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and transfer such records to the National Archives for preservation, subject to the orders of the Senate or the House, respectively.

PRESERVATION OF COMMITTEE HEARINGS

SEC. 141. The Librarian of the Library of Congress is authorized and directed to have bound at the end of each session of Congress the printed hearings of testimony taken by each committee of the Congress at the preceding session.

EFFECTIVE DATE

SEC. 142. This title shall take effect on January 2, 1947; except that this section and sections 140 and 141 shall take effect on the date of enactment of this Act.

TITLE II—MISCELLANEOUS

PART 1—STATUTORY PROVISIONS RELATING TO CONGRESSIONAL PERSONNEL

INCREASE IN COMPENSATION FOR CERTAIN CONGRESSIONAL OFFICERS

Elected officers of Senate and House.

59 Stat. 301.
5 U. S. C., Supp. V,
§ 931.
Ante, p. 217.

Office of Vice President.

Office of Speaker.

Administrative assistants.

Appropriation authorized.

SEC. 201. (a) Effective January 1, 1947, the annual basic compensation of the elected officers of the Senate and the House of Representatives (not including the Presiding Officers of the two Houses) shall be increased by 50 per centum; and the provisions of section 501 of the Federal Employees Pay Act of 1945, as amended by section 5 of the Federal Employees Pay Act of 1946, shall not be applicable to the compensation of said elected officers.

(b) There is hereby authorized to be appropriated annually for the "Office of the Vice President" the sum of \$23,130; and there is hereby authorized to be appropriated annually for the "Office of the Speaker" the sum of \$20,025.

(c) The Speaker, the majority leader, and the minority leader of the House of Representatives are each authorized to employ an administrative assistant, who shall receive basic compensation at a rate not to exceed \$8,000 a year. There is hereby authorized to be appropriated such sums as may be necessary for the payment of such compensation.

COMMITTEE STAFFS

Professional staff members.

SEC. 202. (a) Each standing committee of the Senate and the House of Representatives (other than the Appropriations Committees) is authorized to appoint by a majority vote of the committee not more than four professional staff members in addition to the clerical staffs on a permanent basis without regard to political affiliations and solely on the basis of fitness to perform the duties of the office; and said staff members shall be assigned to the chairman and ranking minority member of such committee as the committee may deem advisable. Each such committee is further authorized to terminate the services by a majority vote of the committee of any such professional staff member as it may see fit. Professional staff members shall not engage in any work other than committee business and no other duties may be assigned to them.

Staffs for Committees on Appropriations.

(b) Subject to appropriations which it shall be in order to include in appropriation bills, the Committee on Appropriations of each House is authorized to appoint such staff, in addition to the clerk thereof and assistants for the minority, as each such committee, by a majority vote, shall determine to be necessary, such personnel, other

than the minority assistants, to possess such qualifications as the committees respectively may prescribe, and the Committee on Appropriations of the House also is authorized to conduct studies and examinations of the organization and operation of any executive agency (including any agency the majority of the stock of which is owned by the Government of the United States) as it may deem necessary to assist it in connection with the determination of matters within its jurisdiction and in accordance with procedures authorized by the committee by a majority vote, including the rights and powers conferred by House Resolution Numbered 50, adopted January 9, 1945.

(c) The clerical staff of each standing committee, which shall be appointed by a majority vote of the committee, shall consist of not more than six clerks, to be attached to the office of the chairman, to the ranking minority member, and to the professional staff, as the committee may deem advisable; and the position of committee janitor is hereby abolished. The clerical staff shall handle committee correspondence and stenographic work, both for the committee staff and for the chairman and ranking minority member on matters related to committee work.

(d) All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the Congress and all members of the committee and the respective Houses shall have access to such records. Each committee is authorized to have printed and bound such testimony and other data presented at hearings held by the committee.

(e) The professional staff members of the standing committees shall receive annual compensation, to be fixed by the chairman, ranging from \$5,000 to \$8,000 and the clerical staff shall receive annual compensation ranging from \$2,000 to \$8,000.

(f) No committee shall appoint to its staff any experts or other personnel detailed or assigned from any department or agency of the Government, except with the written permission of the Committee on Rules and Administration of the Senate or the Committee on House Administration of the House of Representatives, as the case may be.

(g) No individual who is employed as a professional staff member of any committee as provided in this section shall be eligible for appointment to any office or position in the executive branch of the Government for a period of one year after he shall have ceased to be such a member.

(h) Notwithstanding the foregoing provisions—

(1) The committee employees of the existing Committee on Appropriations of the Senate and of the existing Committee on Appropriations of the House of Representatives shall be continued on the rolls of the respective appropriations committees established under title I of this Act during the fiscal year 1947, unless sooner removed for cause.

(2) Committee employees of all other existing standing committees of each House shall be continued on the pay rolls of the Senate and House of Representatives, respectively, through January 31, 1947, unless sooner removed for cause by the Secretary of the Senate or the Clerk of the House, as the case may be.

(3) The appropriations for the compensation of committee employees of standing committees of the Senate and of the House of Representatives contained in the Legislative Branch Appropriation Act, 1947, shall be available for the compensation of employees specified in paragraph (2) of this subsection and of employees of the standing committees of the Senate and House of Representatives succeeding to the jurisdiction of the standing committees specified in such Appropriation Act; and in any case in which the legislative jurisdiction

Studies and examinations.

Clerical staff.

Committee janitor.

Separation of records, etc.

Compensation of staff members.

Experts from departments, etc.

Appointment to executive branch, restriction.

Employees of existing Committees on Appropriations.

Ante, p. 814.

Other existing standing committees.

Appropriations for compensation.

Ante, p. 386.

Transfer of jurisdiction.

(e) Study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

(f) Recognize the worldwide and long-range character of environmental problems and, where consistent with the foreign policy of the United States, lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment;

(g) Make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment;

(h) Initiate and utilize ecological information in the planning and development of resource-oriented projects; and

(i) Assist the Council on Environmental Quality established by title II of this Act.

SEC. 103. All agencies of the Federal Government shall review their present statutory authority, administrative regulations, and current policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purposes and provisions of this Act and shall propose to the President not later than July 1, 1971, such measures as may be necessary to bring their authority and policies into conformity with the intent, purposes, and procedures set forth in this Act.

SEC. 104. Nothing in section 102 or 103 shall in any way affect the specific statutory obligations of any Federal agency (1) to comply with criteria or standards of environmental quality, (2) to coordinate or consult with any other Federal or State agency, or (3) to act, or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency.

SEC. 105. The policies and goals set forth in this Act are supplementary to those set forth in existing authorizations of Federal agencies.

TITLE II

COUNCIL ON ENVIRONMENTAL QUALITY

SEC. 201. The President shall transmit to the Congress annually beginning July 1, 1970, an Environmental Quality Report (hereinafter referred to as the "report") which shall set forth (1) the status and condition of the major natural, manmade, or altered environmental classes of the Nation, including, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban and rural environment; (2) current and foreseeable trends in the quality, management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation; (3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation in the light of expected population pressures; (4) a review of the programs and activities (including regulatory activities) of the Federal Government, the State and local governments, and nongovernmental entities or individuals with particular reference to their effect on the environment and on the conservation, development and utilization of natural resources; and (5) a program for remedying the deficiencies of existing programs and activities, together with recommendations for legislation.

SEC. 202. There is created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. The President shall designate one of the members of the Council to serve as Chairman. Each member shall be a person who, as a result of his training, experience, and attainments, is exceptionally well qualified to analyze and interpret environmental trends and information of all kinds; to appraise programs and activities of the Federal Government in the light of the policy set forth in title I of this Act; to be conscious of and responsive to

the scientific, economic, social, esthetic, and cultural needs and interests of the Nation; and to formulate and recommend national policies to promote the improvement of the quality of the environment.

Sec. 203. The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

Sec. 204. It shall be the duty and function of the Council—

(1) to assist and advise the President in the preparation of the Environmental Quality Report required by section 201 of this title;

(2) to gather timely and authoritative information concerning the conditions and trends in the quality of the environment both current and prospective, to analyze and interpret such information for the purpose of determining whether such conditions and trends are interfering, or are likely to interfere, with the achievement of the policy set forth in title I of this Act, and to compile and submit to the President studies relating to such conditions and trends;

(3) to review and appraise the various programs and activities of the Federal Government in the light of the policy set forth in title I of this Act for the purpose of determining the extent to which such programs and activities are contributing to the achievement of such policy, and to make recommendations to the President with respect thereto;

(4) to develop and recommend to the President national policies to foster and promote the improvement of environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the Nation;

(5) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(6) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(7) to report at least once each year to the President on the state and condition of the environment; and

(8) to make and furnish such studies, reports thereon, and recommendations with respect to matters of policy and legislation as the President may request.

Sec. 205. In exercising its powers, functions, and duties under this Act, the Council shall—

(1) Consult with the Citizens' Advisory Committee on Environmental Quality established by Executive Order No. 11472, dated May 29, 1969, and with such representatives of science, industry, agriculture, labor, conservation organizations, State and local governments and other groups, as it deems advisable; and

(2) Utilize, to the fullest extent possible, the services, facilities and information (including statistical information) of public and private agencies and organizations, and individuals, in order that duplication of effort and expense may be avoided, thus assuring that the Council's activities will not unnecessarily overlap or conflict with similar activities authorized by law and performed by established agencies.

Sec. 206. Members of the Council shall serve full time and the Chairman of the Council shall be compensated at the rate provided for Level II of the Executive Schedule Pay Rates (5 U.S.C. 5313). The other members of the Council shall be compensated at the rate provided for Level IV of the Executive Schedule Pay Rates (5 U.S.C. 5315).

Sec. 207. The Council may accept reimbursements from any private non-profit organization or from any department, agency, or instrumentality of the Federal Government, any State, or local government, for the reasonable travel expenses incurred by an officer or employee of the Council in connection with his attendance at any conference, seminar, or similar meeting conducted for the benefit of the Council.

Sec. 208. The Council may make expenditures in support of its international activities, including expenditures for: (1) international travel; (2) activities in implementation of international agreements; and (3) the sup-

port of international exchange programs in the United States and in foreign countries.

SEC. 209. There are authorized to be appropriated to carry out the provisions of this chapter not to exceed \$300,000 for fiscal year 1970, \$700,000 for fiscal year 1971, and \$1,000,000 for each fiscal year thereafter.



UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

PROCUREMENT, LOGISTICS,
AND READINESS DIVISION

APRIL 24, 1981

B-197868

The Honorable Jesse Helms
United States Senate

Dear Senator Helms:

Subject: Procurement Practices at the Council on
Environmental Quality (PLRD-81-24)

In response to your August 11, 1980, letter, we investigated contracts awarded by the Council on Environmental Quality. On December 18, 1980, we briefed your Office on the status of our review. This report summarizes the information provided during that briefing and additional data subsequently obtained.

We made our review of the Council's procurement procedures at Council headquarters in Washington, D.C. Our objectives were to determine (1) the number and general history of contracts awarded during fiscal years 1979 and 1980, (2) the extent of and justification for noncompetitive contracts, (3) the managerial controls used by the Council to minimize noncompetitive awards, and (4) the improvements (if any) needed to increase competition. We did not evaluate the Council's need for or use of the products or services procured.

We reviewed the Council's contract files and various internal procurement manuals, related memorandums, and instructions. We also interviewed Council personnel and Office of Administration officials in the Executive Office of the President concerned with procurement operations.

We found that:

- During fiscal years 1979 and 1980, 686 contract actions, valued at about \$9.9 million, were processed.
- The majority of awards were made without seeking competition.
- Contract files were not properly documented.
- Contracts were awarded by an administrative officer, rather than a trained, qualified, and experienced contracting officer.

(950641)

--Under a 1977 Presidential order, the Council's goods and services should have been procured by the Office of Administration in the Executive Office of the President.

BACKGROUND

The Council on Environmental Quality is one of 10 organizational units within the Executive Office of the President. The Council, which was established by the National Environmental Policy Act of 1969, consists of three members appointed by the President, with the advice and consent of the Senate. The President designates one member as chairperson.

The Office of Environmental Quality, which was established by Title II of the Environmental Quality Improvement Act of 1970, provides technical staff for the Council. The staff is made up of people from various disciplines, including scientists, economists, and lawyers. The Council on Environmental Quality and its staff (Office of Environmental Quality) are hereafter referred to as the Council.

The mission of the Council is to

- develop and recommend to the President national policies which further environmental quality;
- review and appraise Federal Government programs to determine whether they comply with the National Environmental Policy Act and contribute to sound environmental policy;
- perform continuing analyses of changes or trends in the national and global environment;
- conduct studies, research, and analyses on ecological systems and environmental quality; and
- assist the President in preparing the annual environmental quality report to the Congress.

To accomplish its mission, the Council uses a combination of its own staff (in-house) and contractor products and services.

OVERALL SPENDING

The Council spent more than \$7.5 million annually on a \$3 million budget. Other executive branch agencies provided the additional \$4.5 million that the Council spent.

Over the past 2 fiscal years (1979 and 1980), the Congress has appropriated about \$3 million annually for the Council. Each year, the Council spent the bulk of its appropriation for

relatively predictable object classes, such as salaries, travel, rent, utilities, and printing. The Council spent about \$0.5 million for procurement/contracting for supplies and materials, other services, and equipment. In addition to its appropriations, however, the Council spent (for procurement/contracting) about \$9 million received from other executive branch agencies during those 2 fiscal years. According to Council officials, this money was spent on contracts for scientific and environmental studies.

The Council executes both contracts and purchase orders. We examined each contract, contract amendment, and purchase order to get an overview of how the Council spent the money over the past 2 fiscal years. The following table shows our analysis:

Value of Goods and Services Purchased
By the Council

<u>Contracting instrument</u>	<u>FY 1979</u>		<u>FY 1980</u>		<u>Total</u>	
	<u>Actions</u>	<u>Value</u>	<u>Actions</u>	<u>Value</u>	<u>Actions</u>	<u>Value</u>
Contracts & contract amendments (over \$10,000)	39	\$4,503,000	49	\$4,544,000	88	\$9,047,000
Purchase orders (under \$10,000)	306	456,000	292	18,000	598	874,000
	<u>345</u>	<u>\$4,959,000</u>	<u>341</u>	<u>\$4,962,000</u>	<u>686</u>	<u>\$9,921,000</u>

MINIMAL COMPETITION IN CONTRACTING

The Council's contract and project files generally lacked evidence of attempts to obtain competition for supplies and services procured by contract. Further, the files generally contained no explanation or justification for the noncompetitive procurements. We also noted that the contracts were awarded by an administrative officer, rather than a trained, experienced, and qualified contracting officer.

The legislation creating the Council exempts it from the requirement to buy needed goods and services by the formal advertising method of procurement; that is, awarding a contract to that responsive and responsible bidder who submitted the lowest "sealed" bid. Instead, the Council is allowed to buy its goods and services exclusively through the negotiation method. Nothing in the basic legislation, however, grants the Council blanket authority to negotiate procurements on a sole-source or noncompetitive basis. Competition, even in negotiated procurement, should still be obtained to the maximum practical extent.

The Federal Procurement Regulations set forth detailed rules for civilian agencies to follow when purchasing or contracting for goods and services directly from commercial sources whether by formal advertising or negotiation methods. The regulations require that:

"Negotiated procurement shall be on a competitive basis to the maximum practical extent. When a proposed procurement appears to be noncompetitive, the procuring activity is responsible not only for ensuring that competitive procurement is not feasible but also for acting whenever possible to avoid the need for subsequent noncompetitive procurements. This action shall include both examination of the reasons for the procurement being noncompetitive and steps to foster competitive conditions for subsequent procurements, particularly as to the availability of complete and accurate data, reasonableness of delivery requirements, and possible breakout of components for competitive procurements."

To determine the extent of competition in the Council's contracting, we reviewed contract files for evidence of (1) requests for proposals, (2) requests for contractor statements of qualifications, and (3) records of negotiations between the Council and contractors. Generally, we found no such documentation in the contract files. According to Council officials, such documentation, to the extent it exists, would be in the various working files of the Council's project officers and at other agencies which were involved in the contractor selection and negotiation.

We examined the working files of some project officers to determine whether documentation demonstrating attempts to obtain competition was present and found those files incomplete. Because of time constraints, we did not go to the other agencies involved (those financing the contract) to review their files. Council representatives, nevertheless, maintained that, generally, they made efforts to obtain competition when awarding contracts but acknowledged that the contract files were inadequately documented.

We reviewed the Council's contract manual and found it to be inadequate. Council officials presented documents which demonstrated that they, too, recognized the contract manual contained material inaccuracies and that they were taking corrective action.

Since its inception, the Council has been awarding contracts without a qualified and trained contracting officer. Historically, the Council's administrative officer acts as a contracting officer. In addition, the administrative officer's duties include overseeing day-to-day operations concerning personnel, budgeting, and fiscal matters. Council officials acknowledged that the administrative officer's background, training, and experience

did not include procurement/contracting and that requiring one person to be responsible for so many diverse functions was extremely difficult. We believe that these circumstances may in part explain the extensive sole-source procurement and the paucity of documentation in the Council's contract files.

QUESTIONABLE PROCUREMENT AUTHORITY

Even though a Presidential order required the Council's procurement to be performed by a central procurement office within the Executive Office of the President, the Council persisted in awarding its own contracts.

In December 1977 the President issued Executive Order 12028 (still in effect) establishing the Office of Administration in the Executive Office of the President. The mission of the Office of Administration is to provide common administrative support and services to all Executive Office of the President organizational units (for example, the Council on Wage and Price Stability, the National Security Council, the Office of Science and Technology Policy, and the Council on Environmental Quality). Common administrative support that the Office of Administration provides includes such activities as data processing, personnel, payroll, accounting, budgeting, and procurement.

We asked Council officials why they were not complying with the Executive order. They said that during a meeting in early 1978 with Office of Administration representatives, an understanding was reached that the Council would continue to do its own procurement. However, this understanding was not committed to writing.

We questioned Office of Administration officials about the Council's apparent violation of the Executive order. According to the officials, the Council had not been granted a written exception or waiver to the Presidential order. Further, the officials said that they intended to take action soon to have the Office of Administration procurement staff perform the Council's procurement.

Office of Administration officials said that, over the past few years, their procurement staff had been gradually built up to perform the procurement function for many Executive Office of the President organizational units, and that with recent procurement staff increases, they saw no reason why they could not provide the procurement/contracting service for the Council. They suggested that the Council would continue to provide technical expertise on scientific or technical aspects of procurements, when necessary.

AGENCY ACTIONS AND OUR EVALUATION

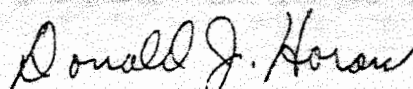
At a December 1980 meeting, Council officials presented us a draft of a proposed new contract manual and a copy of a job opportunity announcement to hire a contracting officer for the Council. Also, they said that they had ordered two sets of the Federal Procurement Regulations. According to the officials, contracting had been somewhat misunderstood and neglected since the Council's inception; however, such would not be the case in the future.

The new contract manual has been prepared in final form. Council representatives said that each member of the program staff has received a personal copy of the manual and has participated in a briefing and a question and answer session to ensure that he/she understands the manual and its requirements. Council officials said that the procurement procedures set forth in their new contract manual are designed to ensure that full documentation of the procurement process will appear in the new contract files. According to the Council officials, the Office of Administration's contracting officer and the Council's project officers will be responsible for maintaining fully documented files. The Council later canceled plans to hire its own contracting officer once it became apparent that the Office of Administration would perform procurement for the Council.

The Council's actions indicate that management has taken positive steps to increase competition in the procurement/contracting area. Actions, such as buying two sets of Federal Procurement Regulations and preparing a detailed contract manual to be followed by the Council staff, give credence to the Council's increased management attention and emphasis on this subject. Also, the Office of Administration's proposal to perform the Council's procurement will put the Council's procurement in compliance with the Executive order.

As a result of the Council's actions and the Office of Administration's stated direction and intention regarding the Council's procurement, we are not making recommendations at this time. Council and Office of Administration officials have reviewed and commented on the matters discussed in this report. We have included their responses where appropriate. Copies of this report will be provided to the Council and the Office of Administration.

Sincerely yours,



Donald J. Horan
Director

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

June 17, 1983

Chrm Whitten

~~Mr. John Roberts~~
~~Office of the General Counsel~~

Dear John:

I'm writing to make sure there is no misunderstanding. When the investigators made a request to broaden the scope of their investigation beyond what was indicated by the Committee, I wrote a letter detailing our cooperation with the investigators and indicating that we're perfectly willing to continue to be cooperative in the future. They reacted by saying I'm stonewalling. I don't see how I could be doing that.

I'm awaiting your further instructions.

Sincerely,

A. ALAN HILL
Chairman

AAH/sc

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Congress of the United States
 House of Representatives
 Committee on Appropriations
 Washington, D.C. 20515

June 22, 1983

CLERK AND STAFF DIRECTOR
 KEITH F. MAINLAND

TELEPHONE:
 (202) 225-2771

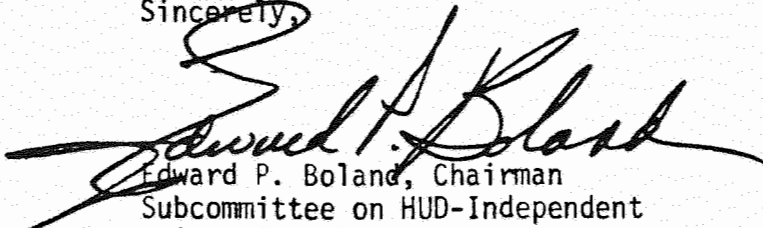
Honorable A. Alan Hill
 Chairman
 Council on Environmental Quality
 722 Jackson Place, N.W.
 Washington, D.C. 20006

Dear Mr. Chairman:

It is requested that the Council provide the Surveys and Investigations Staff of the House Committee on Appropriations with the information outlined in the letter to you of June 20th from Mr. C. R. Anderson, Chief of the Surveys and Investigations staff. A copy of that letter is attached.

Thank you for your cooperation.

Sincerely,


 Edward P. Boland, Chairman
 Subcommittee on HUD-Independent
 Agencies

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Congress of the United States
House of Representatives
Committee on Appropriations
Washington, D.C. 20515

June 20, 1983

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MICKEY EDWARDS, OKLA.
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JERRY LEWIS, CALIF.
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HAROLD ROGERS, KY.

CLERK AND STAFF DIRECTOR
KEITH F. MAINLAND

TELEPHONE:
(202) 225-2771

Honorable A. Alan Hill
Chairman
Council on Environmental Quality
722 Jackson Place, N.W.
Washington, D.C. 20006

Dear Mr. Chairman:

Reference is made to my letters of June 16 and 17, 1983, as well as a letter dated June 15, 1983, signed by members of the House Committee on Appropriations directing this Staff to conduct an investigation of the Council on Environmental Quality and the consolidated working fund which the Council manages.

In order to fulfill this Staff's responsibilities under the Committee's directive, it is necessary to obtain access to information related to the consolidated working fund as well as all Council travel and personnel information related to the HUD-Independent Agencies Appropriation. It is expected that in addition to the consolidated working fund data which the Council has agreed to provide thus far, the Council will also comply with the request for travel and personnel data related to the Council's appropriation. This data includes, but is not limited to:

- travel authorizations, related vouchers, and trip reports for Council and office member trips funded from the Council's appropriation for FY 1982 and FY 1983;
- official accounting entries and records documenting the Council's FY 1982 and FY 1983 travel transactions;
- funds appropriated to the Council for FY 1982 and FY 1983, including any restrictions or limitations imposed on certain expenses (i.e., travel) by the Appropriations Act;

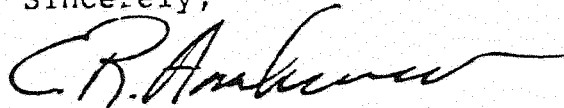
Honorable A. Alan Hill
June 20, 1983
Page 2

- cost of and nature of Council trips funded by external organizations during FY 1982 and FY 1983;
- FY 1982 and FY 1983 budget data, including numbers of personnel requested and personnel ceilings authorized;
- Council personnel listings for FY 1982 and FY 1983;
- personnel data, including SF-171's of present staff; and
- personnel data, including the whereabouts of Council staff who have left the Council during FY 1982 and FY 1983.

This investigation was ordered in accordance with provisions of section 202(b) of Public Law 601, 79th Congress, and it is hoped that you and your staff will cooperate fully in this investigation. In event the Council cannot comply with this data request, please advise me immediately in writing as to your reasons.

If there are any questions concerning this matter, I can be contacted on 225-3881.

Sincerely,



C. R. Anderson
Chief of the Surveys and
Investigations Staff
House Committee on Appropriations

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

June 17, 1983

MEMORANDUM FOR THE FILE

At 11:10 this morning, I received a call from an individual who introduced himself as Dick Malow of the House Appropriations staff. Mr. Malow accused me of stonewalling the investigation and indicated that I could "kiss the \$213,000 goodbye" if I did not cooperate and give the investigators everything they requested. I indicated that we were doing everything possible to provide investigators with information as requested in copies of a partial letter dated June 15 and a complete letter dated June 16. I indicated that we needed clarification of information requested in writing from Committee Members. Mr. Malow indicated he would not provide anything in writing and, further, I was to provide anything and everything the investigators asked for. I said I would be happy to if I had that request in writing. Mr. Malow did not appreciate this comment and said he had Wally Berger from the Senate with him and passed the phone to Wally Berger. Mr. Berger indicated that Senator Garn viewed these investigations very seriously and he had moved to restore the CEQ appropriation to the President's request only as a courtesy to Fred Khedouri. I indicated to Mr. Berger that I am ready to provide anything and everything requested if the Committee requested it in writing. I told Mr. Berger that we had already provided over 2,000 pages of information to the staff and that I was aware they were under a time constraint and that I would do everything possible to expedite their requests and fit within written communications. I also indicated to Mr. Berger that I had personally requested a meeting with Chairman Boland to discuss any problems he had with CEQ. The office has not given me the courtesy of a response. This ended the conversation.



A. ALAN HILL
Chairman

MEETING NOTES -- June 17, 1983

In attendance from the House Investigative Staff: Lou Laporatti, Sharon Chekala and Mike Peck. Representing CEQ were Alan Hill and Kemp Harshman.

The Congressional staff indicated that the investigation was to be broadened to cover CEQ and the consolidated working fund, not just the consolidated working fund. A letter had been presented earlier from C. R. Anderson to this effect. I indicated that we had interpreted the June 16th letter from Mr. Anderson and the blanked out copy of the letter from Chairman Whitten to indicate that the investigation was directed to the consolidated working fund and CEQ's management of it. This is the central point of disagreement. Reference was made to the denial of access to travel authorizations and claims which I pointed out were available in Ursula Pearson's office (the investigators next stop).

Further discussions were held regarding the difference of opinion and both Kemp and I indicated an interest in receiving a response of my letter today to Chairman Whitten. The discussion closed with making available the consolidated working fund financial data through the 15th of June. A follow-up will be handled either through Ursula Pearson's office or through Bernice Carney.

A handwritten signature in cursive script that reads "A. Alan Hill".

A. ALAN HILL
Chairman

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006

OFFICE OF THE CHAIRMAN

June 20, 1983

(202) 395-5080

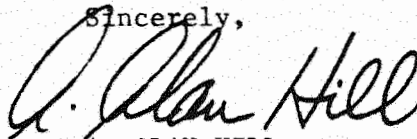
Handwritten: HILL DELIVER

The Honorable Edward P. Boland
U.S. House of Representatives
2426 Rayburn House Office Building
Washington, D. C. 20515

Dear Congressman Boland:

The Members of the Council and I would like to meet with you to discuss your concerns regarding the Council on Environmental Quality. I made a similar request in a telephone call to Ms. Joan Campbell early last week. I hope you can arrange a time.

Sincerely,



A. ALAN HILL
Chairman

AAH/sc

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

June 20, 1983

MEMORANDUM TO: BERNICE CARNEY
FROM: A. ALAN HILL *A.H.*
SUBJECT: ACTION PLAN TO RESPOND TO OFFICIAL REQUEST FROM
HOUSE APPROPRIATIONS COMMITTEE

Please have the following material available immediately so that I can respond to an official request from the House Appropriations Committee:

1. Copies of all authorizations and vouchers for travel expenses from CEQ appropriations; and
2. Arrange for access to all official personnel files in the OA Personnel Office.

The above material should be for FY 1982 and FY 1983.

Thanks.

AAH/sc

Please give the copied material to Suzie when you have it.

A.H.

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

DELIVER BY HAND

June 17, 1983

Honorable Jamie L. Whitten
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, C.C. 20515

Dear Chairman Whitten:

The enclosed letter dated June 16, 1983 from C. R. Anderson, Chief of Surveys and Investigations Staff of the House Appropriations Committee was delivered to me yesterday by hand. This letter states that the Committee ordered "an investigation of the consolidated working fund which is managed by the Council on Environmental Quality." It also requested "the full cooperation of the Council" in order to meet a deadline of June 23, 1983 for completion of the investigation.

The General Counsel's Office had been notified by telephone the day before of the request for an investigation. When I was informed, I arranged for a meeting with four investigators from the Committee, which was held in the morning of June 15.

In order to fully cooperate with the request of the Committee, I cleared my calendar to be personally available to the investigators and met with them for over an hour, as also did Member Maloley. In addition, I have complied with the requests of the investigators for the following information about the consolidated working fund for the last two fiscal years:

1. all travel expense records
2. all accounting documents
3. all office working papers
4. official copies of all interagency agreements
5. copies of each contract
6. a summary of each contract
7. a 1981 report by the Comptroller General about CEQ.

In all, we have provided well over 2,000 pages of documents about the consolidated working fund.

I have also arranged for interviews about the consolidated working fund with the following individuals:

Bernice Carney, Administrative Officer
Kemp Harshman, Acting General Counsel

Ursula Pearson, Director, Financial Management Division,
Office of Administration, Executive Office of the
President

Dr. Sidney Siegel, Director, Chemical Substances Information
Network

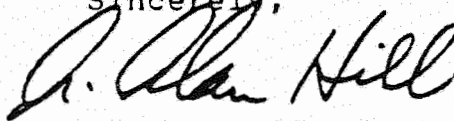
Dr. Chris Bernabo, Director, Acid Precipitation Task Force
And all consolidated working fund contractors

Of course, I will respond to all further requests for information
about the consolidated working fund.

I have made office space and equipment available for the
investigators.

I would be happy to continue to respond in a cooperative manner
to any further requests from the Committee for any additional
information.

Sincerely,

A handwritten signature in black ink that reads "A. Alan Hill". The signature is written in a cursive, slightly slanted style.

A. Alan Hill
Chairman

Enclosure

cc: Honorable Edward P. Boland
Honorable Silvio O. Conte
Honorable Bill Green

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TELEPHONE
(703) 228-

Congress of the United States
House of Representatives
Committee on Appropriations
Washington, D.C. 20515

June 16, 1983

Honorable A. Alan Hill
Chairman
Council on Environmental Quality
722 Jackson Place, N.W.
Washington, D.C. 20006

Dear Mr. Chairman:

This will confirm my conversation on June 15, 1983, with Mr. Kemp Harshman to the effect that by letter dated June 15, 1983, this Staff was directed by the Committee to conduct an investigation of the consolidated working fund which is managed by the Council of Environmental Quality.

The Committee has requested that the investigation be completed by June 23, 1983, and it is hoped that our Staff Members will receive the full cooperation of the council in order to meet this short deadline.

If there are any questions concerning this matter, I can be contacted on 225-3881.

Sincerely,

C. R. Anderson
Chief of the Surveys and
Investigations Staff
House Appropriations Committee

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

June 17, 1983

MEMORANDUM TO: CEQ STAFF AND CONTRACTORS

FROM: A. ALAN HILL, CHAIRMAN *AAH*

Members of the Surveys and Investigation staff of the House Appropriations Committee are here reviewing the consolidated working fund. I am asking for your full and complete cooperation with them, since they have been directed to have their report ready by June 23, 1983.

Kemp Harshman, the Acting General Counsel, is the point of coordination for CEQ. Please feel free to contact him if you have any questions.

Since the investigation's scope is limited to the consolidated working fund, I would ask that questions on other subjects be referred to Kemp Harshman for response.

AAH/sc

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Congress of the United States
House of Representatives
Committee on Appropriations
Washington, D.C. 20515

June 17, 1983

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KEITH F. MAINLAND

TELEPHONE:
(202) 225-2771

Honorable A. Alan Hill
Chairman
Council on Environmental Quality
722 Jackson Place, N.W.
Washington, D.C. 20006

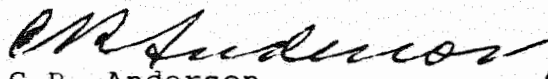
Dear Mr. Chairman:

Reference is made to my letter to you dated June 16, 1983, as well as a letter dated June 15, 1983, signed by members of the House Committee on Appropriations directing this Staff to conduct an investigation of the Council on Environmental Quality and the consolidated working fund which the council manages.

In an effort to clarify confusion which may exist, the Committee has requested in its letter that the investigation include the operations of the Council on Environmental Quality as well as the consolidated working fund.

This investigation was ordered in accordance with the provisions of section 202(b) of Public Law 601, 79th Congress, and it is hoped that you and the members of your staff will cooperate in this investigation.

Sincerely,



C.R. Anderson
Chief of the Surveys and
Investigations Staff
House Committee on Appropriations

MEMBERS

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Congress of the United States
 House of Representatives
 Committee on Appropriations
 Washington, D.C. 20515

June 15, 1983

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 KEITH F. MAINLAND

TELEPHONE:
 (202) 225-2771

*No letter rec -
 Point of Contact
 Kemp Hershman 373-5734
 Sharon advised B.*

Honorable Jamie L. Whitten
 Chairman
 Committee on Appropriations
 U. S. House of Representatives
 Washington, D. C. 20515

Dear Mr. Chairman:

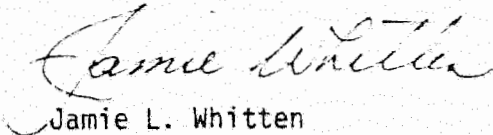
It will be appreciated if, in accordance with the provisions of section 202(b) of Public Law 601, 79th Congress, you will direct that an investigation be made of the Council of Environmental Quality (CEQ) and the consolidated working fund which the Council manages.

Honorable Jamie L. Whitten
June 15, 1983
Page Two

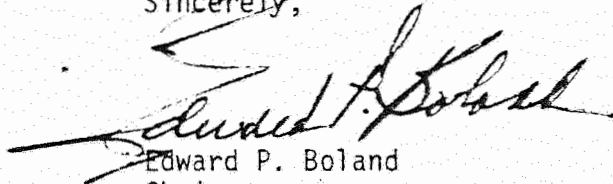
The Committee's hearing on CEQ's 1984 budget request raised several questions related to the issues outlined above. It is requested that the investigation be completed by June 23, 1983.

APPROVED:

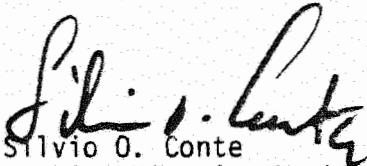
Sincerely,



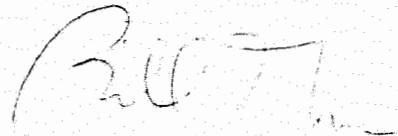
Jamie L. Whitten
Chairman
Committee on Appropriations



Edward P. Boland
Chairman
Subcommittee on HUD-Independent Agencies



Silvio O. Conte
Ranking Minority Member
Committee on Appropriations



Bill Green
Ranking Minority Member
Subcommittee on HUD-Independent Agencies

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Congress of the United States
House of Representatives
Committee on Appropriations
Washington, D.C. 20515

June 16, 1983

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TELEPHONE:
(202) 225-2771

Honorable A. Alan Hill
Chairman
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722 Jackson Place, N.W.
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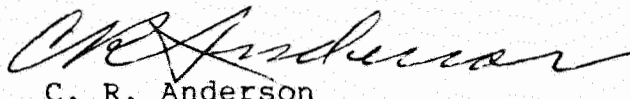
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The Committee has requested that the investigation be completed by June 23, 1983, and it is hoped that our Staff Members will receive the full cooperation of the council in order to meet this short deadline.

If there are any questions concerning this matter, I can be contacted on 225-3881.

Sincerely,


C. R. Anderson
Chief of the Surveys and
Investigations Staff
House Appropriations Committee

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CLERK AND STAFF DIRECTOR
 KEITH F. MAINLAND
 TELEPHONE:
 (202) 225-2771

Congress of the United States
 House of Representatives
 Committee on Appropriations
 Washington, D.C. 20515

June 20, 1983

*Received -
 11/25
 6/20/83
 AH.*

Honorable A. Alan Hill
 Chairman
 Council on Environmental Quality
 722 Jackson Place, N.W.
 Washington, D.C. 20006

Dear Mr. Chairman:

Reference is made to my letters of June 16 and 17, 1983, as well as a letter dated June 15, 1983, signed by members of the House Committee on Appropriations directing this Staff to conduct an investigation of the Council on Environmental Quality and the consolidated working fund which the Council manages.

In order to fulfill this Staff's responsibilities under the Committee's directive, it is necessary to obtain access to information related to the consolidated working fund as well as all Council travel and personnel information related to the HUD-Independent Agencies Appropriation. It is expected that in addition to the consolidated working fund data which the Council has agreed to provide thus far, the Council will also comply with the request for travel and personnel data related to the Council's appropriation. This data includes, but is not limited to:

- travel authorizations, related vouchers, and trip reports for Council and office member trips funded from the Council's appropriation for FY 1982 and FY 1983;
- official accounting entries and records documenting the Council's FY 1982 and FY 1983 travel transactions;
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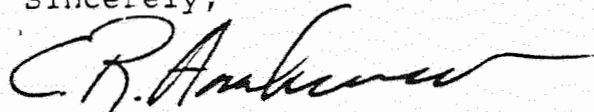
Honorable A. Alan Hill
June 20, 1983
Page 2

- cost of and nature of Council trips funded by external organizations during FY 1982 and FY 1983;
- FY 1982 and FY 1983 budget data, including numbers of personnel requested and personnel ceilings authorized;
- Council personnel listings for FY 1982 and FY 1983;
- personnel data, including SF-171's of present staff; and
- personnel data, including the whereabouts of Council staff who have left the Council during FY 1982 and FY 1983.

This investigation was ordered in accordance with provisions of section 202(b) of Public Law 601, 79th Congress, and it is hoped that you and your staff will cooperate fully in this investigation. In event the Council cannot comply with this data request, please advise me immediately in writing as to your reasons.

If there are any questions concerning this matter, I can be contacted on 225-3881.

Sincerely,



C. R. Anderson
Chief of the Surveys and
Investigations Staff
House Committee on Appropriations

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

DELIVER BY HAND

June 17, 1983

Honorable Jamie L. Whitten
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, C.C. 20515

Dear Chairman Whitten:

The enclosed letter dated June 16, 1983 from C. R. Anderson, Chief of Surveys and Investigations Staff of the House Appropriations Committee was delivered to me yesterday by hand. This letter states that the Committee ordered "an investigation of the consolidated working fund which is managed by the Council on Environmental Quality." It also requested "the full cooperation of the Council" in order to meet a deadline of June 23, 1983 for completion of the investigation.

The General Counsel's Office had been notified by telephone the day before of the request for an investigation. When I was informed, I arranged for a meeting with four investigators from the Committee, which was held in the morning of June 16.

In order to fully cooperate with the request of the Committee, I cleared my calendar to be personally available to the investigators and met with them for over an hour, as also did Member Maloley. In addition, I have complied with the requests of the investigators for the following information about the consolidated working fund for the last two fiscal years:

1. all travel expense records
2. all accounting documents
3. all office working papers
4. official copies of all interagency agreements
5. copies of each contract
6. a summary of each contract
7. a 1981 report by the Comptroller General about CEQ.

In all, we have provided well over 2,000 pages of documents about the consolidated working fund.

I have also arranged for interviews about the consolidated working fund with the following individuals:

Bernice Carney, Administrative Officer
Kemp Harshman, Acting General Counsel

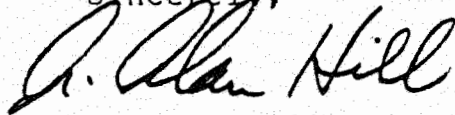
Ursula Pearson, Director, Financial Management Division,
Office of Administration, Executive Office of the
President
Dr. Sidney Siegel, Director, Chemical Substances Information
Network
Dr. Chris Bernabo, Director, Acid Precipitation Task Force
And all consolidated working fund contractors

Of course, I will respond to all further requests for information
about the consolidated working fund.

I have made office space and equipment available for the
investigators.

I would be happy to continue to respond in a cooperative manner
to any further requests from the Committee for any additional
information.

Sincerely,



A. Alan Hill
Chairman

Enclosure

cc: Honorable Edward P. Boland
Honorable Silvio O. Conte
Honorable Bill Green

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Congress of the United States
 House of Representatives
 Committee on Appropriations
 Washington, D.C. 20515

June 16, 1983

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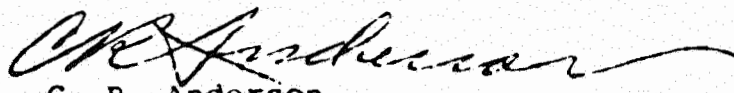
Dear Mr. Chairman:

This will confirm my conversation on June 15, 1983, with Mr. Kemp Harshman to the effect that by letter dated June 15, 1983, this Staff was directed by the Committee to conduct an investigation of the consolidated working fund which is managed by the Council of Environmental Quality.

The Committee has requested that the investigation be completed by June 23, 1983, and it is hoped that our Staff Members will receive the full cooperation of the council in order to meet this short deadline.

If there are any questions concerning this matter, I can be contacted on 225-3881.

Sincerely,



C. R. Anderson
 Chief of the Surveys and
 Investigations Staff
 House Appropriations Committee

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

June 17, 1983

MEMORANDUM TO: CEQ STAFF AND CONTRACTORS

FROM: A. ALAN HILL, CHAIRMAN *AAH*

Members of the Surveys and Investigation staff of the House Appropriations Committee are here reviewing the consolidated working fund. I am asking for your full and complete cooperation with them, since they have been directed to have their report ready by June 23, 1983.

Kemp Harshman, the Acting General Counsel, is the point of coordination for CEQ. Please feel free to contact him if you have any questions.

Since the investigation's scope is limited to the consolidated working fund, I would ask that questions on other subjects be referred to Kemp Harshman for response.

AAH/sc

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JACK HIGHTOWER, TEX.
MARTIN OLAV SABO, MINN.
JULIAN C. DIXON, CALIF.
VIC FAZIO, CALIF.
W. G. (BILL) HEFNER, N.C.
LES AU COIN, OREG.
DANIEL K. AKAKA, HAWAII
WES WATKINS, OKLA.
WILLIAM H. GRAY III, PA.
BERNARD J. DWYER, N.J.
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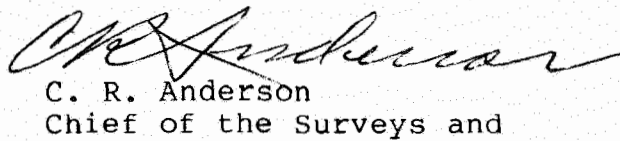
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Honorable A. Alan Hill
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