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APPROVED
JAN 2-1975

ACTION

THE WHITE HOUSE
WASHINGTON

Last Day: January 4

December 31, 1974

Posted 1/3
To Archie
1/3

MEMORANDUM FOR THE PRESIDENT
FROM: KEN COLE
SUBJECT: Enrolled Resolution S.J. Res. 133
Indian Policy Review Commission

Attached for your consideration is S.J. Res. 133, sponsored by Senator Abourezk, which establishes an 11-member commission to study Federal Indian policies. The Commission would be composed of three senators, three congressmen and five Indian representatives. \$2.5 million would be authorized for the lifetime of the Commission.

OMB recommends approval and provides additional background information in its enrolled bill report (Tab A).

Max Friedersdorf (Loen) and Phil Areeda both recommend approval.

RECOMMENDATION

That you sign S.J. Resolution 133 (Tab B).





EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

DEC 28 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Resolution S.J.Res. 133 - Indian Policy
Review Commission
Sponsor - Sen. Abourezk (D) South Dakota

Last Day for Action

January 4, 1975 - Saturday

Purpose

Establishes a commission to study Federal Indian policies.

Agency Recommendations

Office of Management and Budget	Approval
Civil Service Commission	Approval
Department of the Interior	No objection
Department of Justice	No objection
Department of Health, Education and Welfare	Defers to Interior

Discussion

Finding that Federal Indian policies are "without apparent rational design and without a consistent goal to achieve Indian self-sufficiency," S.J.Res. 133 declares it to be "timely and essential to conduct a comprehensive review" of those policies. For that purpose, the resolution would establish a commission composed of eleven members -- three Senators, three Representatives, and five Indians who represent various sectors of the Indian community.



The Commission's scope would include such matters as a management study of the Bureau of Indian Affairs, an examination of the procedures for granting Federal recognition, and a study of "alternative elective bodies which could fully represent Indians at the national level." The Commission could hold hearings and subpoena witnesses and documents.

Task forces would be appointed to study nine specified areas of Indian affairs, such as health, education, and tribal government. \$2.5 million would be authorized for the lifetime of the Commission, which would cease to exist 6 months after it compiled the task force reports into one final report, but no later than June 30, 1977.

In its testimony, Interior suggested that the Commission be created by concurrent resolution rather than by joint resolution since it would be a creature of the Congress and thus a matter for the Congress itself to determine. While we agree that a concurrent resolution would have been more appropriate, we recommend approval of S.J.Res. 133.

Walter H. Rummel

Assistant Director for
Legislative Reference

Enclosures



Department of Justice
Washington, D.C. 20530

DEC 23 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D.C. 20503

Dear Mr. Ash:

In compliance with your request, I have examined a facsimile of the enrolled joint resolution, S.J. Res. 133, "to provide for the establishment of the American Indian Policy Review Commission".

This joint resolution would establish a commission composed of eleven members -- three members of the Senate, three members of the House of Representatives, and five Indian members to be appointed by those members of the Congress. The Commission would be charged with reviewing all of the treaties, statutes, judicial decisions, and executive orders, as well as the Constitution itself, to determine the legal-historical basis for the unique relationship that Indian people maintain with the Federal government. It would also review past policies, practices, and governmental structures, and assess their efficiency and effectiveness with a view toward improving their mission of providing services and protecting natural resources. In addition, the Commission is authorized to explore such areas as the granting of Federal recognition to Indian tribes and communities, the strengthening of tribal governments, and to conduct a management study of the Bureau of Indian Affairs. The Commission is required to submit recommendations to the Congress concerning Federal Indian policy following its study and evaluation of the subject matter described above. The tasks of the Commission appear to be well within the authority currently enjoyed by the Congressional Committees on Interior and Insular Affairs. Thus, the Commission would be entirely a creature of the Congress and S.J. Res. 133 is a matter for the Congress to determine for itself.

The Department of Justice has no objection to the Executive approval of this joint resolution.

Sincerely,


W. Vincent Rakestraw
Assistant Attorney General



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

DEC 27 1974

Dear Mr. Ash:

This responds to your request for our views on the enrolled bill S.J. Res. 133, "To provide for the establishment of the American Indian Policy Review Commission."

We have no objection to the President's approving this enrolled bill.

As enrolled, S.J. Res, 133 creates a National Indian Policy Review Commission. The Commission would be composed of 11 members, three from the Senate, three from the House, and five Indians to be appointed by the Commission's Congressional members. Three of the Indian members shall be selected from the Indian tribes that are recognized by the Federal Government, one Indian member shall be selected to represent urban Indians, and one Indian member shall be selected from an Indian group not recognized by the Federal Government.

Under section 2 of S.J. Res 133, it shall be the duty of the Commission to make a comprehensive investigation and study of Indian affairs. The scope of such duty shall include, but shall not be limited to, seven enumerated areas:

(1) a study and analysis of the Constitution, treaties, statutes, judicial interpretations, and Executive orders to determine the attributes of the unique relationship between the Federal Government and Indian tribes and the land and other resources they possess;

(2) a review of the policies, practices, and structure of the Federal agencies charged with protecting Indian resources and providing services to Indians, provided, that such review shall include a management study of the Bureau of Indian Affairs utilizing experts from the public and private sector;

(3) an examination of the statutes and procedures for granting Federal recognition and extending services to Indian communities and individuals;



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(4) the collection and compilation of data necessary to understand the extent of Indian needs which presently exist or will exist in the near future;

(5) an exploration of the feasibility of alternative elective bodies which could fully represent Indians at the national level of Government to provide Indians with maximum participation in policy formation and program development;

(6) a consideration of alternative methods to strengthen tribal government so that the tribes might fully represent their members and, at the same time, guarantee the fundamental rights of individual Indians; and

(7) the recommendation of such modification of existing laws, procedures, regulations, policies, and practices as will, in the judgment of the Commission, best serve to carry out the policy and declaration of purposes as set out above.

Section 3 sets out the powers of the Commission. Among such powers, the Commission may sit and act to carry out the purposes of this bill, it may require by subpoena the attendance of witnesses and the production of documents, and it may secure from the executive branch of the Government any information it deems necessary, except confidential material.

Section 4 directs the Commission to appoint investigating task forces of three members each, a majority of each task force to be composed of Indian members. These task forces shall carry out the initial fact-gathering functions for the Commission. The nine specific areas into which the task forces shall make the preliminary investigations will include, but will not be limited to:

(1) trust responsibility and Federal-Indian relationship, including treaty review;

(2) tribal government;

(3) Federal administration and structure of Indian affairs;

- (4) Federal, State, and tribal jurisdiction;
- (5) Indian education;
- (6) Indian health;
- (7) reservation development;
- (8) urban, rural nonreservation, terminated, and nonfederally recognized Indians; and
- (9) Indian law revision, consolidation, and codification.

Each task force shall, within one year from the date of its membership appointment, file a final report plus recommendations thereon, with the Commission. Before the final report is due, each task force shall make quarterly progress reports on its activities to the Commission.


Under section 5, the Commission has six months after receipt of the reports of the task forces to submit its final report with recommendations thereon to the President of the Senate and to the Speaker of the House of Representatives. The Commission shall cease to exist six months after the submission of its final report, but not later than June 30, 1977. Section 5 also provides that the Commission's legislative recommendations shall be referred by the President of the Senate and the Speaker of the House of Representatives to the appropriate Houses, and these Committees are directed to report thereon to their respective House within two years thereafter.

Under section 6 the Commission may appoint a Director, General Counsel and small staff. Section 7 authorizes \$2,500,000 for the expenses of the Commission.

We have no objection to the President's approving this enrolled bill. It is a clear prerogative of the Congress to establish any commission or committee that it so desires. We would emphasize, however, that we hope that the Commission will support the Administration's Indian policy.

First we feel that termination is an unacceptable method of dealing with American Indians. Second, the President's Indian legislative recommendations, many portions of which have been recently enacted by the Congress, are vital to the improvement of the situation of American Indians. Third, the philosophy of Indian self-determination requires that Indians be thoroughly consulted concerning the establishment of a commission or other mechanism (for example, task forces) to reassess Federal Indian policy. We strongly recommend that any Congressional effort to review Indian policy not weaken the Federal commitment to any of these three elements.

Sincerely yours,


Under Secretary of the Interior

Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C. 20503



UNITED STATES CIVIL SERVICE COMMISSION

WASHINGTON, D.C. 20415

December 24, 1974

CHAIRMAN

Honorable Roy L. Ash
Director
Office of Management and Budget

Attention: Assistant Director for
Legislative Reference

Dear Mr. Ash:

This is in response to your request for the views and recommendation of the Civil Service Commission on enrolled S. J. Res. 133, "To provide for the establishment of the American Indian Policy Review Commission."

The resolution provides for

- the establishment of a thirteen member commission composed of three Senators, three Representatives, and five Indian members;
- a management review of the Bureau of Indian Affairs;
- the establishment of investigative task forces; and
- a small staff of six people to provide support.

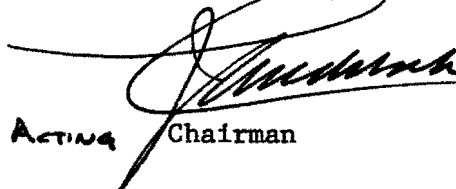
The Indian members, the task force members, and the Commission staff would be paid salary rates that are related to certain employees of the United States Senate.

The Civil Service Commission has no basis for objecting to the resolution. The American Indian Policy Review Commission would be entirely a creature of the Congress and accordingly, the provisions of the resolution are a matter for the Congress itself.

From the standpoint of the Federal personnel policy, we recommend that the President sign the resolution.

By direction of the Commission:

Sincerely yours,


Acting Chairman





DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

DEC 24 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D. C. 20503

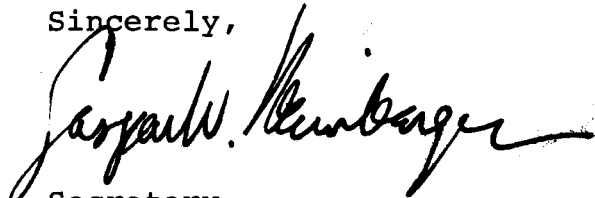
Dear Mr. Ash:

This is in response to Mr. Rommel's request for a report on S. J. Res. 133, an enrolled joint resolution "To provide for the establishment of the American Indian Policy Review Commission."

The resolution would establish an American Indian Policy Review Commission composed of three members of the Senate, three members of the House of Representatives, and five Indian members, for the purpose of undertaking a comprehensive study of Indian affairs. The area of Indian health would be among those studied.

Although, from the standpoint of the Department's programmatic interests, we see no basis for objecting to what is essentially a Congressional inquiry, we nevertheless defer on the question of the bill's desirability to the Department of the Interior.

Sincerely,



Secretary

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503



To
H. Andriano
12-28-74

DEC 28 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Resolution S.J.Res. 133 - Indian Policy
Review Commission
Sponsor - Sen. Abourezk (D) South Dakota

Last Day for Action

January 4, 1975 - Saturday

Purpose

Establishes a commission to study Federal Indian policies.

Agency Recommendations

Office of Management and Budget

Approval

Civil Service Commission

Approval

Department of the Interior

No objection

Department of Justice

No objection

Department of Health, Education
and Welfare

Defers to Interior

Discussion

Finding that Federal Indian policies are "without apparent rational design and without a consistent goal to achieve Indian self-sufficiency," S.J.Res. 133 declares it to be "timely and essential to conduct a comprehensive review" of those policies. For that purpose, the resolution would establish a commission composed of eleven members -- three Senators, three Representatives, and five Indians who represent various sectors of the Indian community.

The Commission's scope would include such matters as a management study of the Bureau of Indian Affairs, an examination of the procedures for granting Federal recognition, and a study of "alternative elective bodies which could fully represent Indians at the national level." The Commission could hold hearings and subpoena witnesses and documents.

Task forces would be appointed to study nine specified areas of Indian affairs, such as health, education, and tribal government. \$2.5 million would be authorized for the lifetime of the Commission, which would cease to exist 6 months after it compiled the task force reports into one final report, but no later than June 30, 1977.

In its testimony, Interior suggested that the Commission be created by concurrent resolution rather than by joint resolution since it would be a creature of the Congress and thus a matter for the Congress itself to determine. While we agree that a concurrent resolution would have been more appropriate, we recommend approval of S.J.Res. 133.

(signed) Wilfred H. Foulger

Assistant Director for
Legislative Reference

Enclosures

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR: WARREN HENDRIKS
FROM: *Max L. Friedersdorf* MAX L. FRIEDERSDORF
SUBJECT: Action Memorandum - Log No. 892
Enrolled Resolution S. J. Res. 133

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment

THE WHITE HOUSE

WASHINGTON

LOG NO. 892

ACTION MEMORANDUM

Date: December 28, 1974

Time: 7:00 p.m.

FOR ACTION: Geoff Shepard *defu*
Norm Ross *oh*
Max Friedersdorf *oh*
Phil Areeda *no obj*

cc (for information):

Warren Hendriks
Jerry Jones
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30

Time: 1:00 p.m.

SUBJECT:

Enrolled ~~Bill~~ Resolution S.J. Res. 133 - Indian Policy
Review Commission

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

Date: December 28, 1974

Time: 7:00 p.m.

FOR ACTION: Geoff Shepard
Norm Ross
Max Friedersdorf
Phil Areeda

cc (for information): Warren Hendriks
Jerry Jones
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30

Time: 1:00 p.m.

SUBJECT:

Enrolled Resolution S.J. Res. 133 - Indian Policy
Review Commission

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

OK Mike Parks



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President

9

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 892

Date: December 28, 1974

Time: 7:00 p.m.

FOR ACTION: Geoff Shepard
Norm Ross
Max Friedersdorf
Phil Areeda

cc (for information): Warren Hendriks
Jerry Jones
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30

Time: 1:00 p.m.

SUBJECT:

Enrolled Resolution S.J. Res. 133 - Indian Policy
Review Commission

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*Defer to Ross
H.C.S.*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President

Date: December 28, 1974

Time: 7:00 p.m.

FOR ACTION: Geoff Shepard
Norm Ross
Max Friedersdorf
Phil Areeda

cc (for information): Warren Hendriks
Jerry Jones
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30

Time: 1:00 p.m.

SUBJECT:

Enrolled Resolution S.J. Res. 133 - Indian Policy
Review Commission

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*No objection
P. Areeda NC*



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President

PROVIDING FOR THE ESTABLISHMENT OF THE AMERICAN INDIAN POLICY REVIEW COMMISSION

OCTOBER 3, 1974.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HALEY, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.J. Res. 1117]

The Committee on Interior and Insular Affairs, to whom was referred the joint resolution (H.J. Res. 1117) to provide for the establishment of the American Indian Policy Review Commission, having considered the same, report favorably thereon without amendment and recommend that the joint resolution do pass.

PURPOSE

The purpose of the bill, introduced by Mr. Meeds for himself, Mr. Regula, Mr. Lujan, Mr. Fraser, Mr. de Lugo, Mr. Jones of Oklahoma, and Mr. Don H. Clausen, is to create a congressional commission with Indian membership to conduct a comprehensive survey and review of the field of Indian affairs.

BACKGROUND

There exists between the United States and the Indian tribes within its boundaries a unique relationship for which there is no exact counterpart in the history of international law. It is a relationship which has its roots in the European exploration and settlement of the North American continent. It is a relationship which is firmly based in the Constitution and which has been erratically clarified or confused by treaties, statutes, court decisions, and administrative policies and regulations over the years.

The Federal policy implementing this relationship has shifted and changed with changing administrations and passing years. These policies have included peace-making diplomacy; armed conflict; tribal removal; subjugation; extermination; concentration; assimilation; termination; and self-determination—not necessarily in that order.

Laws were piled upon laws without regard to the effect of the one upon the other. Programs have been begun, terminated, replaced, and re-instituted without apparent rational design.

In short, there exists a unique relationship between the United States and Indian tribes which has never admitted of an exact definition and which has never been implemented by a coherent, consistent policy.

Two major studies of Indian affairs were conducted during this century, primarily directed at the operations of the Bureau of Indian Affairs rather than at the totality of the relationship. In 1926, the Department of the Interior invited the Institute for Government Research to make a survey of the social and economic conditions of the Indians. In 1928, the Institute made a comprehensive report, known as the Meriam Report (Meriam, Problem of Indian Administration, 1928). The illumination of this report was basically responsible for the major reforms in Indian affairs in the early 1930's, including the Indian Reorganization Act of 1934.

In the 82d Congress, the Committee on Interior and Insular Affairs submitted to the House, Resolution 698 which passed the House on July 1, 1952. The resolution directed and authorized the Committee to make a full and complete investigation and study of the activities and operations of the Bureau of Indian Affairs. On December 15, 1952, the Committee submitted its report to the House (House Report No. 2503). The conclusions of this report resulted in the termination policies of the 1950's which have since been repudiated by the 93d Congress by passage of the Menominee Restoration Act of 1973.

The end result has been that the Federal programs to benefit Indians and the many dollars poured into them have been a comparative failure in eliminating the basic Indian problems and placing Indian tribes and people on the road to self-sufficiency.

It is admitted that a trust relationship exists and that the United States owes a trust responsibility to Indian tribes, but that responsibility has never been precisely defined. It is admitted that Indians and Indian tribes have certain rights, but the morass of conflicting or duplicating laws make it nearly impossible to render the necessary protection, and they often remain ignored. It is admitted that Indians are at the bottom of the ladder economically, socially, educationally, and medically, but the proliferation and duplication of policies and programs have resulted in only limited success in changing their status.

EXPLANATION

House Joint Resolution 1117 provides for the creation of an American Indian Policy Review Commission to be composed of three members of the Senate to be appointed by the President Pro Tempore of the Senate, with two from the majority and one from the minority; three members of the House of Representatives, to be appointed by the Speaker, with two from the majority and one from the minority; and five Indian members from the Indian community to be selected by the congressional members.

The bill provides that the Commission will select the Indian members from certain segments of the Indian community in order to give a broad representation. In addition, it provides that there shall not be

more than one Indian member from any one Indian tribe. It is the Committee's intent that this limiting factor be applied on the basis of anthropological or historical tribal entities rather than on contemporary tribal entities.

The Commission is charged with the conduct of a comprehensive investigation and review of Indian affairs, including the legal status of the relationship between Indians and the Federal Government; Federal agencies administering programs for Indians, and tribal governments. It is the intent of the Committee that the Commission and its staff work closely with and coordinate its activities with congressional committees and staff involved in Indian legislation and oversight, particularly the Senate and House Committees on Interior and Insular Affairs.

The bill provides that the Commission will appoint task force groups of three members, two of whom shall be persons of Indian descent to perform the preliminary fact-gathering functions for the Commission. It is the expectation of the Committee that members of these task forces will have specific expertise in the areas of Indian affairs which they will study. In addition, the Indian membership will give the Indian community a broader range of participation in the activities of the Commission.

The task forces are required to make periodic progress reports on their activities to the Commission and to render their final reports to the Commission not later than one year after appropriation of funds for the Commission.

The Commission is required to render its final report to the Congress within six months after the final reports of the task forces are submitted and will cease to exist six months thereafter. Any legislative recommendations of the Commission shall be referred by the Speaker of the House of Representatives and the President of the Senate to the appropriate standing committees of the Congress. Such committees are required to render a report thereon to the respective House of the Congress within two years after referral.

The bill provides for the appointment of Commission staff and other personnel and authorizes not to exceed \$2,500,000 for the expenses of the Commission.

SECTION-BY-SECTION ANALYSIS

Congressional findings

Finds that the Federal Government's Indian Policy has changed several times throughout the years, that the last comprehensive review of Indian problems was in 1928 (Meriam Report conducted by the Institute for Government Research) and that the Congress finds such a comprehensive review of Indian affairs is now necessary.

Declaration of purpose

Declares that the study will be designed to review the legal and historical relationship between the Federal government and the Indians and to recommend changes in Federal policies and programs.

SECTION 1

1(a) Provides for the creation of the American Indian Policy Review Commission.

1(b) Provides that the Commission shall be composed of 11 members: 3 from the Senate (two from majority party; one from minority party), 3 from the House of Representatives (two from majority party; one from minority party), and five Indian members.

1(c) Provides that the congressional Members shall elect from among their members a Chairman and a Vice Chairman. They shall then select five Indian members from the Indian community as follows: three members from Federally-recognized tribes; one to represent urban Indians; and one from a non-federally recognized tribe.

1(d) Provides for the filling of any vacancies that may occur during the life of the Commission.

1(e) Provides for a quorum of six, but stipulates that at least one congressional member must be present at any Commission hearing.

1(f) Provides that congressional members shall not receive any additional compensation, but will be reimbursed for travel, and expenses on Commission business.

1(g) Provides that Indian members shall receive \$100 per day while on Commission business, plus travel and expenses.

SECTION 2

Section 2 details the areas the Commission shall study during its term. These areas include, but are not limited to:

(1) A study and analysis of the Constitution, treaties, etc. to determine the quality of the Government-Indian relationship;

(2) A review of the Federal agencies administering programs on behalf of Indian Tribes; with a stipulation that the review will study the Bureau of Indian Affairs;

(3) An examination of the procedures for granting Federal recognition;

(4) The collection of data relating to specific Indian needs which now exist or will exist in the near future;

(5) A study relating to alternative methods of representing the Indian people at the national level of Government;

(6) A study of ways to strengthen Indian tribal governments;

(7) The recommendation of changes in existing procedures, laws, etc. to carry out the purposes of the Commission.

SECTION 3

3(a) Authorizes the Commission, or any committee of the Commission, to hold hearings and to issue subpoenas for attendance of witnesses and/or other material. All rules respecting the Commission's organization and procedures shall require a majority vote by the Commission. Commission subpoenas require the authorization of the Commission and may be signed by the Chairman or his designate.

3(b) Makes applicable criminal provisions for failure to comply with subpoena.

3(c) Authorizes Commission to secure material from Federal agencies and directs agencies to furnish such information. This provisions also directs agencies to conduct surveys or studies as may be requested by the Commission.

3(d) Protects the confidentiality of materials submitted, if required by statute.

SECTION 4

4(a) Authorizes the appointment of investigative task forces. Each task force shall be composed of three persons, with at least two being of Indian descent. The task forces' areas of study shall include, but shall not be limited to, the following:

- (1) Trust responsibility and treaty review;
- (2) Tribal government;
- (3) Administration and structure of Federal Indian programs;
- (4) Federal, State, and tribal jurisdiction;
- (5) Indian education;
- (6) Indian health;
- (7) Reservation development;
- (8) Non-federally recognized Indians;
- (9) Indian law revision, consolidation, and codification.

4(b) (i) Gives the task forces the same authority, excluding subpoena power, conferred on the Commission, subject to the approval of the Commission.

4(b) (ii) Requires each task force to provide quarterly reports on its progress. The subsection also provides that the Director of the Commission shall coordinate the efforts of the task forces.

4(c) Provides for compensation and travel allowances for members of the task forces.

4(d) Allows adequate staff support for the task forces.

4(e) Directs the task forces to submit their final reports to the Commission within one year from the date of appropriation of funds.

SECTION 5

5(a) Provides that the final report of the Commission shall be sent to the House and Senate within six months after the task force reports are presented to the Commission. The Commission shall cease to exist within six months after submission of its report to the Congress. All records of papers of the Commission shall be deposited in the Archives.

5(b) Requires that any legislative recommendations of the Commission shall be referred to the House and Senate Committees, and those Committees shall report thereon within two years from referral.

SECTION 6

6(a) Provides for the structure and compensation of the Commission staff.

6(b) Authorizes the Commission to contract with private individuals for studies and surveys, and authorizes the Commission to utilize the services and personnel of other Federal agencies.

6(c) Provides that task force staff and temporary consultants shall be deemed special government employees.

SECTION 7

This section authorizes \$2,500,000 for the Commission.

COST

The bill authorizes the appropriation of not to exceed \$2,500,000.

COMMITTEE RECOMMENDATIONS

The Committee on Interior and Insular Affairs, by voice vote, recommends that the bill be enacted.

DEPARTMENTAL REPORTS

The report of the Department of the Interior is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 8, 1974.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to your request for the views of this Department on H.J. Res. 881 and S.J. Res. 133, similar bills "To provide for the establishment of the American Indian Policy Review Commission."

For the reasons discussed below, we take no position on the enactment of these resolutions. However, we offer several technical amendments in order to aid the Committee in perfecting the resolutions.

H.J. Res. 881 and S.J. Res. 133 would establish a commission composed of fifteen members—five members of the Senate, five members of the House of Representatives, and five Indians to be appointed by those members of the Congress. The tasks of this commission, to evaluate Federal Indian policy and make legislative recommendations concerning that policy, appear to be well within the authority currently enjoyed by the Congressional Committees on Interior and Insular Affairs. Thus, the commission would be entirely a creature of the Congress, and the resolutions constitute a matter for the Congress to determine for itself.

We would emphasize, however, that we consider three elements of this Administration's Indian policy to be absolute essentials. First, termination is an unacceptable method of dealing with American Indians. Second, the remaining portions of the President's Indian package legislation and the Block-Grant Proposal (H.R. 9011) are vital to the improvement of the situation of American Indians that all Americans so fervently desire. Third, the philosophy of Indian self-determination requires that Indians be thoroughly consulted concerning the establishment of a commission or other mechanism to reassess Federal Indian policy. We strongly recommend that any Congressional effort to review Indian policy not weaken Federal commitment to any of these three elements.

We offer the following technical suggestions concerning the content of the resolutions. The differences between the two resolutions are primarily editorial. We shall apply our drafting suggestions to the House version.

In item (1) of the seventh whereas, page 3 of the resolution, apparently the words "in the Nation" should be inserted after "races" to be more precise and also consistent with the language in item (2) of the same whereas. However, we defer to the Indian Health Service, Department of Health, Education, and Welfare, as to the accuracy of items (1) and (2). As to the information in items (3), (4), (5), and (6) no source is indicated, and the Committee may wish to consider using the following information from the 1970 Census (see "We, The First Americans", U.S. Dept. of Commerce, June 1973) :

"(3) According to the 1970 Census:

(a) Twenty-five per centum of Indian people live in overcrowded housing compared to 8.5 per centum for all Americans:

(b) About 28 per centum of Indian households do not have complete plumbing compared to 8 per centum for all American households;

(c) Twenty-five per centum of Indian males between 16 and 21 years old were school dropouts compared to 15 per centum for all such American males;

(d) The median years of schooling for Indians was 9.8 compared to 12.1 for all Americans;

(e) Forty per centum of Indian people had incomes below the poverty level compared to 13.7 per centum for all Americans;

(f) The unemployment rate among Indians was nearly three times the national average; and".

In section 1(1)(b)(iv), we note that only two of the five Indian members of the Commission are to be members of Federally recognized tribes residing on reservations. In view of the fact that the primary Federal Indian responsibilities are directed toward reservation residents, we suggest that an increase in their representation among the five Indian members may be in order. In addition, we suggest that it be made clear that residents of former Indian reservations in Oklahoma and of Alaska Native villages are included within the group from which Indian members of the Commission are to be chosen.

Since the Library of Congress is a potential source of the information, studies, and surveys mentioned in section 2(b), it could be specifically included in that provision.

The reference in section 3(b) to "staff director" apparently should be to the "Executive Director" provided for in section 1(2)(a)(i).

Also in section 3(b) for purposes of clarification, we suggest that the portion of the sentence beginning "except that", in line 7, page 12, be changed to read as follows:

"except that any employees of the Commission who, prior to employment by the Commission, were Federal employees subject

to the civil service laws and regulations shall (unless they specifically decline in writing) retain their civil service status without interruption, reduction, or loss of status, privilege, or benefits, including those under chapter 81 ("Compensation for Work Injuries"), chapter 83 ("Retirement"), chapter 89 ("Health Insurance"), and chapter 87 ("Life Insurance") of title 5, United States Code: *Provided*, That, such prior Federal employees shall be "Congressional employees" within the meaning of chapter 83 of title 5, United States Code."

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

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AMERICAN INDIAN POLICY REVIEW COMMISSION

 DECEMBER 3, 1973.—Ordered to be printed

Mr. BIBLE, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany S.J. Res. 133]

The Committee on Interior and Insular Affairs, to which was referred the bill (S.J. Res. 133) to provide for the establishment of the American Indian Policy Review Commission, having considered the same, reports favorably thereon with amendment and recommends that the bill as amended do pass.

The resolution was the subject of hearings before the Subcommittee on Indian Affairs on July 19 and 20, 1973, in Washington, D.C.

PURPOSE

The primary purpose of the resolution is to authorize a Congressional review of the legal and historical background which serves as the basis for the unique relationship that exists between the Indian people and the Federal Government in order to bring about a fundamental reform of such relationship.

S. J. Res. 133 would provide an appropriate vehicle for such a review. It would provide for a Congressional commission of bipartisan composition from both the Senate and the House of Representatives. This group would then select five members from the Indian community as follows: three members from Federally recognized tribes, one of whom is residing away from the reservation; one member from the urban Indian community; and one member from a tribe not recognized by the Federal government.

The Commission would be charged with reviewing all of the treaties, statutes, judicial decisions and executive orders, as well as the Constitution itself, to determine the legal-historical basis for the unique relationship that Indian people maintain with the Federal govern-

ment. It would also review past policies, practices and governmental structures, so it can readily assess their efficiency and effectiveness with a view toward improving their mission of providing needed services and protecting natural resources.

It would explore such areas as the granting of Federal recognition to Indian tribes and communities, and the strengthening of tribal governments so that they can more fully represent their members. In addition, the resolution provides authority to conduct an in-depth management study of the Bureau of Indian Affairs, utilizing experts from the public and private sectors.

Most importantly, through an interim and a final report, the Commission would be required to submit recommendations from which the Congress may legislate meaningful approaches to fulfill the present and future needs of Indian people. To accomplish its work through employment of direct staff and contractual arrangements, the Commission is authorized to request a \$2 million appropriation for its two-year existence.

NEED

Throughout the history of Federal-Indian relations there has never been a comprehensive policy approach by the Congress and the Executive that dealt effectively with the adverse social and economic ills which beset Indian people and their communities and, at the same time fulfilled Indians' needs. As a consequence, Indian policy has been shaped by a fragmented, piece-meal approach which has served to inhibit, rather than promote Indian development. This situation has contributed directly to the deep despair and frustration vented in the Indians' siege of the Bureau of Indian Affairs and their occupation of the symbolic community at Wounded Knee, South Dakota.

A systematic exploration of the contributing causes to the chaotic state of Indian affairs must be undertaken immediately with a longer range objective of corrective action. The American Indian Policy Review Commission proposed in this resolution holds potential for the fulfillment of this important and necessary role.

COMMITTEE COMMENTS

The Committee has become increasingly concerned over our government's failure to alleviate those social and economic ills which continue to hold the Indian people and their communities in a seemingly chronic grip of poverty. While we deplore the growing social discontent being manifested by the Indian community, we can, at the same time, appreciate the deep frustrations of individual Indians who are faced with the daily rigors of a poverty that is unknown to most citizens; and a belief on the part of many Indian people that the government is totally incapable of redressing past wrongs.

These unfortunate circumstances, in the judgment of the Committee, can be attributed directly to numerous unresolved structural issues in the Indian field. These issues tend to inhibit the effectiveness of well-founded policies and programs designed to improve Indian well-being. It is the Committee's further judgment that the structural issues must be subjected to thorough and objective studies for their clarification and resolution. Following are illustrative examples of such issues:

A comprehensive review and study of the historical-legal developments—treaties, agreements, Executive Orders, statutes, rules and regulations, etc.—which serve as the basis for the unique relationship that exists between American Indians and the Federal Government.

A determination of the extent to which the Federal trustee's role extends to Indian people. For example, should urban Indians, non-reservation Indians, and members of non-Federally recognized tribes, as a matter of policy, be considered beneficiaries of direct Federal services of the Bureau of Indian Affairs and the Indian Health Service.

Establishment of methods for insuring the continued protection and proper management of the natural resources, mineral and water rights of Indian people.

Establishment of guidelines for the best methods of developing the natural resources of Indians as one means of enhancing their social, economic, cultural and political situation.

A review of the basic organic acts and other authorities which led to the establishment of tribal governments to determine the adequacy and credibility of such governments in relation to present day community needs and demands.

The adequacy of existing institutional and organizational arrangements, including the most desirable structure for the agency of the Federal government charged with the administration of Indian affairs.

A comparative analysis of the legal rights of tribal members of Executive Order reservations, as opposed to the legal rights of members of Treaty reservations.

A re-examination of the applicability of the provisions of the Civil Rights Act of 1968 to Indians residing on reservations and in Indian communities.

Development of more effective means to advance Indian self-determination and improve the conduct of the continuing responsibilities of the Federal trustee.

The foregoing issues should not be considered as all-inclusive or as a priority listing of such issues, but as representative of issues which require further explanation and clarification.

Assuming Congressional approval of this resolution and the completion of a study on issues similar to those described above, the Congress would be in possession of a compendium of information on a scale heretofore unavailable to the Federal government. This information could serve as the basis for (1) sweeping new legislative proposals targeted to clearly identifiable problems and needs in the Indian field; and (2) Congressional oversight designed to insure that new legislation, policies and programs are properly implemented and administered in behalf of the Indian people.

COMMITTEE AMENDMENTS

The Committee adopted several amendments to S. J. Res. 133 which were technical and clarifying in nature.

The Committee also adopted the following amendment:

On page 8, line 21, strike the semicolon at the end of the line, insert in lieu thereof a comma, and the following:

“and provide specifically for a management study of the Bureau of Indian Affairs utilizing experts from the public and private sectors;”

In approving the foregoing amendment the Committee gave recognition to the serious deficiencies in the organizational structure of the Bureau of Indian Affairs and the need for a thorough and objective management study to be conducted by outstanding experts from government and private industry with a view toward correcting such deficiencies. Through such a study it is anticipated that a clear statement of the Bureau's functions, authorities and responsibilities in the Indian field will be developed; that the needed structural changes in the organization and improved utilization of personnel will be forthcoming and that the Bureau will be able to fulfill its statutory responsibilities to the Indian people in a more effective and economical manner.

COST

S.J. Res. 133 authorizes a sum not to exceed \$2 million for the two-year existence of the Commission.

COMMITTEE RECOMMENDATION

Pursuant to section 133 (b) of the Legislative Reorganization Act of 1946, as amended, the following is a tabulation of the vote of the Committee on November 27, 1973, to order favorably reported S. J. Res. 133 as amended:

Jackson—Yea
Bible—Yea
Metcalf—Yea
Johnston—Yea

Abourezk—Yea
Hansen—Yea
Hatfield—Yea
Bartlett—Yea

DEPARTMENTAL REPORTS

Reports from the Department of the Interior are set forth in full as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., August 14, 1973.

Hon. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs, U.S. Senate,
Washington, D.C.*

DEAR MR. CHAIRMAN: This supplements our letter to you of July 19, 1973, responding to your request for the views of this Department on S.J. Res. 133, “To provide for the establishment of the American Indian Policy Review Commission.”

Having given this resolution further consideration, we have concluded that its subject matter lies wholly within the purview of the Congress. S.J. Res. 133 would establish a commission composed of

fifteen members—five members of the Senate, five members of the House of Representatives, and five Indians to be appointed by those members of the Congress. The tasks of this commission, to evaluate Federal Indian policy, and make legislative recommendations concerning that policy, appear to be well within the authority currently enjoyed by the Congressional Committees on Interior and Insular Affairs. Thus, the commission would be entirely a creature of the Congress and S.J. Res. 133 is a matter for the Congress to determine for itself. Consistent with this conclusion, we believe that this resolution should take the form of a concurrent resolution, which if passed would not require review by the Executive Branch, rather than remain in its present form, which does call for such review. We would reiterate, however, the essential elements of the Administration's Indian policy which we articulated in our July 19 letter, as well as our recommendation that any Congressional review of Indian Affairs should not weaken our commitment to these policies.

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., July 19, 1973.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs, U.S. Senate,
Washington, D.C.*

DEAR MR. CHAIRMAN: This responds to your request for the views of this Department on S.J. Res. 133, "To provide for the establishment of the American Indian Policy Review Commission."

We have not had sufficient time to evaluate the specifics of this joint resolution or to consult Indians regarding it and thus are unable to take a position on the resolution at this time.

We would emphasize, however, that we consider three elements of this Administration's Indian policy to be absolute essentials. First, termination is an unacceptable method of dealing with American Indians. Second, the President's Indian package legislation and the Block-Grant Proposal are vital to the improvement of the situation of American Indians that all Americans so fervently desire. Third, the philosophy of Indian self-determination requires that Indians be thoroughly consulted concerning the establishment of a commission or other mechanism to reassess Federal Indian policy. We would strongly recommend that any Congressional effort to review Indian policy not weaken Federal commitment to any of these three elements.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

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Ninety-third Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Monday, the twenty-first day of January, one thousand nine hundred and seventy-four

Joint Resolution

To provide for the establishment of the American Indian Policy Review Commission.

CONGRESSIONAL FINDINGS

The Congress, after careful review of the Federal Government's historical and special legal relationship with American Indian people, finds that—

(a) the policy implementing this relationship has shifted and changed with changing administrations and passing years, without apparent rational design and without a consistent goal to achieve Indian self-sufficiency;

(b) there has been no general comprehensive review of conduct of Indian affairs by the United States nor a coherent investigation of the many problems and issues involved in the conduct of Indian affairs since the 1928 Meriam Report conducted by the Institute for Government Research; and

(c) in carrying out its responsibilities under its plenary power over Indian affairs, it is imperative that the Congress now cause such a comprehensive review of Indian affairs to be conducted.

DECLARATION OF PURPOSE

Congress declares that it is timely and essential to conduct a comprehensive review of the historical and legal developments underlying the Indians' unique relationship with the Federal Government in order to determine the nature and scope of necessary revisions in the formulation of policies and programs for the benefit of Indians.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(a) In order to carry out the purposes described in the preamble hereof and as further set out herein, there is hereby created the American Indian Policy Review Commission, hereinafter referred to as the "Commission".

(b) The Commission shall be composed of eleven members, as follows:

(1) three Members of the Senate appointed by the President pro tempore of the Senate, two from the majority party and one from the minority party;

(2) three Members of the House of Representatives appointed by the Speaker of the House of Representatives, two from the majority party and one from the minority party; and

(3) five Indian members as provided in subsection (c) of this section.

(c) At its organization meeting, the members of the Commission appointed pursuant to section (b) (1) and (b) (2) of this section shall elect from among their members a Chairman and a Vice Chairman. Immediately thereafter, such members shall select, by majority vote, five Indian members of the Commission from the Indian community, as follows:

(1) three members shall be selected from Indian tribes that are recognized by the Federal Government;

(2) one member shall be selected to represent urban Indians; and

(3) one member shall be selected who is a member of an Indian group not recognized by the Federal Government.

None of the Indian members shall be employees of the Federal Government concurrently with their term of service on the Commission nor shall there be more than one member from any one Indian tribe.

(d) Vacancies in the membership of the Commission shall not affect the power of the remaining members to execute the functions of the Commission and shall be filled in the same manner as in the case of the original appointment.

(e) Six members of the Commission shall constitute a quorum, but a smaller number, as determined by the Commission, may conduct hearings: *Provided*, That at least one congressional member must be present at any Commission hearing.

(f) Members of the Congress who are members of the Commission shall serve without any compensation other than that received for their services as Members of Congress, but they may be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(g) The Indian members of the Commission shall receive compensation for each day such members are engaged in the actual performance of duties vested in the Commission at a daily rate not to exceed the daily equivalent of the maximum annual compensation that may be paid to employees of the United States Senate generally. Each such member may be reimbursed for travel expenses, including per diem in lieu of subsistence.

SEC. 2. It shall be the duty of the Commission to make a comprehensive investigation and study of Indian affairs and the scope of such duty shall include, but shall not be limited to—

(1) a study and analysis of the Constitution, treaties, statutes, judicial interpretations, and Executive orders to determine the attributes of the unique relationship between the Federal Government and Indian tribes and the land and other resources they possess;

(2) a review of the policies, practices, and structure of the Federal agencies charged with protecting Indian resources and providing services to Indians: *Provided*, That such review shall include a management study of the Bureau of Indian Affairs utilizing experts from the public and private sector;

(3) an examination of the statutes and procedures for granting Federal recognition and extending services to Indian communities and individuals;

(4) the collection and compilation of data necessary to understand the extent of Indian needs which presently exist or will exist in the near future;

(5) an exploration of the feasibility of alternative elective bodies which could fully represent Indians at the national level of Government to provide Indians with maximum participation in policy formation and program development;

(6) a consideration of alternative methods to strengthen tribal government so that the tribes might fully represent their members and, at the same time, guarantee the fundamental rights of individual Indians; and

(7) the recommendation of such modification of existing laws, procedures, regulations, policies, and practices as will, in the judgment of the Commission, best serve to carry out the policy and declaration of purposes as set out above.

POWERS OF THE COMMISSION

SEC. 3. (a) The Commission or, on authorization of the Commission, any committee of two or more members is authorized, for the purposes of carrying out the provisions of this resolution, to sit and act at such places and times during the sessions, recesses, and adjourned periods of Congress, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths and affirmations, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable. The Commission may make such rules respecting its organization and procedures as it deems necessary, except that no recommendation shall be reported from the Commission unless a majority of the Commission assent. Upon the authorization of the Commission subpoenas may be issued over the signature of the Chairman of the Commission or of any member designated by him or the Commission, and may be served by such person or persons as may be designated by such Chairman or member. The Chairman of the Commission or any member thereof may administer oaths or affirmations to witnesses.

(b) The provisions of sections 192 through 194, inclusive, of title 2, United States Code, shall apply in the case of any failure of any witness to comply with any subpoena when summoned under this section.

(c) The Commission is authorized to secure from any department, agency, or instrumentality of the executive branch of the Government any information it deems necessary to carry out its functions under this resolution and each such department, agency, or instrumentality is authorized and directed to furnish such information to the Commission and to conduct such studies and surveys as may be requested by the Chairman or the Vice Chairman when acting as Chairman.

(d) If the Commission requires of any witness or of any Government agency the production of any materials which have theretofore been submitted to a Government agency on a confidential basis, and the confidentiality of those materials is protected by statute, the material so produced shall be held in confidence by the Commission.

INVESTIGATING TASK FORCES

SEC. 4. (a) As soon as practicable after the organization of the Commission, the Commission shall, for the purpose of gathering facts and other information necessary to carry out its responsibilities pursuant to section 2 of this resolution, appoint investigating task forces to be composed of three persons, a majority of whom shall be of Indian descent. Such task forces shall be appointed and directed to make preliminary investigations and studies in the various areas of Indian affairs, including, but not limited to—

- (1) trust responsibility and Federal-Indian relationship, including treaty review;
- (2) tribal government;
- (3) Federal administration and structure of Indian affairs;
- (4) Federal, State, and tribal jurisdiction;
- (5) Indian education;
- (6) Indian health;
- (7) reservation development;
- (8) urban, rural nonreservation, terminated, and nonfederally recognized Indians; and
- (9) Indian law revision, consolidation, and codification.

(b) (i) Such task forces shall have such powers and authorities, in carrying out their responsibilities, as shall be conferred upon them by the Commission, except that they shall have no power to issue subpoenas or to administer oaths or affirmations: *Provided*, That they may call upon the Commission or any committee thereof, in the Commission's discretion, to assist them in securing any testimony, materials, documents, or other information necessary for their investigation and study.

(ii) The Commission shall require each task force to provide written quarterly reports to the Commission on the progress of the task force and, in the discretion of the Commission, an oral presentation of such report. In order to insure the correlation of data in the final report and recommendations of the Commission, the Director of the Commission shall coordinate the independent efforts of the task force groups.

(c) The Commission may fix the compensation of the members of such task forces at a rate not to exceed the daily equivalent of the highest rate of annual compensation that may be paid to employees of the United States Senate generally.

(d) The Commission shall, pursuant to section 6, insure that the task forces are provided with adequate staff support in addition to that authorized under section 6(a), to carry out the projects assigned to them.

(e) Each task force appointed by the Commission shall, within one year from the date of the appointment of its members, submit to the Commission its final report of investigation and study together with recommendations thereon.

REPORT OF THE COMMISSION

SEC. 5. (a) Upon the report of the task forces made pursuant to section 4 hereof, the Commission shall review and compile such reports, together with its independent findings, into a final report. Within six months after the reports of the investigating task forces, the Commission shall submit its final report, together with recommendations thereon, to the President of the Senate and the Speaker of the House of Representatives. The Commission shall cease to exist six months after submission of said final report but not later than June 30, 1977. All records and papers of the Commission shall thereupon be delivered to the Administrator of the General Services Administration for deposit in the Archives of the United States.

(b) Any recommendation of the Commission involving the enactment of legislation shall be referred by the President of the Senate or the Speaker of the House of Representatives to the appropriate standing committee of the Senate and House of Representatives, respectively, and such committees shall make a report thereon to the respective house within two years of such referral.

COMMISSION STAFF

SEC. 6. (a) The Commission may by record vote of a majority of the Commission members, appoint a Director of the Commission, a General Counsel, one professional staff member, and three clerical assistants. The Commission shall prescribe the duties and responsibilities of such staff members and fix their compensation at per annum gross rates not in excess of the per annum rates of compensation prescribed for employees of standing committees of the Senate.

(b) In carrying out any of its functions under this resolution, the Commission is authorized to utilize the services, information, facili-

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ties, and personnel of the Executive departments and agencies of the Government, and to procure the temporary or intermittent services of experts or consultants or organizations thereof by contract at rates of compensation not in excess of the daily equivalent of the highest per annum rate of compensation that may be paid to employees of the Senate generally.

SEC. 7. There is hereby authorized to be appropriated a sum not to exceed \$2,500,000 to carry out the provisions of this resolution. Until such time as funds are appropriated pursuant to this section, salaries and expenses of the Commission shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman. To the extent that any payments are made from the contingent fund of the Senate prior to the time appropriation is made, such payments shall be chargeable against the maximum amount authorized herein.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*