
97-415	Uncodified	Nuclear Regulatory Commission Authorization Act, 1983	14
97-425	To be codified at 42 U.S.C. § 10222(a)(4)	Nuclear Waste Policy Act of 1982	15
97-449	49 U.S.C. § 334	Revisions of title 49, U.S.C.	22
98-	Uncodified	Dept. of Housing and Urban Development -- Independent Agencies Appropriation, 1984	36
98-45	Uncodified	National Aeronautics and Space Administration Authorization Act, 1984	33

APPENDIX B

LEGISLATIVE VETO STATUTES

INDEX BY U.S.C. CITATION

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
2	359	90-206, amended by 95-19	Postal Revenue and Federal Salary Act of 1967	15
	438(d)(2)	96-187	Federal Election Campaign Act Amendments of 1979	26
	684	93-344	Congressional Budget and Impoundment Control Act of 1974	8
5	3131 <u>note</u>	95-454	Civil Service Reform Act of 1978	16
	5305	91-656	Federal Pay Comparability Act of 1970	15
7	16a	95-405	Futures Trading Act of 1978	23
	136w	96-539	Federal Insecticide, Fungicide and Rodenticide Extension Act, 1980	28
8	814e	97-125	Union Station Redevelopment Act of 1981	21
	1254(c) & (d)	82-414	Immigration and Nationality Act Act of 1951	8
	1255b(c)	85-316	Immigration and Nationality Act Amendments	8
10	125	85-599	Defense Reorganization Act of 1958	4

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
	139b(e)(3)	97-252	Dept. of Defense Authorization Act, 1983	5
	520	96-342	Dept. of Defense Authorization Act, 1981	7
	2307	93-155	Dept. of Defense Appropriation Authorization Act, 1974	4
	2382(b)	97-86	Dept. of Defense Authorization Act, 1982	4
	2676	97-214	Military Construction Codification Act	5
(to be codified)	2803-07	97-214	" " "	5
	2854	97-214	" " "	5
	7308	79-649	Disposal of Surplus Vessels and Other Naval Property	6
	7422(c)(2) (C)	94-258	Naval Petroleum Reserves Produc- tion Act of 1976	10
	7545	76-649	Disposal of Surplus Vessels and other Naval Property	6
12	635e	93-646	Export-Import Bank Amendments of 1974	9
	2121	96-592	Farm Credit Act Amendments of 1980	27

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
15	57a-1	96-252	Federal Trade Commission Improve- ments Act of 1980	27
	1204	97-35	Omnibus Budget Reconciliation Act of 1981, Consumer Product Safety Amendments of 1981	29
	1276	97-35	Omnibus Budget Reconciliation Act of 1981, Consumer Product Safety Amendments of 1981	29
	1410b(b)(3) (B) & (C)	93-492	Motor Vehicle and Schoolbus Safety Amendments of 1974	28
	2002(a)(4) & (5)	94-163	Energy Policy and Conservation Act, Motor Vehicle Information and Cost Savings Act	22
	2082(c)(2) (D)(iv)	95-319	Emergency Interim Consumer Product Safety Standards Act of 1978	29
	2083	97-35	Omnibus Budget Reconciliation Act of 1981, Consumer Product Safety Amendments of 1981	29
	3332	95-621	Natural Gas Policy Act of 1978	11
	3342(c)	95-621	" " " "	11
	3346(d)(2)	95-621	" " " "	11
	3417	95-621	" " " "	11
16	251g	94-578	Olympic National Park -- authority to accept land	19

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
	470w-6	96-515	National Historic Preservation Act Amendments of 1980	28
	1009	87-639	Amendment to Watershed Protection and Flood Prevention Act	18
	1432(b)(2)	96-332	Marine Protection, Research and Sanctuaries Act Amendments of 1980	17
	1463a	96-464	Coastal Zone Management Improvements Act of 1980	28
	1606	93-378	Forest and Rangeland Renewable Resources Planning Act of 1974	17
	3443	97-98	Agriculture and Food Act of 1981	24
19	1303(e)	96-618	Trade Act of 1974	9
	1981(a)	87-794	Trade Expansion Act of 1962	8
	2253(c)	93-618	Trade Act of 1974	9
	2412(b)	93-618	" " " "	9
	2432	93-618	" " " "	9
	2434	93-618	" " " "	9
	2435	93-618	" " " "	9
	2437	93-618	" " " "	9

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
20	927	95-561	Education Amendments of 1978	25
	1078	97-35, amended by 97-301	Omnibus Budget Reconciliation Act of 1981, Post Secondary Student Assistance Amendments of 1981 Student Financial Assistance Technical Amendments Act of 1983	25,35
	1089(a)(2)	96-374, amended by 97-35, 97-301	Education Amendments of 1980	25,35
	1221-3(e)	95-561	Education Amendments of 1978	24
	1232(d)(1)	93-380, amended by 94-142 94-482 96-374 96-35	Education Amendments of 1978	25
	3474	96-88	Dept. of Education Organization Act	24
22	441	54 Stat. 4	Neutrality Act	2
	1431 <u>note</u>	80-402	United States Information and Educational Exchange Act of 1948	36
	2151a	94-161	International Development and Food Assistance Act of 1975	2
	2151n	94-161	" " "	2

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
	2304(c)(3)	94-329	International Security Assistance and Arms Control Act of 1976	3
	2314(g)(4) (C)	94-329	" " "	3
	2367	87-195	Foreign Assistance Act of 1961	2
	2385(b) (2)	95-424	International Development & Food Assistance Act of 1978	16
	2429(b)(2)	97-113	International Security and Develop- ment Cooperation Act of 1981	4
	2429a	97-113	" " "	4
	2441 <u>note</u>	94-110	H.R. J. Res. 683	1
	2587(b)	87-297	Arms Control and Disarmament Act of 1961	2
	2753(d)(2)	95-92	International Security Assistance Act of 1977	3
	2753(d)(2) (B)	97-113	International Security and Develop- ment Cooperation Act of 1981	4
	2755(d)	94-329	International Security Assistance and Arms Control Act of 1976	3
	2776(b)	94-329	" " "	3
	2776(c)(2)	96-533	International Development and Security Cooperation Act of 1980	3

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
	2796b	97-113	International Security and Development Corporation Act of 1981	4
	3223(f)	95-242	Nuclear Non-Proliferation Act Act of 1978	14
	3224a	95-238	Dept. of Energy Act of 1978-- Civilian Applications	10
23	104(b)(5) (A)	94-280	Federal Aid Highway Act of 1976	22
	402(j)	97-35	Omnibus Budget Reconciliation Act of 1981, Amendment to Highway Safety Programs	30
25	15	87-279	Government-Owned Utilities Used for Bureau of Indian Affairs	20
	165	87-283	Restoration of Indian Tribes of Unclaimed Payments, 1961	20
	386a	72-240	Act of July 1, 1932	21
	903d(b)	93-197	Menominee Restoration Act	20
	1402(e)	93-134, amended by 97-164, 97-458	Indian Claims Judgment Funds Act	20
	1405	93-134, amended by 97-164, 97-458	Indian Claims Judgment Funds Act	20

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
	2018	95-561	Education Amendments of 1978	21
26	9009(c)	93-443, amended by 94-283	Federal Election Campaign Act Amendments	26
	9039(c)	93-443, amended by 94-283	" " " "	26
28	2076	93-595	Federal Rules of Evidence	26
29	1322(a)	96-364	Multiemployer Pension Plan Amendments of 1980	27
30	185(u)	93-153	Trans-Alaska Pipeline Authoriza- tion Act	9
31	1322	95-523	Full Employment and Balanced Growth Act of 1978	35
33	579	93-251	Water Resources Development Act of 1974	16
	1602(d)	95-75	International Navigational Rules Act of 1977	30
38	219 <u>note</u>	96-151	Veterans' Health Program Exten- sion and Improvements Act of 1979	7
40	616(d)(4)	92-520	Dwight D. Eisenhower Memorial Bicentennial Civic Center Act	27

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
	874(d)	92-578	Pennsylvania Avenue Redevelopment Corporation Act of 1972	27
42	433(e)(2)	95-216	Social Security Amendments of 1977	30
	602 <u>note</u>	94-88	Amendments to Social Security Act Child Support Provisions	29
	2071	83-703, amended by 85-479 85-681 93-485	Atomic Energy Act of 1954	13
	2074(a)	93-377, amended by 93-485	Atomic Energy Act Amendments of 1974	14
	2078	85-79, amended by 88-489	Atomic Energy Act Amendments of 1957	13
	2091	83-703, amended by 85-479, 85-681, 93-485	Atomic Energy Act of 1954	13
	2153(c) & (d)	83-703, amended by 85-479, 85-681, 93-485, 95-242	" " " "	13

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
	2155(b)	95-242	Nuclear Non-Proliferation Act of 1978	14
	2157(b)	95-242	" " " "	14
	2158	95-242	" " " "	14
	2160(f)	95-242	" " " "	14
	2201	88-489	Atomic Energy Act Amendments of 1964	13
	2204	83-703, amended by 85-479, 85-681, 93-485	Atomic Energy Act of 1954	13
	3535(o)	95-557	Housing and Community Develop- ment Amendments of 1978	30
	5911	93-577	Federal Nonnuclear Energy Research and Development Act of 1974	9
	5919(m)	95-238	Dept. of Energy Act of 1978-- Civilian Applications	10
	6239(a) & (e)	94-163	Energy Policy and Conservation Act	10

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
	6240	96-294	Energy Security Act, <u>amending</u> Energy Policy and Conservation Act	
	6261(b) & (d)	94-163	Energy Policy and Conservation Act	10
	8722(d)(2) & (3)	96-294	Energy Security Act, U.S. Synthe- tic Fuel Act of 1980	11
	8732(a)(3) (B)	96-294	" " "	11
	8733(a)(3) (B)	96-294	" " "	11
	8737	96-294	" " "	11
	8741(d)	96-294	" " "	11
	8779	96-294	" " "	
	9655	96-510	Comprehensive Environmental Response, Compensation and Liability Act of 1980	27
(to be codified)	10222(a) (4)	97-425	Nuclear Waste Policy Act of 1982	15

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
43	504	81-451	Act to expedite the rehabilitation of Federal reclamation projects	18
	505	84-575	Act to facilitate the construction of drainage works, etc.	18
	1337(a)(4)	95-372	Outer Continental Shelf Lands Act Amendments of 1978	10
	1354(c)	95-372	" " " "	10
	1598(a)	93-320	Imperial Dam Project Modifications--Colorado River Basin Salinity Control Act	18
	1635(j)(5)	96-487	Alaska National Interest Lands Conservation Act	19
	1713(c)	94-579	Federal Land Policy and Management Act of 1976	17
	1714(c)(1) & (1)(2)	94-579	" " " "	17
44	501-517	90-620	Enactment of title 44, U.S. Code, "Public Printing and Documents"	36
	2107 <u>note</u>	93-526	Presidential Recordings and Materials Preservation Act	28
45	564(c)(3)	97-35	Omnibus Budget Reconciliation Act of 1981, Rail Passenger Service Act	29

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
	718	93-236	Regional Rail Reorganization Act of 1973	21
	761	97-35	Omnibus Budget Reconciliation Act of 1981, Rail Passenger Service Act	29
	767	97-35	" " "	29
48	1705(c)	93-435	Conveyance of submerged lands to Guam, Virgin Islands, and American Samoa	19
49	334	97-449	Revisions of Title 49, U.S.C.	22
	1552(f)	95-504	Airline Deregulation Act of 1978	26
50	403 <u>note</u>	88-643	Central Intelligence Agency Retirement Act of 1984 for Certain Employees	15
	502	81-60	Long-Range Proving Grounds for Guided Missiles, 1948	7
	1431	93-155	Dept. of Defense Appropriation Authorization Act, of 1974	4
	1544	93-148	War Powers Resolution	1
	1622	94-412	National Emergencies Act	1

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
	1706(b)	95-223	International Emergency Economic Powers Act	1
50 app.	454(k)	82-51	Universal Military Training and Service Amendments of 1981	7
	468	93-155	Dept. of Defense Appropriation Authorization Act, 1974	4
	1917	80-395	Taft Anti-Inflation Law	24
	1941g	83-205	Rubber Producing Facilities Disposal Act of 1953	6
	2091(e) (1)(B)	96-294	Energy Security Act, Defense Production Act Amendments of 1980	6
	2092	93-155	Dept. of Defense Appropriation Authorization Act, 1974	4
	2095	96-294	Energy Security Act, Defense Production Act Amendments of 1980	6
	2096	96-294	" " " "	6
	2166(b)	81-774	Defense Production Act of 1950	5
	2168(h)(3)	91-379	Defense Production Act Amendments, 1970	5
	2403-1(c)	93-365	Export Administration Act, amended by Dept. of Defense Appropriation Authorization Act, 1975	2

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
	2406(d)(2) (B)	96-72	Export Administration Act of 1979	9
	2406(g)(3)	96-72	" " " "	9
		93-198	District of Columbia Self- Government and Governmental Reorganization Act	23
		94-187	Energy Research and Development Administration Authorization Act	12
		95-625	National Parks and Recreational Act of 1978	17
		96-122	District of Columbia Retirement Reform Act	23
		96-164	Dept. of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980	12
		96-540	Dept. of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1981	12
		97-88	Energy & Water Development Appropriations Act, 1982	31
		97-90	Dept. of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1982	12

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
		97-92	Joint resolution making continuing appropriations for fiscal year 1982	34
		97-100	Appropriations--Dept. of Interior--Fiscal Year 1982	31
		97-101	Dept. of HUD--Independent Agencies Appropriations Act, 1982	32
		97-121	Foreign Assistance and Related Programs Appropriations Act, 1983	34
		97-257	Supplemental Appropriations Act, 1982	34
		97-272	Dept. of Housing and Urban Development -- Independent Agencies Appropriation Act, 1983	32
		97-324	National Aeronautics & Space Administration Authorization Act, 1983	36
		97-369	Dept. of Transportation and Related Agencies Appropriations Act, 1983	33

<u>Title</u>	<u>Section</u>	<u>Pub. L. No.</u>	<u>Popular Name</u>	<u>Page</u>
		97-377	Further Continuing Appropriations Act, 1983	35
		97-378	District of Columbia Appropriations Act, 1983	34
		97-394	Dept. of Interior and Related Agencies Appropriations Act, 1983	31
		97-415	Nuclear Regulatory Commission Authorization Act, 1983	14
		98-	Dept. of Housing and Urban Development -- Independent Agencies Appropriations Act, 1984	36
		98-45	National Aeronautics and Space Administration Authorization Act, 1974	33