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Mike:

Updated veto digest from
Wolthius. OMB added two
columns of info.

Previous digest returned
to Wolthius .

H.



VETO DIGEST
 August 12, 1974 - September 8, 1976
93rd Congress - 2nd Session
 (in millions of dollars)

Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Veto	Further Possible Savings Lost From:	
						Veto Overrides	Related Bills Enacted Later
1. HR 5094 8/13/74	To increase deputy Marshall pay rates	Increased deputy Marshall salaries and not other Federal law officers and would create discrepancies among deputy marshall positions.	\$2 mil- lion in added costs saved	NOA (No override attempt)	2	---	---
2. HR 11873 8/15/74	To authorize Animal Health Research programs	Established new categorical grant program, authorizes \$47M annually and duplicates existing programs, especially fish, shellfish and predator control.	Discretionary authorization of \$47M not an actual saving	NOA	---	---	---
3. HR 10626 9/30/76	Private bill relating to sale of reserved phosphate land in Florida to John and Marsha Carter	Failed to meet either of required criteria: (1) mineral interests have no value; (2) minerals inter- fere with development of surface which is more beneficial than mineral development.	---	NOA	---	---	---
4. HR 15323 10/12/74	To amend the Atomic Energy Act	Section 12 provides Act becomes operative 30 days after JAEC sub- mits to Congress evaluation of Reactor Study and bill does not go into effect if Congress adopts Con Res disapproving extension of Price-Anderson make bill unconstitutional.	---	NOA	---	---	---

Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Veto	Further Possible Savings Lost From:	
						Veto Overrides	Related Bills Enacted Later
5. HR 15301 10/12/74	To broaden Railroad Retirement Coverage	\$250M over budget on annual basis: since 1970 Railroad Retirement benefits increased 68% without beneficiaries paying any cost and to solve current problem taxpayer would contribute \$250M annually for 25 years.	Cost over 25 year life of bill - \$6,250 million	Congressional Override 10/16/74	---	6,250	---
6. HJRes 1131 10/17/74	To extend the Continuing Resolution for 1975	Contained an amendment cutting off immediately all military assistance to Turkey.	---	House sustained 10/15/74	---	---	---
7. HJRes 1163 10/17/74	To extend the Continuing Resolution for 1975	Contained a second time an amendment cutting off all military assistance to Turkey.	---	House sustained 10/17/74	---	---	---
8. HR 12471 10/17/74	To amend the Freedom of Information Act	Under this bill a determination by the Secretary of Defense that disclosure of a public document would endanger national security would have to be overturned, even though reasonable, if a Federal district judge found the plaintiff's case just as reasonable.	---	Congress Overrode 11/21/74	---	---	---
9. HR 11541 10/22/74	To establish National Wildlife Refugee system standards	Existing law is adequate to protect our sildlife refugees and new standards for rights-of-way as they affect energy facilities are not necessary.	---	NOA	---	---	---

Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Veto	Further Possible	
						Savings Lost From: Veto Overrides	Related Bills Enacted Later
10. HR 6624 10/29/74	Private bill for benefit of Alvin V. Burt, Jr., Eileen Wallace Kennedy Pope & David Douglas Kennedy, a minor	To pay the sums provided for injuries sustained by two newsmen in Dominican Republic at hands of U.S. Forces on broad moral considerations or conscience without legal or equitable claims would set the wrong precedent.	---	NOA	---	---	---
11. HR 7768 10/29/74	Private bill for benefit of Nolan Sharp	Sharp who contacted Multiple Sclerosis 6 years after discharge from the Army did not qualify for benefits under 1962 revision extending the presumption of service connection from 3-7 years because of a prohibition of retroactivity in the 1962 law.	---	NOA	---	---	---
12. HR 13342 10/29/74	To amend Farm Labor Contractor Registration Provisions	Under Sec. 17 of the bill hearing officer positions in the Department of Labor are arbitrarily reclassified and existing hearing officers become Administrative law judges regardless of qualifications.	---	Congress passed a new bill S 3202 deleting the hearing examiner provisions which the President signed 12/7/74	---	---	---
13. HR 14225 10/29/74	The Rehabilitation Act Amendments of 1974	This bill administered through legislation; it transferred programs; it dictated minute decisions; it created independent units and a new 250 man bureaucracy in HEW; it dissipated accountability.	Contained certain mandatory authorizations included in later bill.	Congress re-passed the bill in identical form as HR 17503 which the President signed on 12/7/74. The Courts, in Kennedy v. Jones, ruled the veto had been overridden.	---	40	---

Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Veto	Further Possible Savings Lost From:	
						Veto Overrides	Related Bills Enacted Later
14. HR 6191 11/26/74	To suspend temporarily the Zinc Import duty	An Amendment to the bill allows certain taxpayers who have already deducted casualty losses to exclude from taxable income any amount received from tort compensation or Federal loan cancellation.	---	House sustained veto on 12/3/74	---	---	---
15. HR 12628 11/26/74	Veterans Education and Rehabilitation Amendments of 1974	Adds to deficit by increasing benefits 23% instead of 18.2% and extending benefits from 36 to 45 months for undergraduates.	Two-year spending effect of bill-- \$688 million	Congress overrode 12/3/74	---	688	---
16. S 3537 12/17/74	An act to modify the Flood Control Act of 1965	To assist Heppner, Oregon, to relocate its water system. Congress made two exceptions to standard practice; retention of 3 1/4% interest rate verses current rate of 5 7/8% and authorization of advance payment before project actually begins.	---	NOA	---	---	---
17. HR 11929 12/21/74	To provide special repayment treatment for TVA Pollution Control Expenditures	Amendment would not require TVA to reflect cost of pollution equipment in power rates and would require taxpayers to make up the difference.	---	NOA	---	---	---
18. HR 14214 12/21/74	To authorize a Health Revenue Sharing Program	The bill authorizes \$1B over President's recommendation.	Discretionary authorization and not an actual saving	NOA	---	---	---



Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Veto	Further Possible Savings Lost From:	
						Veto Overrides	Related Bills Enacted Later
19. S 425 12/30/74	To regulate Strip Mining	The bill would cut 1977 coal production between 48-141 million tons, create protracted litigation and require excessive Federal expenditures.	One-year savings estimated at \$10 million	NOA	10	---	---
20. HR 8193 12/30/74	To establish an oil import quota for U.S. flag vessels	20% the first year and 30% after 6/30/77 of all imported oil must be shipped in U.S. bottoms which is inflationary, protectionist and violates several U.S. treaties on Commerce and navigation.	---	NOA	---	---	---
21. S 3341 12/31/74	To increase Federal Employee per diem rates	Included provision for disabled veterans traveling for treatment, but unlike Federal employees there is no provision for reduced payments where the occasion requires.	One-year spending increase of \$58 million	NOA	58	---	---
22. HR 17085 1/2/75	To authorize a Nurses Training Program	Bill is a general approach at a time when nurse surpluses exist in some areas and shortages exist in some specialties where the legislation should have been applied.	Discretionary authorization	NOA	---	---	---
23. S 4206 1/3/75	To increase milk price supports	Bill increases price support by \$1.12 per hundred weight to \$7.69 thus raising price of milk 6¢ per half gallon and further reducing demand for milk projects which dairy farmers cannot afford.	Cost savings in 1975 crop year-- \$385 million	NOA	385	---	---

Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Vetoed	Further Possible Savings Lost From:	
						Veto Overrides	Related Bills Enacted Later
24. S 3943 1/24/75	To extend authori- zation of the Rural Environmental Assistance Program (REAP)	Authorizes \$125M available for one additional year for water and soil conservation programs which are not necessary because adequate funding and successful programs already exist.	No spending would have resulted from enact- ment of this discretionary authorization	NOA	---	---	---
25. HR 2933 1/24/75	To establish quotas on filberts	Existing law already requires imported foodstuffs to meet F.D.A. standards and to add filberts would hurt our markets abroad and violate certain obligations under GATT.	---	NOA	---	---	---
26. HR 13296 1/4/75	To authorize the 1975 Maritime Administration Program (MARAD)	One section required Secretary of Commerce to provide indefinitely for certain losses to U.S. fishing vessels caused by foreign ships in U.S. continental shelf waters. Would cause serious administrative problems and is not necessary because international procedures for recovering damages now exist.	Would vest entitlements in the esti- mated amount of \$7 million in 1975	NOA	7	---	---
27. HR 11897 1/4/75	To name Federal Office Building and Court House in Grand Rapids, Mich. the President Gerald R. Ford Building	No Federal Office Building has been named for an incumbent President and while honored feels this precedent shouldn't be changed.	---	NOA	---	---	---

Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Veto	Further Possible Savings Lost From:	
						Veto Overrides	Related Bills Enacted Later
28. HR 1767 3/4/75	To limit Presidential authority to impose petroleum import fees	Proposed Congressional compromise - Vetoed 60-day extension and amended proclamation to postpone for 60 days increase in import fees hoping Congress will enact energy program.	---	NOA	---	---	---
29. HR 4296 5/1/75	To establish emergency farm price supports	Costly to consumers, taxpayers and farmers. Damaging to U.S. international marketing positions.	Mandatory authorization for 1975 price supports --\$1,800 million	House sustained 5/13/75	1,800	---	---
30. HR 25 5/20/75	Regulate strip mining	Excessive Federal regulation and tax provisions; enables States to control mining on Federal lands; cut coal production 40-162 M tons in 1977; cost up to 36,000 jobs and force higher electric bills.	Net savings to government through 1977 from veto-- \$19 million	House sustained 6/10/75	19	---	---
31. HR 5357 5/28/75	Authorize appropriations for the promotion of tourist travel	Excessive appropriation authorization for forcing tourist promotion; reinstates domestic travel promotion program. Authorization thru 1979.	Bill subsequently enacted provided for authorization \$13 million above President's later request		NOA	---	13

Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Vetoes	Further Possible Savings Lost From:	
						Veto Overrides	Related Bills Enacted Later
32. HR 4481 5/28/75	To provide emergency employment supplemental	Not an effective response to unemployment problem. Exacerbates budgetary and economic pressures. Provided appropriations \$3.3B above budget request.	Of \$3.3 billion in Congressional increases \$1.1 billion was added by Congress in 1976 appropriation bills. Net savings from veto-- \$2.1 billion.	House sustained 6/4/75	2,076	---	1,187
33. HR 4485 6/24/75	To provide new housing subsidies	Would take excessive time to implement; is inequitable because some with \$25,000 income qualify while others earning \$6,000 would not; mortgage subsidies give some buyers excessive benefits at taxpayers expense; \$1.9B over budget in 1976 and beyond. Extended rehabilitation loan program.	Cost savings through 1977-- \$2.0 billion. Later bill-- extending rehabilitation loan program-- required an estimated \$56M in outlays through 1977.	House sustained 6/25/75	1,997	---	56
34. HR 4035 7/21/75	To provide for more effective Congressional review of exempt petroleum products from the Emergency Petroleum Allocation Act of 1973	Increase petroleum consumption cuts domestic production, increases reliance on imports avoids phasing out price controls.	---	NOA	---	---	---



Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Veto	Further Possible Savings Lost From:	
						Veto Overrides	Related Bills Enacted Later
35. HR 5901 7/25/75	To provide Education Appropriations	Increases appropriations for all programs; does not consider Presidential recommendation on impact aid to higher education reduction.	Outlay savings lost are amounts above Administration request.	Congress overrode 9/10/75	---	1,542	---
36. S 66 7/26/75	To amend Health Service Act of 1973	Excessive Appropriation level; expands Federal role in health service programs thru narrow categorical grants. Exceeds FY 1977 by \$1.1B.	Discretionary Congress authorization. Estimated spending through 1977 that related to higher appropriations from higher authorization levels is reflected in veto of 1976 HEW bill. (See #42).	overrode 7/29/75	---	---	---
37. S 1849 9/9/75	To extend Emergency Petroleum Allocation Act of 1973	Does not solve or move U.S. toward enactment of national energy program. Keeps status quo for 6 months; increases dependency on foreign oil; jeopardizes national security; exports jobs; and delays conservation.	---	Senate sustained 9/10/75	---	---	---
38. HR 9497 9/30/75	To provide tobacco price supports	Would adversely affect tobacco exports, lower farm income, and increase federal spending in FY and TQ by estimated \$157M.	Two year mandatory authorization	NOA	157	---	---

Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Veto	Further Possible Savings Lost From:	
						Veto Overrides	Related Bills Enacted Later
39. HR 4222 10/3/75	To amend school lunch and child nutrition Acts	Although enlarges efforts to feed needy children, bill expands Federal subsidies to children of non-needy families.	Mandatory authorization with outlay increase through 1977 of \$2.5B.	Congress overrode 10/7/75	---	2,467	---
40. HR 12 11/29/75	To provide protection of foreign diplomatic missions and increase size of Executive Protection Service	Extends EPS functions to area of responsibility of local law enforcement agencies.	Discretionary authorization for expansion of EPS that would probably require higher appropriation requests.	NOA	7	---	---
41. HR 5559 12/17/75	To make changes in certain income tax provisions (extension of tax reductions)	Does not include requested cuts in federal spending and \$28B tax reduction. Merely extends for 6 months present tax cuts.	Earned income credit provision in bill not supported by Administration-- \$600M	House sustained 12/18/75	---	---	600
42. HR 8069 12/19/75	To provide appropriations for Departments of Labor and HEW	Inconsistent with fiscal discipline and effective restraint on government growth. Adds \$1B to spending authority and 8,000 Federal employees.	Savings lost from override are amounts appropriated above Administration request	Congress overrode 1/28/76	---	936	---

Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Vetoed	Further Possible Savings Lost From:	
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43. S 2350 12/31/75	To include Secretary of Treasury as a member of NSC	Unnecessary since President has adequate arrangements for obtaining advice; bill would lessen flexibility of President in arranging for advice.	---	NOA	---	---	---
44. HR 5900 1/2/76	To amend National Labor Relations Act (Common Situs Picketing)	Does not provide for resolution of special problems in construction industry. Risks leading to loss of jobs and work hours, higher costs to public and slow downs in construction industry.	---	Bill returned although Congress had adjourned sine die on 12/19/75	---	---	---

94th Congress - 2nd Session

Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Vetoed	Further Possible Savings Lost From:	
						Veto Overrides	Related Bills Enacted Later
45. SJRes 121 1/30/76	To provide for quarterly adjust- ments in milk support price	Sets support at 85% parity with quarterly adjustments. Would increase Federal spending, cause milk surpluses and raise consumer prices. 1976-1977 marketing year increase - \$350M; subsequent years - \$350M. Increase consumer costs in 2 years by \$1.3B.	The savings of \$223M are net of Administra- tion compromise with Congress to raise price supports admin- istratively-- thus, the dis- parity with the numbers on the left.	Senate sustained 2/7/76	223	---	---
46. HR 5247 2/13/76	To authorize a local public works capital development and investment program	Does not provide solution to unemployment "Election year Pork Barrel"; cost \$25,000 per job; few jobs would be created (250,000) over life of legislation; no impact in immediate future.	Estimated savings are net of veto override of Public Works employment authorization-- S. 3201. See item 52 below for adjustment. Cost of S. 3201-- \$3,950M shown as later enacted bill and as offset to veto savings in item 52 below.	Senate sustained 2/19/76	6,268	---	3,950 ^{1/}

^{1/} Congress in process of considering appropriation levels for the authorization.
House version fully funds the authorization.

Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Veto	Further Possible Savings Lost From:	
						Veto Overrides	Related Bills Enacted Later
47. HR 9803 4/6/76	To implement new child day care standards - Title XX of the Social Security Act	Runs contrary to concept of vesting responsibility in State and local governments, would perpetuate rigid Federal standards - at taxpayers expense; would impose costly and unrealistic staff to children ratios; could add \$125M over next 6 months and \$250M per year thereafter.	Mandatory authorization for last quarter of 1976 and TQ--\$125M.	Senate sustained 5/5/76	125	---	---
48. HR 8617 4/12/76	To amend the Hatch Act	Could endanger concept of Federal employee freedom from coercion to participate in partisan political activities. Essentially, repeals Hatch Act.	---	House sustained 4/29/76	---	---	---
49. S 2662 5/7/76	To authorize 1977 appropriations for foreign assistance programs	Imposed arbitrary arms ceiling and human rights provisions; removed restriction on trade with North Viet Nam and undercuts MIA efforts; terminated MAAG groups unless Congress authorized and contained unconstitutional Concurrent Resolution provisions.	---	NOA	---	---	---
50. HR 12384 7/2/76	To authorize appropriations for military construction	Bill generally acceptable but Sec. 612 prohibits certain base closings or reduction of civilian personnel without Congressional approval.	---	Senate sustained 7/22/76	---	---	---

Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Veto	Further Possible Savings Lost From:	
						Veto Overrides	Related Bills Enacted Later
51. S 391 7/3/76	To amend Federal Coal Leasing Act	In basic agreement with bill, but it is littered with rigidities and complications, end result would inhibit coal production on Federal lands, raise consumer costs and delay energy independence.	One-year savings lost from override-- \$45 million	Congress overrode 8/4/76	---	45	---
52. S 3201 7/6/76	To authorize appropriations for public works employment	Would create only 160,000 jobs over the years; would reduce unemployment .06 percent at a cost of \$4B; cost \$25,000 per job; bill is highly inflationary.	See item 46 above	Congress overrode 7/22/76	-3,950	---	---
53. HR 12567 7/7/76	To authorize appropriations for federal fire prevention control programs	Bill contains provision obstructing President's constitutional responsi- bilities over Executive branch operations. Concurrent resolution's veto power over plan to commit funds for National Academy for Fire Prevention and Control is unconsti- tutional.	Authoriza- tion above President's request likely to require higher appro- priations request of about \$2M	NOA	2	---	---
54. S 2447 8/3/76	To amend USC - Title 4 to make clear Members of Congress may not be treated as residents of any state other than the one which elected.	Federal interference in state income tax procedures by Congres- sional mandate.	---	NOA	---	---	---

Bill Number Date Vetoed	Title	Presidential Objection	Budgetary Effect	Final Resolution	Savings From Veto	Further Possible Savings Lost From:	
						Veto Overrides	Related Bills Enacted Later
55. HR 12944 8/13/76	To extend the Federal Insect- icide, Fungicide and Rodenticide Act, as amended, for 6 months	No provision in Constitution for procedures in this Act whereby Congress has 60 day review period and veto power over regulations promulgated.	---	NOA	---	---	---
TOTAL:					9,186	11,968	5,806

Further possible savings lost as a result of:

Veto overrides.....	\$11,968
Enactment of related bills after veto.....	<u>5,806</u>
Total, possible savings lost.....	\$17,774

Note: Most of the bills on the listing of savings realized above would have provided no discretion in their funding (mandatory spending legislation). Although discretionary authorizations do not, of themselves, lead directly to higher Federal spending, certain authorizations by their very nature imply a clear congressional intent to provide appropriations whether the President requests them or not. In the OMB's judgment, increased spending may have resulted from the following discretionary authorizations and are reflected in the totals above:

Veto savings:

Expansion of Executive Protective Service (Item 40).....	\$7M
Federal Fire prevention control programs (Item 53).....	\$2M
Public Works employment, H.R. 5247 (Item 46).....	\$6,268M
Public Works employment, S. 3201 (Item 52).....	-\$3,950M
Savings lost from	
Veto overrides (none)	
Enactment of related bills after veto:	
Tourist travel authorization.....	\$13M
Public Works employment (S. 3201) (Item 52).....	\$3,950M

Other discretionary authorizations in the attached listing are not reflected in the totals because it was unclear whether the Congress would fund the programs at the levels authorized above the President's request.

OUTLAY SAVINGS FROM BILLS
VETOED BY PRESIDENT FORD
(in millions of dollars)

	<u>Savings</u>
<u>Second session/93rd Congress</u>	
• Deputy Marshall pay rates (H.R. 5094, vetoed 8/13/74).....	2
• Regulation of strip mining (S. 425, vetoed 12/30/74).....	10
• Increase Federal employee per diem rates (S. 3341 vetoed 12/31/74).....	58
• Milk price supports (S. 4206 vetoed 1/4/75).....	385
• Marad authorization (H.R. 13296, vetoed 1/4/75).....	7
<u>First session/94th Congress</u>	
• Emergency Farm price supports (H.R. 4296, vetoed 5/1/75).....	1,800
• Strip mining legislation (H.R. 25, vetoed 5/20/75).....	19
• Emergency employment supplemental appropriations (H.R. 4481, vetoed 5/28/75).....	2,076
• Housing subsidies (H.R. 4485, vetoed 6/24/75).....	1,997
• Tobacco price supports (H.R. 9497, vetoed 9/39/75).....	157
• Expansion of Executive Protective Service (H.R. 12, vetoed 11/29/75).....	7
• Milk price supports (S.J.Res.121, vetoed 12/31/75).....	223
<u>Second session/94th Congress</u>	
• Local public works capital development and investment program (H.R. 5247, vetoed 2/13/76).....	6,268
• <u>Less</u> spending related to veto override of S. 3201, Public Works employment authorization.....	-3,950
• Child day care standards (H.R. 9803, vetoed 4/6/76).....	125
• Federal fire prevention control program authorization (H.R. 12567, vetoed 7/7/76).....	<u>2</u>
• Total, estimated savings realized by President Ford's vetoes.....	9,186

Office of the White House Press Secretary

THE WHITE HOUSE

TO THE HOUSE OF REPRESENTATIVES:

I am returning, without my approval, H.R. 8800, the "Electric and Hybrid Vehicle Research, Development and Demonstration Act of 1976."

This bill would establish a five-year, \$160 million research, development and demonstration project within the Energy Research and Development Administration (ERDA) to promote the development of an electric vehicle that could function as a practical alternative to the gasoline-powered automobile. One of the major objectives of the project would be the development and purchase by the Federal government of some 7,500 demonstration electric vehicles. Such development would cover some of the areas private industry stands ready to pursue.

It is well documented that technological breakthroughs in battery research are necessary before the electric vehicle can become a viable option. It is simply premature and wasteful for the Federal government to engage in a massive demonstration program -- such as that intended by the bill -- before the required improvements in batteries for such vehicles are developed.

ERDA already has adequate authority under the Energy Reorganization Act of 1974 and the Federal Non-nuclear Energy Research and Development Act of 1974 to conduct an appropriate electric vehicle development program. Under my fiscal year 1977 budget, ERDA will focus on the research areas that inhibit the development of practical electric vehicles, for wide-spread use by the motoring public. Included is an emphasis on advanced battery technology.

Even assuming proper technological advances, the development of a completely new automobile for large-scale production is a monumental task requiring extensive investment of money and years of development. While the Government can play an important role in exploring particular phases of electric vehicle feasibility -- especially in the critical area of battery research -- it must be recognized that private industry already has substantial experience and interest in the development of practical electric vehicle transportation. I am not prepared to commit the Federal government to this type of a massive spending program which I believe private industry is best able to undertake.

GERALD R. FORD

THE WHITE HOUSE,

September 13, 1976.

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FOR IMMEDIATE RELEASE

August 14, 1976

Office of the White House Press Secretary

THE WHITE HOUSE

TO THE HOUSE OF REPRESENTATIVES:

I am returning, without my approval, H.R. 12944, a bill "To extend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for six months." If the only purpose of the bill were that set forth in its caption I would have no reservations about it.

The bill would, however, also make a serious substantive change in the law. It would subject rules and regulations issued under authority of the Act to a 60-day review period during which either House of Congress may disapprove the rule or regulation by simple resolution.

As I have indicated on previous occasions, I believe that provisions for review of regulations and other action by resolutions of one-house or concurrent resolution are unconstitutional. They are contrary to the general principle of separation of power whereby Congress enacts laws but the President and the agencies of government execute them. Furthermore, they violate Article I, section 7 which requires that resolutions having the force of law be sent to the President for his signature or veto. There is no provision in the Constitution for the procedure contemplated by this bill.

Congress has been considering bills of this kind in increasing number. At my direction, the Attorney General moved recently to intervene in a lawsuit challenging the constitutionality of a comparable section of the Federal election law. I hope that Congress will reconsider H.R. 12944 and pass a bill which omits this provision.

THE WHITE HOUSE,

August 13, 1976

GERALD R. FORD

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