

1961, was submitted as part of the testimony of the Advisory Commission on Intergovernmental Relations, and appears on pages 158-162.)

Mr. HUGHES: Also we wish to reaffirm our earlier views that the Congress itself should conduct the periodic reviews. We believe that periodic review of grant programs by the Comptroller General or other bodies could not be as effective or serve the same purpose as a review by the relevant congressional committee, and that any review of grant programs should be initially limited to new programs.

Title VI of the bill would authorize the President to follow a procedure based on the Reorganization Act of 1949 to consolidate grant-in-aid programs. Thus, it attempts to deal with one of the most significant problems effecting intergovernmental relations—the multiplicity of narrow categorical grants.

Under title VI, the President would be authorized to prepare plans to consolidate individual grant-in-aid programs within the same functional area when he finds consolidation to be desirable or necessary. Each plan could provide for a single consolidation and would have to place responsibility in a single agency and specify the grant formulas for the consolidated program. Such plans, like reorganization plans, would be transmitted to the Congress by the President. Congressional action would be governed by a procedure similar to that under the reorganization statute, except that the Congress would have 90 days to reject grant consolidation plans rather than the 60 days provided for disapproval of a reorganization plan.

If title VI is narrowly interpreted, it adds very little to the authority which the President already has under the reorganization statute and might conceivably be construed as a limitation on that authority. Under the reorganization statute, the President has the authority to propose plans which may transfer functions involving any number of grant-in-aid programs. For example, reorganization plan No. 2 of 1968 transfers authority for a series of urban mass transportation grant programs from the Department of Housing and Urban Development to the Department of Transportation. Under title VI each plan may deal with “only one consolidation of individual grant programs,” and that must be within the same functional area.

Section 602(a) (2) of title VI appears to be the only specific addition to the President's existing authority. It states that each grant consolidation plan “shall specify in detail the formula or formulas for the making of grants under the consolidated program * * *.” If that language is intended to authorize the President to include changes in matching and apportionment formulas in a grant consolidation plan, it goes beyond the authority contained in the reorganization statute. However, that authority by itself may not be useful since program consolidation would generally also require changes in eligibility, planning, and other requirements as well.

In addition, we believe the committee should carefully consider the use of the type of procedure set forth in title VI to deal with matters which go beyond questions of the internal organization of existing executive branch functions with which the President may deal under the reorganization statute. Grant consolidations, in most cases, would have to involve changes in existing functions and substantive law which are of major concern outside the executive branch.