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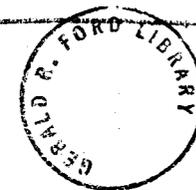
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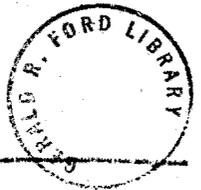
SHORT TITLE & BILL NUMBER	HOUSE	SENATE	REMARKS (1)
AGRICULTURE APPROPRIATIONS H.R. 16901	PASSED OCTOBER 9, 1974	PENDING IN COMMITTEE	OVER BUDGET IN BOTH HOUSES: PROBLEMS IN OSHA: ABORTION. SENATE MAY DELAY UNTIL JANUARY.
LABOR/HEW APPROPRIATIONS H.R. 15580	PASSED JUNE 27, 1974	PASSED SEPTEMBER 18, 1974	WENT TO CONFERENCE SEPT. 19th. MAY BE HELD UNTIL JANUARY.
MILITARY CONSTRUCTION APPROPRIATIONS (NOT INTRODUCED, NO AUTHORIZATION)	FULL COMMITTEE MAY CONSIDER ON NOVEMBER 20 & ON FLOOR NOVEMBER 22, 1974, PENDING AUTHORIZATION.	AWAITING HOUSE ACTION	NO AUTHORIZATION
FOREIGN ASSISTANCE APPROPRIATIONS (NOT INTRODUCED, NO AUTHORIZATION)	WAITING AUTHORIZATION	AWAITING HOUSE ACTION	NO AUTHORIZATION EXPECTED BEFORE THANKSGIVING
FIRST SUPPLEMENTAL APPROPRIATIONS H.R. 16900	PASSED OCTOBER 2, 1974	REPORTED OUT OF COMMITTEE OCTOBER 9, 1974	PENDING SENATE FLOOR ACTION: \$200 MILLION OVER BUDGET
\$300 BILLION CEILING S. 4113 H.CON.RES 667	PASSED OCTOBER 11, 1974	NO ACTION YET	
NAT'L COMMISSION ON REGULATORY REFORM H.R. 17417 S. 4145	PENDING IN COMMERCE COMMITTEE	PENDING IN GOVERNMENT OPERATIONS COMMITTEE	
RICE ACT H.R. 15263	REPORTED BY AGRICULTURE COMMITTEE AUGUST 21, 1974; PENDING BEFORE RULES COMMITTEE	NO ACTION YET	RULES MAY RECONSIDER



SHORT TITLE & BILL NUMBER	HOUSE	SENATE	REMARKS (2)
PEANUT ACT H.R. 15755	PENDING IN AGRICULTURE COMMITTEE	NO ACTION YET	
EXTRA LONG STAPLE COTTON H.R. 11598	PENDING IN HOUSE AGRICULTURE COMMITTEE	NO ACTION YET	NO CHANCE THIS SESSION
P.L. 480 AMENDMENT			NOT YET SUBMITTED
ANTITRUST PENALTIES H.R. 17063	S. 782, SIMILAR BILL, REPORTED BY JUDICIARY COMMITTEE ON OCTOBER 11, 1974	S. 782, SIMILAR BILL, PASSED ON JULY 18, 1974	EFFORT WILL BE MADE ON HOUSE FLOOR TO INCREASE PENALTIES TO CONFORM TO PRESIDENT'S PROPOSAL
SPECIAL UNEMPLOY- MENT COMPENSA- TION ACT H.R. 17218 S. 4129	PENDING EDUCATION & LABOR COMMITTEE	PENDING LABOR COMMITTEE	JOINT HEARINGS HAVE BEEN HELD
SURFACE TRANS- PORTATION ACT H.R. 5385 S. 3237	COMMERCE COMMITTEE REPORTED SEPTEMBER 26, 1974; PENDING BEFORE RULES COMMITTEE	PENDING BEFORE SENATE COMMERCE COMMITTEE	
FINANCIAL INSTITUTIONS H.R. 10990 S. 2591	PENDING BANKING & CURRENCY COMMITTEE	HEARINGS COMPLETED IN BANKING & CURRENCY SEPTEMBER 25, 1974	
SURTAX	WAYS & MEANS HELD HEARINGS OCTOBER 9 & 10 AS PART OF TAX REFORM BILL	NO ACTION	NO ACTION FORESEEN



SHORT TITLE & BILL NUMBER	HOUSE	SENATE	REMARKS (3)
JUSTICE INVESTIGATION POWERS - (ANTITRUST CIVIL PROCESS ACT) H.R. 13992	PENDING JUDICIARY COMMITTEE	NOT INTRODUCED	
TRADE REFORM ACT H.R. 10710	WAYS & MEANS COMMITTEE REPORTED OCTOBER 10, 1973; PASSED DECEMBER 11, 1973	SENATE FINANCE COMMITTEE IN MARK UP	LOGJAM BROKEN; OPTIMISTIC OUTLOOK
PREFERRED STOCK DIVIDENDS	IN DRAFT FORM BEFORE WAYS & MEANS COMMITTEE	MUST AWAIT HOUSE ACTION FIRST	
INVESTMENT TAX CREDIT	IN DRAFT FORM BEFORE WAYS & MEANS COMMITTEE	MUST AWAIT HOUSE ACTION FIRST	
DEEPWATER PORTS H.R. 10701 S. 4076	PUBLIC WORKS COMMITTEE REPORTED NOVEMBER 28, 1973; PASSED JUNE 10, 1974	COMMITTEES DISCHARGED OCTOBER 9, 1974; PASSED OCTOBER 9, 1974	HOUSE OBJECTED OCTOBER 16, 1974 TO SEND BILL TO CONFERENCE
SURFACE MINING H.R. 11500 S. 425	INTERIOR COMMITTEE REPORTED MAY 30, 1974; PASSED JULY 25, 1974	INTERIOR COMMITTEE REPORTED SEPTEMBER 21, 1973; PASSED OCTOBER 9, 1973	IN CONFERENCE WHICH RESUMES NOVEMBER 19, 1974
NUCLEAR PLANT LICENSING H.R. 15987			REFERRED TO JOINT COMMITTEE ON ATOMIC ENERGY; HEARINGS 3/19/74; NO FURTHER ACTION
CAPITAL GAINS LIBERALIZATION	IN DRAFT FORM BEFORE WAYS & MEANS COMMITTEE	MUST AWAIT HOUSE ACTION FIRST	



BILL NUMBER	HOUSE	SENATE	REMARKS (4)
CLEAN AIR AMENDMENTS S. 3287 H.R. 13894	Pending Before Commerce Committee	Pending Before Public Works Committee	No Action Expected
GAS DEREGULATION H.R. 7507 S. 2048	Pending Before Commerce Committee	Commerce Committee concluded hearings; No Action	
WINDFALL PROFITS H.R. 14462	W & M Comtee reported 5/2/74; Rules Comtee held hearings; Back to W & M; tax reform legislation in modified form.	No Action Yet	
NAVAL PETRO- LEUM RESERVES H. J. Res. 832 S. J. Res. 176	Different Bill pending in House Interior Committee	Passed 12/19/73	House Armed Services Committee issued negative report
FOREIGN AID AUTH. S. 3394 H.R. 17234	Foreign Affairs Committee reported 10/11/74; Pending before Rules	Senate reported & recommitted by Floor action 10/2/74	Scheduled for House Floor after Thanksgiving
NEW FEDERAL JUDGESHIPS S. 597	Not Introduced	Pending Senate Judiciary Committee	
MILITARY CON- STRUCTION AUTHORIZATION H.R. 16136 S. 3471	Armed Services Committee reported 7/31/74; Passed 8/9/74	Armed Services Committee reported 9/5/74; Passed 9/11/74	Ready to go to Conference
VETERANS EDUCATION H.R. 12628	Conference Report Passed 10/10/74	Conference Report Passed 10/10/74	Held by Senate to avoid Veto



SHORT TITLE BILL NUMBER	HOUSE	SENATE	REMARKS (5)
FEDERAL MASS TRANS. S. 386	Conference Report Pending Before Rules Committee	Conference Report Pending Senate Action	Senate Expected to Consider on November 20
EX - IM BANK H.R. 15977	Passed 8/21/74	Passed 9/19/74	Conference Concluded 10/8/74; Action Expected Soon
ASIAN BANK H.R. 11666 S. 2193	Banking Committee reported on 1/21/74 Pending Floor Action	Passed 8/1/74	Scheduled for House Floor 11/26/74
AFRICAN DEVEL. BANK S. 2354	Pending B & C Committee	Passed 7/30/74	No Chance
ILLEGAL ALIENS H.R. 982	Passed 5/3/74	Pending Senate Judiciary Committee	
PUBLIC BROAD- CASTING H.R. 16139 S. 3825	Pending House Commerce Committee	Senate Commerce reported to Senate APPROP for concurrence	
PRIVACY (General) H.R. 16373 S. 3418	Reported by Government Operations 9/12/74	Reported by Government Operations 8/20/74	
DEFERALLS & RECISSIONS (5 packages)	Sent to Speaker & referred to House Approp. Committee for consideration (different dates)	Sent to President Pro Tem; jurisdic- tional problem between substantive comtee & approp. comtee. (different dates)	Mahon will introduce package bill in lame - duck session.



SHORT TITLE BILL NUMBER	HOUSE	SENATE	REMARKS
AMEND EMPLOY- MENT ACT of 1946 H.R. 17142	Pending before House Government Operations Comtee.		
TAX REFORM BILL		Must await House action first	



August 21, 1974

MEMORANDUM FOR THE PRESIDENT

FROM: William E. Timmons
SUBJECT: Congress

There is some movement within Congress to have a lame duck session. Pressure is mounting for this Congress to:

- confirm Rockefeller
- enact Health Insurance
- raise Members' salaries
- enact Tax Reform
- clean up other outstanding legislation

Some point out these items cannot be handled in short September-October term. Also, Members can tell the voters they haven't finished their work and will return to complete action on nation's pressing problems, etc. This obviously works for re-election of incumbents.

I feel a lame duck session would be a disaster from the Administration's point of view and recommend you talk privately with Scott, Rhodes, Mansfield and the Speaker to try to have sine die adjournment by mid-October at latest.

AGREE _____

DISAPPROVE _____

SEE ME _____



MESSAGE OUTLINE

WINTER TERM OF 93RD CONGRESS

I. INTRODUCTION

Elections over; much work to be done.

II. NOMINATIONS

- . Nelson Rockefeller
- . 46 lapsed nominations resubmitted
- . Additional nominations to be submitted

III. VETOES

- . Legal situation of pocket vetoes (Counsel)
- . Burt, Pope, Kennedy Private Relief (H. R. 6624) (Justice)
- . ~~Sharp~~ Private Relief (H. R. 7768) (Justice)
- . National Wildlife Refuge (H. R. 11541) (Interior)
- . Farm Labor Registration (H. R. 13342) (Labor)
- . AEC Amendments (H. R. 15323) (AEC)
- . Rehabilitation (H. R. 14225) (HEW)
- . Freedom of Information (H. R. 12471) (Justice)

IV. APPROPRIATIONS

- . Agriculture H (Ag)
- . Labor-HEW HS (Labor-HEW)
- . Military Construction (DOD)
- . Foreign Assistance (State-AID)
- . 1st Supplemental H (OMB)

V. ECONOMY

- . Four packages of deferrals and rescissions (OMB)
- . Legislative economics upcoming (OMB)
- . \$300 billion ceiling H (OMB)
- . Amend Employment Act of 1946 (OMB)
- . Commission on Regulatory Reform (OMB)
- . Rice (Ag)
- . Peanuts (Ag)



- . Extra-long staple cotton (Ag)
- . PL 480 Amendment (Ag)
- . Antitrust Penalties S (Justice)
- . Justice investigation powers (Justice)
- . Special Unemployment Assistance (Labor)
- . Surface Transportation Act (DOT)
- . Financial Institutions (Treas)
- . Surtax (Treas)
- . Trade Reform H (CIEP)
- . Capital gains liberalization (Treas)
- . Preferred Stock Dividends (Treas)
- . Investment tax credit (Treas)

VI. ENERGY

- . Deepwater Ports HS (Interior)
- . Surface Mining HS (Interior)
- . Nuclear Plant Licensing (AEC)
- . Clean Air Act Amendments (EPA)
- . Gas Deregulation (FEA)
- . Windfall Profits Tax & relief for poor (Treas)
- . Coal conversion soon (FEA)
- . Naval Petroleum Reserves S (Interior)

VII. OTHER

- . Foreign Aid Authorization (State-AID)
- . Federal Mass Transportation HSC (DOT)
- . New Federal Judgeships (Justice)
- . Military Construction Authorization HS (DOD)
- . Veterans Education HSC (VA)
- . Ex-Im Bank (X-M)
- . Asian and African Bank S (Treas)
- . Illegal Aliens H (Justice)
- . Public Broadcasting (OTP)
- . Privacy (Counsel)



August 12, 1974

MEMORANDUM FOR: GENERAL ALEXANDER HAIG
FROM: WILLIAM E. TIMMONS
SUBJECT: Legislative Issues

By Tuesday morning Roy Ash, Ken Cole and I will have prepared brief papers on legislative issues listed in tab A. The President will want to study the Administration's current policy positions and decide if he wishes to express different views.

The President must focus on these issues immediately because most are nearing final stages in the legislative process. I do not believe the President should exercise a pocket veto during the August summer break so congressional leaders will want to hold objectionable measures until the September term.



Education Bill
Trade Reform
OEO Transfer
Housing and Urban Development
Federal Mass Transit
Pension Reform
Consumer Protection
ERDA-NEC
Cargo Preference
Energy Taxes
Tax Reform
Freedom of Information
Agriculture Appropriations Veto
State Department Authorization
Vietnam Veterans Assistance
Surface Mining
Juvenile Delinquency
White House Authorization
National Health Insurance
Campaign Reform



(with accompanying papers). Referred to the Committee on the Judiciary.

THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATIONS FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classification for certain aliens (with accompanying papers). Referred to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting pursuant to law, copies of orders suspending deportation of certain aliens (with accompanying papers). Referred to the Committee on the Judiciary.

REPORTING NUMBER OF GS GRADE EMPLOYEES BY NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Administrator, National Aeronautics and Space Administration, reporting, pursuant to law, the number of individuals in each General Schedule (GS) grade (including those in the GW category) employed on June 30, 1973, and on June 30, 1974, by the National Aeronautics and Space Administration. Referred to the Committee on Post Office and Civil Service, and the Committee on Appropriations.

REPORT OF BUILDING PROJECT SURVEY FOR HARVEY, ILL.

A letter from the Administrator, General Services Administration, submitting, pursuant to law, a report of building project survey for Harvey, Ill., which has been prepared in accordance with a resolution adopted by the Committee on Public Works of the House of Representatives on May 2, 1974 (with accompanying papers). Referred to the Committee on Public Works.

REPORT ON CLEAN WATER

A letter from the Administrator, U.S. Environmental Protection Agency, transmitting, pursuant to law, the second of a series of annual reports covering measures taken to implement the objectives of the Federal Water Pollution Control Act (with an accompanying report). Referred to the Committee on Public Works.

PROPOSED ACQUISITION OF A LEASEHOLD INTEREST FOR THE SECURITIES AND EXCHANGE COMMISSION

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, a prospectus for proposed lease under the Public Buildings Act of 1959, as amended, for the Securities and Exchange Commission in Washington D.C. (with accompanying papers). Referred to the Committee on Public Works.

PRIORITY PRIMARY ROUTE COST STUDY REPORT

A letter from the Secretary of Transportation, transmitting, pursuant to law, the priority primary route cost study report (with an accompanying report). Referred to the Committee on Public Works.

REPORT ON DRUG BIOEQUIVALENCE

A letter from the Chairman and Vice Chairman, Office of Technology Assessment, Congress of the United States, submitting a report on the assessment of the drug bioequivalence (with an accompanying report). Ordered to lie on the table.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. HASKELL):

A resolution from the Common Council of the city of Buffalo, relative to national priorities.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Commerce, without an amendment:

S. 3308. A bill to amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes (Rept. No. 93-1084).

By Mr. MAGNUSON, from the Committee on Commerce, with an amendment:

S. 2149. A bill to amend title 10, United States Code, to provide certain benefits to members of the Coast Guard Reserve, and for other purposes (Rept. No. 93-1085); and H.R. 13895. An act to authorize appropriations for the Coast Guard for the procurement of vessels and aircraft and construction of shore and offshore establishments, to authorize appropriations for bridge alterations, to authorize for the Coast Guard an end-year strength for active duty personnel, to authorize for the Coast Guard average military student loans, and for other purposes (Rept. No. 93-1086).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. SPARKMAN, from the Committee on Banking, Housing and Urban Affairs:

Alan Greenspan, of New York, to be a member of the Council of Economic Advisers.

(The above nomination was reported with the recommendation that the nomination be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. SPARKMAN (for himself and Mr. Tower):

S. 3894. A bill to establish the Cost of Living Task Force. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. MOSS:

S. 3895. A bill to amend United States Code, title 5, section 8341(a), with respect to the definitions of "widow" and "widower" for the purpose of survivor's annuities. Referred to the Committee on Post Office and Civil Service.

By Mr. CHURCH:

S. 3896. A bill to amend title XVI of the Social Security Act to require that the value of maintenance and support furnished an individual by a nonprofit retirement home be excluded from income for the purpose of determining eligibility for supplemental security income benefits under such act. Referred to the Committee on Finance.

S. 3897. A bill to consider certain service by Federal employees in international organizations as leave without pay for purposes of civil service retirement. Referred to the Committee on Post Office and Civil Service.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPARKMAN for himself and Mr. Tower):

S. 3894. A bill to establish the Cost of Living Task Force. Referred to the Committee on Banking, Housing and Urban Affairs.

Mr. SPARKMAN, Mr. President, on behalf of myself and Senator Tower, I introduce for appropriate reference a bill to establish a Cost of Living Task Force.

I ask unanimous consent that the bill and the letter of transmittal from the President to the Congress upon the submission of this proposed legislation be printed in the RECORD at this point.

There being no objection, the letter and bill were ordered to be printed in the RECORD, as follows:

LETTER OF TRANSMITTAL

THE WHITE HOUSE,
August 2, 1974.

To the Congress of the United States:

Earlier this year, before the expiration of the legislation authorizing the Cost of Living Council, I proposed to the Congress that a residual group within the Executive Office of the President be authorized to monitor wages and prices, as an on-going part of our fight against inflation. The Congress did not act on this proposal.

In my economic address on May 26 of this year, I called for the establishment of a Cost of Living Task Force to monitor wages and prices. Again, no Congressional authorization was forthcoming. While I continue to oppose mandatory wage and price controls, it is essential that wages and prices be carefully watched, that labor and management be constantly aware of public concern in this area, and that Government have the information it needs to persuade labor and management to do their duty in the effort to reduce inflation. We have carried out this monitoring function as best we can with our existing resources, under the leadership of my Counsellor for Economic Policy, Kenneth Rush. The need for a properly authorized group continues, however, and it now appears that many Members of the Congress are prepared to reconsider their earlier opposition to my proposal for such a group. A Senate spokesman for the majority party of the Congress is now advocating such a proposal.

Therefore, I am today transmitting a legislative proposal to establish a Cost of Living Task Force. I invite all those who have come to see the need for this proposal to join as bipartisan co-sponsors in this vital step in our fight against inflation.

RICHARD NIXON.

S. 3894

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Cost of Living Task Force Act.

SEC. 2. (a) The President is authorized to establish, within the Executive Office of the President, a Cost of Living Task Force (hereinafter referred to as the Task Force).

(b) The Task Force shall consist of the Counsellor to the President for Economic Affairs, who shall be its Chairman, the Chairman of the Council of Economic Advisers, who shall be its Vice Chairman, the Secretary of the Treasury, the Secretary of Agriculture, the Secretary of Labor, the Director of the Office of Management and Budget, the Special Assistant to the President for Consumer Affairs, and such other members as



the President may, from time to time, designate or appoint.

(c) There shall be a Director of the Task Force who shall be appointed by the President and be a member of the Task Force. The Director shall be compensated at the rate prescribed for level IV of the Executive Schedule by Section 5315 of Title 5 of the United States Code. There shall be a Deputy Director of the Task Force who shall be appointed by the President and be compensated at the rate prescribed for level V of the Executive Schedule by Section 5316 of Title 5 of the United States Code. The Director of the Task Force shall be the Chief Executive officer of the Task Force and shall perform such functions as the President or the Chairman of the Task Force may prescribe. The Deputy Director shall perform such function as the Chairman or the Director of the Task Force may prescribe.

(d) The director of the Task Force may appoint, employ, and fix the compensation of such officers and employees, including attorneys, as are necessary to perform the functions of the Task Force and to prescribe their duties. In addition to the number of positions which may be placed in GS-16, 17, and 18 under existing law, the Director, with the approval of the Chairman of the Task Force, may, without regard to the provisions of Title 5 of the United States Code relating to appointments in the competitive service, place, not to exceed five positions in GS-16, 17, and 18 to carry out the functions of the Task Force.

(e) The Director of the Task Force may employ experts, expert witnesses, and consultants in accordance with the provisions of Section 3109 of Title 5 of the United States Code, and compensate them at rates not in excess of the maximum daily rate prescribed for GS-18 by Section 5332 of Title 5 of the United States Code.

(f) The Director of the Task Force may, with their consent, utilize the services, personnel, equipment, and facilities of Federal, State, regional, and local public agencies and instrumentalities, with or without reimbursement therefor, and may transfer funds made available pursuant to this Act to Federal, State, regional, and local public agencies and instrumentalities as reimbursement for utilization of such services, personnel, equipment, and facilities.

Sec. 3. (a) The Task Force shall—

(1) review and analyze industrial capacity, demand, and supply in various sectors of the economy, working with the industrial groups concerned and appropriate governmental agencies to encourage price restraint;

(2) work with labor and management in the various sectors of the economy having special economic problems, as well as with appropriate Government agencies, to improve the structure of collective bargaining and the performance of those sectors in restraining prices;

(3) improve wage and price data bases for the various sectors of the economy to improve collective bargaining and encourage price restraint;

(4) conduct public hearings necessary to provide for public scrutiny of inflationary problems in various sectors of the economy;

(5) focus attention on the need to increase productivity in both the public and private sectors of the economy;

(6) monitor the economy as a whole by acquiring as appropriate, reports on wages, costs, productivity, prices, sales, profits, imports, and exports.

SEC. 4. Any department or agency of the United States which collects, generates, or otherwise prepares or maintains data or information pertaining to the economy or any sector of the economy shall, upon the request of the chairman of the Task Force, make that data or information available to the Task Force.

Sec. 5. The Task Force will report to the President, and through him to the Congress, from time to time, concerning its activities, findings, and recommendations with respect to the containment of inflation and the maintenance of a vigorous and prosperous peacetime economy.

Sec. 6. There is hereby authorized to be appropriated \$1,000,000 for fiscal year 1975 to carry out the purposes of this Act.

By Mr. MOSS:

S. 3895. A bill to amend United States Code, title 5, section 8341(a), with respect to the definitions of "widow" and "widower" for the purpose of survivor's annuities. Referred to the Committee on Post Office and Civil Service.

ANNUITIES FOR SURVIVING SPOUSE OF CIVIL SERVICE EMPLOYEE

Mr. MOSS. Mr. President, I am introducing today a bill to amend United States Code, title 5, section 8341(a). That is the law governing annuities for spouses of deceased civil service employees. The bill will change the statutory definitions of "widow" and "widower." Each is presently defined as one who was married to the deceased for 2 years immediately preceding death, intending thereby to limit survivor's annuities to a deserving "widow" or "widower." My bill would require 2 years of marriage between the deceased and the survivor. However, it will allow the 2 years to be accumulated throughout their lives while continuing to require marriage immediately preceding death. It will allow benefits to a few deserving survivors who have been excluded.

It has been brought to my attention that there is a small class of persons who will benefit by this bill. There are apparently some survivors who have lost their eligibility because of divorce and remarriage. That is, they remarried the same person but were married for a period of less than 2 years immediately prior to the death of the civil service employee. It seems to me that survivors in this class are being excluded from benefits which were intended, the exclusions coming as an unintended result of technical interpretation of the law.

Because only a small class of persons will be affected, I also feel that this bill should be retroactive in light of its purpose. The benefits certainly outweigh the costs.

By Mr. CHURCH:

S. 3893. A bill to amend title XVI of the Social Security Act to require that the value of maintenance and support furnished an individual by a nonprofit retirement home be excluded from income for the purpose of determining eligibility for supplemental security income benefits under such act. Referred to the Committee on Finance.

EXEMPT VALUE OF MAINTENANCE AND SUPPORT PROVIDED BY NONPROFIT INSTITUTIONS IN DETERMINING ELIGIBILITY FOR SSI

Mr. CHURCH. Mr. President, I introduce for appropriate reference, a bill to provide that the value of maintenance and support furnished by a nonprofit retirement home shall not be included as income in determining eligibility for supplemental security income payments.

In enacting the 1972 Social Security

Amendments the Congress established a new supplemental security income program to build, at long last, a Federal floor under the incomes of the aged, blind, and disabled.

This program, in my judgment, has the potential to be one of the landmark legislative achievements for older Americans. In fact, I strongly hope that SSI can help to achieve my top priority goal for the elderly: the elimination of poverty once and for all.

But before this objective can become a reality, existing problems affecting the SSI program—administrative, policy, and others—must first be resolved.

One clearcut example is the definition of income which determines whether an individual qualifies for monthly payments. Under existing law unearned income includes "support and maintenance furnished in cash or kind."

The Social Security Administration has construed this language to apply to charity or other philanthropic services provided by private, nonprofit retirement institutions. In general, the difference between the monthly cost per resident for room, board, and services and the amount the patient actually pays is considered as outside unearned income for computing SSI benefits under the Social Security Administration's interpretation.

As a result, many individuals now receive less income than before SSI went into effect, in January 1974. Additionally, this interpretation has substantially impaired the ability of nonprofit retirement institutions to provide essential care for these needy individuals.

Moreover, it has produced other spillover effects. For example, many elderly persons have lost valuable health care protection, since SSI eligibility has a direct impact upon medicare entitlement.

At recent hearings conducted by the Senate Committee on Aging, Msgr. Charles Fahey, the president-elect of the American Association of Homes for the Aging, described in very eloquent terms the problems caused by the existing construction. To make his point, he said:

To illustrate, let us take as an example a nonprofit home for the aging whose actual cost of providing services is approximately \$300 per month per person. Prior to January 1, 1974 the indigent residents of this institution were receiving \$133 per month in public assistance payments. These payments were going directly to the public aid recipients who would retain \$20 for personal spending and then turn over the balance or \$113, to the institution as their contribution toward their room, board and services.

The difference between the cost per month of maintaining such individuals and their contribution—\$300 less \$113—is \$187. Because this amount exceeds the SSI standard of need, or \$146 per month, the person previously receiving \$133 in public assistance now receives nothing, not even a personal needs allowance. Moreover, the capacity of the nonprofit retirement institution to care for the poor aged is substantially inhibited.

The bill that I introduce today is designed to come to grips with this serious problem. Briefly stated, my proposal would exclude from income the value of maintenance and support furnished by a nonprofit retirement home in determining eligibility for SSI benefits.

PAID

THE WHITE HOUSE

BIOGRAPHY OF THE PRESIDENT

GERALD R. FORD, Republican 38th President of the United States, was born in Omaha, Nebraska, July 14, 1913; attended public schools, Grand Rapids, Michigan; B. A., University of Michigan, 1935; L. L. B., Yale University Law School, 1941; won all-city and all-state football honors in Grand Rapids during high school; member of University of Michigan's national championship football teams, 1932, 1933; Michigan's most valuable player, 1934; assistant varsity football coach at Yale while law student there; in 1942 entered the U. S. Navy, serving 47 months during World War II; participated in 3rd and 5th Fleet carrier operations aboard the aircraft carrier U. S. S. Monterey for two years; discharged 1946 and resumed practice of law; elected to U. S. House of Representatives in 1948 and reelected every two years through 1972, serving 25 years in House; named in November 1963 to the Presidential Commission investigating the assassination of President John F. Kennedy; author (with John R. Stiles) of the book, "Portrait of the Assassin" (1965); permanent chairman of the 1968 and 1972 Republican National Conventions; visited The People's Republic of China in late June and early July 1972 on behalf of President Nixon; recipient of American Political Science Association's Distinguished Congressional Service Award, 1961; recipient of American Good Government Society's George Washington Award, 1966; recipient of American Academy of Achievement's Golden Plate Award as "giant of accomplishment," 1971; recipient of AMVETS Silver Helmet Award, 1971; recipient of honorary Doctor of Laws degrees from University of Michigan, Michigan State University, Western Michigan University, The Citadel, and numerous colleges; married Elizabeth Bloomer October 15, 1948; children: Michael Gerald, born March 14, 1950; John Gardner, March 16, 1952; Steven Meigs, May 19, 1956; and Susan Elizabeth, July 6, 1957; Chairman of the Republican Conference, 88th Congress; minority Leader, 89th, 90th, 91st, 92nd and 1st Session, 93rd Congresses; nominated Vice President on October 12, 1973, to succeed Spiro T. Agnew, who resigned, and confirmed December 6; succeeded to the Presidency August 9, 1974, following the resignation of Richard M. Nixon.

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9/21/74

1 “(1) the term ‘Federal office’ means the office of
2 President or Vice President of the United States, or
3 Senator or Representative in, or Delegate or Resident
4 Commissioner to, the Congress of the United States;

5 “(2) the term ‘Commission’ means the National
6 Study Commission on Federal Records and Papers of
7 Elected Officials; and

8 “(3) the term ‘records and documents’ shall in-
9 clude handwritten and typewritten documents, motion
10 pictures, television tapes and recordings, magnetic tapes,
11 automated data processing documentation in various
12 forms, and other records that reveal the history of the
13 Nation.

14 “ESTABLISHMENT OF COMMISSION

15 “SEC. 3316. There is established a commission to be
16 known as the National Study Commission on Federal Rec-
17 ords and Documents of Federal Officials.

18 “DUTIES OF COMMISSION

19 “SEC. 3317. It shall be the duty of the Commission to
20 study problems and questions with respect to the control,
21 disposition, and preservation of records and documents pro-
22 duced by or on behalf of individuals holding Federal office
23 and officers of the Federal Government, with a view toward
24 the development of appropriate legislative recommendations
25 and other appropriate rules and procedures with respect to

1 such control, disposition, and preservation. Such study shall
2 include consideration of—

3 “(1) whether the historical practice of regarding
4 the records and documents produced by or on behalf of
5 Presidents of the United States should be rejected or
6 accepted and whether such policy should be made appli-
7 cable with respect to individuals holding Federal office
8 and of officers of the Federal Government, including
9 Members of the Congress and members of the Federal
10 judiciary;

11 “(2) the relationship of such conclusions and find-
12 ings to the provisions of section 1901 through section
13 1914 and section 2101 through section 2108 of title 44,
14 United States Code, and other Federal laws regarding
15 the disposition and preservation of papers of elected or
16 appointed officials;

17 “(3) whether such findings and conclusions should
18 affect the control and disposition of records and docu-
19 ments of agencies within the Executive Office of the
20 President created for short-term purposes by the
21 President;

22 “(4) the recordkeeping procedures of the White
23 House Office, with a view toward establishing means
24 to determine which papers and documents are produced
25 by or on behalf of the President of the United States;

1 “(5) the nature of rules and procedures which
2 should apply to the control, disposition, and preserva-
3 tion of papers and documents produced by Presidential
4 task forces, commissions, and boards;

5 “(6) criteria which may be used generally in de-
6 termining the scope of materials which should be con-
7 sidered to be the papers and documents of individuals
8 holding Federal office; and

9 “(7) any other problems, questions, or issues which
10 the Commission considers relevant to carrying out its
11 duties under section 3315 through section 3324.

12 “MEMBERSHIP

13 “SEC. 3318. (a) (1) The Commission shall be com-
14 posed of fourteen members as follows—

15 “(A) one Member of the House of Representatives
16 appointed by the Speaker of the House upon recom-
17 mendation made by the majority leader of the House;

18 “(B) one Member of the House of Representatives
19 appointed by the Speaker of the House upon recom-
20 mendation made by the minority leader of the House;

21 “(C) one Member of the Senate appointed by the
22 President of the Senate upon recommendation made by
23 the majority leader of the Senate;

24 “(D) one Member of the Senate appointed by the

1 President of the Senate upon recommendation made by
2 the minority leader of the Senate;

3 “(E) one Justice of the Supreme Court, appointed
4 by the Chief Justice of the Supreme Court;

5 “(F) three appointed by the President, by and
6 with the advice and consent of the Senate, from persons
7 who are not officers or employees of any government who
8 are specially qualified to serve on the Commission by
9 virtue of their education, training, or experience;

10 “(G) one representative of the Department of State,
11 appointed by the Secretary of State;

12 “(H) one representative of the Department of De-
13 fense, appointed by the Secretary of Defense;

14 “(I) one representative of the Department of Jus-
15 tice, appointed by the Attorney General;

16 “(J) the Administrator of General Services (or his
17 delegate);

18 “(K) one member of the American Historical As-
19 sociation, appointed by the counsel of such Association;

20 and

21 “(L) one member of the Society of American Ar-
22 chivists, appointed by such Society.

23 “(2) No more than two members appointed under para-
24 graph (1) (F) may be of the same political party.

1 “(b) A vacancy in the Commission shall be filled in
2 the manner in which the original appointment was made.

3 “(c) If any member of the Commission who was ap-
4 pointed to the Commission as a Member of the Congress
5 leaves such office, or if any member of the Commission who
6 was appointed from persons who are not officers or em-
7 ployees of any government becomes an officer or employee
8 of a government, he may continue as a member of the Com-
9 mission for no longer than the sixty-day period beginning
10 on the date he leaves such office or becomes such an officer
11 or employee, as the case may be.

12 “(d) Members shall be appointed for the life of the
13 Commission.

14 “(e) (1) Members of the Commission who are full-time
15 officers or employees of the United States or Members of
16 the Congress shall receive no additional pay on account of
17 their services on the Commission.

18 “(2) While away from their homes or regular places of
19 business in the performance of services for the Commission,
20 members of the Commission shall be allowed travel expenses
21 in the same manner as persons employed intermittently in the
22 service of the Federal Government are allowed expenses
23 under section 5703 (b) of title 5, United States Code, except
24 that per diem in lieu of subsistence shall be paid only to those
25 members of the Commission who are not full-time officers or
26 employees of the United States or Members of the Congress.

1 “(f) The Chairman of the Commission shall be desig-
2 nated by the President from among members appointed
3 under subsection (a) (1) (F).

4 “(g) The Commission shall meet at the call of the Chair-
5 man or a majority of its members.

6 “DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS

7 “SEC. 3319. (a) The Commission shall appoint a Direc-
8 tor who shall be paid at a rate not to exceed the rate of basic
9 pay in effect for level V of the Executive Schedule (5 U.S.C.
10 5316).

11 “(b) The Commission may appoint and fix the pay of
12 such additional personnel as it deems necessary.

13 “(c) (1) The Commission may procure temporary and
14 intermittent services to the same extent as is authorized by
15 section 3109 (b) of title 5, United States Code, but at rates
16 for individuals not to exceed the daily equivalent of the
17 annual rate of basic pay in effect for grade GS-15 of the
18 General Schedule (5 U.S.C. 5332).

19 “(2) In procuring services under this subsection, the
20 Commission shall seek to obtain the advice and assistance of
21 constitutional scholars and members of the historical,
22 archival, and journalistic professions.

23 “(d) Upon request of the Commission, the head of any
24 Federal agency is authorized to detail, on a reimbursable
25 basis, any of the personnel of such agency to the Commission



1 to assist it in carrying out its duties under sections 3315
2 through 3324.

3 "POWERS OF COMMISSION

4 "SEC. 3320. (a) The Commission may, for the purpose
5 of carrying out its duties under sections 3315 through 3324,
6 hold such hearings, sit and act at such times and places, take
7 such testimony, and receive such evidence, as the Commis-
8 sion may deem desirable.

9 "(b) When so authorized by the Commission, any mem-
10 ber or agent of the Commission may take any action which
11 the Commission is authorized to take by this section.

12 "(c) The Commission may secure directly from any
13 department or agency of the United States information nec-
14 essary to enable the Commission to carry out its duties under
15 section 3315 through section 3324. Upon request of the
16 Chairman of the Commission, the head of such department
17 or agency shall furnish such information to the Commission.

18 "SUPPORT SERVICES

19 "SEC. 3321. (a) The Administrator of General Services
20 shall provide to the Commission on a reimbursable basis such
21 administrative support services and assistance as the Com-
22 mission may request.

23 "(b) The Librarian of Congress and the Archivist of
24 the United States shall provide to the Commission on a
25 reimbursable basis such technical and expert advice, consulta-
26 tion, and support assistance as the Commission may request.

1 "REPORT

2 "SEC. 3322. The Commission shall transmit to the Pres-
3 ident and to each House of the Congress a report not later
4 than December 31, 1975. Such report shall contain a de-
5 tailed statement of the findings and conclusions of the Com-
6 mission, together with its recommendations for such legisla-
7 tion, administrative actions, and other actions, as it deems
8 appropriate.

9 "TERMINATION

10 "SEC. 3323. The Commission shall cease to exist sixty
11 days after transmitting its report under section 3322.

12 "AUTHORIZATION OF APPROPRIATIONS

13 "SEC. 3324. There is authorized to be appropriated
14 such sums as may be necessary to carry out section 3315
15 through section 3324."

16 SEC. 3. The table of sections for chapter 33 of title 44,
17 United States Code, is amended by adding at the end thereof
18 the following new items:

- "3315. Definitions.
- "3316. Establishment of Commission.
- "3317. Duties of Commission.
- "3318. Membership.
- "3319. Director and staff; experts and consultants.
- "3320. Powers of Commission.
- "3321. Support services.
- "3322. Report.
- "3323. Termination.
- "3324. Authorization of appropriations."

93^d CONGRESS
2^d SESSION

H. R. 16902

A BILL

To establish a commission to study rules and procedures for the disposition and preservation of records and documents of Federal officials.

By Mr. BRADEMAS and Mr. HANSEN of Idaho

SEPTEMBER 26, 1974

Referred to the Committee on House Administration

THE WHITE HOUSE

WASHINGTON

December 16, 1974

MEMORANDUM FOR: COUNSELLOR JOHN O. MARSH
THRU: MAX L. FRIEDERSDORF *M.L.F.*
FROM: VERN LOEN *VL*
SUBJECT: S. J. Res. 195, American Business Day

This joint resolution sponsored by Sen. Bill Scott passed the Senate on May 2, 1974. It was referred to House Judiciary Committee on May 6 with no further action on it or companion resolutions.

It would authorize the President to designate May 13 of each year as American Business Day, to recognize the contributions of the business community just as we do with the Labor Day observance.

At this late date, with the House calendar so crowded, and lacking broad, bipartisan support, it is extremely unlikely that the sub-committee would take action.

A suggested draft response for Mr. Robinson is attached.

Attachment



DRAFT

Dear Ken:

Thank you for your recent inquiry concerning S. J. Res. 195, authorizing the President to designate May 13 of each year as American Business Day.

The House Judiciary subcommittee having jurisdiction over this measure receives more than 500 requests for such special days each year. Accordingly, it has adopted a policy of being highly selective. Only those measures enjoying broad, bipartisan support - such as S. J. Res. 224, authorizing the designation of January, 1975, as "March of Dimes Defects Prevention Month" -- have been moved to the House floor.

Given the lateness of the hour and the crowded House calendar, I believe it would be the wiser course for the Chamber of Commerce and its friends in the Congress to try again next year. Certainly, there is much merit in the idea that Americans recognize the role of the business community in our lives just as we do that of labor, but time seems to have overtaken this measure for now.

With warm personal regards,



MEMORANDUM

THE WHITE HOUSE

WASHINGTON

December 13, 1974

MEMORANDUM TO: MA X L. FRIEDERSDORF

FROM: JOHN O. MARSH, JR.

I would appreciate having the benefit of your comments on the attached request.



File
Legis

THE WHITE HOUSE

WASHINGTON

December 27, 1974

MEMORANDUM FOR:

JERRY JONES

FROM:

VERN LOEN VL

SUBJECT:

S. 3574 - Arizona Land Conveyance

Minority Leader John Rhodes requested that the following be dexed to the President in Vail:

" I understand that a final decision on S. 3574 is imminent, and that you have received adverse recommendations. My strong personal interest in this bill has been previously expressed, and I urge you to give S. 3574 favorable consideration.

"The federal government granted patents on this land, conveying it by deed. Taxes have been paid since these conveyances, the land has been cleared, improved and substantial bonds and assessments paid for irrigation. The U. S. Court of Claims recognized the strong equity of Wide River Farms in 20 pages of specific findings of fact, and the Administration acknowledged this equity during congressional hearings.

"Legislative remedy appears to be the only recourse. Continued litigation in federal courts would preclude consideration of the overwhelming equity in Wide River Farms.

"Substantial equitable rights to land conveyed by the federal government, improved and used for some 50 years as taxable property, should not be whisked aside. This case is distinguishable from the squatter cases arising along the Colorado River and did not represent a precedent against sovereign immunity.

"Should any question remain in your mind regarding this legislation, I would appreciate the opportunity to talk with you by phone."

Rep. Rhodes phone number is A. C. 602 - 833 - 2267.



Agriculture

ACTION COMPLETED

Commodity Futures Trading. Congress responded to appeals for tighter federal regulation of the booming commodity futures market by creating an independent commission to replace the Agriculture Department's 38-year-old Commodity Exchange Authority. The new Commodity Futures Trading Commission assumed authority over all traded commodities, including non-agricultural commodities like silver. It could seek court injunctions against trading abuses and intervene directly to protect traders against threatened market manipulations or other emergencies.

The legislation (HR 13113—PL 93-463) was prompted by a dramatic increase in speculation in commodities, the result of soaring commodity prices and a depressed stock market. Another impetus was the giant 1972 grain sale to the Soviet Union, which dramatized the possibility that large grain companies and even foreign countries could manipulate commodities markets with disastrous consequences for U.S. farmers and consumers.

The bill sailed through both houses with only token opposition. The House version would have established a semi-independent commission with some ties to the Agriculture Department. Conferees favored the Senate version, which gave the commission full autonomy. President Ford signed the measure despite objections to three provisions dealing with the commission's independence from the executive branch. (*Weekly Report p. 2988*)

Livestock Loans. Congress July 17 completed action on S 3679 (PL 93-357), providing an emergency government-guaranteed loan program for livestock producers. The bill was rushed through Congress in less than one month, with its supporters claiming the loans were necessary to assist financially ailing livestock producers through an extended period of inflated production costs that had wiped-out profits and forced many producers to sell at a loss. (*Weekly Report p. 1907*)

ACTION NOT COMPLETED

Sugar Act. The Sugar Act of 1948 was permitted to lapse Dec. 31, 1974, when Congress failed to complete action on a bill (HR 14747) to extend the 40-year-old program that set domestic and foreign sugar quotas and provided subsidies for domestic producers. In an unexpected move, the House June 5 rejected the bill by a 175-209 vote. It would have extended the program for five years, through Dec. 31, 1979. Although efforts to revive the bill in the closing weeks of the session were abandoned, supporters of the extension said they might try again in the 94th Congress.

Opponents said the program was no longer necessary in a period of world shortage, when market prices were the highest since 1920, and that the bill would force a retail price increase. Supporters said retail prices would go up anyway and that the bill was needed to assure sufficient production of sugar to meet rapidly increasing demand.

During House hearings, administration witnesses supported a three-year extension of the program, but Agriculture Secretary Earl L. Butz urged a loosening of federal controls over domestic sugar production and abolition of subsidy payments. Earlier, the department backed away from its original proposal to drop the sugar quota system and switch to a free market approach.

As reported by the House Agriculture Committee, HR 14747 would have sharply reduced subsidy payments to

domestic producers, imposing an annual ceiling of \$9,400 per farm. An increase in the price paid to producers for raw sugar would have compensated them for the loss of payments. The bill also would have repealed the sugar excise tax, a move supporters said would offset the price increase received by growers. There was no Senate action on the bill. (*Weekly Report p. 3316*)

Poultry Indemnities. The Senate, at the urgings of Sen. James O. Eastland (D Miss.), passed in April a bill (S 3231) to authorize federal indemnity payments to Mississippi chicken farmers who lost over \$8-million the previous month because of an Agriculture Department order to kill chickens that had eaten contaminated feed. The House Agriculture Committee reported the bill favorably in May, but opposition to what many members considered a "special interest give-away" convinced supporters to withdraw the bill. (*Weekly Report p. 1341*)

Consumer Affairs

ACTION COMPLETED

Consumer Credit. New protection for consumers buying on credit was included in a banking regulation bill (HR 11221—PL 93-495) cleared by Congress Oct. 10. The provisions were identical to a measure (S 2101) the Senate passed in 1973, which 1) barred sex discrimination in granting credit, 2) protected consumers against unfair billing practices and 3) contained protections against credit card fraud. These provisions amended the Truth in Lending Act of 1968 (PL 90-321) to require customers to inform creditors in writing of alleged billing errors within 60 days after receiving the bill, and require creditors to acknowledge the disputed billing within 30 days and to resolve it within 90 days by correcting the billing error or explaining why the bill was correct. (*Other provisions of HR 11221, see economic policy legislation.*)

The credit protection provisions were added to HR 11221 in the Senate June 13. House-Senate conferees retained the provisions over the objections of Leonor K. Sullivan (D Mo.), chairman of the House Consumer Affairs Subcommittee, who said her panel was working on a more comprehensive anti-discrimination rule. She also protested a provision limiting business liability for damages under class action suits. (*Weekly Report p. 2922*)

Consumer Product Warranty. Congress Dec. 19 completed action on S 256 (PL 93-000) setting more stringent consumer warranty standards and revising the powers of the Federal Trade Commission (FTC). The House version of the bill, passed Sept. 19, was similar in its warranty provisions to the Senate version, passed in 1973, but contained a number of changes in FTC powers and procedures not included in the Senate version. One of these set up a formal procedure for FTC rule-making aimed at protecting the rights of affected companies. The FTC objected to the proposed plan. The House version also reinstated the Justice Department's control over the commission's involvement in court cases, but the conference agreement included provisions to allow the FTC to send its own lawyers into court in certain types of cases stemming from FTC rules and actions. The final bill also included consumer redress provisions giving the FTC power to go to court on behalf of consumers who were injured by violations of its regulations. (*See also consumer claims legislation.*) (*Weekly Report p. 2635*)



ACTION NOT COMPLETED

Consumer Protection Agency. The proposed consumer protection agency went down to defeat once again in the 93rd Congress, but supporters were optimistic for success in 1975. Congress and lobbyists had been battling over the proposal since 1970, when the Senate first passed a bill to set up a consumer agency. That version died with the 91st Congress. The House approved a related bill the next year, but the Senate failed to act. In 1972 agency advocates were not able to overcome a Senate filibuster after three unsuccessful cloture attempts, ending the bill's chances for the 92nd Congress.

The 1974 defeat was similar. The House passed a compromise bill (HR 13163) in April. It would have set up an independent agency to represent consumers' interests before other federal agencies and the courts. When a stronger Senate version (S 707) came to the floor in July, opponents led by Sam J. Ervin Jr. (D N.C.) and James B. Allen (D Ala.) demonstrated their willingness to talk the bill to death. Supporters came within 10, seven, four and finally two votes of ending the filibuster on four cloture votes taken in July, August and September. But they could not prevail.

Lobbying on both sides was intense, with business groups such as the U.S. Chamber of Commerce and National Association of Manufacturers (NAM) working to defeat the bill on grounds that the agency would interfere with the work of existing regulatory agencies and harass businessmen. Consumer and labor groups, led by the Consumer Federation of America and Ralph Nader's Congress Watch, fought for votes to invoke cloture. They blamed the narrow defeat on ending the Ervin-Allen filibuster to President Ford's public neutrality, and predicted that a more liberal Congress would pass the measure quickly in 1975. (*Weekly Report p. 2637, 2534*)

Food Labeling and Inspection. A Senate-passed bill (S 2373) aimed at improving government inspection of food processors and requiring more information on food labels died at the end of the session. The Senate unanimously approved S 2373 in July. The House Interstate and Foreign Commerce Subcommittee on Public Health and Environment was planning to hold hearings on a similar measure (HR 14009) in September, but never found time. HR 14009, sponsored by subcommittee Chairman Paul G. Rogers (D Fla.), would cover drugs, devices and cosmetics as well as food, but it was weaker than the Senate-passed bill on government policing of food processors. There was no other House action. (*Weekly Report p. 1902*)

Consumer Claims. The Senate Commerce Committee Sept. 23 reported a bill (S 2928) to authorize \$15.5-million for fiscal 1975-76 to assist the states in improving their small claims procedures to make them more responsive to consumers. No further action was taken. The bill would have established a Bureau of Consumer Redress within the Federal Trade Commission (FTC) to disperse funds to states that came up with suitable plans for resolving consumer disputes quickly and inexpensively. (*Weekly Report p. 3163*)

No-Fault Insurance. Supporters of reforming the nation's automobile insurance system won a signal victory in May when the Senate, on a 53-42 vote, passed a bill (S 354) to establish a national no-fault automobile insurance system. But their hopes for final action were dashed when the House adjourned without considering the legislation.

The Senate action reversed its 1972 stance when it recommitted a similar bill to the Judiciary Committee for further study. A key test of sentiment on S 354 came April 25 when the Senate rejected, 31-53, an amendment that would have substantially weakened the proposed federal standards. As passed, the bill established minimum standards relating to insurance benefits and coverage that all states would be required to provide a motorist within a specified time period; if a state did not incorporate the minimum standards into its insurance laws, stricter federal standards would be imposed. Motorists would receive benefits regardless of who caused the accident. The bill severely limited the circumstances under which a motorist could sue for economic and non-economic detriment.

The House Interstate and Foreign Commerce Subcommittee on Commerce and Finance completed hearings on similar legislation in July, but subcommittee Chairman John E. Moss (D Calif.) was unable to garner a quorum to mark up the legislation so that it could be reported to the full committee. (*Weekly Report p. 1975*)

Mandatory Seatbelts. Reacting to widespread consumer complaints about mandatory seatbelt-ignition interlock systems which did not allow a car to be started until seatbelts were fastened, Congress Oct. 15 cleared legislation (S 355—PL 93-492) repealing the provision from the National Traffic and Motor Vehicle Safety Act of 1966. Cars still had to be equipped with seatbelts, but only an eight second buzzer warning that seatbelts were unfastened could be required as an extra safety feature under the new law. S 355 also required all auto manufacturers to repair safety-related vehicle defects free of charge and established safety standards for school buses. (*Weekly Report p. 2993*)

Vitamin Regulations. A controversial amendment that would have prohibited the Food and Drug Administration (FDA) from promulgating vitamin regulations died when the bill (S 3585) to which it was added did not survive a House-Senate conference. The proposed FDA regulations would have classified high concentrations of vitamins as drugs, outlawed the addition of non-vitamins to vitamin preparations and limited the kinds of health claims that could be made for vitamins.

A massive mail campaign opposing the regulations prompted committees in both the House and Senate to hold hearings on bills to bar the regulations, but no further action was taken until Sen. William Proxmire (D Wis.) was successful in attaching an amendment overriding the regulations to the health manpower bill (S 3585). That bill, however, never was reported by a House-Senate conference on S 3585, so the Proxmire amendment died. (*Weekly Report p. 2276*)

Crime and Judiciary

ACTION COMPLETED

Antitrust Penalties. Reacting to increased national concern about white-collar crime, Congress late in 1974 approved a measure (S 782—PL 93-528) changing antitrust penalties and procedures for the first time in almost 20 years. Responding to President Ford's request for more severe penalties for criminal violations of the antitrust laws, the bill increased fines for such violations to \$1-million for corporations and \$100,000 for individuals, from the existing ceiling of \$50,000 for each. In addition, the bill raised the maximum prison sentence to three years, from

one year, moving violations of these laws into the category of felonies.

The measure also provided for increased publicity and more public input into the formulation of consent decrees—the court-approved agreements which settle 80 per cent of the government's civil antitrust cases before trial. The bill also redirected the appeals route for antitrust cases, eliminating the existing right of direct appeal to the Supreme Court at the trial level, and sending such appeals first to the circuit courts of appeals. (*Weekly Report p. 3381*)

Juvenile Delinquency. Congress Aug. 21 approved (S 821—PL 93-415) creation of an office of juvenile justice and delinquency prevention within the Law Enforcement Assistance Administration. The new office would administer programs previously located in LEAA and the Department of Health, Education and Welfare (HEW). In addition, it would administer a new grant program authorized by S 821 to provide \$350-million in matching grants over three years to state and local governments for use in developing innovative programs for preventing and treating juvenile delinquents. (*Weekly Report p. 2401*)

Judicial Disqualification. To clarify the situation under which a justice, federal judge, magistrate or bankruptcy referee should excuse himself from sitting on a particular case or matter, Congress Nov. 21 approved a bill (S 1064—PL 93-512) setting up guidelines for judicial disqualification. Bringing the language of the federal statutes dealing with this matter in line with that of a new code of judicial conduct approved by bar and judicial groups in 1972-73, the law stated that a judicial official should disqualify himself in any proceeding in which his impartiality might be reasonably questioned—including any case in which he had *any* financial interest, however small, which might be affected by the outcome of the case. (*Weekly Report p. 3226*)

"No-Knock" Repeal. Removing from the law books one of the most controversial of the Nixon administration's crime control measures, Congress Oct. 16 repealed language which authorized federal agents in some circumstances to enter dwellings or buildings to search them or make an arrest without first knocking and identifying themselves. The language authorizing these "no-knock" entries was approved by Congress in two 1970 laws—the Drug Abuse Prevention and Control Act, which gave this authority to federal narcotics agents, and the District of Columbia Court Reform and Criminal Procedure Act, which gave this power to certain federal and D.C. law enforcement officials.

Opponents of the "no-knock" authority, led by Sen. Sam J. Ervin Jr. (D N.C.), argued that it was an unconstitutional abridgment of the guarantee of safety from unreasonable searches and seizures. They added the repealer language to S 3355 (PL 93-481), authorizing funds for the Drug Enforcement Administration through fiscal 1977. (*Weekly Report p. 2994*)

Aircraft Hijacking. Congress July 23 cleared S 39 (PL 93-366) providing for a more effective federal program for preventing aircraft hijacking. The bill included a mandatory death penalty for convicted hijackers under certain circumstances in which death resulted.

The bill was divided into two sections: Title I—which contained the death penalty provision, along with amendments to existing law implementing the 1972 Hague international hijacking convention by expanding U.S. jurisdiction over hijackings, and Title II—which ratified security policies and procedures that already had been in

effect at the nation's airports through Federal Aviation Administration regulations and directives. (*Weekly Report p. 1983*)

Rules of Evidence. Congress completed action on the first comprehensive and uniform code of evidence (HR 5463—PL 93-000)—a unified list of rules guiding what could and could not be used as evidence in federal trials—for the federal court system. The measure originated with a proposed set of rules formulated by judges and lawyers working under the aegis of the U.S. Judicial Conference and submitted to Congress by the Supreme Court in February 1973. Concerned about the substantive nature of some of the proposed rules, Congress delayed their effective date of July 1, 1973, until such time as Congress gave affirmative approval to them. The House approved an amended set of rules in February 1974; the Senate in November. (*Weekly Report p. 3224*)

Explosives. To remove an unintended restriction in a 1970 act upon sporting, recreational and cultural use of antique weapons, Congress completed action on S 1083 (PL 93-000), exempting commercially manufactured black powder and other antique gun igniters from the regulatory provisions on explosives of the 1970 Organized Crime Control Act. The bill was approved by the Senate in 1973 and the House in December 1974. (*1973 Almanac p. 377*)

Judicial Review and the ICC. Late in the session, Congress approved a bill (S 663—PL 93-000) to streamline the provisions for judicial review of orders of the Interstate Commerce Commission (ICC). The measure eliminated the existing requirement for a three-judge federal court to review such orders and removed the right of direct appeal from the three-judge court's decision to the Supreme Court. Instead, appeals for review of ICC orders were to be heard by the circuit courts of appeal, from which they could move to the Supreme Court. The bill was passed by the Senate in 1973 and by the House in December. (*1973 Almanac p. 391*)

Speedy Trial. Congress in 1974 also completed action on S 754 (PL 93-000), designed to give force to the constitutional right to a speedy trial. Although approved by the Senate in July, the measure was passed by the House only in the last days of the session. Conferees had to resolve differences between the two versions. The chief difference was in the severity of the sanction imposed when a trial was not begun within the prescribed period (ultimately 90 to 100 days) after arrest: the Senate-passed bill provided for dismissal of the charges against the defendant if he so requested, and allowed reprosecution only in exceptional circumstances; the companion House version provided for dismissal of charges but allowed no reprosecution at all for the same offense. (*Weekly Report p. 3280*)

Legal Lotteries. To preclude federal prosecution of persons transporting, mailing or broadcasting information about legal state-run lotteries, which had enjoyed a revival in the 1960s and 1970s, Congress approved a bill (HR 6668—PL 93-000) to provide an exemption from prosecution for such activities when they were carried on in connection with a legal lottery run by a state. (*Weekly Report p. 3320*)

Rules of Criminal Procedure. Congress cleared legislation (HR 15461—PL 93-361) delaying the effective date of proposed new rules of federal criminal procedure from Aug. 1, 1974, to Aug. 1, 1975, in order to provide time for consideration of the proposed rules in the 94th Congress. Under the same authority through which the rules of evidence were originally sent to Congress, the Supreme Court in April 1974 submitted the rules of procedure. (*Weekly Report p. 2056*)



ACTION NOT COMPLETED

Capital Punishment. Although more than half the states had passed new capital punishment laws after the Supreme Court struck down their existing laws in mid-1972, Congress failed to complete action on legislation (S 1401) to reinstate the death penalty for certain federal crimes. The Senate approved S 1401 March 13, but the bill died in the House Judiciary Committee at the end of the session. S 1401 was designed to avoid the pitfalls which had resulted in the Supreme Court ruling voiding the previous state laws allowing imposition of the death penalty. The bill would have provided that persons charged with certain serious federal crimes would be given a two-part trial. If found guilty in the first part, the second part would ascertain the existence of any aggravating or mitigating factors which would weigh in the decision whether or not to impose the death penalty. (*Weekly Report p. 712*)

Illegal Aliens. Congress failed, despite presidential urging, to complete action on a bill (HR 982) making it a crime knowingly to hire aliens illegally living in the United States. The House approved HR 982 in early 1973, but the Senate failed to act upon it in 1974. (*1973 Almanac p. 854*)

FBI Director's Term. Concerned about the power and independence of the director of the Federal Bureau of Investigation during the 48-year career of J. Edgar Hoover, the Senate in early October approved a bill (S 2106) limiting future directors' terms to a single 10-year span. The bill died in the House Judiciary Committee at the end of the 93rd Congress. (*Weekly Report p. 2873*)

Criminal Law Reform. Massive bills (S 1400, S 1) revising the entire federal criminal code died with the 93rd Congress. The Senate Judiciary Subcommittee on Criminal Laws and Procedures had continued hearings begun in 1973 on the measures, but no further action was taken in either chamber. (*1973 Almanac p. 8*)

Newsman's Privilege. As the furor over efforts of law enforcement bodies to obtain confidential information from newsmen through subpoenas and threatened contempt sentences subsided, the effort to write into law a privilege protecting newsmen from such demands lost enthusiasm. A measure to provide such protection died at the end of the Congress. A compromise bill (HR 5928) was approved by the House Judiciary Subcommittee on Courts, Civil Liberties and the Administration of Justice in 1973. It provided absolute protection from demands that newsmen disclose confidential sources of information to grand juries or other investigative bodies, and a qualified protection from such demands from trial courts. The full committee met to discuss the bill in March 1974 before moving into the impeachment inquiry, but reached no agreement. There was no Senate action. (*Weekly Report p. 839*)

Federal Judgeships. Despite the urgings of the Chief Justice and the President, Congress failed to act in 1974 to create any new federal judgeships. The U.S. Judicial Conference had requested 51 new federal district judgeships; a bill (S 597) providing 27 new posts was reported from the Senate Judiciary Subcommittee on Improvements in Judicial Machinery in 1973, but the full Judiciary Committee failed to act on the measure. (*1973 Almanac p. 8*)

Three-Judge Courts. Congress failed to complete action on a Senate-passed bill (S 271) which would have eliminated the requirement that three-judge federal district courts be convened when a suit was brought attacking the constitutionality of a state or federal law. Chief Justice

Warren E. Burger had endorsed the legislation, which would also have eliminated the right of direct appeal to the Supreme Court from the decisions of these courts. The bill died in the House Judiciary Committee. (*1973 Almanac p. 373*)

Meskill Nomination. Dying at the end of the Congress by virtue of inaction by the Senate Judiciary Committee was the nomination of Connecticut Gov. Thomas J. Meskill (R) to a seat on the court of appeals, second circuit. The nomination, Nixon's last judicial nomination, had been opposed by the American Bar Association (ABA) on grounds that Meskill, who had practiced law only a short time before beginning a political career, was not qualified for the appeals court seat.

The committee held a hearing on the nomination in September. But in December the committee decided to defer action on the nomination because of an ongoing investigation by the Connecticut legislature into state leasing policies under Meskill's administration. The nomination would have to be resubmitted, if Ford so wished, in 1975. Sen. Lowell P. Weicker Jr. (R Conn.), the nomination's sponsor, said that he would request resubmission of the nomination. (*Weekly Report p. 2570*)

Economic Policy, Taxes ACTION COMPLETED

Budget Reform. Congress took a potentially momentous step toward more responsible action on federal economic policy by clearing legislation (HR 7130—PL 93-344) June 21 revising the procedures it uses to handle the federal budget.

The measure, which was to become fully implemented in 1976, established a framework for more timely and better-considered congressional action on legislation approving or amending the appropriations, spending, revenue and debt figures set out in the President's annual budget message to Congress.

In doing so, the measure spelled out a timetable for congressional actions affecting the federal budget and required that those decisions be reviewed in light of their impact on over-all fiscal policy. It created new House and Senate Budget Committees to supervise the new process.

Beginning with fiscal 1977, the bill would move the start of the government's fiscal year to Oct. 1 from July 1 to accommodate the pace of legislation during annual congressional sessions. It provided for curbs on new backdoor spending programs and set procedures for Congress to approve or limit impoundment of appropriated funds by the president.

The measure was the product of intensive House-Senate staff negotiations during 1974 both during Senate consideration of the budget reform proposals and in the conference committee. The House had passed HR 7130 in December 1973, but Senate action was held up until March 21 as senators and staff aides worked out a compromise to meet Rules and Administration Committee objections to more stringent procedures drawn up by the Government Operations Committee.

Although some procedural recommendations were in HR 7130, the final product generally followed the budget-making changes proposed in 1973 by a joint House-Senate study committee. (*Weekly Report p. 1601, 1590, 785*)

Wage-Price Council. After allowing President Nixon's wage-price control authority to lapse April 30, Congress



Aug. 20 approved a new President's request for authority to monitor inflationary trends.

Acting with unaccustomed dispatch, Congress cleared a measure (S 3919—PL 93-387) that President Ford had asked for in his first address to Congress.

As Ford carefully noted, the legislation conferred authority to keep track of wage and price developments without empowering the President to resort to wage and price controls. Nixon had asked for similar power, but Congress refused to go along.

With the existing Economic Stabilization Act of 1971 expiring on April 30, Nixon had asked Congress for legislation continuing controls over medical care and construction and authorizing the Cost of Living Council to continue to monitor inflationary trends.

But both the House Banking and Currency and the Senate Banking, Housing and Urban Affairs Committees refused to act on an extension. After complicated maneuvering, moreover, the Senate killed floor amendments by Edmund S. Muskie (D Maine) that would have extended the existing controls.

By a 56-32 roll call, the Senate May 1 rejected Muskie's proposal to another bill (S 2986) giving the President standby power to reimpose controls in areas experiencing exorbitant wage and price increases. After tentatively attaching a second Muskie amendment to continue monitoring authority, the Senate turned around and killed by a 65-18 roll call the bill to which it was attached extending the President's Council on International Economic Policy (CIEP). (See separate CIEP legislation.)

As finally cleared, S 3919 established a new Council on Wage and Price Stability with few powers. (*Weekly Report p. 2304, 1257*)

Debt Ceiling. Congress approved legislation (HR 14832—PL 93-325) increasing the temporary federal debt ceiling after successful filibuster tactics frustrated Democratic senators' efforts to attach tax-revision amendments. (See tax revision legislation.)

Although Congress provided an extension only through March 31, 1975, that action abandoned past practices of requiring a further extension just before Congress recessed at the end of the year. Because the debt limit would fall to its permanent \$400-billion level without extension of the temporary additional limit, an end-of-session extension bill frequently served as a handy vehicle to force House action on unrelated Senate amendments. (*Weekly Report p. 1730*)

As cleared, therefore, HR 14832 simply extended the temporary federal debt ceiling through March 31, 1975, and raised the limit to \$495-billion from the existing \$475.7-billion. The Nixon administration had requested a temporary limit increase to \$505-billion through June 30, 1975.

OMB Director Confirmation. After bowing to President Nixon's objections to requiring confirmation of incumbent advisers, Congress cleared legislation (S 37—PL 93-250) making future Office of Management and Budget (OMB) directors and deputy directors subject to Senate confirmation.

Cleared on Feb 7, S 37 made no provision for requiring confirmation of the occupants of those posts at the time, Director Roy L. Ash and Deputy Director Frederic V. Malek. The House in 1973 had upheld Nixon's veto of another measure (S 518) that included Ash and Malek under the confirmation requirement.

Final action came when the Senate by voice vote accepted a House amendment that deleted provisions opposed by the administration that would have formally

transferred certain powers to OMB from the president. (*Weekly Report p. 633, 384*)

Banking Regulations. With housing lagging and the nation's banks and thrift institutions under pressure, Congress Oct. 10 enacted a comprehensive measure (HR 11221—PL 93-495) extending existing federal bank regulations without basic revisions.

HR 11221 made some significant changes, however, notably by increasing to \$40,000 from \$20,000 the amount of a bank or savings and loan association deposit that could be covered by federal deposit insurance. It also authorized federal agencies to insure up to \$100,000 in deposits in a saving account made by the federal, state or local governments.

Those innovations were intended to increase public confidence in the banking system and help financial institutions, particularly savings and loan associations, attract badly needed funds to finance home mortgages. But they fell far short of far-reaching regulatory reforms advocated by the Nixon administration and others to promote bank competition and strengthen the financial system.

Among other provisions, the bill extended bank regulatory agencies' authority to set ceilings on the interest rates that banks and thrift institutions paid on deposits of \$100,000 or less. In periods of generally high interest rates, those ceilings prompted investors to transfer funds from savings accounts to other uses earning a higher return.

The final version also included Senate amendments making changes in consumer protection laws. (See consumer legislation.) (*Weekly Report p. 2922*)

Congress also enacted a measure (S 3838—PL 93-501) giving the Federal Reserve Board and other agencies standby authority to regulate variable interest rate securities sold by bank holding companies. It was feared that such securities would draw funds from savings and loan associations. (*Weekly Report p. 2914*)

CIEP Authorization. Congress June 19 cleared legislation (HR 13839—PL 93-315) authorizing \$1.8-million for fiscal 1975 for the Council on International Economic Policy. The council was established in 1971 to coordinate policies of all executive departments and agencies having responsibilities for international economic policy. The Nixon administration had requested an open-ended authorization through fiscal 1977, but the House Banking and Currency Committee narrowed that to one year so the committee could review the council's activities. (*Weekly Report p. 1712*)

Small Business Loans. Congress extended the Small Business Administration's (SBA) authority to make loans to assist small businesses through fiscal 1975. As cleared, S 3331 (PL 93-386) increased the ceiling on outstanding SBA-financed loans to \$6-billion, from the existing \$4,875,000,000 level, and made other changes affecting SBA operations. Final action came when the Senate Aug. 7 accepted House amendments directing SBA to make \$400-million in direct loans during fiscal 1975 and pegging the direct loan interest rate at $\frac{1}{4}$ per cent above the rate paid by the federal government. Those amendments were intended to reverse an SBA policy stressing federally guaranteed loans by private banks instead of direct loans of SBA funds.

In light of charges of corruption and mismanagement which were investigated by a House subcommittee, the bill directed the GAO to audit all SBA offices and field offices and report its findings to Congress. (*Weekly Report p. 2240*)

Public Jobs. In its only major legislative action in the post-election recess to deal with the nation's economic

crisis, Congress Dec. 18 cleared HR 16596 (PL 93-000) setting up an emergency public jobs program and extending unemployment compensation coverage to approximately 12 million persons not currently covered. A second measure, (HR 17597—PL 93-000) cleared Dec. 19, gave unemployed workers already covered by unemployment compensation an additional 13 weeks of benefits. (*See next bill, below*)

Although both chambers of Congress had been working on public employment legislation early in the fall—the President's proposals were submitted in early October—the real drive toward enactment of the jobs measure did not occur until December when it was reported by the Labor Department that the nation's unemployment rate had reached 6.5 per cent in November—the highest level in 13 years.

The bill authorized \$2.5-billion in fiscal 1975 for the public service jobs program to hire jobless workers to perform community services in fields such as health, education, sanitation and recreation. The authorization would create about 330,000 jobs at average annual wages of \$7,800. It was estimated that about \$2.5-billion would be necessary to extend coverage to workers not currently eligible for unemployment compensation. (*Weekly Report p. 3363*)

Unemployment Compensation. As a companion to the public jobs bill, Congress Dec. 19 passed legislation (HR 17597—PL 93-000) giving an additional 13 weeks of unemployment benefits to those workers who had exhausted their regular and extended unemployment compensation. Payments, however, could only be made if the unemployment reached and stayed at certain levels for a period of time. The two-year program was estimated to cost about \$2.1-billion if national unemployment did not rise substantially above 6.5 per cent. (*Weekly Report p. 3368, 3363*)

Export-Import Bank. After the Senate turned down two previous conference agreements in maneuvering for tougher congressional review of Soviet trade deals, Congress Dec. 19 cleared HR 15977 (PL 93-000), extending the Export-Import Bank through June 30, 1978, and increasing its lending authority by \$5-billion.

Final action came when the Senate by a 71-24 vote adopted a third conference report on the bill that included provisions to curtail the bank's support for exports to the Soviet Union and, eventually, to put the bank's finances under federal budget restraints.

In clearing the third conference report by a 280-181 vote Dec. 18, the House bowed to Senate demands for retaining provisions returning the bank to the federal budget and requiring congressional review of loans and guarantees for Soviet fossil-fuel development projects.

In its final form, HR 15977 put a \$300-million limit on future Export-Import Bank financing for exports to the Soviet Union. Within that limit, moreover, only \$40-million could be devoted to research and exploration of Soviet fossil fuels such as natural gas.

The bill prohibited loans and guarantees to develop those resources and allowed the \$300-million ceiling to be lifted by the president only if Congress concurred. The bank was required to notify Congress in advance of any loan of \$60-million or more to any nation.

The bank had been outside the regular federal budget since 1971, but HR 15977 included provisions returning it to the budget on Oct. 1, 1976, the date that new congressional budget procedures go into full effect. (*Weekly Report p. 3288*)

Christmas Tree Taxes. Congress Dec. 20 cleared last-minute tax amendments that the Senate had attached to minor House legislation (HR 421—PL 93-000) suspending duties on upholsterers' needles and pins.

The most significant provisions of the bill increased the interest rate that the Treasury charged on delinquent tax payments, doubled the existing limit on tax credits and deductions for political contributions and clarified the tax status of political parties. The bill generally exempted political organizations from taxes on campaign contributions but subjected them to regular taxes on their income from investments and property.

ACTION NOT COMPLETED

Tax Revision. Despite two years of study by the House Ways and Means Committee—and various attempts through floor amendments by Senate liberals—the 93rd Congress produced no major legislation revising the nation's tax laws.

Its internal unity shaken by Chairman Wilbur D. Mills' (D Ark.) personal troubles, and its attention diverted in both 1973 and 1974 by health insurance, trade reform and other issues, the Ways and Means Committee drew up three separate tax revision bills but never sent any to the House floor.

In the Senate, meanwhile, Democrats failed to muster sufficient votes to bypass the tax-writing Finance Committee by adding tax revision amendments to minor House-passed bills.

In the end, the House and Senate both ignored strong congressional sentiment for raising oil industry taxes and for cutting personal income taxes to relieve the burdens of inflation and recession on middle income Americans. Congress took no action, moreover, on President Ford's unpopular plan to fight inflation and raise additional revenues in 1975 by imposing a 5 per cent income tax surcharge on corporations and middle- and upper-income persons. Instead, action on tax proposals was deferred until the more heavily Democratic 94th Congress convened in 1975.

The possibility of approving any major tax legislation in 1974 died when the House Rules Committee Dec. 12 voted 9-5 against considering a rule allowing floor action on a scaled-down tax bill (HR 17488) that the Ways and Means Committee had reported Nov. 26.

Drawing together the most popular provisions it had approved in earlier legislation, the Ways and Means Committee had offered HR 17488 in hopes of salvaging some of its tax work and of recouping its dwindling prestige among other House members.

The bill coupled \$2.25-billion in personal income tax cuts at low- and middle-income levels with repeal of the percentage depletion allowance on most oil and gas income and other provisions to raise oil-industry taxes.

But with oil-state members opposing the measure and liberals expecting far tougher legislation in 1975—and with Mills' erratic behavior forcing his ouster as Ways and Means chairman—House leaders were content to let HR 17488 die with the congressional adjournment.

Two earlier Ways and Means tax measures met the same fate. Facing a showdown over a House Democratic Caucus directive to House Rules Committee members to allow floor amendments to tighten its provisions, Mills refused to ask for a rule permitting floor consideration of a bill containing less stringent provisions raising oil industry taxes than those likely to be offered as floor amendments.



The committee never reported a broad-scale tax revision bill even though it had reached agreement on most of its provisions before Congress recessed in October for the Nov. 5 congressional elections.

In the Senate, liberal Democrats were outmaneuvered by opponents of various proposals to eliminate the oil and gas depletion allowance, cut individual income taxes and make other revenue-raising changes in business taxation.

The Senate in January attached to a minor House bill amendments by Edward M. Kennedy (D Mass.) that would have reduced individual income taxes retroactive to 1973 and tightened the minimum tax on preference income. But by a 48-27 vote the Senate then recommitted the entire measure, effectively killing Kennedy's proposals.

Kennedy, Hubert H. Humphrey (D Minn.) and other Democrats offered similar amendments in June, trying to attach them to legislation that had to be passed by July 1 to allow the federal government to continue financing its debt.

But James B. Allen (D Ala.) led a filibuster to prevent separate floor votes on the amendments, which included popular provisions raising oil-industry taxes by \$4-billion and reducing individual taxes totaling \$6.5-billion by increasing the personal exemption to \$825 from \$750. By a 33-64 roll call, the Senate decisively rejected a package combining various proposals in the only up-or-down vote on a tax amendment taken during the debate on the debt ceiling bill.

After failing to close off the filibuster, Democrats abandoned their amendments. The Senate then passed the debt ceiling bill without amendments. (See *debt ceiling legislation.*) (*Weekly Report p. 3268, 1730*)

Securities Reform. With the House Rules Committee blocking floor action during the lame-duck session, Congress failed to enact legislation to redesign the U.S. securities industry.

By a 6-6 vote on Dec. 3, the Rules Committee for a second time refused to grant a rule for floor action on a measure (HR 5050) drawn up by the Interstate and Foreign Commerce Committee after four years of study of securities industry problems. The Rules Committee Nov. 25 had refused a rule for HR 5050 by a 6-8 vote.

The bill would have encouraged development of an integrated national securities market system by strengthening Securities and Exchange Commission (SEC) powers over the self-regulatory stock exchanges and the over-the-counter securities market. Designed to remove obstacles to competition within the industry, the bill included controversial provisions abolishing fixed stock market commission rates and opening up stock exchange membership to all qualified brokers and dealers.

The New York Stock Exchange and Securities Industry Association opposed HR 5050—especially provisions that required competitively negotiated commissions after May 1, 1975—arguing that major changes in the industry's structure were unwise while stock prices and industry profits were low. The SEC was moving to abolish fixed commissions after May 1 by administrative proceedings.

The Senate had approved similar legislation in three separate bills: S 470 and S 2058, passed in 1973, and S 2519, passed by voice vote on May 28. (*Weekly Report p. 3272*)

Federal Reserve Audits. The Senate did not act on a House-passed bill (HR 10265) to require General Accounting Office (GAO) audits of Federal Reserve System administrative operations. As passed by the House May 30, HR 10265 was a watered down version of proposals by

Banking and Currency Committee Chairman Wright Patman (D Texas) to require full-scale audits of the semi-independent Federal Reserve System.

Wary of possible political pressures against the Federal Reserve Board's tight-money policies, the House before passing the bill adopted an amendment by Banking and Currency Committee members that specified that GAO auditors were not to make judgments on the handling of the nation's monetary policies. (*Weekly Report p. 1513*)

Education

ACTION COMPLETED

Elementary and Secondary Education. The first major bill that Gerald R. Ford signed into law after assuming the presidency was the omnibus Elementary and Secondary Education Act Amendments (HR 69—PL 93-380). As cleared by Congress July 31, the act extended most programs authorized under the Elementary and Secondary Education Act of 1965 for four years, through fiscal 1978, authorizing more than \$25-billion in appropriations over that period.

HR 69 completely revised the formula under which federal compensatory education aid was distributed to school districts. The formula generally shifted the aid from wealthier, urban states to the poorer, rural ones. In addition, the act provided for a consolidation of several categorical grant education programs under certain circumstances.

The bill established a new reading improvement program and continued federal impact aid to school districts having significant numbers of children connected with the federal establishment; aid to handicapped children as well as vocational and adult education programs were extended.

The perennial congressional controversy over the busing of school children to overcome racial segregation again surfaced in 1974. The House, which acted on the legislation first, adopted 293-117 an amendment prohibiting students from being bused beyond the school next closest to their homes and allowing all old busing court orders to be reopened and brought into compliance with the new busing restrictions.

On a series of 47-46 votes, the Senate weakened the House language by allowing the courts to order more extensive busing to protect constitutional rights. The Senate also dropped the court reopener provision. After almost two months of deliberation, House-Senate conferees agreed to follow the Senate language with a proviso that parents or school districts could seek to have court busing orders reopened if the time or the distance traveled impinged on the educational process or endangered the student's health.

The Senate adopted the conference report July 24 on an 81-15 vote; the House on July 31 by 323-83. Ford signed the bill into law Aug. 21. (*Weekly Report p. 2248*)

Civil Rights Amendment. A potentially more dangerous threat to the civil rights movement than the anti-busing provisions introduced in recent years was narrowly averted in the final days of the session. The threat, in the form of an amendment to a supplemental appropriations bill (HR 16900—PL 93-000), would have prohibited the Department of Health, Education and Welfare (HEW) from effectively enforcing federal racial and sex discrimination laws.



The proposal, which was strongly opposed by HEW and the Justice Department, was adopted by the House but rejected in the Senate. House-Senate conferees retained a modified version that negated the original purpose of the amendment.

But when the amendment first reached the Senate, Minority Leader Hugh Scott (R Pa.) and Majority Leader Mike Mansfield (D Mont.) offered a modification to nullify it. After agreeing 56-27 to a motion to end a filibuster on the Scott-Mansfield amendment, the Senate, by a 56-27 vote, adopted the modification. The bill went back to the House which capitulated and approved the Senate change, clearing the supplemental bill for the President. (*Weekly Report p. 3387*)

Sex Discrimination. In one of its final actions of the session, Congress moved to clarify at least partially its intent with regard to sex discrimination laws authorized under the Education Amendments of 1972.

The situation arose when the Department of Health, Education and Welfare (HEW) announced that its interpretation of the laws that prohibited sex discrimination in any school that received federal funds applied also to fraternities, sororities and youth service organizations such as the Boy Scouts.

During consideration of the conference report on the Labor-HEW appropriations bill, conferees stated that the regulations were not to apply to such organizations or to physical education classes. However, HEW said the conference language did not have the force of law and that the department would disregard it.

The Senate then added a provision, which the House accepted, to a bill (S J Res 40—PL 93-000) calling for a White House conference on libraries. The amendment exempted only social fraternities and sororities and youth service organizations but did not extend to physical education classes.

The library conference bill was also used as a vehicle to clarify certain provisions of the student records disclosure amendment added to the massive elementary and secondary education bill (*see above*) enacted in August. (*Weekly Report p. 3466*)

Energy and Environment

ACTION COMPLETED

Strip Mining. The most important piece of environmental legislation of the 93rd Congress was finally cleared Dec. 16 but faced an almost certain presidential veto.

The bill (S 425) provided for federal and state regulation of strip mining for coal and for the reclamation of lands that had been previously stripped and abandoned. It established minimum environmental standards to be followed by the states in drawing up mandatory strip mining control programs. It also provided that land that could not be reclaimed would be designated unsuitable for strip mining. The bill provided for extensive citizen participation, including the right to sue, in drafting and enforcing regulations.

S 425 had been passed by the Senate Oct. 9, 1973. The House version (HR 11500) was passed July 25 after a rare and bitter six-day debate. During congressional consideration, the National Coal Association, American Mining Congress and utility companies lobbied furiously against the proposal.

Both the Senate and House bills were considered strong measures. While the basic approaches were the same, there were several major differences and innumerable minor ones between the two. Conferees met 20 times to work out a final version. For most of a three-month period it appeared that an agreement might elude them because of a controversy over regulation of federally owned coal which lay beneath privately owned land. A compromise was finally reached Dec. 3. The bill was cleared by the House Dec. 13 and by the Senate Dec. 16.

The White House Dec. 13 announced that President Ford intended to veto the bill because he said it would diminish U.S. energy resources and increase unemployment. Reportedly, the veto was recommended by the Federal Energy Administration and the Treasury Department and opposed by the Interior Department and the Environmental Protection Agency. (*Weekly Report p. 3383*)

Clean Air Deadlines. Clean air standards and deadlines were eased to save energy under legislation (HR 14368—PL 93-319) which was cleared by Congress June 12.

The changes were part of an energy emergency package requested by Nixon. Fuel burning plants which could burn coal could be prohibited from burning oil and gas under PL 93-319. In strictly limited cases, final air pollution regulations authorized by the Clean Air Act of 1970 could be delayed until 1979. The measure also delayed final auto pollution emission standards for one year, until 1977.

HR 14368 was the only portion of the original energy emergency package to be cleared. (*Weekly Report p. 1609*)

Energy Reorganization. Two of former President Nixon's proposals to reorganize federal energy agencies were cleared by Congress in 1974: measures establishing a Federal Energy Administration (FEA) and an Energy Research and Development Administration.

- The first major energy measure to clear Congress in 1974 was HR 11793 (PL 93-275), setting up the FEA to manage the fuel crisis.

Nixon requested the agency in 1973 and intended that it be given broad powers "to take all actions needed" to cope with energy problems. However, HR 11793 limited the powers granted the agency to those specifically approved by Congress or authorized to the President by Congress. The measure transferred to the FEA from the Interior Department the Offices of Petroleum Allocation, Energy Conservation, Energy Data and Analysis and Oil and Gas. The Energy Division of the Cost of Living Council was also transferred to the new agency. The measure was cleared May 2. (*Weekly Report p. 1135*)

- On Oct. 10 Congress cleared HR 11510 (PL 93-438), abolishing the Atomic Energy Commission (AEC) and creating an Energy Research and Development Administration (ERDA) and a Nuclear Regulatory Commission.

Nixon had made passage of the measure a top priority, and Ford called for its enactment in his Sept. 12 message on legislative priorities. As cleared, HR 11510 was much more oriented toward energy conservation, environmental protection and nuclear safety than the version first proposed by Nixon.

ERDA was to be built around the energy research functions of the AEC. Its mission was to provide a single federal agency to manage and coordinate all federal energy research and development programs. The bill transferred the AEC's licensing and regulatory powers to a new, five-member Nuclear Regulatory Commission. Also established



was a temporary Energy Resources Council in the White House to advise the president on energy policy and to coordinate the federal government's scattered energy responsibilities. (*Weekly Report p. 2925*)

Fuel Allocation Act Extension. Congress Nov. 21 cleared legislation (HR 16757—PL 93-511) to extend the Emergency Petroleum Allocation Act (PL 93-159) for six months through Aug. 31, 1975. The original act was passed in November 1973 to ensure that scarce oil supplies were allocated fairly among users. The administration wanted to phase out the program but supported the brief extension to provide for an orderly transition to the free market system. Congress provided the extension to give time for a thorough congressional review of the program. The original expiration date was Feb. 28, 1975. (*Weekly Report p. 3225*)

New Energy Sources. Congress cleared three measures to provide for research, development and demonstrations of solar and geothermal energy resources.

- On Aug. 21 Congress cleared HR 11864 (PL 93-409), providing for demonstrations of solar energy to heat and cool buildings. HR 11864 directed the Department of Housing and Urban Development to test demonstration models of solar heating and cooling systems in homes, commercial buildings and public buildings. The measure was designed to test the commercial feasibility of the systems by 1980. (*Weekly Report p. 2407*)

- On the same day, Congress cleared HR 14920 (PL 93-410), to develop the commercial potential of geothermal energy by 1980. It provided for a three-stage effort to 1) locate and make an inventory of prime geothermal resources; 2) carry out research and development to solve technological problems that hampered exploitation of geothermal resources and 3) demonstrate the commercial potential of producing electric power from underground heat. (*Weekly Report p. 2395*)

- Congress Oct. 11 cleared a broader solar energy measure (S 3234—PL 93-473) establishing a federal program to speed the development and commercial use of advanced solar energy technologies. S 3234 provided for support of research on specific projects such as direct use of the sun's energy by industry and the conversion of solar energy into electricity. (*Weekly Report p. 2999*)

Daylight Saving Time. Congress reversed its 1973 decision to institute year-round daylight saving time as an energy saving measure. A bill (HR 16102—PL 93-434) cleared Sept. 30 restored standard time for the four-month period between Oct. 27, 1974, and Feb. 23, 1975.

Although the Department of Transportation estimated that daylight saving time had resulted in electricity savings of 1 per cent in March and April 1974, it agreed to a return to standard time because of public concern for the safety of children who had to go to school on dark winter mornings. (*Weekly Report p. 2875*)

Disaster Relief. Spurred by spring 1974 tornadoes which ravaged sections of the South and Midwest, Congress May 15 cleared S 3062 (PL 93-288), streamlining federal disaster relief programs under the Disaster Relief Act of 1970.

The measure provided assistance to states, individuals and communities that had been struck by disasters. PL 93-288 also permitted the president to distinguish between emergencies, which would qualify state and local governments for supplementary federal aid, and major disasters, for which the full array of federal disaster assistance would be employed.

Only one section was made retroactive to April 20, 1973, to benefit victims of the April 4 tornadoes. It authorized special aid up to \$5,000 to families who had suffered from extraordinary disaster damage. (*Weekly Report p. 1277*)

Wilderness Areas. Legislation (S 3433—PL 93-000) to provide for additional wilderness areas in the eastern United States was passed by the Senate May 31, and in the House Dec. 19. S 3433 added 207,000 acres of national forest in eastern states to the National Wilderness Preservation System. Another 125,000 acres were designated as study areas for possible inclusion in the system. S 3433 also permitted inclusion in the wilderness system of eastern areas which had been exploited and then allowed to return to their natural state. (*Weekly Report p. 1510*)

National Park System. Congress Oct. 16 cleared legislation (HR 14217—PL 93-477) authorizing an additional \$95-million to acquire and develop land for 16 national parks. The largest authorization increase was from \$38-million to \$57.8-million for the Sleeping Bear Dunes National Lakeshore in Michigan. (*Weekly Report p. 3042*)

Special Energy Funding. Congress consolidated in one fiscal 1975 appropriations measure (HR 14434—PL 93-322) energy research and development appropriations that previously had been considered in seven separate appropriations bills.

HR 14434 appropriated a total of \$2,236,089,000, compared to the budget request of \$2,203,728,000. The bulk of the funds, \$1,486,660,000, were for the Atomic Energy Commission. Also appropriated was \$557,164,000 for the Interior Department's energy research and development programs.

The consolidation of the programs was intended to give Congress a chance to review all energy R&D funds in one package and to clear the appropriations before the start of the fiscal year so that research and development programs could proceed rapidly. Congress beat the deadline by four days, clearing the measure on June 24. (*Weekly Report p. 1707*)

The Interior Department's fiscal 1975 appropriations bill (HR 16027—PL 93-404), which cleared Congress Aug. 20, contained \$203,575,000 for the U.S. Geological Survey and \$77,863,000 for the Bureau of Mines. Both agencies have responsibility for energy programs. (*Weekly Report p. 2392*)

FEA Administrators. The Senate Dec. 11 confirmed Frank G. Zarb as head of the Federal Energy Administration. Two days later, the Senate confirmed Melvin A. Conant as assistant FEA administrator despite controversy over a potential conflict of interest.

Conant's personal integrity and ability were not questioned, but Senate critics said that a \$90,000 severance payment given to Conant from the Exxon Corporation could make it difficult for Conant to objectively deal with the fuel crises and other problems affecting the oil industry.

Conant's nomination was the second of President Ford's choices for FEA positions to meet with conflict of interest charges.

The nomination of Andrew E. Gibson to be FEA administrator was withdrawn Nov. 12 after it was learned that Gibson had been promised \$880,000 in severance pay from his former employer, an oil shipping company with interests related to matters he would have to monitor. (*Weekly Report p. 3375, 3138*)

Oil Shipments on U.S. Vessels. Despite overwhelming criticism and opposition from most of the affected government agencies, Congress Dec. 16 cleared HR 8193 (PL 93-000), requiring that a percentage of oil and oil products imported into the United States be transported on U.S. flagships.

The final version required that, upon enactment, 20 per cent of all imported oil and oil products be carried on privately owned U.S. flagships, if they were available. The percentage would have to increase to 25 per cent by June 30, 1975, and to 30 per cent by June 30, 1977. HR 8193 also authorized the President to waive the percentage requirements during national emergencies.

The conference report on HR 8193 had appeared hopelessly stalled in the Senate until Senate backers reportedly made a last-minute deal in mid-December to support the trade reform bill (HR 10710) in return for support on the cargo preference bill. (*See foreign trade legislation.*)

Opponents of HR 8193 argued that it would cause an increase in the cost of oil to consumers and that the inflationary impact of the bill could be devastating to the nation's economy.

Backers maintained that any increase in oil prices would be minimal and that the bill would add thousands of jobs for American workers. In addition, they said, HR 8193 would decrease U.S. dependency on foreign ships. (*Weekly Report p. 3370*)

Deepwater Ports. In the final days of the session, Congress cleared a bill (HR 10701—PL 93-000) supported by President Ford to authorize a federal licensing and regulatory program for construction and operation of deepwater ports beyond the three-mile limit of U.S. territorial waters.

Supporters said deepwater ports—facilities located in water at least 70 feet deep and capable of handling vessels of 200,000 deadweight tons or larger—would bring substantial savings in oil transportation and would reduce the risk of environmental damage from oil spills.

The final version gave strong protection to adjacent coastal states—defined as those connected by an oil pipeline, located within 15 miles of a port or designated by the secretary of transportation as likely to incur equal or greater environmental damage from the port. No port could be built unless the governors of such adjacent coastal states approved the proposed construction. (*Weekly Report p. 2912*)

Non-Nuclear Energy Policy. Congress Dec. 17 cleared legislation (S 1283—PL 93-000) establishing a 10-year, \$20-billion program of research on and development of non-nuclear energy resources, but also emphasizing energy conservation, environmental protection and the development of renewable energy resources. The measure was largely noncontroversial, except for the patent provisions. The Ford administration objected to Senate provisions which would have required the federal government to retain rights to technologies developed under the act and to license the technologies on a non-exclusive basis. The final version permitted a waiver of federal rights and exclusive licenses under clearly restricted guidelines.

S 1283 was designed as a non-nuclear component to go with the nuclear power programs that were transferred to the Energy Research and Development Administration (ERDA) from the Atomic Energy Commission. The Senate passed S 1283 in December 1973 and added a stripped down

version to the legislation which created ERDA. The House passed S 1283 on Sept. 11. (*Weekly Report p. 2547*)

ACTION NOT COMPLETED

Land Use. Legislation which President Nixon once called his top legislative priority in the environmental field but later opposed after the Senate and a House committee had approved a version too restrictive to his liking died on June 11 when the House defeated, 204-211, the rule under which the bill was to be debated on the floor.

The defeat was forecast a month earlier when the House Rules Committee voted 8-7 to delay floor action on the House version (HR 10294) indefinitely. Minority Leader John J. Rhodes (R Ariz.) told the committee Nixon did not back the version of the bill reported by the Interior and Insular Affairs Committee. The Rules Committee later voted to send the bill to the floor, but the rule was then defeated. The Senate had passed a companion bill (S 268) in 1973.

Major objections of the administration as well as of business and ranching interests which lobbied against the legislation were to the bill's guidelines which emphasized the environmental protection aspects that would be mandatory in drafting state land use plans.

However, Rep. Morris K. Udall (D Ariz.) and Sen. Henry M. Jackson (D Wash.), principal sponsors of the legislation, charged that HR 10294 was a victim of Nixon's efforts to win conservative support in his struggle to avoid impeachment. (*Weekly Report p. 1569*)

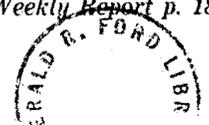
Nuclear Accident Insurance. The Joint Committee on Atomic Energy gave up efforts Nov. 20 to extend until 1982 the federal program insuring the public against losses in the event of a nuclear power plant accident. The insurance program, created under the 1957 Price-Anderson Act, did not expire until Aug. 1, 1977, however.

A bill (HR 15323) to extend the program ran into strong opposition from environmental groups who argued that the extension was premature without re-evaluation of the nation's future dependence on nuclear power. The version of the bill cleared by Congress Sept. 30 reflected this opposition by limiting the extension to five years—instead of 20 years as initially proposed—and by allowing Congress to disapprove the extension after review of a major new study of nuclear safety.

President Ford vetoed the bill Oct. 12 because he objected to a provision allowing Congress to revoke the extension after he had signed the bill into law. Sponsors decided against an override attempt and then postponed reconsideration until 1975 because too little time remained in the 93rd Congress. Environmental groups were pleased with the delay because key proponents of nuclear power on the joint committee retired at the end of the 93rd Congress. (*Weekly Report p. 3235*)

Coal Development. The Senate in 1974 passed two bills to help promote the use of coal, but the House did not act on either.

• On July 9 the Senate passed S 3528, to revise federal coal leasing policies. The measure was part of a revision of the Mineral Leasing Act of 1920 proposed (S 1040) by Nixon. The Senate Interior and Insular Affairs Committee said it gave priority to coal leasing because the Interior Department was preparing to resume large-scale coal leasing in the West. S 3528 provided for competitive bidding on coal leases, promoted land use planning prior to leasing and limited lease terms to 20 years instead of the indefinite period under existing law. (*Weekly Report p. 1840*)



• On Sept. 18 the Senate passed S 3879, to authorize the secretary of interior to grant rights-of-way across federal lands for coal pipelines. S 3879 was designed to clear the way for building pipelines to carry western coal to electric utilities in other parts of the nation. Coal can be carried by pipeline as slurry—small particles of coal suspended in water. (*Weekly Report p. 2230*)

Federal Land Management. Legislation (S 424, HR 16800) to consolidate the management of 451-million acres of federal lands administered by the Bureau of Land Management (BLM) passed the Senate July 8 but died in the House Interior and Insular Affairs Committee. S 424 would authorize the secretary of interior to record, manage and plan for the diverse use of lands under BLM jurisdiction. The secretary also could grant rights-of-way across BLM lands for energy, transportation and other transmission facilities. Nixon had called for the consolidation of management of BLM lands in his Feb. 15, 1973, environmental message. (*Weekly Report p. 1828*)

Recycling Materials. Congress failed to complete action on two bills dealing with the recycling of minerals and materials.

• The Senate Commerce Committee Aug. 22 reported S 3954, to encourage the recycling of minerals and other scarce resources and establish improved procedures for disposing of hazardous wastes. The measure was then referred to the Public Works Committee, but no further action was taken. (*Weekly Report p. 2385*)

• The Senate Commerce Committee held hearings May 6-7 on S 2062, to ban the shipment in interstate commerce of nonreturnable beverage containers. The measure was never reported; there was no similar legislation considered by the House. (*Weekly Report p. 1225*)

Energy Conservation. Congress took no action in 1974 on legislation (S 2176) to promote energy conservation. The bill was passed by the Senate in December 1973. S 2176 would mandate gasoline mileage standards for automobiles and require that autos and major appliances carry labels listing their energy efficiency.

The Senate Commerce Committee started hearings in December 1974 on related proposals calling for a 50 per cent reduction in gasoline consumption and a 15 per cent cut in industrial energy use by 1980. John C. Sawhill, then the federal energy administrator, opposed the mileage standards as too stringent and said the provisions to reduce industrial energy use were premature. The administration was trying to convince industry to reduce energy use voluntarily. (*Weekly Report p. 3275*)

Naval Petroleum Reserves. Congress took no action in 1974 on one of the administration's major proposals to meet the fuel crisis—legislation (S J Res 176, H J Res 832) to authorize crude oil production from the Elk Hills, Calif., Naval Petroleum Reserve. The measure was passed by the Senate in 1973 but died in the House Armed Services Committee. (*Weekly Report p. 1205*)

Independent Refineries. The Senate Nov. 26 passed legislation (S 2743) to guarantee loans to cover the costs of constructing independent refineries. Up to 75 per cent of any loan could be guaranteed by the FEA administrator. The bill had been reported Nov. 21 by the Interior and Insular Affairs Committee. No action was taken by the House. (*Weekly Report p. 3276*)

Natural Gas Deregulation. Democrats managed to keep the administration's natural gas deregulation bill (S 2048) bottled up in committee all year. President Ford had made natural gas deregulation one of his legislative priorities in his Sept. 12 message to Congress.

Sen. James L. Buckley (Cons-R N.Y.) abandoned an attempt to offer a natural gas deregulation amendment to the trade reform bill (HR 10710) and announced in mid-December that he would introduce the amendment to the emergency energy bill (S 3267). Sen. Henry M. Jackson (D Wash.), however, said that plans to add the natural gas deregulation amendment to the emergency energy bill would kill any chance of approving that bill, and the legislation was never considered.

Ocean Resources. The Senate in 1974 considered two measures dealing with ocean resources. The House did not take action on any of them. Included were measures to 1) exploit oil and gas resources on the outer continental shelf (S 3221) and 2) authorize mining on the ocean floor (S 1134). The administration opposed both.

• S 3221, passed Sept. 18, would require the secretary of interior to develop a 10-year leasing program for outer continental shelf oil and gas lands by Jan. 1, 1978. The most controversial provisions would authorize grants to the states to help them deal with environmental and other problems arising from oil and gas development of their coasts. An amendment to delete the provisions was killed on a 61-29 vote. The administration and the oil industry said new leasing and environmental procedures mandated by S 3221 would hamper development of the outer continental shelf. (*Weekly Report p. 2536*)

• S 1134 would permit mining companies to explore or mine for manganese nodules on the ocean floor if they had obtained a license from the secretary of interior. No license could be granted after the United States ratified an international treaty governing mining on the deep seabed. The administration argued that S 1134 would hamper efforts to negotiate such a treaty. S 1134 was reported by the Senate Interior and Insular Affairs Committee on Aug. 21, but no action was taken by the Senate. (*Weekly Report p. 2387*)

Toxic Substances Control. A measure (S 426) to give the Environmental Protection Agency (EPA) authority to control the sale and production of potentially hazardous chemical substances remained tied up in conference committee throughout 1974. The House and the Senate passed differing versions of the measure in July 1973. Conferees, however, did not start working on S 426 until November 1974.

The major disagreement was the extent to which the EPA administrator would be required to use existing laws, rather than the powers under S 426, to control dangerous chemicals. The House version imposed greater limitations on the administrator's flexibility to use the new act. (*1973 Almanac p. 674*)

Other Energy Proposals. Congress took no action in 1974 on two administration-backed energy proposals.

• S 2135, HR 9090, to create a Department of Energy and Natural Resources.

• HR 15987, to speed the licensing of nuclear power plants.



Foreign Policy, Trade

ACTION COMPLETED

Foreign Aid. Congress Dec. 18 cleared for the President the foreign assistance act (S 3394—PL 93-000), authorizing \$2,697,226,000 in economic and military aid for fiscal 1975. The amount was \$554,974,000 less than requested by the administration. A House-Senate conference agreement on the bill was narrowly approved by the Senate Dec. 17 by a vote of 49-43 and by the House Dec. 18 by a 209-189 vote.

Because the aid authorization was not cleared until two days before Congress adjourned, no attempt was made to pass a foreign aid funding bill, and money for the programs was appropriated through a joint resolution (H J Res 1178—PL 93-000) making continuing appropriations through Feb. 28, 1975, at an annual rate of \$3.1-billion.

In addition to the authorizations, the bill ordered a suspension of military aid to Turkey until there was progress toward a solution of the military situation on Cyprus—where Turkish troops occupied more than one-third of the territory following its July invasion—but authorized the President to delay the cutoff until Feb. 5.

For Indochina, the bill authorized a limit of \$617-million for economic assistance and set ceilings by country within that limit. The bill also set limits on military aid to South Vietnam, Cambodia and Laos.

For the Middle East, the bill authorized a total of \$1.08-billion, with \$625-million going to Israel and \$250-million to Egypt.

The bill also placed restrictions on aid to Chile, South Korea and India, provided for congressional disapproval of large arms sales to foreign countries and repealed a ban on aid to Greece.

S 3394 had followed a tortuous course through Congress. After being reported Sept. 3 by the Foreign Relations Committee, the bill was recommitted by the Senate Oct. 2 with administration backing because it contained a ban on aid to Turkey as well as various policy restrictions on the executive branch. The compromise on Turkish aid was reached only in the final week of the session. (*Weekly Report p. 3361*)

Trade Reform. Congress completed action Dec. 20, the last day of the session, on major trade legislation (HR 10710—PL 93-000) giving the president broad authority to negotiate and implement trade agreements with foreign nations.

With strong White House pressure to reach an agreement before adjournment, the Senate passed HR 10710 Dec. 13 by a vote of 77-4. The House had passed it Dec. 11, 1973. The final version included an amendment by Sen. Henry M. Jackson (D Wash.) reflecting the compromise reached by him and the White House on Jewish emigration from the Soviet Union. That issue had stalled the bill for most of 1974 in the Senate Finance Committee.

The president, under HR 10710, would be authorized to waive the bill's ban on granting favorable trade status to Communist countries that restricted emigration if he received assurances from those countries that their policies were leading to free emigration and so informed Congress. (*Weekly Report p. 3462*)

OPIC Extension. Congress extended the life of the semi-autonomous Overseas Private Investment Corporation through Dec. 31, 1977, but also signaled the beginning of the end of its direct insurance and financial operations. The

legislation (S 2957—PL 93-390), cleared Aug. 13, specified deadlines for the transfer to the private sector of OPIC's insurance of overseas investments against the risks of expropriation, war and inconvertibility; but the program must come up for congressional review before the first deadline is reached in 1979. Target dates were set for OPIC to begin sharing its insurance role with private companies: at least 25 per cent outside participation in new inconvertibility insurance by Jan. 1, 1975, and 50 per cent by Jan. 1, 1978, and 12 per cent for war risk insurance by Jan. 1, 1976. (*Weekly Report p. 2245*)

IDA, Gold Ownership. The House backed down from its earlier opposition to continued U.S. participation in the International Development Association and on July 2 approved, 225-140, a bill (S 2665—PL 93-373) authorizing \$1.5-billion, to be made in four equal annual installments, as the U.S. share to IDA. The bill picked up support from members usually opposed to U.S. participation in international economic development organizations because of a provision permitting private ownership of gold by Americans for the first time since 1934. The bill was cleared July 31. The House Jan. 23 had defeated by a 155-248 vote a similar bill (HR 11354) authorizing IDA participation, but that version did not contain the gold ownership provision. The Nixon administration supported continued participation in IDA—the World Bank's soft-loan window—and first opposed but later dropped its opposition to gold ownership.

The gold provision permitted private ownership of gold as of Jan. 1, 1975, and was added as an amendment to the IDA bill in the Senate. (*Weekly Report p. 2067*)

Foreign Broadcasting Policies. Congress Aug. 15 cleared a bill (S 3190—PL 93-392) authorizing \$49.99-million in fiscal 1975 for Radio Free Europe, Radio Liberty and the Board for International Broadcasting. The amount was \$150,000 more than the administration requested and \$219,000 less than the \$50,209,000 authorized for fiscal 1975. The extra \$150,000 was added by the House Foreign Affairs Committee to augment Radio Liberty's Baltic language broadcasts. (*Weekly Report p. 2314*)

Foreign Disaster Relief. On June 26 Congress cleared legislation (HR 12412—PL 93-333) authorizing \$150-million for disaster relief, rehabilitation and reconstruction assistance to victims of the 1973 floods in Pakistan, the 1972 earthquake in Nicaragua and drought and famine in Ethiopia and the countries of the African Sahel. It was the same amount as that requested by the administration, and had already been appropriated by Congress in the fiscal 1974 foreign aid appropriations bill. (*Weekly Report p. 1790; 1973 Almanac p. 177*)

State-USIA. Congress Oct. 11 approved an authorization (S 3473—PL 93-475) of \$981,439,000 for fiscal 1975 for the State Department and the U.S. Information Agency, \$53,774,000 less than the administration requested. In addition to the standard authorizations, the legislation 1) repealed the Formosa Resolution of 1955, which authorized the president to send U.S. troops to defend Formosa, 2) required the printing in the *Congressional Record* of political contributions of ambassadorial nominees and 3) stated the sense of Congress that U.S. military and civilian personnel abroad should be reduced and that the State Department should submit a five-year plan of future U.S. military and economic assistance to South Vietnam.

The final version did not contain Senate-passed provisions that would have required congressional approval



of military base agreements with foreign countries and any new agreements with the United Kingdom over the U.S. base on Diego Garcia, reorganized foreign aid legislation and called for a review of U.S. policy toward Cuba. (*Weekly Report p. 2918; Diego Garcia, see Defense legislation.*)

Congress earlier had approved fiscal 1975 appropriations of \$705,692,000 for the State Department and \$238,009,000 for USIA as part of the State-Justice-Commerce appropriations bill (HR 15404—PL 93-433). (*Weekly Report p. 2616*)

Nuclear Controls. Congress insisted on a role in government decisions to distribute nuclear materials abroad by approving Oct. 10 a procedure (S 3698—PL 93-485) whereby it would have a voice in proposed agreements with foreign countries for the exchange of nuclear equipment and technology. Congress Aug. 1 also cleared legislation retaining congressional control over the amount of nuclear fuel the Atomic Energy Commission (AEC) could distribute to groups of nations for peaceful purposes (S 3669—PL 93-377).

The AEC in 1973 had proposed that provisions of the 1954 Atomic Energy Act requiring statutory approval of distribution levels of fuel be eliminated. As passed, the legislation allowed the AEC to increase the amount of nuclear material it distributed to groups of nations above the statutory ceilings if both houses of Congress did not disapprove the proposal within 60 days. S 3698 also required the Joint Committee on Atomic Energy to recommend approval or disapproval of agreements within 30 days.

The issue of prior congressional approval of proposed agreements had arisen after former President Nixon offered in June to sell nuclear reactors to Egypt and Israel. Congressional misgivings about the proposed sales had resulted in the discovery by the joint committee that there were no statutory means by which Congress could disapprove agreements for the peaceful—as compared to military—uses of nuclear technology.

In House action on both bills amendments were offered that were opposed by the administration to require specific congressional approval before such an agreement could take effect.

The amendment was rejected by the House to the bill on fuel distribution levels. It was successful on the nuclear accords bill, but was later killed by a House-Senate conference committee. (*Weekly Report p. 2919, 2175*)

Export Controls. Reflecting its concern over shortages of a variety of materials and commodities and the nation's high inflation, Congress extended the Export Administration Act of 1969 through Sept. 30, 1976, and gave the commerce secretary additional authority to impose controls on exports (S 3792—PL 93-500).

The most significant change in the 1969 act was the elimination of a need to show that foreign demand for a product was "abnormal" before export controls could be imposed by the president. With the change, controls could be imposed to counter an excessive drain of scarce materials or a serious inflationary impact from foreign demand. Both the House Banking and Currency and the Senate Banking, Housing and Urban Affairs Committees had recommended the change, arguing that abnormal demand was difficult to gauge and had been an impediment to effective use of controls in the past.

The legislation also authorized the use of export license fees, directed the commerce secretary to monitor exports of non-agricultural commodities when they could contribute

to domestic price increases or shortages and thus adversely affect the U.S. economy, authorized the defense secretary to review the export of certain items, established a procedure for hardship relief from controls and set deadlines for the approval or disapproval of high technology exports.

Led by members from rural areas, the House Aug. 13 refused to go along with many of the recommendations of the Banking and Currency Committee and passed instead a simple extension (HR 15264) of the 1969 law. Opponents feared that the committee-recommended changes would make it easier for the government to impose controls on agricultural exports and that more high-technology goods would be sent to the Soviet Union. The final version followed the lines of the Senate-passed bill and was approved by both houses Oct. 10. (*Weekly Report p. 3001*)

Turkish Opium. Turkey's announcement July 1, 1974, that it was lifting a ban on opium poppy cultivation was followed by fears in Congress of a renewed flow of heroin into the United States. The House Aug. 5 passed by voice vote H Con Res 507, expressing its concern and directing the President to suspend all assistance to Turkey if negotiations failed to protect the United States from the importation of illegal drugs.

A similar restriction was initially added by the House to the Export-Import Bank bill (HR 15977) and by the Senate to the Drug Enforcement Administration authorization bill (S 3355—PL 93-481). U.S. negotiations with Turkey, however, produced an agreement that certain production methods would be followed that would decrease the possibility of illicit heroin entering the United States. House-Senate conferees dropped the opium provisions from the two bills, and proponents of an aid ban agreed to wait to see if the production controls were effective before pressing for legislation. (*Weekly Report p. 2174*)

Relations With Cuba. In approving its version of the fiscal 1975 authorization for the State Department and the U.S. Information Agency May 21 (S 3473—PL 93-475), the Senate included a provision stating the sense of Congress that U.S. policy toward Cuba should be reviewed and that a new policy should be developed that would recognize the traditional friendship of the two countries and "the security of the Americas." House-Senate conferees, however, dropped the provision. (*Weekly Report p. 2918*)

ACTION NOT COMPLETED

Genocide Treaty. A drive to approve the controversial 1948 United Nations treaty making genocide an international crime (Exec O, 81st Cong., 1st sess.) failed Feb. 6 when the Senate for the second time refused to cut off a filibuster on the International Convention on the Prevention and Punishment of the Crime of Genocide. Former President Nixon had urged its ratification in 1970.

The 55-38 cloture vote on the fifth day of debate fell seven short of the two-thirds majority needed to cut off the filibuster. A previous cloture vote on Feb. 5 failed by a six-vote margin—55-36. (*Weekly Report p. 316*)

Most southern Democrats and conservative Republicans were opposed to the treaty, arguing it was a "Pandora's box" that could lead to the extradition of U.S. citizens for trial before an international or foreign court without the protections of the U.S. Constitution.

Executive Agreements. The increasing use of executive agreements—which unlike treaties do not require

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Senate approval—led the Senate Nov. 21 after several years of consideration of the controversial issue to pass legislation (S 3830) to give Congress the power to veto executive agreements made with other nations.

Figures from the Department of State showed that between 1946 and April 1972 the United States entered into 5,590 executive agreements while negotiating only 368 treaties.

Congressional critics maintained that the increasing use of executive agreements was a major example of presidential usurpation of the treaty power, they said, which the Constitution intended to be shared with the Congress.

The House took no action on the bill in 1974.

Flanigan Nomination. The nomination of Peter M. Flanigan to be U.S. ambassador to Spain, originally submitted by President Nixon just before he resigned, expired during Congress' election recess and was not resubmitted by President Ford. Flanigan requested it not be resubmitted in a Nov. 16 letter to Ford after it became evident his nomination would be extensively investigated by the Senate Foreign Relations Committee. The committee had held hearings Oct. 2 during which Thomas F. Eagleton (D Mo.) charged that Flanigan had been involved in several conflict-of-interest situations while working in the Nixon White House. The committee had discussed the nomination in executive session Oct. 9 but took no further action. (*Weekly Report p. 3254*)

U.S. Fishing Limits. S 1988, which would have extended U.S. fishing limits from the existing 12-mile limit to 200 nautical miles, died with adjournment. The Senate passed the bill Dec. 11, but the House took no action on it. President Ford in a Sept. 30 letter to Congress said enactment of the bill could block negotiations on an international sea treaty which he called the best way to resolve fisheries problems. (*Weekly Report p. 3411*)

Rhodesian Chrome. The House failed to act on a bill (S 1868) to repeal the controversial Byrd amendment, a 1971 provision of law permitting U.S. importation of Rhodesian chrome in violation of United Nations sanctions against the white supremacist government in Rhodesia. The bill had been reported July 9 by the House Foreign Affairs Committee. The Senate had passed it Dec. 18, 1973. (*Weekly Report p. 1888*)

General Government, Congress

ACTION COMPLETED

Rockefeller Nomination. For the first time in history, Americans had an unelected President and Vice President as Congress Dec. 19 confirmed Gerald Ford's choice of Nelson A. Rockefeller as vice president by a 287-128 vote. The Senate had approved the nomination Dec. 10 by a 90-7 vote.

The vice presidency became vacant for the second time in less than a year when Ford succeeded Richard Nixon Aug. 9 as president. Nixon resigned rather than face probable impeachment by the House of Representatives and expulsion from office by the Senate. (*See impeachment hearings, below*)

Ford had been nominated by Nixon in 1973 to succeed Spiro T. Agnew, who resigned Oct. 10 that year and pleaded no contest to a charge of tax evasion.

Under the 25th Amendment to the Constitution outlining procedures to fill a vacancy in the office, both chambers must approve a vice presidential nominee by majority votes. (*Weekly Report p. 3359, 3303*)

Impeachment. Concluding the second full presidential impeachment inquiry in American history, the House Aug. 20 voted 412-3 to accept the report of the House Judiciary Committee (H Rept 93-1305) setting out the committee's recommendation that articles of impeachment against President Nixon be approved by the House.

The vote concluded a process which had formally begun Feb. 6 when the House, by a 410-4 vote, approved H Res 803, authorizing the committee to inquire into the conduct of President Nixon to determine whether there existed grounds for impeachment.

After two and a half months of hearings focusing on the charges and the evidence, the committee late in July approved three articles of impeachment charging Nixon with obstruction of justice in the Watergate coverup, with abuse of his presidential powers in a variety of ways, and with contempt of Congress for failing to respond properly to the committee's subpoenas for White House tape recordings and documents.

Ten days after the committee concluded its debate on impeachment—while the report stating the reasons for its recommendation of impeachment was still being written—Nixon resigned. No longer was there a need to impeach and remove him from office.

By accepting the report, the House took note of these events and formally concluded the inquiry. (*Weekly Report p. 2284*)

Pardon Inquiry. Responding to resolutions of inquiry (H Res 1367, 1370) raising questions about events, and possible "deals," leading up to President Ford's Sept. 8 pardon of former President Nixon, the House Judiciary Subcommittee on Criminal Justice held hearings in September and October on the matter. In an historic appearance, President Ford Oct. 17 testified and answered questions from the subcommittee. "There was no deal, period," he assured the members. The subcommittee voted 6-3 on Nov. 22 to approve a motion stating that President Ford had substantially responded to the questions posed by the resolutions of inquiry, and reported the resolutions to the full committee unfavorably, recommending that they not be approved. The subcommittee action concluded the inquiry. (*Weekly Report p. 2907*)

Nixon Tapes and Papers. Angered by the agreement between former President Nixon and General Services Administration head Robert F. Sampson giving Nixon control over the tapes and papers of his administration, Congress in December 1974 sent to the White House a measure nullifying that agreement. The bill (S 4016—PL 93-526)—countering the agreement announced Sept. 8 along with the Ford pardon of Nixon—placed the tapes and papers in the custody and control of the federal government. It required explicit congressional authorization for destruction of any of the materials.

Under the September agreement, Nixon, after a certain period of time, could have had the tapes or papers destroyed. In addition, S 4016 directed Sampson to set rules governing access to and protection of the Nixon administration materials. The bill also created a commission to study the issue of ownership and control of papers and other records produced by federal officials. (*Weekly Report p. 3309*)



Nixon Transition Funds. Congress sharply reduced from \$850,000 to \$200,000 the Ford administration's requests for funds for former President Nixon's transition expenses and other items, including his pension. The funds were contained in the first fiscal 1975 supplemental funding bill (HR 16900—PL 93-000). (*Weekly Report p. 3387*)

One of the items Congress eliminated was \$110,000 requested by the General Services Administration (GAO) to pay for vault storage of White House tapes and papers near Nixon's residence at San Clemente, Calif.

Campaign Finance. Almost two and a half years after it passed the landmark Federal Election Campaign Act of 1971, Congress Oct. 10 cleared a more sweeping campaign reform bill (S 3044—PL 93-443) that radically overhauled the existing system of financing presidential and congressional election campaigns.

S 3044 established the first spending limits ever for candidates in presidential primary and general elections and in primary and general election campaigns for the House and the Senate. A six-member Federal Commission was created to oversee and enforce the new law.

The bill also introduced the first use of public money to pay for political campaign costs by providing for optional public financing of presidential general election campaigns and establishing federal matching grants to cover up to 45 per cent of the cost of presidential primary campaigns.

S 3044 was the culmination of two years of work by Congress. The Senate passed an earlier campaign financing bill in 1973 that provided for the public financing of presidential and congressional elections, but the House refused to accept it.

The Senate renewed its effort in early 1974 when the Senate Rules Committee in January began work on a new comprehensive public financing bill. After 13 days of debate, the Senate April 11 passed the bill 53-32, two days after voting to shut off a filibuster by southern Democrats and conservative Republicans, led by James B. Allen (D Ala.), against the public financing provisions. The Senate bill made public financing mandatory for presidential general elections and established partial public financing for presidential primary and congressional primary and general election campaigns.

The House delayed taking up companion campaign finance legislation. The House Administration Committee, chaired by Wayne L. Hays (D Ohio), an opponent of public financing, did not start work on its measure (HR 16090) until March 26 and did not report the bill until July 24. HR 16090 provided for public financing of presidential campaigns only and set lower spending limits for congressional elections than those in the Senate bill. The House passed its bill Aug. 8, a few hours before President Nixon announced his resignation.

House and Senate conferees worked for almost three weeks trying to reconcile differences between the two measures. The two sticking points were public financing of congressional elections and the Federal Election Commission. The Senate bill called for a seven-member panel appointed by the President while the House bill had a congressionally dominated body. They eventually settled on a hybrid commission that had four members appointed by Congress and two by the President. Senate backers of congressional public financing dropped their insistence for it in return for higher spending limits in House and Senate campaigns and a stronger election commission. (*Weekly Report p. 2865*)

House Committee Reform. The House waged an intense internal battle in 1974 over a plan to reorganize its committee system proposed by a bipartisan panel headed by Richard Bolling (D Mo.), a long-time advocate of House reform. The proposal, which would have resulted in a wholesale realignment of jurisdictions and a limitation of one major committee per member, was opposed by a majority of committee chairmen and senior members.

After debating the Bolling plan (H Res 988) for six days, the House Oct. 8 voted 203-165 to substitute a much milder reorganization plan drafted by a Democratic Caucus committee headed by Julia Butler Hansen (D Wash.). As approved by the House, the Hansen plan retained most of the existing committee structure while shifting some jurisdictions. The Public Works Committee, for example, was given jurisdiction over transportation areas previously controlled by the Banking and Currency and Interstate and Foreign Commerce Committees. A move to abolish the Internal Security Committee failed when the House voted 246-164 to retain the panel.

The approved plan also included a number of procedural changes. It banned proxy voting in committees, gave the minority party control over one-third of committee staffs, allowed the leadership to organize new congresses before they convened, required all committees to have at least four subcommittees and gave the speaker more latitude in referring bills to committees. (*Weekly Report p. 2896*)

Foreign Travel. Congress altered requirements for public disclosure of foreign travel by members and their staffs. In 1973, because of a virtually unnoticed change in a law requiring publication of foreign travel data in the *Congressional Record*, this information was unavailable for the first time in 13 years.

Public criticism of the change resulted in a compromise provision being added to the fiscal 1975 legislative branch appropriations bill (HR 14012—PL 93-371) which reinstated language from the old law requiring that consolidated, detailed reports on foreign travel be made each year. But instead of being published in the *Record*, the amendment specified that the reports were to be made available to the public by the clerk of the House and the secretary of the Senate. (*Weekly Report p. 2467*)

Freedom of Information Amendments. By overriding a Ford veto, Congress Nov. 21 insisted upon its amendments to the 1966 Freedom of Information Act. The amendments (HR 12471—PL 93-502) were designed to combat obstacles and problems which had arisen over public access—which the law was designed to ensure—to government documents and materials. The most controversial of the measure's provisions were those setting deadlines for agency responses to requests for information under the law and those authorizing federal district judges to examine material which had been withheld as exempt by a federal agency and to determine if it had been properly placed in an exempt category. This latter change allowed judges to examine classified information which had been withheld on the grounds of its classification. President Ford vetoed the bill, calling it "unconstitutional and unworkable," but Congress overwhelmingly overrode the veto. (*Weekly Report p. 3151*)

Postal Rate Adjustments. Congress June 19 cleared S 411 (PL 93-328) amending the Postal Reorganization Act of 1970 to continue annual federal subsidies for most second

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third and fourth class mail for longer periods than had been authorized by the 1970 act. The bill was designed to offset the effect of large unanticipated increases in postal rates after the Postal Service was instituted in 1970. The Office of Management and Budget labeled the bill unwarranted and unjustified, but President Nixon signed it. (*Weekly Report p. 1602*)

Privacy Protection. Congress Dec. 18 cleared S 3418, a bill to protect personal privacy by allowing an individual to inspect information about himself contained in government files to determine its relevance and accuracy. As originally passed by the Senate Nov. 21, the bill would have established a privacy protection commission to assist in implementing and enforcing safeguards to privacy; the House version had no similar provision, leaving enforcement and implementation to each federal agency. A compromise agreement was reached establishing a privacy protection study commission composed of seven members to examine privacy issues. (*Weekly Report p. 3239*)

ACTION NOT COMPLETED

Voter Registration. By a 197-204 vote, the House May 8 refused to take up a controversial voter registration measure (HR 8053). The bill would have established a Voter Registration Administration in the General Accounting Office (GAO) to run a register-by-mail system, but it ran into strong opposition from the House Republican Policy Committee and the Republican National Committee. The measure was pushed primarily by the AFL-CIO which considered it a legislative priority.

The bill had been granted an open rule by the House Rules Committee Feb. 26, following its approval by the House Administration Committee, but the House refused to approve the rule under which the legislation was to be debated on the floor, thus killing it. A companion Senate bill (S 352) had been passed in May 1973. (*Weekly Report p. 1254*)

White House Staff Limitations. A bill (HR 14715) that would have put limits on the size of the White House staff became caught in a Senate-House disagreement over a proposal to add to it restrictions on White House access to Internal Revenue Service income tax returns and died with the end of the session.

The stalemate developed after the House refused to adopt the IRS amendment, which had been offered by Sen. Lowell P. Weicker Jr. (R Conn.). He insisted that his proposal would prevent the kind of IRS abuse uncovered by the Senate Watergate Committee hearings, in which he participated. Opponents of the amendment in the House argued that it was not germane to HR 14715.

The original intent of the bill was to provide legislative authority for White House staff funding. In past years funds for White House staffing had been appropriated without the requirement for a legislative authorization.

Despite the failure to clear HR 14715, Congress appropriated funds for the White House staff in the fiscal 1975 Treasury-Postal Service-Executive Office appropriations bill (HR 15544—PL 93-381), cleared Aug. 15. (*Weekly Report p. 2317*)

Health

ACTION COMPLETED

Expiring Health Programs. Congress completed, with one exception, a major overhaul of federal health

programs in 1974. House and Senate committees had begun their review of the programs, which expired June 30, in early 1973.

While approving dramatic revisions in health services and planning programs, however, Congress failed to complete action on legislation needed to extend authority for health manpower assistance programs. And Ford pocket vetoed the bill (HR 14214) extending health services.

The administration and many members of Congress considered the health planning bill (S 2994—PL 93-000), cleared Dec. 20, the most important piece of health legislation approved by the 93rd Congress. It replaced the existing health planning, regional medical and the 28-year-old Hill-Burton hospital construction programs.

Sponsors maintained that the existing programs were outdated, unfocused and overlapping. They also contended that existing health planning agencies did not have the authority to enforce their decisions. The new program would establish a national network of area planning agencies charged with preventing development of unneeded facilities and services which were costly to maintain. Better health planning was considered essential before enactment of a national health insurance program.

The Senate version of the bill, approved Nov. 25, was somewhat tougher than the version passed by the House Dec. 13. The Senate bill, for instance, would have provided a special grant program for states choosing to regulate payment rates for health services. The American Medical Association strongly opposed this provision, which was supported by the administration.

House-Senate conferees modified the provision by allowing federal assistance, on a demonstration basis, to as many as six states which already performed or planned to perform rate regulation. Conferees also weakened Senate provisions which would have earmarked half of the funds appropriated for hospital modernization assistance for project grants rather than formula grants to the states. Slightly more than \$1-billion was authorized for the new program in fiscal 1975-77. (*Weekly Report p. 3371*)

The major bill that was pocket vetoed (HR 14214), on Dec. 23, would have extended funding authority for health services programs, including community mental health centers, family planning, migrant health centers and community health centers for the poor. The bill authorized a total of \$1.9-billion in fiscal 1975-76. The administration had opposed, in particular, the bill's cost and continuation of categorical health services programs.

Earlier in the year, Congress approved an extension through fiscal 1976 of the least controversial expiring health programs. The bill (HR 11385—PL 93-353), cleared July 11, provided funding for health statistics and health services research programs and for assistance to medical libraries. (*Weekly Report p. 1898*)

While failing to extend all health manpower programs, Congress did approve a one-year extension of funding authority for federal loans to nursing and other professional health students and for scholarships to medical students agreeing to serve in the National Health Service Corps after graduation. The bill (S 3782—PL 93-385), sent to the President Aug. 8, made no changes in the student assistance programs.

The bill was passed separately to provide authority for appropriations for loans and scholarships to students beginning school in the fall of 1974 while Congress tried to complete action on the broader manpower bill. Funds for the programs were included in the first fiscal 1975



supplemental appropriations bill (HR 16900—PL 93-000). (*Weekly Report p. 2244*)

Congress also cleared legislation (HR 17085—PL 93-000) Dec. 20 which extended programs providing assistance to nursing schools and students through fiscal 1977. The bill authorized a total of \$639-million over the three-year period. (*Weekly Report p. 3373*)

Biomedical Research Ethics. Congress June 28 cleared legislation (HR 7724—PL 93-348) designed to protect the rights of human beings used in medical and behavioral experiments. The bill was a response to disclosures of abuses of human subjects in federally funded research and medical programs.

The key provision of the bill set up a two-year commission to establish guidelines for research funded by the Department of Health, Education and Welfare (HEW) using human subjects. The commission was to focus special attention on controversial research involving children, prisoners or the mentally ill and on brain surgery, called psychosurgery, designed to control behavior. Until the commission had made recommendations, the bill also banned HEW funding of research using live human fetuses, a subject which aroused considerable controversy in Congress in 1973 and 1974.

The administration supported the intent of the bill, but questioned whether legislation was necessary. HEW had issued a series of regulations dealing with protection of human subjects.

The ethics provisions were attached by the Senate on Sept. 11, 1973, to the House version of the bill, passed May 31, 1973. The House bill continued biomedical research training awards for young scientists and doctors which the Nixon administration had initially proposed to end in 1973. The administration reversed its position on the training programs in July 1973.

A House-Senate conference on the two different versions was delayed until 1974 because of the press of other business and disagreements between House and Senate sponsors over the proposed authority of the commission. (*Weekly Report p. 1784*)

National Cancer Program. Congress authorized \$2.8-billion in fiscal 1975-77 to continue the nation's fight against cancer, the second leading cause of death in the United States. The bill (S 2893—PL 93-352), cleared by Congress July 10, extended the 1971 National Cancer Act.

There was no disagreement in Congress or the administration over the need to accelerate the federal government's highest priority medical research program. But a related provision attached to the bill in the Senate initially prompted veto threats by HEW officials.

The provision, not included in the House version, would have set a permanent new presidential panel to oversee all federal biomedical research programs. Sponsors argued that the panel was needed to assure balance in research programs dealing with all diseases, while the administration contended that the panel would undercut and confuse HEW's authority.

House-Senate conferees modified the provision substantially, agreeing to set up a temporary panel with primarily advisory responsibilities. (*Weekly Report p. 1895*)

Special Disease Programs. Congress also cleared in 1974 a number of bills dealing with other special diseases or health-related problems. They were:

- S 2830 (PL 93-354), cleared July 10, authorizing \$41-million in fiscal 1975-77 for research and training programs dealing with diabetes. The Senate originally passed the bill in late 1973. (*Weekly Report p. 1896*)

- S 1125 (PL 93-282) extending through fiscal 1976 federal programs for the prevention and treatment of alcoholism and alcohol abuse. The bill authorized a total of \$374-million, most of which was earmarked for state formula grants. The Senate passed its version of the measure on June 21, 1973; the House did not act until early 1974. Congress cleared a compromise version May 6. (*Weekly Report p. 1242*)

- S 775 (PL 93-296), cleared May 16, establishing a National Institute on Aging within the National Institutes of Health to conduct research programs dealing with the elderly. (*Weekly Report p. 1444*)

- S 1745 (PL 93-270), sent to the President April 10, authorizing \$9-million in fiscal 1975-77 for educational and counseling programs dealing with sudden death infant syndrome (crib death), a mysterious disease killing at least 10,000 infants a year. (*Weekly Report p. 1012*)

The administration generally supported the intent of all these bills, but opposed proliferation of categorical programs and argued that HEW had authority to carry out special disease efforts without new legislation.

- A bill (S 2854—PL 93-000), cleared Dec. 19, authorizing a total of \$50-million in fiscal 1975-77 for research, prevention and training programs dealing with arthritis. The bill also established a commission to draw up a comprehensive plan for arthritis research. (*Weekly Report p. 2998*)

Safe Drinking Water. After a four-year effort, Congress Dec. 3 sent the President legislation (S 433—PL 93-000) giving the federal government authority to set national standards for safe drinking water. The administration opposed a number of the bill's provisions, but the President signed the bill.

The measure required the Environmental Protection Agency (EPA) to set maximum allowable levels for contaminants in public drinking water supplies. EPA could take those violating the act to court if states failed to enforce the regulations, which would not become fully effective until 1979.

The Senate passed safe drinking water legislation on June 22, 1973. House committee action was delayed until 1974 and then held up by dispute over the scope of EPA's enforcement authority. The administration contended that enforcement should be left entirely to states and court actions initiated by citizens.

Reports in early November of chemicals suspected of causing cancer in drinking water supplies strengthened the House sponsors' case for the legislation. The House approved the bill by a 296-84 vote Nov. 19 despite the administration's opposition. Differences between the House and Senate versions were resolved without a formal conference. (*Weekly Report p. 3286*)

Narcotics Treatment. In an attempt to stem illegal diversion of methadone and other narcotics used in drug treatment programs, Congress May 1 cleared a bill (S 1115—PL 93-281) requiring persons dispensing such drugs to register with the attorney general. The bill also required those registering to comply with Justice Department standards for the security of the drugs and HEW regulations governing unsupervised use of narcotics. (*Weekly Report p. 1241*)

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ACTION NOT COMPLETED

National Health Insurance. Like many before it, the 93rd Congress closed without any formal action on national health insurance legislation. But the influx of liberal new House members in 1975 was thought likely to break the 30-year stalemate over the issue.

Throughout 1974, prospects for action on health insurance brightened and dimmed with over-all changes in the congressional schedule and policy shifts by the administration and key members of Congress.

The Nixon administration proposed a new health insurance plan in February, but there was no congressional activity until April when Sen. Edward M. Kennedy (D Mass.), sponsor of the liberal, labor-backed insurance proposal, and Rep. Wilbur D. Mills (D Ark.), chairman of the House Ways and Means Committee, agreed on a compromise approach. Ways and Means opened the first legislative hearings on health insurance in three years on April 24 and the Senate Finance Committee also began hearings shortly after.

The expected support, especially from labor groups, for the Kennedy-Mills compromise did not materialize, however. And by July, the probability of House impeachment proceedings against Nixon appeared to have buried the chances for action on health insurance by Ways and Means.

When Nixon's Aug. 9 resignation made impeachment proceedings unnecessary, Mills launched a drive to win committee approval of the compromise legislation before Labor Day. The chairman's push for action fell apart Aug. 20 when 12 members of the 25-member committee refused to give up key aspects of the American Medical Association's (AMA) proposal. Mills halted the mark-up sessions the following day and made tax reform the committee's pending business. (*Weekly Report p. 2275*)

Despite the deadlock, the congressional leadership tentatively decided Sept. 11 to hold a post-election session in order to complete action on health insurance and other priority measures. By the time the lame-duck session convened Nov. 18, however, health insurance was dead for the year because the Ways and Means Committee had been unable to return to the issue.

Pressure for action also waned in late 1974 because of expected shifts on the issue in the 94th Congress and the fiscal impact of a health insurance program on a tight federal budget. Various polls of new members elected to the 94th Congress suggested they would back somewhat liberal health insurance proposals. The AMA shifted its position in light of the new political realities and agreed in December that it could support a plan requiring employers to offer uniform health insurance coverage. It was the first time the group had backed a mandatory health insurance program.

Ford had made health insurance a top priority for the 93rd Congress soon after he became president, but his enthusiasm dimmed as his budget-cutting efforts accelerated in late 1974. He told Congress Nov. 18 that the country could not afford a national health insurance program until federal expenditures had been cut.

House Speaker Carl Albert (D Okla.) predicted Nov. 22 that the House would pass health insurance legislation by June 1975 because of the more liberal tenor of the 94th Congress and the new willingness on the part of organized labor and the AMA to compromise. The actual timetable, however, probably would depend on how major changes in

the Ways and Means Committee affected the committee's agenda and legislative pace.

Health Manpower. Legislation (S 3585) to extend expiring health manpower programs died Dec. 19 when House-Senate conferees could not agree on provisions of the bill designed to ease doctor shortages. Whether the federal government should take tough actions to make sure medical students practiced in medically underserved areas was the disputed issue.

Edward M. Kennedy (D Mass.), chairman of the Senate Labor and Public Welfare Health Subcommittee, had pushed a proposal which would have cut off basic federal aid to medical schools whose students did not agree to serve in doctor shortage areas if recruited by the federal government. Several Republicans on the subcommittee termed the proposal a "doctor draft" and succeeded in winning Senate approval Sept. 24 of a milder substitute.

The House version (HR 17084), passed Dec. 12, took a different approach. It provided incentives for practice in doctor shortage areas by requiring students to repay to the government federal funds paid on their behalf to medical schools unless they practiced in medically underserved areas.

In conference, however, Kennedy tried to revive provisions of his original proposal, according to a House source. This was unacceptable to House conferees, and time ran out before further negotiations could be arranged.

Legislative authority for most of the programs covered by the bill expired June 30. The programs would continue to receive funding under the continuing appropriations resolution (H J Res 1178—PL 93-000) cleared Dec. 19. (*Weekly Report p. 3361*)

Abortion. The continuing abortion controversy brought large numbers of "pro-life" lobbyists to the Capitol in 1974, but those seeking to overturn the 1973 Supreme Court decision striking down state restrictions on abortion made little legislative headway. Abortion opponents also lost in their attempts to ban federally funded abortions under the Medicaid program for the poor.

The Senate Judiciary Subcommittee on Constitutional Amendments held hearings throughout 1974 on a number of proposals to restrict or prohibit abortions under the Constitution, but took no action. The hearings focused on the ethical, medical and legal aspects of abortion. The comparable House subcommittee did not hold hearings on the issue. (*Weekly Report p. 1233*)

Anti-abortion forces suffered a major setback June 27 when the House voted 123-247 against an amendment to the fiscal 1975 labor-HEW appropriations bill (HR 15580—PL 93-517) which would have barred use of HEW funds to pay for abortions or abortion-causing drugs. The vote came as a surprise because the House had easily approved restrictions on abortions under other federal programs earlier in 1974 and also in 1973.

The Senate, however, attached a similar amendment, sponsored by Dewey F. Bartlett (R Okla.), to the HEW bill on Sept. 17. House-Senate conferees dropped the amendment, arguing that an appropriations bill was not the proper vehicle for such far-reaching legislation. (*Weekly Report p. 3240*)

Pharmaceutical Industry. The Senate Labor and Public Welfare Health Subcommittee continued a major investigation of the prescription drug industry in 1974 in order to ready reform proposals for action in the 94th Congress. The series of hearings began in December 1973.



In early 1974 the subcommittee focused its attention on prescription drug promotion and marketing practices. Former drug salesmen told the subcommittee that they had tended to downplay the side effects of drugs they were promoting and had given away expensive gifts in hopes of influencing doctors to prescribe certain drugs. Hearings held later in the year evoked charges that the Food and Drug Administration (FDA) had harassed scientists reporting negative findings in drug research studies. The subcommittee also investigated industry complaints that excessive FDA regulation had slowed introduction of new drugs in the United States. (*Weekly Report p. 1384*)

Development Disabilities. Congress failed to clear legislation (HR 14215) to extend expiring federal programs for the mentally retarded and persons with developmental disabilities such as cerebral palsy and epilepsy.

The House passed its version July 11 and the Senate approved a somewhat different bill (S 3378) Oct. 1. But plans to work out differences between them in December fell apart at the last minute because a number of other health bills required staff attention during the last few days of the session. The Senate version would have established federal standards for the institutional care and treatment of the mentally retarded.

The administration supported extension of the programs, which expired June 30. (*Weekly Report p. 2377*)

National Security

ACTION COMPLETED

Defense Department Budget. Congress Sept. 24 cleared HR 16243 (PL 93-437), appropriating \$82.6-billion for the Defense Department for fiscal 1975. It was the largest appropriations bill ever approved by Congress.

The enormity of the defense bill made it the focal point of pressure for federal spending cuts in the fight against the nation's continuing inflation. Although Congress in response cut the administration's \$87-billion request by \$4.4-billion, many members argued that the final version was still unjustifiably high.

No major weapons systems were eliminated or sharply reduced. Over-all, the bill exceeded the fiscal 1974 defense appropriation by \$3.6-billion, with the increases spread across the board. Although the largest increases were for veterans' pensions and operations and maintenance of the military establishment, substantial boosts were approved for weapons procurement and for research on new weapons systems.

The finally agreed upon appropriations figure was the result of a compromise in which Congress settled on an amount that was \$817.3-million less than that approved by the House and \$478.4-million more than the Senate-approved level.

Among major programs funded, HR 16243:

- Provided \$24.8-billion for a standing force of about 2,130,000 active duty personnel and 925,000 reserves.
- Made available \$700-million for military aid to South Vietnam; the amount included \$77.4-million in transfer funds for purchase of 71 F-5E fighter planes for the Vietnam Air Force.
- Barred the transfer of war materials to any foreign nation unless U.S. laws specifically authorized such transfer.
- Required a pullback of 12,500 overseas troops by May 31, 1975.

- Provided almost \$1.5-billion for controversial aircraft procurement, including \$205.5-million for 12 F-111 fighter-bombers that the Air Force had not requested, \$138-million for 25 A-10s, \$445-million for B-1 bomber research, \$100.1-million for 24 A-7Ds that the Air Force did not request and \$18.5-million for 48 UH-1H helicopters. (On Nov. 26 Ford requested rescissions of the appropriations for the 12 F-111s, 24 A-7Ds and 48 UH-1H helicopters. Congress had 45 days to act after the 94th Congress convened, but it was not expected to approve deletion of the funds.)

- Funded several controversial "counterforce" programs to improve the accuracy and yield of nuclear weapons, including \$119.9-million for advanced ballistic re-entry systems.

- Provided \$45-million for the Safeguard antiballistic missile (ABM) system and \$118-million to develop a successor site defense system.

- Provided \$3-billion for Navy shipbuilding, including \$1.7-billion for two additional Trident submarines.

- Provided \$2.5-million for "confidential military purposes," subject to General Accounting Office audits. (*Weekly Report p. 2631*)

Military Construction. Congress Dec. 14 cleared HR 16136 (PL 93-000), authorizing \$2.9-billion in fiscal 1975 for military construction projects in the United States and overseas. The bill, which was about \$294-million below the amount requested by the administration, also authorized \$55.4-million for construction projects initiated in prior years that had exceeded original cost estimates.

Diego Garcia. While the largest amount in HR 16136—\$1.24-billion—was for construction of military family housing units, the most controversial item was an \$18.1-million authorization for improving Navy and Air Force facilities at Diego Garcia, an atoll in the Indian Ocean. The House, which had approved the \$32.3-million requested by the administration, agreed to the Senate reduction—to the \$18.1-million figure—as well as to a proviso requiring the President to "certify to the Congress in writing an evaluation by him of the need for, and the essentiality of, these facilities." Controversy over Diego Garcia had centered on reports, denied by the Pentagon, that the military planned to deploy nuclear weapons at the Indian Ocean site.

Later in the session, Congress went along with a Senate decision deleting all of the funds authorized for Diego Garcia from the military construction appropriations bill (HR 17468—PL 93-000). (*Weekly Report p. 3284*)

Veterans' Benefits. Congress Dec. 3 overwhelmingly overrode President Ford's veto of HR 12628 (PL 93-508) increasing education benefits for Korean War and Vietnam-era veterans.

The benefits package, originally cleared by Congress Oct. 10, increased education allowances by 22.7 per cent, boosted on-the-job training funds and vocational aid for the disabled by 18.2 per cent, created a new \$600-a-year education loan program and extended by nine months the existing 36-month entitlement period for veterans working on undergraduate degrees.

It was mainly the 22.7 per cent increase in benefits that prompted Ford's veto. In his Nov. 26 veto message to Congress, Ford said the bill provided "excessive increases and liberalization of veterans education and training benefits." But House and Senate Veterans' Affairs Committee leaders insisted that the increase was not excessive.

because the cost of living as of Oct. 31 had increased 21.8 per cent. (*Weekly Report p. 3281*)

Chemical Warfare. Forty-nine years after it was drawn up, the Geneva Protocol of 1925 banning chemical and biological warfare was approved by the Senate Dec. 16 by a 90-0 vote. The Senate approved at the same time the 1972 Geneva Biological Weapons Convention which prohibited development, production and stockpiling of bacteriological and toxin weapons. The 1925 protocol also covered tear gas and herbicides, and it was the issue of their use which had held up U.S. ratification, particularly during the years of U.S. military involvement in Southeast Asia. Since the late 1960s, the executive branch had consistently claimed that the treaties did not apply to tear gas and herbicides, a position challenged by the Foreign Relations Committee. Ratification became possible after the executive branch modified its position on future use of tear gas and herbicides. (*Weekly Report p. 3318*)

Transportation and Communications

ACTION COMPLETED

Mass Transit. After almost a year of haggling, Congress Nov. 21 agreed on a six-year, \$11.9-billion mass transit authorization bill (S 386—PL 93-503) that for the first time provided federal subsidies for the daily operating expenses of ailing urban mass transit systems.

The final version of the bill authorized \$7.8-billion for capital grants and almost \$4-billion to be used by large cities for either capital or operating expenses. It also included \$40-million for demonstration projects and \$14-million for a rail crossing project in Hammond, Ind.

As originally passed by the House and the Senate in late-1973, S 386 was an emergency two-year, \$800-million operating subsidy bill aimed at bailing out financially strapped transit systems in large cities, particularly New York, where a subway fare increase was threatened. Hoping to quell objections from the Nixon administration, House-Senate conferees early in 1974 agreed to allow the funds to be used for capital as well as operating expenses. This subjected the bill to a possible point of order under House rules and necessitated a special resolution for floor consideration of the conference report.

Shortly before the House Rules Committee was to have taken up the conference report in March, the Nixon administration threatened to veto the bill on grounds that it was unfairly weighted in favor of a few big cities. That threat—plus a jurisdictional dispute between the Banking and Currency Committee which reported S 386 and the Public Works Committee which wanted the House to consider its own bill—convinced the Rules Committee to delay action on the conference report.

The Rules panel in July finally issued a rule for S 386 permitting it to come to the floor, but the House July 30 voted 221-181 to send it back to conference. Several weeks later, the House passed the Public Works version (HR 12859) after reducing the authorization level from \$20-billion to \$11-billion over fiscal years 1975-80 to suit the new Ford administration.

The Senate made no move to act on HR 12859 throughout the fall. In late September, conferees to S 386 initiated a last-ditch attempt to revive their bill, holding an unusual public hearing at which a delegation of big city mayors, labor and transit officials pleaded for enactment of the bill. After consulting and negotiating with the ad-

ministration, conferees Oct. 3 approved a new version of their bill, authorizing \$11.9-billion over six years. President Ford endorsed it.

Public Works Committee members protested vehemently when the revised conference report came before the Rules Committee in early October. They said their bill was more carefully drafted, and urged the Senate to act on it. The Rules Committee deadlocked 6-6 on sending S 386 to the floor with a special rule, but agreed to reconsider after the election recess.

A strong lobbying effort on behalf of S 386 by the U.S. Conference of Mayors and the administration persuaded the Rules Committee to reverse itself after the recess. The Senate approved the conference report Nov. 19 and the House Rules Committee cleared it for House action the next day. Before the Public Works members had time to muster an effective opposition, the House took up the conference report Nov. 21 and passed it on a 288-107 vote, clearing the bill.

Amtrak Funds. The National Railroad Passenger Corporation (Amtrak), created in 1970 to take over the nation's rail passenger service, had been running in the red ever since its birth—despite Congress' intention that it become self-supporting. To sustain Amtrak through fiscal 1975, Congress cleared a bill (HR 15427—PL 93-496) authorizing \$200-million in operating subsidies and raising the ceiling on federally guaranteed loans for the corporation.

There were complaints in both the House and Senate about Amtrak's fiscal problems and performance inadequacies, but most members seemed to agree that the corporation was doing well considering its limited resources and that it should get continued support at a time when fuel shortages were attracting more riders.

The measure also included authorizations of \$25-million for restoration of dilapidated railroad terminals, \$8-million to study West Coast transit needs and \$5-million for design of a new "intermodal" terminal to replace Union Station in Washington, D.C. (*Weekly Report p. 2989*)

Federal Highway Programs. Congress Dec. 18 cleared legislation (S 3934—PL 93-000) setting a permanent nationwide 55 mile an hour speed limit and making other changes in federal highway programs. In adopting the conference report on the bill Dec. 18, the House accepted Senate provisions increasing maximum truck weights on interstate highways to 80,000 pounds. The Senate, which also approved the final version Dec. 18, accepted House provisions authorizing federal assistance to state and local governments to maintain and upgrade rural roads that had not been part of the original federal aid highway system.

S 3934 also expanded federal highway beautification laws to control large billboards erected along interstate highways beyond the distance limits set by the previous law.

International Airlines. Congress Dec. 18 cleared legislation (S 3481—PL 93-000) aimed at helping U.S. international airlines, notably the financially troubled Pan American and Trans World (TWA), complete with subsidized foreign airlines on international routes.

S 3481 directed federal officials to take steps to reduce high landing fees and other foreign practices that discriminated against U.S. airlines and put them at competitive disadvantages. If negotiations failed, the bill authorized retaliatory user charges on foreign airlines that would be passed along to the U.S. air carriers.



Resolving the most controversial provision, the House accepted a Senate substitute for a House floor amendment that would have mandated a \$67-million rate increase for U.S. airlines carrying mail overseas. That original amendment, adopted by a 154-131 vote on Dec. 13, would have directed the Civil Aeronautics Board (CAB) to raise the rates paid by the Postal Service to U.S. airlines to levels no lower than the vastly higher rates paid to foreign airlines under international agreement.

Objecting that the internationally determined rates amounted to an indirect subsidy not justified by costs, the Senate in accepting the House version of the bill Dec. 17 demanded substitute language requiring CAB to merely take those rates into account in setting new rates for U.S. airlines. The House then concurred with the Senate substitute Dec. 18.

Safety Regulations. Congress Dec. 19 cleared HR 15223 (PL 93-000) mandating tougher federal government guidance to promote transportation safety, especially in the shipment of hazardous materials.

In strengthening the transportation secretary's powers to set safety requirements for transporting potentially dangerous materials, the bill required regulations to prohibit shipment of radioactive materials on passenger airliners except for short-lived medical and research isotopes.

The Senate had added that provision before passing HR 15223 by a 69-0 vote on Oct. 7. It also attached amendments to transfer the National Transportation Safety Board out of the Department of Transportation. That action, included in the conference version, was intended to insulate the board from political pressures.

HR 15223 also required stepped up railroad safety enforcement programs and authorized a study of railroad hazards. (*Weekly Report p. 2880*)

ACTION NOT COMPLETED

Public Broadcasting Funding. Lack of time and an internal dispute within the public broadcasting establishment prevented completion of action on S 3825, a measure that would have set up a long-range funding program to insulate public broadcasting from the yearly congressional appropriations process for the first time since Congress created the Corporation for Public Broadcasting (CPB) in 1967.

The Senate Commerce Committee reported the measure in August and then sent it to the Senate Appropriations Committee. A dispute over the bill's allocation of funds erupted in November between CPB and its companion agency, the Public Broadcasting Service (PBS), with PBS calling for a larger portion of the funds to go directly to local stations. The disagreement discouraged further action in the Senate, and the House did not take up the bill. (*Weekly Report p. 2384*)

Broadcast License Renewal. A bill (HR 12993) to extend broadcast license terms from three to five years died at the end of the session because of the refusal of Interstate and Foreign Commerce Committee Chairman Harley O. Staggers (D W.Va.) to send the House bill to conference. Staggers said the differences between House and Senate versions were too complex to resolve in the time remaining after the Senate passed the bill in early October. Backers accused him of letting it die because they said he wanted only a four-year term.

Both versions agreed on the five-year term—a change strongly supported by the broadcasting industry. But they differed significantly on a number of provisions defining standards for license renewals. (*Weekly Report p. 2921*)

FM Radios. The Senate in June narrowly passed a bill (S 585) to authorize the Federal Communications Commission (FCC) to require that all radios costing \$15 or more have FM bands. The House Interstate and Foreign Commerce Committee reported its version (HR 8266) in September, requiring FM bands on car radios only.

Supporters of the bills said the requirement would help bring FM into closer competition with the older, more profitable AM stations. But the House Rules Committee, reacting to charges that the bill would infringe on consumer choice and inflate auto prices, deferred action on the measure and it never reached the House floor. (*Weekly Report p. 2595*)

Surface Transportation. Congress failed to complete action on legislation to help U.S. railroads obtain financing to upgrade their equipment, tracks and facilities.

The House Dec. 10, by a 377-15 vote, had passed HR 5385, a complex measure that would have set up a \$2-billion federal loan guarantee program to back up private financing for the railroads. The House coupled those provisions, however, with changes in the federal regulatory system for railroads, trucks and barges.

Those provisions would have allowed railroads to experiment for one year by raising and lowering rates without advance approval by the Interstate Commerce Commission (ICC). They also would have restricted transport "rate bureaus" that established rates without being subject to antitrust law penalties.

Although the Senate in 1973 had passed legislation (S 1149) providing \$2-billion for railroad loan guarantees and \$10-million for a national freight car information system, no conference was held on the complex differences between the House and Senate bills. (*Weekly Report p. 3038*)

Urban Programs, Labor

ACTION COMPLETED

Housing and Community Development. Charting an entirely new course for the nation's housing and urban aid programs, Congress Aug. 15 cleared the first major piece of housing legislation (S 3066—PL 93-383) since 1968. Key features of the bill substituted community development block grants for categorical urban funding programs and established a new rental subsidy program for low- and moderate-income Americans.

Major controversy over the bill focused on the fate of existing homeownership (Section 235) and rental subsidy (Section 236) programs and the distribution of the new community development block grants. The Nixon administration early in 1973 had suspended all new commitments under the two existing housing subsidy programs.

The Senate passed its version of the bill March 11, voting to continue the existing programs with substantial new funding. The Senate version would have based initial allocation of the community development block grants on a community's previous participation in the categorical aid programs.

Working closely with Housing and Urban Development (HUD) officials to develop a compromise acceptable to the administration, the House Banking and Currency Com-

mittee rejected the Senate's approach. It concentrated new housing funding on the rental subsidy program (Section 23) backed by HUD and did not include any new funding for the two existing subsidy programs. The committee also decided to base allocation of community development grants on an objective formula to take full effect in six years. Some large cities which had participated actively in the categorical urban programs eventually would face funding cuts under the formula.

House committee sponsors defended their compromise with the administration as the only way to assure that the President would sign a housing bill in 1974. With strong bipartisan backing, the bill was passed by the House June 20 by a 351-25 vote.

House-Senate conferees met for three weeks before breaking their stalemate over community development allocations and the two existing housing subsidy programs. Faced with then impending impeachment proceedings in the House which would have held up action on the bill, Senate conferees finally agreed to a compromise. The compromise retained the House community development provisions almost intact, stressed the new Section 23 rental aid program and continued the existing program through fiscal 1976 with \$75-million in new funds authorized for fiscal 1975 for the Section 236 rental subsidy program only. (*Weekly Report p. 2319*)

The administration did not request any of the authorized Section 236 funds in the first fiscal 1975 supplemental appropriations bill (HR 16900—PL 93-000), nor did Congress add them to the supplemental. However, Congress had included language in the regular fiscal 1975 HUD appropriations bill (HR 15572—PL 93-414) designed to make HUD release available unused funds for the Section 236 program. (*Weekly Report p. 2397*)

Mortgage Credit. It took Congress only one week to respond to President Ford's Oct. 8 request for emergency legislation to aid the depressed housing industry, which builders contended was facing its worst slump since World War II. The bill (S 3979—PL 93-449), cleared by Congress Oct. 15, was designed to pump more funds into the nation's tight mortgage money supply which was held primarily responsible for the slump.

The bill set up an emergency one-year program allowing the federal government to buy from lenders conventional mortgages—those not backed by the federal government—as well as government-insured mortgages. President Ford made \$3.0-billion immediately available for the government purchases, which freed private funds for more mortgage loans. (*Weekly Report p. 2915*)

Provisions also were included in the new housing and community development bill (*above*) to ease the mortgage credit crunch. They expanded the mortgage lending authority of federal savings and loan associations and national banks, boosted loan ceilings on conventional and government-insured mortgages and reduced cash down payment requirements for housing purchased with government-backed mortgages. (*Weekly Report p. 2319*)

Real Estate Settlements. Congress Dec. 11 cleared reform legislation (S 3164—PL 93-533) designed to give homebuyers more information about the settlement charges connected with the purchase of a house. The key provisions of the bill required mortgage lenders to disclose these charges at least 12 days before settlement. Usual settlement charges included title insurance, attorneys' fees and real estate commissions. The bill also out-

lawed kickbacks among those in the settlement industry for minor services such as simple referrals.

The reform provisions of the bill caused little controversy. Instead, dispute focused on industry-backed provisions in both the House and Senate committee versions of the bill which would have repealed a 1970 law giving HUD authority to set standards for settlement charges for homes backed by federal mortgage guarantees. HUD had never used the authority.

By a 55-37 vote, the Senate knocked the repeal provision out of the committee bill on July 23. A similar effort failed in the House Aug. 14, but House-Senate conferees agreed in December to drop the repeal provision. Those opposed to repeal argued that the threat that HUD might use the law discouraged increases in settlement costs. (*Weekly Report p. 3352*)

Pension Reform. After considering the issue for seven years, Congress Aug. 22 cleared landmark legislation (HR 2—PL 93-406) that represented the first federal effort at regulating private pension plans. Born out of frustration over pension benefits lost due to bankruptcies, mergers and occasionally unscrupulous employers, HR 2 established minimum federal standards that private pension plans had to adhere to.

The bill did not require companies to establish pension plans, but if a firm already operated one, or was planning to establish one, it would have to follow minimum federal standards. Generally, all employees age 25 and over with one year of experience would have to be enrolled in the pension plan. The employer could choose one of three alternative vesting formulas that guaranteed an employee at least part of his pension benefits after he had served for a certain period of time, whether or not he continued to work for the same company until retirement.

To ensure that pension funds would contain enough money to pay out benefits, the bill contained minimum funding standards and established a federally operated pension plan termination insurance corporation to guarantee the payment of benefits in the event of a bankruptcy. The bill also established rules that must be followed by pension fund trustees in managing and investing fund assets.

A major innovation was a provision allowing an individual worker not covered by a company pension plan to establish his own retirement account that could qualify for special tax deductions. The bill raised the amounts that self-employed persons could contribute, on a tax deductible basis, to their own pension funds and placed a ceiling on the level of benefits that professionals with high earnings could receive. (*Weekly Report p. 2408*)

Minimum Wage. After unsuccessful attempts in 1972 and 1973 to raise the minimum wage, Congress in 1974 finally cleared a bill (S 2747—PL 93-259) raising the hourly minimum for most non-farm workers to \$2.00—from \$1.60—as of May 1, 1974, and to \$2.10 on Jan. 1, 1975, and \$2.30 on Jan. 1, 1976.

The final version of S 2747 also extended overtime coverage to federal, state and local government workers and to domestics and phased in overtime coverage for police and firemen. A controversial youth differential that would have allowed an employer to pay 16- and 17-year old youths a subminimum wage was dropped from the final version. A 1972 bill was killed when the House refused to send similar legislation to conference with the Senate, and President



Nixon vetoed a 1973 minimum wage bill (HR 7935) because he considered it inflationary and because it did not contain the youth differential. The House failed to override that veto.

Although it was similar to the 1973 measure, Nixon signed S 2747. One persuasive argument for his decision to sign the bill was the overwhelming support given the final version by both chambers. The Senate adopted the conference report March 28 on a 71-19 vote; the House approved it the same day, 345-50. (*Weekly Report p. 858*)

Economic Development Administration. Congress Aug. 22 cleared HR 14883 (PL 93-423) extending the Public Works and Economic Development Act of 1965 for two years, through fiscal 1976. The act was designed to encourage economically depressed areas to carry out economic development plans.

President Nixon had originally recommended that the 1965 law, and the Economic Development Administration which administered it, be extended for only one year while a new revenue-sharing program was drafted. But the administration finally bowed to congressional demands for an extension, threatening, however, to veto any bill that 1) extended the act for more than two years, 2) required additional unemployment benefits or 3) maintained a minimum funding level for a special public works impact program. Although House and Senate congressional committees recommended additional unemployment benefits and a minimum funding level for the special impact program, both bodies removed the offending provisions during floor action. (*Weekly Report p. 2396*)

Hospital Workers. Nonprofit hospital employees were given the right to organize and bargain collectively when Congress July 11 cleared S 3203 (PL 93-360). The bill also set up special labor relations procedures to provide a continuation of adequate patient care during labor disputes. Key provisions were requirements for a 30-day cooling off period and a 10-day notice before striking or picketing. (*Weekly Report p. 1897*)

Railroad Retirement. In a major defeat for President Ford, Congress Oct. 16 enacted into law over the President's veto a bill (HR 15301—PL 93-445) to restructure the collapsing financial structure of the railroad retirement fund. The Senate override vote was 72-1; the House vote, 360-12. The measure authorized \$285-million a year through the year 2000 to eliminate a projected \$8.5-million deficit in the pension fund and phased out the system which allowed some railroad workers to receive both Social Security and railroad retirement benefits. Ford vetoed the bill because he claimed the deficit in the pension fund should be absorbed by the railroad industry—either through decreased benefits or increased revenues—without assistance from the general taxpayer. (*Weekly Report p. 2927*)

Farm Labor Contractors. A bill (S 3202—PL 93-518) tightening the registration requirements for farm labor contractors (crew leaders) was enacted Dec. 7 but only after Congress agreed to delete a nongermane provision which had prompted President Ford to veto the original version.

Under S 3202, crew leaders, in order to receive certification, were required to prove that all housing and vehicles provided to farm laborers met federal and state health and safety laws. Crew leaders were also prohibited from knowingly hiring illegal aliens.

President Ford Oct. 29 vetoed the first version (HR 13342) because it contained a provision that would have

raised the position of certain hearing examiners to the level of administrative law judge. The Senate by voice vote passed S 3202 Nov. 22 without the offending provision; the House followed suit Nov. 26. (*Weekly Report p. 3287*) (*See also legislation on illegal aliens, under Crime and Judiciary section.*)

ACTION NOT COMPLETED

Occupational Safety. Although both the Senate Labor and Public Welfare and the House Education and Labor Committees held extensive hearings, none of several bills attempting to make changes in the Occupational Safety and Health Act was reported out of committee. Bills under consideration ranged from outright repeal of the controversial law to minor technical amendments, but the major issue turned on the question of giving small businessmen some type of on-site consultation services so that they would know what they needed to do to be in compliance with federal health and safety regulations.

That issue was at least partially resolved when Congress agreed to an amendment to the fiscal 1975 Labor-Health, Education and Welfare appropriations bill (HR 15580—PL 93-517) appropriating money for the Labor Department to set up a consulting service within the Occupational Safety and Health Administration (OSHA). A second amendment, to exempt firms with 25 or fewer employees from the law's coverage, was rejected although Congress agreed to raise the exemption for certain reporting requirements of the law to cover firms with 10 or fewer employees, instead of firms with a maximum of seven employees. (*Weekly Report p. 3240*)

Workmen's Compensation. Proposals to reform the state workmen's compensation laws by establishing minimum federal standards dealing with medical and work loss benefits were endorsed heartily by labor unions, but business associations, contractors and insurance companies urged that states be given more time to reform their laws. Hearings on the proposals were held by the Senate Labor and Public Welfare Labor Subcommittee in May and July, but subcommittee Chairman Harrison A. Williams Jr. (D N.J.) announced in September that the subcommittee was making major revisions in the legislation and that he "would certainly hope to see enactment of this program" in the 94th Congress. (*Weekly Report p. 1696*)

Public Employee Bargaining Rights. The Senate Labor and Public Welfare Subcommittee on Labor held hearings on bills that would give public employees the right to bargain collectively and to strike. The House had held hearings on the same subject in 1973 but neither chamber took any further action.

The bills were strongly supported by public employee organizations, including teachers associations, although the groups differed on whether such employees should be covered under the National Labor Relations Act of 1935 or covered under a separate labor rights organization. The National Association of Counties opposed the bills. (*Weekly Report p. 2859*)

Tax Break on Savings Accounts. Congress failed to approve legislation (HR 16994) which would have provided a tax exemption for interest earned on savings accounts. The bill was pushed by real estate and banking interests as a means of expanding savings deposits, the primary source of funds for mortgage lending needed to prop up the sagging housing industry.

The House Ways and Means Committee reported the bill Nov. 26, but the bill ran into trouble before it reached the floor because of the combined opposition of the administration, liberal Democrats and consumer groups. They argued that the bill was an expensive and inefficient way of helping the housing industry and of little benefit to small savers. The House Rules Committee shelved the bill at the end of the session. The Senate did not consider similar legislation. (*Weekly Report p. 3310*)

Welfare, Poverty

ACTION COMPLETED

Office of Economic Opportunity. Congress reaffirmed its commitment to the "Great Society" poverty program Dec. 19 when it cleared legislation (HR 14449—PL-000) giving the controversial agency a new lease on life. OEO had faced an uncertain future since early 1973 when former President Nixon launched a battle to abolish the agency and cut off federal funding for its major program—local community action agencies providing a broad range of services for the poor.

As cleared, the bill extended OEO programs, which expired June 30, through fiscal 1977. OEO itself would continue to exist until at least June 15, 1975; after March 15, 1975, the president would have the option of proposing a reorganization plan transferring community action programs to the Department of Health, Education and Welfare (HEW). Congress could reject the plan by joint resolution, but the president could veto it.

The Nixon administration had argued that funding for community action programs should come from state and local government. Anti-poverty workers, joined by mayors and governors who wanted federal funding of the programs to continue, conducted an intensive lobbying campaign to save the programs.

Their efforts paid off May 29 when the House gave overwhelming bipartisan backing to a version of the bill abolishing OEO itself, but keeping community action programs alive in a new agency in HEW. Hopeful that President Ford would be more flexible than his predecessor on the OEO issue, the Senate Dec. 13 approved a version continuing OEO until Oct. 1, 1975, while giving the President the reorganization option.

House-Senate conferees retained the reorganization option, but agreed to extend authority for the OEO agency itself only until March 15. They also accepted, with minor modifications, House provisions requiring a gradual decline in the federal share of community action program costs. President Ford had taken no official public position on the OEO issue, but sponsors hoped that growing unemployment at the end of 1974 would help convince him that a federal program aimed specifically at the poor was still needed. (*Weekly Report p. 3376*)

Rehabilitation Act Extension. A potential court fight over the legality of the use of the pocket veto during a congressional recess prompted the House and Senate Nov. 26 to approve for a second time extension of the Rehabilitation Act of 1973 for one year, through fiscal 1976.

The original rehabilitation legislation (HR 14225) transferred the Rehabilitation Services Administration from the Social and Rehabilitation Service to the Office of the Secretary in the Department of Health, Education and Welfare, called for a White House Conference on the Han-

dicapped in 1976 and gave blind persons priority to operate vending stands on federal property.

President Ford vetoed that bill Oct. 29, largely because of the transfer of the Rehabilitation Services Administration. The House Nov. 20 voted to override the veto on a 398-7 vote; the Senate followed Nov. 21 by voting 90-1 to override.

But because Ford maintained that he had pocket-vetoed the bill during the election recess, Congress feared that the legislation could be tied up in a legal dispute that would not allow it to take effect quickly. Consequently, both chambers Nov. 26 by voice votes approved a second bill (HR 17503—PL 93-516) identical to the vetoed version. In the face of overwhelming congressional support for the legislation, Ford signed the bill Dec. 7. (*Weekly Report p. 3223*)

Social Services. Resolving a dispute which began in February 1973, Congress Dec. 20 cleared compromise legislation (HR 17045—PL 93-000) setting new guidelines for state-run and federally subsidized social services programs for low- and moderate-income families.

The dispute centered on proposed Department of Health, Education and Welfare (HEW) regulations for the programs, which were criticized as too restrictive. The regulations were designed to keep the annual federal cost of the programs below a \$2.5-billion ceiling imposed by Congress in 1972.

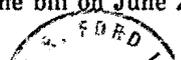
On Dec. 9 the House approved a compromise which had been developed by the administration, the states, key members of Congress and about 40 other groups. The compromise opened up the social services programs—ranging from employment training to day care—to the working poor as well as welfare recipients. It also barred payment of the 75 per cent federal share of the programs' cost for a number of specific services.

The Senate threw out the compromise and on Dec. 17 readopted provisions of a Social Security measure (HR 3153) it had passed in late 1973. In addition to changing social services guidelines, the Senate version would have established a tax credit program, sometimes called "workfare," for the working poor at an annual cost of \$600-million. Other Senate provisions were designed to force states to track down and collect child support payments from fathers who had deserted their families.

House-Senate conferees killed the workfare proposal and generally accepted the social services provisions of the House version. They retained the Senate-passed child support provisions. The White House had opposed the tax credit proposal.

Legal Services Corporation. Ending a three-year legislative struggle marked by Senate filibusters in late 1973 and early 1974, Congress July 18 completed action on a bill (HR 7824—PL 93-355) establishing an independent corporation to provide legal services for the poor. Congressional conservatives strongly opposed President Nixon's decision to sign the bill July 25.

Opponents of the legislation argued that the existing legal services program, housed in the Office of Economic Opportunity, had left federally funded lawyers free to pursue activist political and social goals. They pressed for and won adoption of numerous amendments in the House sharply restricting the legal and political activities of lawyers working for the new corporation. The House passed its sharply amended version of the bill on June 21, 1973.



After two unsuccessful attempts, Senate sponsors in early 1974 broke a filibuster against the bill led by southern Republicans. The Senate rejected most of the restrictive House amendments before passing its version Jan. 31.

House-Senate conferees reached agreement on a compromise bill May 13 which retained some of the amendments but dropped a key House amendment that would have outlawed corporation support of independent legal research ("back-up") centers. Opponents of the bill branded the centers hotbeds of activist efforts.

The House approved the conference version May 16, but an attempt to send the bill back to conference to restore the ban on back-up center support failed by just seven votes. Faced with signals that President Nixon would veto the bill if it contained support for back-up centers, Senate sponsors eventually agreed to restore the ban. (*Weekly Report p. 2045*)

Food Commodities Assistance. Congress approved two related bills in 1974 designed to assure that the Agriculture Department would continue food commodity donations under a number of federal programs at a time when the government was forced to pay market prices for many farm products.

The first measure (HR 14354—PL 93-326), cleared June 18, extended through fiscal 1975 the agriculture secretary's authority to buy commodities at non-surplus prices for school lunch and other child nutrition programs. The bill also required the secretary to buy certain amounts of commodities for the programs and boosted the required value per meal of donated commodities. (*Weekly Report p. 1611*)

The second bill (S 3458—PL 93-347), sent to the President June 28, extended through fiscal 1977 the secretary's authority to buy commodities at market prices for a number of other programs providing assistance to the needy, disaster victims, institutions and other recipients. (*Weekly Report p. 1773*)

The secretary's authority to buy commodities at non-surplus prices, provided under the 1973 farm act (PL 93-86), expired June 30. The two bills were a response to reports in early 1973 that the Agriculture Department planned to propose replacing all commodity assistance with cash after fiscal 1975, a proposal which drew fire from school lunch program officials.

Nutrition for the Elderly. Approving a major expansion of popular programs providing the elderly with one hot meal a day, Congress June 27 cleared a bill (HR 11105—PL 93-351) authorizing \$600-million in fiscal 1975-77 for the programs. The administration supported a one-year extension, with an open-ended authorization.

The administration objected to a separate provision of the bill which required all HEW programs affecting the elderly to be carried out by the commissioner on aging or those responsible to him. The provision countered an HEW proposal to delegate some of the commissioner's responsibilities to HEW regional officials. (*Weekly Report p. 1776*)

Miscellaneous

ACTION NOT COMPLETED

Metric Conversion. The House May 7 killed an administration-backed bill (HR 11035) to set up plans for the voluntary conversion to the metric system in the United States. Senate sponsors of similar bills decided that Senate action on metric legislation in 1974 would be useless after the House vote.

The opposition of labor and small business groups to the House bill contributed to its defeat. They contended that workers and small firms would need special federal subsidies to cover the cost of conversion. The administration and House sponsors opposed any subsidies.

A staff member on the House Science and Astronautics Committee said that another attempt to pass the bill in the House was probable in 1975, provided sponsors could work out some way to appease labor's objections. (*Weekly Report p. 1243*)

Executive Scientific Advice. The House took no action in 1974 on proposals designed to overturn a 1973 executive reorganization plan by President Nixon which abolished the White House science advisory apparatus. The Senate passed legislation (S 32) Oct. 11 to create a three-man White House Council on advisers on science and technology. (*Weekly Report p. 2928*)

Although the House did not act, its Science and Astronautics Committee continued hearings in 1974 on executive science policy and planned to recommend legislation in early 1975. Those representing scientific groups argued that the President needed science advice close at hand to deal wisely with the energy crisis and other major national problems. The Ford administration was reassessing the effectiveness of Nixon's reorganization plan.

Session Summary

The second session of the 93rd Congress, which convened at noon Jan. 21, 1974, adjourned Dec. 20. The Senate adjourned at 5:40 p.m., the House at 7:10 p.m. The session ran 334 days, which was 20 days shorter than the 354 days of the first session of the 93rd Congress. The second session of the 92nd Congress had run 275 days. The first session of the 93rd was the 7th longest in history; the second session ranks as the 16th longest.

The Senate was in session 168 days and the House was in session 159 days during the year. Congress took several short recesses and a longer election recess from Oct. 17 to Nov. 18.

There were 8,691 bills and resolutions introduced during the session, a substantial decrease from the 17,528 introduced in the first session of the 93rd Congress, but an increase over the 7,208 introduced in the second session of the 92nd Congress.

As of Dec. 19, President Richard M. Nixon, up to his resignation Aug. 9, and President Gerald R. Ford had signed 281 bills into law during the second session. Of these, Nixon signed 123 and Ford, 158. Nixon had vetoed 3 bills, none of which were overridden. As of Dec. 24, Ford had vetoed 14 public bills since taking office, and four of these were overridden by Congress.

The Senate took 544 roll-call votes during the session, the House 537. Both totals were down slightly from the records set in 1973 when the Senate cast 594 votes and the House 541. Following are the totals for the past five years:

Year	House	Senate	Total
1974	537	544	1,081
1973	541	594	1,135
1972	329	532	861
1971	320	423	743
1970	266	418	684



9/5/74

I. NOMINATIONS

1. Rockefeller
2. 40 pending before Senate
3. 25 in pre-nomination clearance

II. APPROPRIATIONS

1. Agriculture
2. Defense HSC
3. State-Justice-Commerce HSC
4. Labor-HEW
5. Military Construction
6. Foreign Assistance
7. 1st Supplemental

III. AUTHORIZATIONS

1. Foreign Aid
2. State Department SHC
3. USIA SHC
4. Military Construction H
5. AMTRAK HSC
6. Export-Administration HSC
7. Defense Production HSC
8. Health Manpower
9. Health Services H
10. Health Resources
11. Ex-Im Bank H
12. Asian Development Bank

IV. LEGISLATION

1. Trade Reform H
2. Federal Mass Transportation H
3. Job Security Assistance
4. Deepwater Ports H
5. ERDA HSC
6. Gas Deregulation
7. Energy Taxes
8. Railroad Retirement
9. Illegal Aliens H
10. Rhodesian Chrome S
11. Veterans Education H
12. Cargo Preference H
13. Surface Mining HSC
14. Reorganization Authority
15. New Judgeships



IV. LEGISLATION (continued)

- 16. National Health Insurance
- 17. Naval Petroleum Reserves S

- NOTE: - Request legislation in Budget to reduce
- FY 75 spending by \$700 million
 - Request action on Budget rescissions
 - Request no action on Budget deferrals
 - Request no action on Federal Pay deferral

V. DEFERRALS

- 1. Consumer Protection Agency H
- 2. Capital Punishment S
- 3. Tax Reform
- 4. Transportation Improvement
- 5. OEO Transfer H
- 6. No Fault Insurance S
- 7. Freedom of Information HSC
- 8. Toxic Substances HSC
- 9. Safe Drinking Water S
- 10. Campaign Reform HSC
- 11. DENR
- 12. Clean Air Act



[Nov. 1974]

NOMINATIONS

- . Nelson Rockefeller
- . 46 lapsed nominations resubmitted
- . Additional nominations to be submitted

VETOES

- . Legal situation of pocket vetoes (Counsel)
- . Burt, Pope, Kennedy Private Relief (H. R. 6624) (Justice)
- . Sharp Private Relief (H. R. 7768) (Justice)
- . National Wildlife Refuge (H. R. 11541) (Interior)
- . Farm Labor Registration (H. R. 13342) (Labor)
- . AEC Amendments (H. R. 15323) (AEC)
- . Rehabilitation (H. R. 14225) (HEW)
- . Freedom of Information (H. R. 12471) (Justice)

APPROPRIATIONS

- . Agriculture H (Ag)
- . Labor-HEW HS (Labor-HEW)
- . Military Construction (DOD)
- . Foreign Assistance (State-AID)
- . 1st Supplemental H (OMB)

ECONOMY

- . Four packages of deferrals and rescissions (OMB)
- . Legislative economies upcoming (OMB)
- . \$300 billion ceiling H (OMB)
- . Amend Employment Act of 1946 (OMB)
- . Commission on Regulatory Reform (OMB)
- . Rice (Ag)
- . Peanuts (Ag)



- . Extra-long staple cotton (Ag)
- . PL 480 Amendment (Ag)
- . Antitrust Penalties S (Justice)
- . Justice investigation powers (Justice)
- . Special Unemployment Assistance (Labor)
- . Surface Transportation Act (DOT)
- . Financial Institutions (Treas)
- . Surtax (Treas)
- . Trade Reform H (CIEP)
- . Capital gains liberalization (Treas)
- . Preferred Stock Dividends (Treas)
- . Investment tax credit (Treas)

ENERGY

- . Deepwater Ports HS (Interior)
- . Surface Mining HS (Interior)
- . Nuclear Plant Licensing (AEC)
- . Clean Air Act Amendments (EPA)
- . Gas Deregulation (FEA)
- . Windfall Profits Tax & relief for poor (Treas)
- . Coal conversion soon (FEA)
- . Naval Petroleum Reserves S (Interior)

OTHER

- . Foreign Aid Authorization (State-AID)
- . Federal Mass Transportation HSC (DOT)
- . New Federal Judgeships (Justice)
- . Military Construction Authorization HS (DOD)
- . Veterans Education HSC (VA)
- . Ex-Im Bank (X-M)
- . Asian and African Bank S (Treas)
- . Illegal Aliens H (Justice)
- . Public Broadcasting (OTP)
- . Privacy (Counsel)



THE WHITE HOUSE

WASHINGTON

11/7

Neta Lou:

While you were on vacation and resting, I was here slaving away for our President and Nation and doing your work!!!!

I have today sent Dennis the attached list - which I gleaned from list BT is preparing for President's Message to Congress when that illustrious body reconvenes.

Yours very truly,

S. J.



THE WHITE HOUSE
WASHINGTON

BT

I talked to Dennis Taylor on Wednesday evening and he asked when it would be possible for him to get a list of the lame duck legislation.

He wants to send it out to Rhodes as soon as possible - Rhodes has been asking for it.

Neta
10/30/74

*SJ -
Remind me to do
when our list is ready.
BT*



→ 11/7 Okay for me to clean up attached list & send to Taylor? Or wait until message is read? sj

yes ↑

H228

10/29/74. H R 15427

Antitank Improvement Act of 1974
Asks Congr to revise prov. ~~to~~^{visions} to provide
for customs inspection consistent with
effec. enforcement of customs & related
laws

10/29/74 S. 3838 Regulation of Interest Rates
payable on obligations issued by affiliates
of certain depository institutions,

P. asks Cong ~~to pass~~ S. 2591 Financial
Institutions Act. containing set of
reforms that would gradually free
credit market from harmful regulations
of sort imposed by Title I of S 3838



10/29/74

Consumer Protection Act HR 11221

P. asking by legis. Congress amend HR 11221
delete Section III - ^{in order} to preserve spec.

branch's ability to develop coordinated
& coherent legislative branch

10/24/74

HR 13113

Commodity Futures Trading Commis
will ask Cong ^{93rd} to amend

- 1 - Commis budget to P + Cong at same
time - P shd submit w/ single
coordinated budget
- 2 - Concurrent submission of legis prop.
should be subm. by P w/ rest of
Legis prop.
- 3 - Exec Dir shd not be appd by
Senate



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

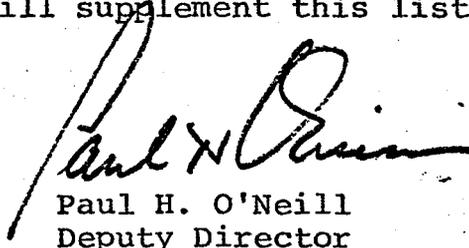
December 24, 1974

MEMORANDUM FOR:

PHILLIP AREEDA
WILLIAM BAROODY
PHILIP BUCHEN
RICHARD CHENEY
KENNETH COLE
WILLIAM EBERLE
✓ MAX FRIEDERSDORF
ALAN GREENSPAN
ROBERT HARTMANN
SECRETARY KISSINGER
JOHN MARSH
JERRY WARREN
BRENT SCOWCROFT
WILLIAM SEIDMAN
PAUL THEIS
JERRY JONES

Attached is the paper I promised at senior staff meeting this morning, identifying troublesome provisions in bills passed in the closing days of the Congress.

If, in our review, we identify other bills/provisions that require special attention, I will supplement this list.



Paul H. O'Neill
Deputy Director

Attachment



1. S.J. Res. 40: White House Conference on Libraries
(Senator Pell (D) Rhode Island)

DESCRIPTION: S.J. Res. 40 would authorize and request the President to call a White House Conference on Libraries and Information Science no later than 1978. During the final stages of its consideration, riders were added (1) amending the Family Educational Records and Privacy Act ("Buckley Amendments" to P.L. 93-380) to try to mitigate certain problems which have arisen since it took effect and (2) amending Title IX of the Education Amendments of 1972, relating to sex discrimination at educational institutions, to exempt the Boy Scouts, Girl Scouts, social fraternities and sororities, and similar organizations from its provisions.

PROBLEM: (1) The Administration has been opposing a White House Conference on Libraries--with an appropriations authorization of \$3.5 million--as unnecessary and costly from the point of view of expected results.

(2) The Buckley Amendments and the amendments to them in S. J. Res. 40, establish major new due process rights in an important and sensitive area, but were both passed hastily as floor amendments without benefit of congressional hearings or careful consideration of views of interested parties.

LAST DAY FOR ACTION: No date yet.

2. H.R. 17045: Social Services Amendments of 1974
(Mills (D) Ark. and 2 others)

DESCRIPTION: This bill would revise substantially the \$2.5 billion maximum program of Federal grants to States for social services to welfare recipients and others. It was amended during the final stages of its consideration to include "child support" provisions involving a far more active role by the Federal Government than heretofore in locating absent parents and obtaining support payments from them.

PROBLEM: The child support provisions, in particular, appear to raise serious problems, but we do not as yet have the final text of the bill as passed by the Congress.

LAST DAY FOR ACTION: No date yet.



3. H.R. 14449: Headstart, Economic Opportunity, and Community Partnership Act of 1974
(Hawkins (D) California and three others)

DESCRIPTION: This legislation would extend programs and Federal funding under the Economic Opportunity Act, including community action, through fiscal year 1977. It would create a new agency, the Community Services Administration, to succeed OEO either as a separate entity or largely within HEW.

PROBLEM: The Administration has strongly opposed continuing Federal funding for the community action program and continued existence of an agency such as OEO. The bill also has many other specific problems.

LAST DAY FOR ACTION: No date yet.

4. S. 2854: National Arthritis Act of 1974
(Cranston (D) Calif.)

DESCRIPTION: S. 2854 would establish new categorical grant programs to plan and conduct research on arthritis.

PROBLEM: The bill would duplicate legislative authority already vested in HEW and would require the development and transmittal to Congress of proposed budget estimates for Arthritis research by a national commission without prior Executive Branch review or approval.

LAST DAY FOR ACTION: No date yet.

5. H.R. 17085: Nurse Training Act of 1974
(Rogers (D) Fla.)

DESCRIPTION: H.R. 17085 would continue and expand the program of capitation grants for nursing schools.

PROBLEM: The Administration had proposed eliminating these grants and furnishing assistance through special project grants instead.

LAST DAY FOR ACTION: No date yet.



6. S. 2994: National Health Planning and Resources Development Act of 1974
(Kennedy (D) Mass.)

DESCRIPTION: S. 2994 would authorize the establishment of new Federal State and local health planning machinery to replace existing health planning efforts, e.g., CHP and RMP programs.

PROBLEM: S. 2994 contains excessive authorizations and the potential for an unacceptable level of funding through an entitlement formula which for planning grants alone would require a minimum of \$35 million a year. This figure could rise to as much as \$100 million per year, depending on the number of planning agencies to be established.

LAST DAY FOR ACTION: No date yet.

7. S. 251: For the relief of Frank Muto, et al.
(Senator Hruska (R) Nebraska and Eastland (D) Miss.)

DESCRIPTION: This bill would grant civil service retirement credit to 15 persons who have served with various congressional campaign committees.

PROBLEM: Granting these people civil service retirement credit is inappropriate, since the service in question is not Federal service, and they would not be required to make a deposit to the Civil Service Retirement Fund for the credit they would earn.

LAST DAY FOR ACTION: No date yet.



VETO POSSIBILITIES

H.R. 7077 - Cuyahoga Valley National Recreation Area
(Seiberling (D) Ohio and 22 others) - 12/27/74

Purpose - establishes the Cuyahoga Valley NRA (20,000 acres) in Ohio, and authorizes appropriations of not more than \$34,500,000 and \$500,000 for land acquisition and development, respectively.

Objections - this area does not qualify as a component for the National Park System and if approved it would set an undesirable precedent and very likely lead other expensive urban NRAs near many of our large cities; moreover, significant Federal financial (\$18,000,000) and technical help will be given to Ohio to establish a regional and locally administered park in the Cuyahoga River Valley.

S. 3574 - Land conveyance, Yuma County, Arizona (Fannin (R) Arizona) - 12/31/74

Purpose - relinquishes and disclaims any Federal title to certain lands on the Colorado River in Yuma County, Arizona.

Objections - this bill would weaken the long standing legal principle of sovereign immunity under which the U.S. is not subject to equitable claims concerning title disputes on public lands.

H.R. 2933 - Filbert import restrictions (Wyatt (R) Oregon)
no date

Purpose - prohibits the importation of filberts which do not comply with the grade, size, quality, or maturity required for the marketing of domestically produced filberts.

Objections - this bill would establish a new trade barrier contrary to our program of expanding trade which is of importance to American agriculture as a whole.

S. 3943 - Agriculture conservation programs (Clark (D) Iowa)
no date

Purpose - extends by 1 year the time for using funds appropriated to carry out the 1973 Rural Environmental Assistance Program and the 1974 Rural Environmental Conservation Program.



Objections - the Administration favors rescission or lapsing of all uncommitted funds for these programs and is proposing termination of these programs beginning in FY 1975; if approved, the budget could increase by over \$125,000,000 for FYs 1975 and 1976.

- S. 4206 - Milk Price support levels (Humphrey (D) Minnesota and 6 others) - no date

Purpose - establishes upon enactment and through March 31, 1976 the support price for milk at not less than 85% of parity; also contains "sense of Congress" statements that directing the President to limit ~~imports~~ *imports* of meat and certain dairy products.

Objections - the present parity price support level for milk is 80% and would drop to 75% as of March 31, 1975 -- this bill would increase FY 1976 budget costs by over \$100,000,000.

- H.R. 5773 - Canaveral National Seashore (Chappell (D) Florida and 14 others) - no date

Purpose - establishes the Canaveral National Seashore (67,500 acres) in Florida and authorizes appropriations of not more than \$7,941,000 and \$500,000 for land acquisition and development, respectively.

Objections - most of the area is already in public ownership, is already being protected and preserved, and is available for public recreational use.

- *S. 1296 - Grand Canyon National Park expansion (Goldwater (R) Arizona and 24 others) - no date

Purpose - enlarges the Grand Canyon National Park and adds to the Havasupai Indian Reservation 185,000 acres, a great portion of which are currently National Forest lands.

Objections - Agriculture, notwithstanding President Nixon's May 3, 1974 announcement supporting enlarging the Reservation by up to 251,000 acres, opposes enlargement of the Reservation because it could serve as a bad precedent for adjusting other Indian claim settlements.

- *S. 3022 - Wild and Scenic Rivers Study bill (Nelson (D) Wisconsin and 2 others) - no date

Purpose - lists 29 rivers which would be studied for possible designation as components of the National Wild



and Scenic Rivers System; in addition, the bill substantially increases the funding authorization for the Lower Saint Croix Wild and Scenic River.

Objections - Agriculture opposes the bill because it bears little resemblance to an Administration bill which proposed a different study list; the Lower Saint Croix authorization increase is also objectionable.

H.R. 14689 - Lowell Historic Canal District (Cronin (R) Mass., O'Neill (D) Mass., and 10 others) - no date

Purpose - establishes a 9 member Commission to study and report within 2 years to Congress on proposals to commemorate, preserve, and develop the Canal District area in Lowell, Mass., characterized as the American Cradle of the industrial revolution.

Objections - the whole thrust of the bill is to encourage the Commission to lay out a gradiose plan to preserve and develop an area which the National Park Service has already studied and rejected as unsuitable for Federal participation and funding.

* ~~_____~~



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

DATE: December 23, 1974

REPLY TO:
ATTN OF: [REDACTED]

SUBJECT: Veto possibilities -- Business and General Government

S. 356 - Consumer Protection - Sen. Magnuson (D) Washington
and Sen. Moss (D) Utah

Provides disclosure standards for written consumer product warranties against defect or malfunction; defines Federal content standards for such warranties; and grants the FTC expanded authority in carrying out its consumer protection activities.

Problems

(1) Saddles FTC with cumbersome procedures in issuing substantive trade regulation rules.

(2) Subjects S&Ls and credit unions to FTC (rather than FRB, FHLBB, or NCUA) rulemaking authority over unfair and deceptive practices.

(3) Allows FTC to represent itself with its own attorneys in several types of civil actions.

S. 1083 - Explosives - Sen. Bayh (D) Indiana

Would change the exemption from Federal regulation of black powder from quantities over 5 pounds to quantities over 50 pounds. [Would not legalize any currently illegal practices.] Black powder is used in antique guns, fireworks displays, and to some degree, according to Justice and Treasury, in homemade bombs.

S. 3934 - Federal Highway Authorization - Sen. Bentsen (D) Texas

Makes permanent the 55 mile per hour national speed limit, extends the carpooling demonstration program for one year, and increases the limit on truck weights and sizes, all of which the Administration requested. It also provides for nearly \$500 million in increased highway authorizations and categorical grant programs, which the Administration opposed.



H.R. 8193 - Cargo Preference - Rep. Sullivan (D) Missouri **

Would require shipment of an increasing percentage of oil imports on U.S. vessels -- inflationary, special interest legislation which might have adverse effects on environment, Navy ship construction, foreign relations and other programs.

H.R. 13296 - Maritime authorization - Rep. Sullivan (D) Missouri

(1) would extend maritime subsidy authorizations as requested

(2) would require a regional office be opened in the Great Lakes area -- there are offices in the other three regions.

(3) would provide a program to indemnify fishermen whose equipment is damaged by foreign vessels.

H.R. 15223 - Railroad Safety - Rep. Staggers (D) West Virginia

Would amend the laws regarding the transportation of hazardous materials and rail safety. Would also make the National Transportation Safety Board an independent agency. Provides for concurrent submission of NTSB's budget and legislative recommendations to the Congress, for which OMB staff is recommending a veto.

** NOTE: President's last day, December 30. None of the other above bills have dates.



THE WHITE HOUSE

WASHINGTON

December 20, 1974

MEMORANDUM FOR:

ROY L. ASH
PAUL H. O'NEILL
JAMES H. CAVANAUGH

THRU:

MAX L. FRIEDERSDORF *M.F.*

FROM:

VERN LOEN *VL*

SUBJECT:

Special Consideration of Bills

Minority Leader John Rhodes and the entire Arizona delegation are quite concerned about the following bills and have stressed that they MUST be signed by the President:

- (1) S. 3574 Arizona Land Conveyance
(Deadline 12/31)
- (2) H. R. 7730 San Carlos Mineral Strip
(Deadline 12/23)
- (3) H. R. 10337 Hopi-Navajo Lands
(Deadline 12/24)
- (4) S. 1296 Grand Canyon National Park
(hasn't arrived) This bill is
Senator Barry Goldwater's
and has worked very hard on it.

cc: MARSH
KENDALL
O'DONNELL



January 3, 1975

Dear Jack:

Here is a copy of the President's memorandum of disapproval for S. 3341, the Travel Expenses Amendment Act of 1974.

It was on the recommendation of the Veterans Administration that the President decided to veto this bill, but you will note in his statement that he recognizes the problem and is ready to work with the new Congress which will correct it in an equitable fashion.

With kind personal regards, I am

Sincerely yours,

Vernon C. Loen
Special Assistant to
the President

Honorable Jack Brooks
House of Representatives
Washington, D. C. 20515



I have withheld my approval from S. 3341, the "Travel Expenses Amendments Act of 1974."

This bill would raise the maximum per diem allowance and mileage rates for civilian Government employees traveling on official business, a purpose which I endorse. Unfortunately, however, ^{A PROVISION} ~~an unsound rider~~ was added to the bill which would remove the present flexibility we have for reimbursing certain disabled veterans for authorized travel in connection with their treatment.

This provision assumes that there are great similarities in the travel situations of VA beneficiaries, and Federal employees who are away from home on the Government's business. This is not the case, however. Generally a short span of time is involved in VA beneficiary travel to a facility for vocational rehabilitation, counseling and health care, while Government employees may be in travel status for days or weeks. The employee per diem is designed to pay for necessary living expenses during this period, including those of lodging and meals.

With regard to mileage rates, Government employees using a privately owned vehicle for their own convenience may be reimbursed at the minimum 15¢ rate or at a rate comparable to the cost to the Government if the employee used a Government-owned vehicle. This flexibility in the management of travel funds would be continued for Government employee travel under the bill passed by the Congress. However, such management flexibility would not be applicable to the travel of VA beneficiaries. The result would be that payment of unwarranted mileage rates would be required that would add an estimated \$25 million a year to the VA budget.



The Administration will ask the 94th Congress for a new bill to raise the maximum per diem and mileage rates which have been inadequate for some time. Many Federal employees who are required to travel in connection with their work, have suffered considerable out-of-pocket expenses in recent years. Our proposal--similar to the bill proposed to the 93rd Congress--will remove the ambiguity in S. 3341 with respect to the continued use of the "lodgings plus" method of reimbursement and will continue the maximum rate system in current law. This is a practice which allows travelers to be reimbursed for their reasonable expenses up to the maximum established in statute, and also makes efficient use of tax dollars.

THE WHITE HOUSE

January , 1975



CHAIRMAN
JOHN B. ANDERSON, M.C.
16TH DISTRICT, ILLINOIS

VICE-CHAIRMAN
SAMUEL L. DEVINE, M.C.
12TH DISTRICT, OHIO

SECRETARY
JACK EDWARDS, M.C.
1ST DISTRICT, ALABAMA

ROOM 1618
LONGWORTH HOUSE OFFICE BUILDING
202-225-5107

MICHAEL F. MACLEOD
EXECUTIVE DIRECTOR

Republican Conference
U.S. House of Representatives
Washington, D.C. 20515

HL
EL
TE

January 14, 1975

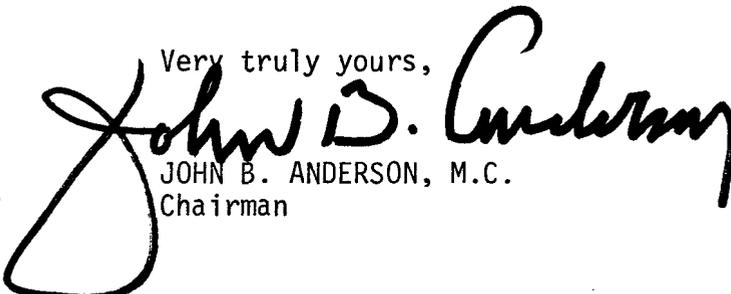
Dear Republican Colleague:

It seems to me that some of the appraisals we have seen over the past few weeks offer a distorted view of the 1st session of the 94th Congress. This is particularly true on economic and fiscal issues (like New York aid, tax cuts, and the Federal pay raise,) and on the question of vetoes. As you know, we were able to save the taxpayers well over \$5 billion by sustaining the bulk of 1st-session presidential vetoes.

The attached statement, an effort to set the 1975 record straight, is forwarded to you with the hope that you may find it useful in reviewing the high points of last year's lawmaking and in preparing for 1976.

With best wishes for a Happy New Year, I am

Very truly yours,


JOHN B. ANDERSON, M.C.
Chairman

JBA:mm
attachment



NEWS

HOUSE REPUBLICAN CONFERENCE

1618 LONGWORTH HOUSE OFFICE BUILDING, WASHINGTON, D.C. 20515 202/225-5107

MICHAEL F. MACLEOD
EXECUTIVE DIRECTOR

JOHN B. ANDERSON, M.C. (ILL.)
CHAIRMAN

January 12, 1976
Contact: Mike Vaughn
225-5676

ANDERSON ANALYZES "DESULTORY" FIRST SESSION

Washington -- Congressman John B. Anderson (R.-Ill.) reviewed the controversial and combative first session of the 94th Congress in recent remarks in the Congressional Record. He characterized efforts on behalf of fiscal restraint as "the legitimate, overriding concern of Congress and the American people."

Anderson, Chairman of the House Republican Conference, criticized the dominant Democratic majority in Congress for "the farrago of evasion and confrontation, which resulted in a dismal and desultory session. Both the President and the Congressional Democrats came to their respective positions with a genuine concern for the issue at hand. But confrontation escalated, and the combatants dug in for a long, drawn-out siege. Because of this 'macho' game, law-making was held hostage for a time to emotionalism and irrationality."

Anderson emphasized the success of the President, who with the support of significant numbers of House Members, managed to pare back Federal spending increases and ease the pressure on the growing deficit. "Congress' decision to sustain the bulk of Mr. Ford's vetoes and limit both aid to New York City and Federal pay raises represents an affirmation of the quintessential Republican goal, prudent spending."

"It is fair to conclude that our constituents want us to exercise a reasonable degree of fiscal restraint, laced with more than a modicum of concern for our fellow man. Consensus can exist; progress is possible. But we must not allow the issue the moment to be dragged into an arena where the tactics of confrontation-style politics all but muscle out the subtler art of compromise," said Anderson.



"THE 94th CONGRESS, 1st SESSION"

AN ASSESSMENT

by

HON. JOHN B. ANDERSON, CHAIRMAN

HOUSE REPUBLICAN CONFERENCE

Mr. Speaker, we are poised on the brink of the 2nd session of the 94th Congress, and the air around us is growing thick with self-congratulatory assessments of the House track record in the 1st session. It stands to reason, of course, that these proliferating laundry lists of unduly complimentary reports on Congress's legislative prowess come from the majority party. None among us, I dare say, would have the effrontery to argue that a party in Congress that enjoys 66.66% dominance--put another way, Mr. Speaker, it is a "two-thirds majority"--over the other party is anything less than the controlling force in that House. And so it is (or should be) in the House of Representatives where the minority is outnumbered by 2 to 1.

It seems to me that any reasonably dispassionate analysis of the 1st half of this Congress's two-year life-span would reveal a record shot through with a farrago of evasion and confrontation, either of which has as its logical consequence almost fatal public policy paralysis. Because of their overwhelming numerical preponderance, my own feeling is that the majority must bear the brunt of the blame for the 1st session's dismal performance.

But my assessment, Mr. Speaker, is not an effort to lay blame at anyone's doorstep, or to castigate any one person or party. Rather, if you will, it is an attempt to analyze some of what happened in the 1st session, why it happened, and what can be done to see that legislative history does not repeat itself. For if it does, I fear, we in Congress will have consigned the nation to another year of desultory, largely ineffective lawmaking--a bitter birthday brew, indeed, served up to a nation celebrating its 200th anniversary.

As we trace the legislative history of the 1st session, Mr. Speaker, one pattern emerges that bodes ill for everyone. Most of the controversial issues considered in Congress this past year resulted in a confrontation of one kind or another



Each side, be it Congress vs. the President, or the Republicans vs. the Democrats, came to its position with a genuine concern for the issue at hand. But as the confrontation escalated, passions mounted, and negotiating became a formidable task as the combatants dug in for a long, drawn-out siege. Frankly, many of the legislative battles this past year reminded me of the Cuban missile crisis, where, as you will recall, the respective positions of the U.S. and the U.S.S.R. were rigid--and well-nigh immutable. As a consequence, neither side could back down without sacrificing national pride. Had the stakes not been so high, it would have been like two school children in a playground stand-off: too evenly matched to fight and too proud to back down. The Cuban missile crisis became a warped, horrific game of machismo give and take, where the stakes were personal honor codes and the chips were human lives--millions of them. With all due respect to my distinguished female colleagues in the House, it strikes me that the same "macho" game has been played out all too often this year in the House. The most recent example--but by no means the only episode--is the tax cut extension measure, where opposing sides became intransigently locked into their respective stances. Luckily, an 11th hour "face-saving" compromise was worked out, a compromise that extended tax cuts for a time and more or less reasserted the principle of a Congressionally-mandated Federal spending ceiling. But the fact remains: law-making for a time was held hostage to emotionalism and irrationality.

I submit, Mr. Speaker, that there is no need for this. As evidence of my contention, I would recall to you a portion of the remarks of the Minority Leader, delivered on opening day, 1975:

In a Republic the majority rules while the minority tries to show the majority how things really should be done. I can assure you that as minority leader I will speak out as forcefully as I know how whenever I feel that the majority has adopted a direction or a decision that is not well advised. I can also assure you that my Republican colleagues will have many suggestions to make during the 94th Congress. That is how it should be, that is how it has always been, and I hope that it will always be that way.



But I am also determined to work toward the consensus approach to our Nation's problems which I feel is necessary in order for the 94th Congress to take the action that the Nation requires. The House of Representatives, being closest to the people, has an obligation, in my judgement, to be the most responsive body in Government. The people want us to act. They expect us to avoid the stalemate which many have predicted will occur. We can only fulfill their expectations and hopes if we work together, not as Democrats, not as Republicans, but as Americans elected by our peers to be Members of the House of Representatives.

VETOES

In my view, Mr. Speaker, the House acted, in the words of the Minority Leader, "as Americans elected by our peers, to be Members of the House of Representatives"--not as willful and capricious individuals--most often on the question of veto overrides. As everyone knows, the President vetoed 17 bills in the 1st session of the 94th Congress. I consider it an impressive expression of popular will that only 3 of these vetoes have been overridden. For my own part, Mr. Speaker, I think that Congress's decision to sustain the bulk of these vetoes represents an affirmation of the quintessential Republican goal: prudent spending. The aggregate cost of all those bills (with firm spending estimates) vetoed by President Ford that the Congress has acted on so far was \$21.7 billion. In the case of two of the vetoed bills (jobs and housing), whose original costs totalled almost \$6.7 billion, Congress was obliged to drastically scale down two substitute bills which the President eventually signed, saving the taxpayers well over \$3 billion.

To date, the 94th Congress has voted to override three presidential vetoes (total cost: \$12.5 billion). Thusfar, by my reckoning, \$5.7 billion of the taxpayers' money has been saved in this manner. Furthermore, I might point out that we have yet to take action on the Labor-HEW bill (cost: \$45 billion). Finally, I think it should be kept in mind that the \$5.7 billion savings estimate is conservative indeed. For it does not include the vetoed strip mining bill, which, it is figured, could have cost the American consumer as much as \$5.6 billion per year in higher fuel costs and would have meant increased imports of middle east oil, raising dollar outflows by as much as \$7.8 billion per annum.



A good example of what I mean when I talk about prudent spending is H.R. 4485, the Emergency Middle Income Housing Act. (I might note, in passing, Mr. Speaker, that this Congress's penchant for passing "emergency" legislation is well-known. Indeed, if I had entitled my remarks here as "Emergency Report on the 1st Session", I dare say I'd get a simple majority of the majority to adopt it.)

The general purpose of H.R. 4485 was to stimulate home buying and to offer mortgage assistance to unemployed homeowners. An edifying goal yes, but the costs were way out of line. In terms of productive activities, \$2 in Federal expenditures would have been necessary for every \$1 gained. All that, the committee estimated, at a cost of over \$2 billion to the Federal government over the life of the program. The Republicans held out for an alternative approach that eventually was signed into law. Its costs? \$500 million. A savings of one and one-half billion dollars.

That, Mr. Speaker, is but one example of how the veto was used in the 1st session--with the support of significant numbers of House Members in most cases--to pare back the Federal budget, to ease somewhat the pressure on the growing deficit.

Examples abound: vetoes were sustained on the \$1.8 billion Emergency Agriculture Act and the \$5.3 billion Emergency Employment Appropriations Act. Money-saving compromises were worked out on the tourism and the Executive Protection Service bills.

NEW YORK AID

This string of money-saving vetoes does not take into account the potential savings that were realized because the President--with a good deal of support from many Congressional Republicans--refused to grant the vastly inflated initial requests of \$ 7 billion (in the case of the House committee) and \$11 billion (Senate). After several months of continuous pressure, New York's financial situation was clarified and enhanced with a proposed tax-increase and budget-cutting package, and in response to this, a \$2.3 billion short-term loan program was enacted. This is not to say, of course, that perforce the taxpayers saved \$5-9 billion, but it does indicate that the Congress can get a bigger "bang for its buck" if we are willing to display a responsible measure of discipline and restraint.



PAY RAISE

This same philosophy applies, in my construct, Mr. Speaker, in the matter of the recently-enacted pay raise for Federal employees. Some of my colleagues on the other side of the aisle would have us believe that the 5% raise that went into effect in October for Federal employees and Members of Congress had its origins here on Capitol Hill. Not so, Mr. Speaker. As we all know, President Ford, going against the advice of OMB, the Civil Service Commission and the Advisory Committee on Federal Pay, pared back the recommended pay increase from 8.66% to 5%. This represented a savings to the taxpayer of an estimated \$1.6 billion per annum. Nonetheless, attempts were made in both Houses--on the floor of the Senate and in committees in the House--to override the President's action. Fortunately, there prevailed among us the view that the sense of thrift and the desire for equitability are not mutually exclusive.

TAX CUTS

Mr. Speaker, as I mentioned earlier, no subject taken up by this Congress has aroused more passion, engendered more confusion, or fostered more ill-will than that of taxes and tax cuts. In reviewing our action early last year with respect to tax cuts--in attempting to cut through the miasma of charges and counter-charges, of accusations and compliments, all too many of which I fear are politically motivated--I was struck by the sounding of a theme that we were to hear again during the course of our law-making all year long. When all was said and done, there was an effort to enact a tax cut law that was hefty, but not intolerable. It did not go far enough for some Members, and it went way too far for others. Which-ever, the compromise that was finally worked out represented far less of a burden on the U.S. Treasury than the majority party in the Senate would have imposed. It will be recalled, Mr. Speaker, that the House bill would have enacted tax cuts totalling \$19.9 billion. The Senate version totalled \$30.4 billion, and the compromise that cleared both Houses in late March was \$22.8 billion. My own view is that the House and the President can share the "honors" for this one, for it was the threat of a potential veto and the adamant position taken by many of the House conferees that brought the total price tag of the bill back down to a more realistic level.

This is by no means a comprehensive review of the year's legislative accomplishments. Rather, Mr. Speaker, it is an attempt to derive some sense--a sense of order, if you will--out of our actions. It seems to me that the signposts I've described are easily perceived and that they stake out the direction we should head as we prepare for the 2nd session of the 94th Congress.



The lesson of the 1st session is one of fiscal restraint displayed in responsible fashion. If I have read rightly the 1975 record, this would appear to be the legitimate, overriding concern of most Members, and by inference, the American people as well. For if the House of Representatives is, as I believe it to be, an expression of the general will, then I think it is fair to conclude that our constituents want us to exercise a reasonable degree of fiscal restraint, laced with more than a modicum of concern for our fellow man. I might add here that my reading of the current situation leads me to believe that the term "reasonable" should be strictly construed: one dictionary definition comes to mind-- "moderately priced".

In my mind, Mr. Speaker, this past year has shown me that the best way to subvert our goal, the best way to delay the achievement of what a consensus of our colleagues tells us is desirable, is to drag the issues of the moment into an arena where the tactics of confrontation-style politics all but muscle out the subtler art of compromise. If the 2nd session should be characterized by "missile crisis"-type lawmaking, the entire Nation will suffer. I would hope that this would not happen and that we can get on with the business at hand.

