

FOR IMMEDIATE RELEASE

JULY 25, 1973

OFFICE OF THE WHITE HOUSE PRESS SECRETARY

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THE WHITE HOUSE  
PRESS CONFERENCE  
OF  
SENATOR HUGH SCOTT  
AND  
CONGRESSMAN GERALD R. FORD



THE BRIEFING ROOM

10:45 A.M. EDT

MR. WARREN: The President met with the Republican leadership of the House and Senate this morning for an hour and 45 minutes to review a long list of legislation now pending before both Houses.

Senator Scott and Congressman Ford are here to discuss that meeting with you, and we will start off with Congressman Ford.

CONGRESSMAN FORD: Thank you very much, Jerry.

The discussion involved the status of legislation before the House and Senate and the prospects for affirmative action prior to the recess, which begins a week from Friday. There were 15 major areas of discussion, with Senator Scott and myself dividing up the progress reports. In addition, there were 20 other matters brought up involving legislation.

I would summarize by simply saying that as you looked at the batting average or the scorecard, the record prior to the recess doesn't look like its a very effective or affirmative Congressional batting average. Unless we do a lot more than what it looks like we are going to do between now and August 3rd or 4th, I think the record of the Congress at that point will be less than a good grade or score.

SENATOR SCOTT: The 35 bills on the agenda were not all inclusive; there are more up there. We discussed 15 on the first list at some length, and then about eight on the second list, and the President was brought up to date on the status of all of these matters and indicated there would be an Executive Session of the Cabinet tomorrow, where they will be informed of our report. Interesting discussions because we went into the prospects of all these matters, and we believe that some of these will be disposed of. LEAA is the best illustration of it. That is almost ready to come to the White House.

Q Which one, sir?

SENATOR SCOTT: LEAA. There are others which will work their way down here, but by and large, the Congress has not responded very well to the requests. The President is entitled to an up or down vote on these measures, it seems to me, and many of them are of the utmost importance to the Country and we hope, and will plead with the majority, to get more action on these measures. Not a single appropriation bill has yet come to the President.

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Q Did you discuss the Watergate tapes and the President's position on turning them over, and did you try to change his mind?

SENATOR SCOTT: It was a legislative meeting, Helen, and we didn't discuss anything but the legislation. We had considerable discussion, for example, on the trade bill and other bills. We didn't discuss your topic or any other topics, except the legislation.



Q Did you discuss, Senator, the possible effect of the whole Watergate situation on the progress of legislation?

SENATOR SCOTT: No, we discussed the legislation itself, and in my view, I see no reason why a legislator confronted with a bill would try to determine what he is going to do on revenue sharing or the bicentennial organization or the Alaska pipeline according to how he might feel about Watergate.

I think that is a sort of tenuosity which has very little bearing on the way legislators operate. That is more in the speculative field. I haven't seen evidence of that.

Q Senator, what is your position on the release of the tapes? Do you have any alternative solution?

SENATOR SCOTT: Well, I have expressed an earlier opinion; the decision has been made. My view was simply an expression of hope that some way might be found selectively, and in the President's own time, and in his own forum, that he make comments, but the President has made a personal decision after the lengthy listening to the tapes.

He has considered all of the options pro and con. The desirability of establishing the fact that they show what he has said is true and accurate, is a consideration on one side. On the other is the fact that the release of the tapes would create an ambiguous situation in that every conversation in some way relates to an earlier conversation, and that to an earlier one, and so on, and it would be very hard to sort the tapes out.

Moreover, impressions are sought to be given that there is no way of telling whether the tapes are themselves accurate or not, so that the President has made his own decision on that and now it is a matter for the courts and, as a lawyer, I think I would rather leave it to the courts.

Q Senator Scott, do you believe that the Senate committee is entitled to the tapes?

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SENATOR SCOTT: I believe the Senate committee has the power of subpoena and is entitled to find out. I don't know that they are entitled to the tapes. That is up to the courts, and the courts quite possibly will decide that they are not. As you recall, the Supreme Court once said, a Justice, that the law is what we say it is. That is still our system.



Q Senator, I think it was March 20th you came before us and said the President looked you in the eye and said, "Hugh, I have nothing to hide." Is that still your feeling, your impression, of what his situation is?

SENATOR SCOTT: Ted, it is. I came here, I said that to you then and I stand by it. I offered to make that statement to the press on my authority, and the President said, "No, make it on mine," and I did. On the 20th of March in the morning, with Representative Arends and myself present, we heard the statement made.

I believed it then, and I believe it now, as of the 20th of March, and I believe, with the exception of two other dates offered by a single witness, uncorroborated, and a single witness alone, there is no other evidence whatsoever to contradict what the President said that day so that I have not, as a lawyer, seen any reason whatever to do other than to accept the President's statement.

CONGRESSMAN FORD: Hugh, may I add a comment there. I agree entirely with the statement made by Senator Scott. I believe the President, I think he has said everything and I think he has been entirely truthful with the Congress and with the American people.

I had, previous to this last week, indicated that on a selective basis that some of the tapes could be released. But the decision has been made. I think the matter is now a matter for the courts. I think it was a close question.

I am told that the President himself personally reviewed the tapes, and that after listening to the arguments of good constitutional lawyers and trying to evaluate what might have been good politics against what was good law, the President has decided that the tapes should not be released, and the decision ultimately will be made by the courts.

There are all kinds of very difficult questions that he had to decide, and putting it in a much smaller context than his problem, let me give you an illustration. I have a very top-grade administrative assistant. We talk continuously about what my attitude, what my point of view might be on a legislative matter or anything else involving the confidentiality of my office.

If I can't talk frankly and freely with that person, who is the top man in my office, without every bit detail involving my decision, our discussions won't be very meaningful and I think this, in a much smaller sense, is precisely the problem the President had to decide on a very broad sense involving constitutional issues as well as personal decision.

And, although I had felt otherwise prior to the announcement of the last few days, I can respect the decision and the decision, which is a serious constitutional issue, will be, and ought to be, decided by the court system.



Q If this is going to be decided by the courts, does the President's refusal to give up the tapes create an impression in the public's mind and in the minds of your constituents, for example, and elsewhere that he has something to hide in the tapes?

CONGRESSMAN FORD: I am sure there are some, but I think the American people, on the other hand, there are many who feel that the President was entirely right. So, you get this balance both ways.

It is my understanding, as Senator Scott said a few minutes ago, that at a proper time in a proper forum, there will be a discussion by the President of what has taken place or transpired in the committee, but in the meantime, the fundamental issue of the availability of the tapes is one that is properly in the court, and the court decision will be the final ---

Q This morning, Senator Dole said that he thought all but a very few Republican Members of Congress in both Houses felt that the President should make those tapes available. Do you think his assessment, his head count, is correct?

SENATOR SCOTT: Bob, I honestly don't know. We have made no poll of that. Yesterday at our luncheon it was about even. I think about three people expressed an opinion one way and about three the other. I recall that Senator Ervin argued most persuasively and successfully before the Supreme Court that Senator Gravel was not required to give information which he was unwilling to give, and thus the privacy of a Senator and the Senator's own personal actions was preserved.

I am equally sure that if this gets to the Supreme Court, that the Court would feel as it does about its own papers. I can't see Warren Burger or the other eight members of that Court permitting anybody to see their notes, or their privy conversations, before they arrive at their decisions.

I think the same right exists with the Executive department that exists with the Judiciary, and I agree with Senator Ervin when he made that very persuasive case on behalf of all of us when he argued the other side precisely of what he is arguing now. That is a lawyer's privilege. I am afraid we have all done it.

Q Senator Scott, are you disturbed by the Harris Poll, which is saying today that the public by a 51 to 37 percent margin feels that Mr. Nixon was wrong not to testify; secondly, that by 60 to 30 percent they feel Mr. Nixon was more wrong than right in declining to give up documents, and then the last one by a 50 to 30 percent edge they accept Mr. Dean's version over Mr. Nixon's. Does this disturb you, especially from the standpoint of the image of Presidential leadership?

SENATOR SCOTT: It disturb me from another standpoint, and that is that the public is being asked by the poll takers to make a judgment without having heard the full story. It is almost as if you took a poll of a celebrated jury trial matter halfway through the proceedings before hearing all of the witnesses on both sides.



Moreover, you have the enormous coverage of television, you have the perfectly beautiful impact of Mr. Dean's childish face and happy grimaces, and the public probably being influenced by that and by what is being written.

The President will make a statement in which he will respond in full and in detail to all of these statements. That is the time to get a poll, and that is the time when I think you will find that the people will make a judgment favorable to the President and unfavorable to those whose motivation is an attempt to ease their own personal condition.

So that I think these polls are hardly accurate of a long-term view of the American people. I would rather see what the American people say after they have had the President's reply. And, of course, the President can't reply until all the witnesses are under oath and have told their stories. Then you don't have a chance for anybody to have some second thoughts in response.

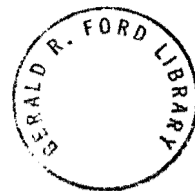
CONGRESSMAN FORD: I think it is also interesting, as long as we are talking about polls, I think one of about a week ago indicated that if we had a rerun of the last Presidential election, Mr. Nixon would still beat Senator McGovern by a reasonably comfortable margin.

Q Is that your standard? Is that the basic standard?

CONGRESSMAN FORD: We were talking about polls, and the significance of them, and the most important poll in the United States is what happens every four years involving a President and the election of a President. I agree with Senator Scott that it is very premature to pass judgment on what the public reaction will be because the committee hasn't concluded its hearings.

And some of the most important witnesses that will back up the President, apparently, have not yet had their opportunity to testify. When that conclusion comes, then you can get a more valid poll. But, we certainly had a valid poll last November and the results of that election, as shown by this poll, would indicate that again President Nixon would be elected if the election were held at the present time.

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SENATOR SCOTT: Moreover, the court judgment, when that comes, is bound to affect the judgment of the people. If that judgment is favorable to the President, then the people, many of them, will conclude -- they have great confidence in our court system -- and many will then conclude the President indeed has taken the right step, not only consistent with the precedents of his predecessors, but to support those precedents for his successors.

Q Senator, what if the court judgment says that the President must comply with the subpoenas, and if the President chooses not to comply, then what is the public opinion going to be?

SENATOR SCOTT: Then the public will react according to whether they think the President should comply, and that is a highly speculative thing because I cannot imagine the President not administering and enforcing the laws of the land. But, I think that is highly speculative.

Q Do you believe if the court decision is that the President should comply with the subpoenas, do you believe the President will comply?

SENATOR SCOTT: I do not believe that the President would defy the courts of the land unless there were a situation which I cannot at this time foresee.

Q Senator, do you think that the whole Watergate question then should not be discussed by the President in what you call a proper forum while it is still in the courts?

SENATOR SCOTT: No, while we have the Phase I of the Watergate, which I understood from some of the committee yesterday they hope to finish August 3rd. That hope is shared by a lot of us, and following that, I would expect some statement from the President, not during the court. I don't think statements by the President would prejudice or be intended to prejudice the rights of witnesses contrary to the effect of a Senate investigation.

Q What you call a proper forum, would a proper forum simply be another speech by the President or would he be open to questions?

SENATOR SCOTT: The President will make that judgment himself. It is my own personal view that I would like him to be open to questions, but he will make that decision.

Q Mr. Ford, do you share the view that if the courts hold that the President should respond to the subpoena and agree to release the tapes that he will and that he should?

CONGRESSMAN FORD: I think it is premature in the first place, Ted, and I would like to wait and see what the Court decides before making any public statement in that regard. I am optimistic that the constitutional recommendations made to the President will result in his position being upheld, and to speculate down the road at this point I think is very premature.



Q Is the White House going to move to quash this?

CONGRESSMAN FORD: I have no knowledge on that.

Q At this point in time, putting aside the merits of the President's case, do you think he has been hurt politically by his decision on how to handle these tapes?

SENATOR SCOTT: Well, I think he is in the position that any decision he makes is a hard one and, therefore, has some political minuses as well as plusses. I think he has to look first to his duty, He has to do his duty as he conceives it and as the Constitution requires, and having done his duty, I believe then he will not suffer the subsequent political minuses that may be occurring in the interim.

Q Are they occurring now?

SENATOR SCOTT: They are occurring in the interim, because, of course, people are placing different interpretations on what the President is doing from the one I place on it, and they would do the same thing on the tapes as the President said in his letter.

CONGRESSMAN FORD: If you believe the polls, I guess the conclusion is that his popularity, if that is the right word, has been hurt, but the most important forum right now at the present time is the reaction in the Congress.

In my judgment, at least as far as the House of Representatives is concerned, I see no adverse impact whatsoever, none whatsoever. I could give illustrations where I think that, as a matter of fact, there has been a solidification of Republican support in the House in backing up the President, so in the most important forum right now, which is legislation, I don't think the Water-gate incident and what has happened subsequently has had any adverse impact.

Q Not even on the war powers bill?

CONGRESSMAN FORD: The question of the war powers -- you mean Indochina or the war powers?

Q War powers and Indochina, Cambodia.

CONGRESSMAN FORD: Let's take the war powers. That legislation which passed the House had some grave deficiencies. The Congress indicates, or some Members of Congress indicate, that they want to get back and be a participant in this decision of war and peace, but it is almost unbelievable to me that the legislation the committee drafted gets the Congress back into that

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participation by doing nothing, and those of us who think there ought to be a war powers bill believe that if the Congress wants to be a partner, they ought to at least be a positive, affirmative partner.



Now, our decision was predicated on principle, and I think the President's indication in the telegram that he sent to me in this area indicates that he is willing to compromise with the Congress so that the Congress and the President can be partners. So, what we did on the House floor had no relationship whatsoever to Watergate.

Now, let's take the August 15th date. The trend, if you looked at the voting pattern for the last two and one-half years, it has been gradually moving in the House to a cutoff date. And finally that took place.

It took place because the President had solved the problems in South Vietnam. He had gotten the prisoners of war back, he had removed all of the military personnel from South Vietnam, we had gotten a settlement in Laos and the Members of the House, or at least the majority of them, thought the major part of our activity in Indochina had been settled and that Cambodia was not significant.

And, therefore, a majority voted for a cutoff date. But, I say very respectfully that I don't think Watergate had any influence whatsoever on that final decision.

Q Mr. Ford, how do your colleagues feel about Mr. Strachan's testimony that in White House meetings it was decided not to provide financial support for Republicans who were running against the Democrats who either supported the President on the war or were backed by labor, whom the White House did not want to offend?

CONGRESSMAN FORD: I didn't hear what Mr. Strachan said. Some of us, you know, are working on the Hill on matters that are of vital importance, and we just don't have time to either listen to or read some of the testimony. But, on the question of a White House decision not to vigorously oppose certain Democrats who had been helpful to the Administration over the previous four years, I understand that and, as a person who has to deal with those Democrats in the House, many of them, having been very helpful to the Administration and cooperative with me, I would have a guilty conscience if I went out and tried to campaign against them or I went out and raised money to try and defeat them.

This is a very pragmatic world in which we live in the House of Representatives, and I respect that decision and, from my own activities, I wouldn't have gone down and campaigned in those districts where those individuals had worked with me over a period of four years. You couldn't do it in good conscience.

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Q What about the ones who were just given a more or less free ride because labor supported them and labor was being nice to the President?



CONGRESSMAN FORD: I think it is the same problem. As long as individual Members of the House and/or the Senate were cooperating with the Administration, I think you have to take a look and see, number one, would a campaign against them affect their attitude in subsequent legislative matters before the House, and you also have to take a look and see whether even a massive effort would have had any impact politically.

Some people, both Democrat and Republican, are in safe districts, and to try and launch an overwhelming campaign against a person in a safe district is not a very good or a very wise policy, in my judgment.

SENATOR SCOTT: Something was said about the Cambodia bombing. There were some who had opinions that were strongly one way, some the other, when this issue came up, and I think most of you know that if it had not been for the fact that Jerry Ford and I both sat down and worked out a compromise, the votes would not have been there for what finally, eventually was the August 15th cutoff.

So, I think there was an effort by Congress to get a piece of the action that has been going on for a long time, and I mentioned that. But, when the situation was finally done, it was done because of action taken by the minority leaders in the House and Senate.

Q Do you expect the President to observe that bombing cutoff date, Senator? Are you confident that he will respect it?

SENATOR SCOTT: I have heard or seen nothing that would indicate to me that it would not be respected. The Congress has acted. The President always has the power to ask for additional powers. I have not received any notice that he will.

Q Senator Scott, do you think the Ervin Committee is doing a good job?

SENATOR SCOTT: I think that the television reports of it are spectacular.

Q Senator, does the matter of possible criminal prosecution put a different coloration on what the Supreme Court might do on the issue of confidentiality? I think the illustrations you gave did not involve that question, did they?

SENATOR SCOTT: Well, I am not sure what change would result from a different set of circumstances. The broad principle does not seem to me to be effected; namely, that the Judiciary has certain rights of confidentiality, the Executive has certain rights of confidentiality, and Senator Ervin established that the Senate has certain rights of confidentiality.

I think that when people speak of wrongdoing, that that is a question of fact. I think there has to be evidence, and in our courts we usually require more than one witness, especially one witness who is himself under charges of subornation of perjury.



I have prosecuted about 10,000 cases. I never tried a defendant on the evidence of a witness himself guilty of a violation of a part of the perjury statutes. I had sense enough as a District Attorney to know that you couldn't get a conviction on that kind of evidence. It was tainted evidence, in other words, as this is.

Q What did you tell the President was happening to the trade bill, and why?

CONGRESSMAN FORD: We had a report from one of the members of that committee.

Q Mr. Conable?

CONGRESSMAN FORD: Mr. Conable, who reported that the committee was moving along very, very well in making basic decisions, that it looked like most of those basic decisions would be finished by the time of the August recess, that when they returned after the recess, they probably would act on the bill as such.

This, of course, means that the bill won't be on the floor of the House before the recess, but should be available for consideration shortly after the recess, sometime in September.

Q The other day Congressman Conable in a speech before the League of Women Voters blamed the White House for the trouble the trade bill was in. He said they didn't have a realistic readjustment allowance. Did he tell the President that?

CONGRESSMAN FORD: He did bring up the readjustment allowance matter. He said that it appeared that the committee would substantially increase the readjustment allowance, but other than that comment, there was no discussion of that provision.

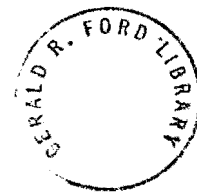
Q Do either of you gentlemen feel that the Ervin committee is out to get the President, and then a second part of the question is do you support the effort of the Ervin committee, which was approved by all the Republicans on the committee, to subpoena documents and records from the President?

CONGRESSMAN FORD: I believe that the Ervin committee is trying to do the job that they were assigned. I think it is a pretty loose operation in the way in which they interrogate witnesses. I think they could have refined their interrogation to fewer hypothetical questions and more direct questions trying to elicit facts. I think the committee probably had no other choice than to do what they did when the President refused to make the tapes available. I think now the matter is before the court, and that is going to be the final decision.

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Q Are they out to get the President?

CONGRESSMAN FORD: I wouldn't say that, or put it in that context. It appears that they are trying to create public opinion to some extent by some of these hypothetical questions that certainly wouldn't see the light of day in a courtroom. But, this is the way they are proceeding, and I know a lot of people think they are out to get the President.



SENATOR SCOTT: I supported the creation of the committee and its right to do what it is. I think it is a fair observation that those watching the proceedings might be impressed with the fact that the committee seems to be tougher on witnesses favorable to the President than it is on witnesses unfavorable to the President, and I think we have to let the facts speak for themselves as to what the motivation may prove to be of individual members of the committee. I certainly wouldn't condemn the committee collectively at all.

Q What about the subpoena?

SENATOR SCOTT: I think they had no choice but to go through with the subpoena in view of their theory, their schematology of the case.

Q Do you think the President will move to quash the subpoenas?

SENATOR SCOTT: I have not been told that, and I don't know, Helen. That question ought to be addressed to someone down here.

Q We can't get any answers down here.

SENATOR SCOTT: Can't you? It will go to the courts one way or another, yes.

Q Senator, if the tapes never do come out, never are made public, in your judgment, will the President be able to dispel the suspicions which have been raised in the public's mind by the Watergate episode?

SENATOR SCOTT: I think the President will be able to offer not only his own statement but various elements of corroborative evidence from time to time on various specific dates. For example, if you notice the time period, one witness says that he was alone with the President and the meeting took about an hour, and if you look at the time period, he was only alone with the President for five minutes at the end of the meeting and one minute at the beginning of the meeting, and not alone with the President for 40 some minutes, as I recall it.

Now, it is very likely that those who were with the President in that 40 minutes will have their own recollections. So, I think you will have corroborative testimony as well.

Q Can we get a listing of those 15 bills, and particularly if they are of priority?

MR. WARREN: Surely. I thought you might have asked these gentlemen during the briefing, but we ---

SENATOR SCOTT: We will have a list of the 15 and a list of the 20. There really are 35.

MR. WARREN: We will gather here after the meeting with the Shah ends.

Q When will that be?

MR. WARREN: I would expect that would be within a half hour.

THE PRESS: Thank you.

END (AT 11:20 A.M. EDT)



LEADERSHIP DISCUSSION (15 bills)



I. REVENUE SHARING:

1. Manpower Training
- ~~2. LEAA~~
3. Better Communities
4. Better Schools

*Buffin  
Tower*

II. REORGANIZATION:

5. Bicentennial Reorganization
6. Election Reform Commission
7. DENR
8. Legal Services Corporation

III. ENERGY:

9. Gas Deregulation
10. Alaska Pipeline
11. Deep Water Ports

IV. OTHER:

12. Trade Reform
13. Export Administration
14. Foreign Assistance
15. Pensions

OTHER LEGISLATION (20 bills)



I. JUSTICE:

1. Heroin Trafficking Act
2. Capital Punishment
3. Criminal Code Reform

II. GSA:

4. Stockpile Disposal

III. OMB:

5. Reorganization Authority Extension
6. CIEP Authority

IV. LABOR:

7. Unemployment Compensation

V. HUD:

8. Flood Disaster

VI. EPA:

9. Toxic Substances
10. Safe Drinking Water

VII. HEW:

11. Vocational Rehabilitation
12. Health Maintenance Organization

VIII. DOT:

13. Northeast Railroad
14. Federal Aid Highways
15. Urban Mass Transit

IX. TREASURY:

16. Par Value
17. POW Tax Relief
18. Tax Reform

X. AGRICULTURE:

19. Farm Bill

XI. INTERIOR:

20. Surface Mining



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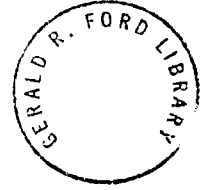
19. Farm Bill

XI. INTERIOR:

20. Surface Mining



LABOR



LEGISLATION: Manpower Training (S 1514; HR 7489)

BACKGROUND: Labor draft cleared on April 6, 1973

PROVISIONS: This bill, an extension of the Act, represents the statutory base for the Department of Labor to administratively implement manpower revenue sharing. \$1.3 billion is in the FY '74 Budget for this function. A separate bill for special revenue sharing was not requested.

STATUS:

HOUSE: Labor Committee reported amended bill, HR 7950, on June 18, 1973. However, this measure specifically prohibits revenue sharing.

SENATE: S 1560, adopted by Labor Committee in lieu of S 1514, now on Senate Calendar. The bill endorses revenue sharing approach.

OUTLOOK: Action likely after August recess. Result is likely to be more of same categorical manpower programs, without authority for revenue sharing.

JUSTICE



LEGISLATION: LEAA Revenue Sharing (S 1234; HR 5613)

BACKGROUND: Special Message on March 14, 1973.

PROVISIONS: Provides for \$800 million special revenue sharing for improving State and local criminal justice systems. Requested current block grant program drop matching requirements, maintenance of effort and federal approval requirements.

STATUS:

HOUSE: Passed amended bill, HR 8152, (391-0) on June 18, 1973. Extends authorization one year at \$1 billion.

SENATE: Passed McClellan substitute on June 28, 1973. Extends authorization for five years at annual level of \$1 billion.

OUTLOOK: Conference Committee has reconciled 32 matters in disagreement and should be reported soon. Final measure will not be pure revenue sharing, but continuation of block grants with "strings."

HUD



LEGISLATION: Better Communities Act (S. 1743; H. R. 7277)

BACKGROUND: Message sent March 8, 1973; HUD draft cleared April 18th.

PROVISIONS: Provides revenue-sharing at \$2.3 billion annually for community development, replacing categorical grant programs and reducing Federal control. Measure would take place of urban renewal, model cities, neighborhood facilities, water and sewer, public facilities, etc.

STATUS:

HOUSE: Absolutely no movement for hearings on H. R. 7277. It is doubtful if such will be scheduled soon, perhaps not even this year.

SENATE: First action taken July 16, 1973 with Secretary Lynn testifying before Subcommittee on House and Urban Affairs. During 3 hours of testimony, some five minutes spent on BCA, the remainder on Housing. The Administration's housing proposal won't be sent to Congress until September 7th.

OUTLOOK: HUD had thought there was a 50-50 chance for enactment by next year. This was a most optimistic outlook and most now agree the 93rd Congress will not pass Better Communities.



LEGISLATION: Better Schools Act (S. 1319; H. R. 5823)

BACKGROUND: HEW draft cleared March 18, 1973.

PROVISIONS: Provides for \$2.5 billion special revenue-sharing for education to replace 32 categorical grant programs and reducing Federal control from education. Better Schools Act would make funds available for five general purposes: disadvantaged, handicapped, vocational, impacted aid and supporting materials-services.

STATUS:

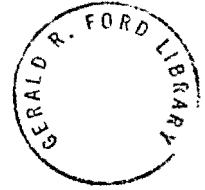
HOUSE: General Subcommittee on Education now in mark-up. Brademas says he will kill revenue sharing. Perkins bill, H. R. 69, likely to be reported. This is extension of ESEA categorical programs.

SENATE: S. 1319 will be considered during Subcommittee hearings on July 31. Chairman Pell will push his legislation for categorical programs.

OUTLOOK:

- A. The Administration agreed to allow the one-year simple extension of ESEA and modify FY '74 Budget request to continue categorical programs in return for Republican Leadership effort to secure revenue sharing.
- B. Very likely the President will receive extension of old programs and will have to be vetoed with request for consideration of Better Schools Act.
- C. Prospect is for eventual bill which will move toward revenue sharing, probably consolidating some programs for local priorities.

OMB



LEGISLATION: Bicentennial Reorganization (HR 3695)

BACKGROUND: Statement on February 1, 1973

PROVISIONS: Establishes an American Revolution Bicentennial Administration in lieu of the present Commission with a budget of \$7.1 million.

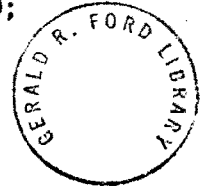
STATUS:

HOUSE: Passed in acceptable form (344-14), an amended bill HR 7446 on June 7, 1973. In addition to Administrator, the bill creates a Board of Directors and Advisory Council.

SENATE: Judiciary Subcommittee hearings held July 11, 1973. Hruska plans executive mark-up this week and hopes to get bill to Floor before August recess.

OUTLOOK: Promising.

LEGISLATION: Federal Election Reform Commission (SJ Res 110; HJ Res 559)



BACKGROUND: Presidential Message on May 16, 1973

PROVISIONS: Establishes a 17-member bipartisan Commission to study election reform and make appropriate recommendations by December 1, 1973.

STATUS:

HOUSE: Referred to House Administration on May 16, 1973. No action scheduled.

SENATE: Rules Committee reported bill on Floor this week, S 372, which is multi-purpose overhaul of Federal Elections Act. It includes: TV equal time repeal for all Federal offices, local stations retain political ads for two years, responsibility for expenditures by candidates tightened, re-defines political committees. establishes Federal Election Commission, reporting dates changed, sets limits on political gifts, establishes 20¢ per voter spending ceiling, permits voluntary contributions fund by business and labor, etc. Some 25 Floor Amendments pending.

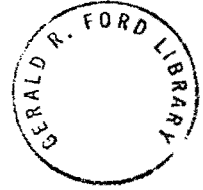
OUTLOOK: Wayne Hays, House Chairman, has no interest in Commission or other campaign reforms. Senate bill is so loaded and with so many pending amendments, there is prospect the measure will eventually be defeated. Too little time remaining to have commissions' recommendations considered and effective by 1974 campaigns.



OMB

LEGISLATION: Department of Energy & Natural Resources (S 2135; HR 9090)

BACKGROUND: Presidential Statement on June 29, 1973.



PROVISIONS: Combines the Department of Interior and parts of several other agencies to form a new Department of Energy and Natural Resources.

STATUS:

HOUSE: Referred to Government Operations on June 29, 1973. Subcommittee hearings being held this week.

SENATE: Referred to Government Operations on July 9, 1973.

OUTLOOK: Impossible this year; doubtful next year.

OMB



LEGISLATION: Legal Services Corporation (S 1815; HR 7824)

BACKGROUND: Special Message on 3/1/73

PROVISIONS: Provides for an 11-member legal service corporation to give access to legal representation for citizens who would otherwise have been denied it because of lack of funds. Contains provision for state advisory councils.

STATUS:

HOUSE: Amended HR 7824 passed House by vote of 276 - 95 on 6/21/73. Twenty amendments were added on House Floor so that measure restricts activity of poverty lawyers.

SENATE: Awaiting Committee action. Latest report is that Senate Labor and Public Welfare Committee may accept President's original version.

OUTLOOK: Prospects good for measure President can sign; after recess.

INTERIOR



LEGISLATION: Natural Gas Supply (S 2048; HR 7507)

BACKGROUND: Special Message on April 18, 1973

PROVISIONS: Provides that prices paid by interstate pipelines to producers for new supplies of domestic natural gas will be determined by competitive forces of the market system rather than by the Federal Power Commission (Deregulation at wellhead).

STATUS:

HOUSE: Referred to Commerce Committee; no further action and nothing scheduled.

SENATE: Referred to Senate Commerce Committee; no further action and nothing scheduled.

OUTLOOK: Pessimistic

INTERIOR



LEGISLATION: Alaska Pipeline (S. 1040; H. R. 5442)

BACKGROUND: Interior draft cleared February 27, 1973

PROVISIONS: This bill would amend the Mineral Leasing Act of 1920 granting rights-of-way across Federal lands to allow the construction of the Trans-Alaska Pipeline.

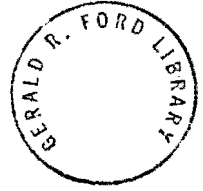
STATUS:

HOUSE: House Interior Committee reported H. R. 9130. By a vote of 20-17 Committee prohibited further court review of Pipeline.

SENATE: S. 1081 passed Senate on July 17 by vote of 77-20. Adopted Stevens Amendment, 49-48, barring court review of environmental aspects of the project.

OUTLOOK: Prospects good for enactment prior to recess.

INTERIOR



LEGISLATION: Deep Water Ports (S 1751; HR 7501)

BACKGROUND: Special Message on April 18, 1973

PROVISIONS: Provides authority for the Secretary of the Interior, in consultation with other federal agencies and State governments, to issue a license in waters beyond State jurisdiction for the operation of deep water ports.

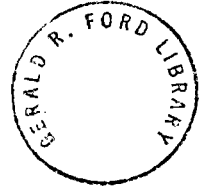
STATUS:

HOUSE: Before House Interior Environmental Subcommittee for hearings. Prospects in House are cloudy because of jurisdictional problems between Interior, Public Works, and Merchant Marine and Fisheries Committees.

SENATE: Interior, Commerce, and Public Works Committees will hold joint hearings July 23 - 25.

OUTLOOK: Doubtful

COMMERCE



LEGISLATION: Trade Reform Act of 1973 (HR 6767)

BACKGROUND: Special Message on April 10, 1973.

PROVISIONS: Gives the President the negotiating tools to achieve better treatment for America in world trade. Authority to raise, lower, or eliminate tariff barriers, to reach agreements on non-tariff barriers, adjustment assistance, unfair competition, MFN.

STATUS:

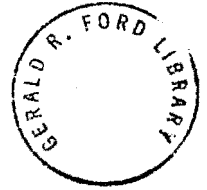
HOUSE: Ways and Means hearings commenced on May 9, and mark-up started on June 19. Committee currently pushing to report bill by August recess.

SENATE: Referred to Senate Committee on Finance. No hearings scheduled.

OUTLOOK: Believe the bill is shaping up to be acceptable to all interests and will be passed by House in September. Concerned over pernicious Floor amendments.

Senate should move quickly after House passage but possibility of "Christmas Tree" amendments which will have to be worked out in conference.

COMMERCE



LEGISLATION: Export Administration Act (S 2053; HR 8547)

BACKGROUND: Special Message on June 13, 1973

PROVISIONS: Amends the Export Administration Act of 1969, protects the domestic drain of scarce materials and commodities and reduces the inflationary impact of abnormal foreign demand.

STATUS:

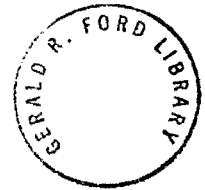
HOUSE: House Floor originally scheduled for July 19 postponed - probably until after Labor Day.

SENATE: Senate Banking Committee mark-up scheduled for July 25.

OUTLOOK: The Ashley bill, HR 8547, faces some opposition in the House, but the overall outlook is good. Free traders and agriculture bloc can be expected to fight measure.

In the Senate, Bob Packwood can be expected to try to amend bill to include provision of his log export control amendment.

LEGISLATION: Foreign Assistance Act (S. 1711; H. R. 7484)



BACKGROUND: Presidential Message sent May 1, 1973

PROVISIONS: Authorizes \$2.9 billion for economic and military assistance. Of this amount, \$1.2 billion is for military assistance and the remainder for economic assistance.

STATUS:

HOUSE: House Foreign Affairs Committee on July 19, 1973 ordered reported a clean bill -- H. R. 9360. Should be on House Floor this week. Military aid programs cut about 25%. Indochina funding is at Administration level but effort will be made on floor to cut.

SENATE:

- A. Senate separated military and economic programs into two bills. On June 26 Senate passed Military Assistance Bill authorizing \$770 million (1/2 requested amount). Many restrictive amendments added in committee and on Floor.
- B. Senate Foreign Relations Committee reported economic assistance bill last week which is \$1.2 billion or 25% below Budget. Courtesy referral to Finance Committee with mandatory reporting date of September 15.

OUTLOOK: Prospects are uncertain. Foreign aid has been kept alive by Continuing Resolution for two years. Conservatives and Liberals are opposed to program -- for different reasons.



## LABOR

**LEGISLATION:** Pensions (S. 1557; H. R. 6900)  
(Employee Benefits Protection Act and Retirement  
Benefits Tax Act)

**BACKGROUND:** Special Message April 11, 1973



### **PROVISIONS:**

- A. **Fiduciary Bill:** provides for the reform of the private pension system.
- B. **Vesting Bill:** Employee gains unforfeitable right to 50% of his pensions benefits when his age and his years of coverage totaled 50. After that 10% vesting each year until attain 100%.

### **STATUS:**

**HOUSE:** Erlenborn introduced H. R. 6900, Administration bill, on April 12, 1973. Chairman Dent is holding informal sessions on his bill, H. R. 2. It appears House is waiting for Senate to make the first move.

**SENATE:** S. 1557 still pending in Labor Committee. Williams/Javits bill, S. 4, now on Senate calendar. Senate could consider S. 4 prior to August recess. This measure is objectionable. Senate Finance Committee also reported vesting legislation on July 24, 1973. Both bills may be married on Senate Floor.

**OUTLOOK:** The President very likely will receive a measure he'll have to veto this fall. One hope is that both measures will be joined in a Ways & Means/Finance Committee bill number permitting a conference by more conservative Members than on Labor Committees.

Ed. + Labor  
X53725

LEGISLATION:

Pensions (S. 1557; H.R. 6900)  
(Employee Benefits Protection Act)

LABOR

BACKGROUND:

Special Message 4/11/73

*Ford / Quie / Bennett*



PROVISIONS:

Provides for the reform of the private pension system.

STATUS:

A. HOUSE: Erlenborn Introduced H.R. 6900, Adm. bill, on 4/12/73  
Chairman Dent is holding informal sessions on his  
bill, H.R. 2. It appears House is waiting for Senate  
to make the first move.

B. SENATE: S. 1557 still pending in Labor Committee. Williams/  
Javits bill, S. 4, now on Senate calendar. Senate  
could consider S. 4 prior to August recess (Byrd  
listed the bill as one to be taken up in July). This  
measure is objectionable. Senate Finance Committee  
also considering pension legislation.

OUTLOOK:

The President very likely will receive a measure he'll have to  
veto this fall.

*new*  
*Erlenborn's bill is HR 9232, attached.*

x 56065  
Interior Com.

INTERIOR

*Ford*

LEGISLATION:

✓ Alaska Pipeline (S. 1040; H. R. 5442)

BACKGROUND:

Interior draft cleared 2/27/73.



PROVISIONS:

This bill would amend the Mineral Leasing Act of 1920 to allow the construction of the Trans-Alaska Pipeline.

STATUS:

✓ A. HOUSE:

House Interior Public Lands Subcommittee reported H. R. 9130. ~~May go to full Committee soon.~~ *is meeting for mark-up of bill. Hope to finish today 7/24/73.*

B. SENATE:

S. 1081 passed Senate on July 17 by vote of 77-20.

OUTLOOK:

*check w Koury*

W + m Com.  
X 54021

COMMERCE

LEGISLATION:

✓ Trade Reform Act of 1973 (H. R. 6767)

BACKGROUND:

Special Message 4/10/73

*Ford / Conable*



PROVISIONS:

Gives the President the negotiating tools to achieve better treatment for America in world trade.

STATUS:

- ✓ A. House: Hearings commenced on May 9 and mark-up started on June 18. Committee currently pushing to report bill so it can be passed by August recess. *(Doubtful now that it will have action before recess)*
- B. Senate: Referred to Senate Committee on Finance. No hearings scheduled.

OUTLOOK:

Believe the bill is shaping up to be acceptable to all interests. It will be passed by House barring any wild amendments.

Interior Com.  
X 56065

INTERIOR

*Ford*

*Mailhard*



LEGISLATION:

✓ Deep Water Ports (S 1751; HR 7501)

BACKGROUND:

Special Message 4/18/73

PROVISIONS:

Provides authority for the Secretary of the Interior, in consultation with other federal agencies and State government to issue a license in waters beyond State jurisdiction for the operation of deep water ports.

STATUS:

✓ A. HOUSE:

Before House Interior Environmental Subcommittee for hearings. ← Prospects in House are cloudy because of jurisdictional problems between Interior, Public Works and Merchant Marine and Fisheries Committees. No Floor action in the House likely until after the recess.

*Hearings held up because of other hearings on Alaska Pipeline.*

B. SENATE:

Interior, Commerce, and Public Works Committees will hold joint hearings July 23 through 25. No Senate Floor action likely before recess.

OUTLOOK:

Govt. Operations  
X 55074

Ford / Anderson

LEGISLATION:

Dept. of Energy and Natural Resources (S. 2135; H.R. 9090)

BACKGROUND:

Presidential Statement



PROVISIONS:

Combines the Dept. of Interior and several other agencies to form a Dept. of Energy and Natural Resources.

STATUS:

Hearings started Tuesday (7/24)

- A. HOUSE: Referred to Government Operations on 6/29/73. *Presently holding hearings - will continue for several days.*
- B. SENATE: Referred to Government Operations on 7/9/73

OUTLOOK:

Memo: Mr. Horton says he is optimistic about getting a bill out by November. They will continue hearings this week and next and resume after the recess. He says Chairman Holifield is generally favorable to the bill's objectives and the only problem he sees may come from the Corps of Engineers. He praised Mr. Ash's preliminary spadework in obtaining input from Government Operations and other House Committees concerned and said Holifield also appears to get along well with Ash.

RTH

(HR 5163) (HR 69)

↓  
Quie & Perkins  
still trying to  
change each others  
minds about their  
points of view.  
Will know better  
by Oct. what is  
going to happen.  
No. support at  
all for Adm. Bill  
(HR 5823) in the  
Committee.



*ford / Qme*

LEGISLATION:

✓ Better Schools Act (S 1319; HR 5823)

BACKGROUND:

HEW draft cleared 3/18/73



PROVISIONS:

Provides for special revenue-sharing for education to replace categorical grant programs and remove Federal control from education.

STATUS:

- ✓ A. HOUSE: General Subcommittee on Education now in mark-up. Brademas says he will kill HR 5823. Perkins bill, HR 69, likely to be reported. This is extension of ESEA.
- B. SENATE: S 1319 will be considered during Subcommittee hearings on July 31. Chairman Pell will push his version, S 1539.

OUTLOOK:



INTERIOR

Ford / Levine

LEGISLATION:

✓ Natural Gas Supply (S 2048; HR 7507)

BACKGROUND:

Special Message 4/18/73



PROVISIONS:

Provides that prices paid by interstate pipelines to producers for new supplies of domestic natural gas will be determined by competitive forces of the market system rather than by the Federal Power Commission.

STATUS:

- ✓ A. HOUSE: Referred to Commerce Committee; no further action and nothing scheduled.
  
- B. SENATE: Referred to Senate Commerce Subcommittee  
No further action and nothing scheduled.

OUTLOOK:

Foreign Affairs  
X56735

Scott / Millard

LEGISLATION:

Foreign Assistance Act (S 1711; HR 7484)

BACKGROUND:

Presidential Message



PROVISIONS:

Authorizes \$2.9 (b) billion for economic and military assistance. Of this amount, \$1.2 (b) billion is for military assistance and the remainder for economic assistance.

STATUS:

✓ A. HOUSE:

House Foreign Affairs Committee on 7/19/73  
ordered reported a clean bill -- HR 9360 (Morgan)  
*Scheduled for floor action tomorrow  
(7/25/73) Wednesday*

OUTLOOK:

Banking + Curr. X 52805  
(Housing)

LEGISLATION:

HUD

✓ Better Communities Act (S. 1743; H.R. 7277)

BACKGROUND:

HUD draft cleared 4/18/73

Scott / Tower / Wiedner



PROVISIONS:

Provides revenue sharing for community development replacing categorical grant programs and reducing Federal control.

STATUS:

- ✓ A. HOUSE: Absolutely no movement for hearings on H.R. 7277. It is most doubtful if such will be scheduled soon, perhaps not even this year.
- B. SENATE: First action taken 7/16/73 with Sec'y Lynn testifying before Subcommittee on House and Urban Affairs. During 3 hours of testimony, some five minutes spent on BCA, the remainder on Housing. The Administration's housing proposal won't be sent to Congress until Sept. 7. The opening of the 2 wks of hearings considered a failure.

OUTLOOK:

D.O.T. had though there was a 50/50 chance for enactment by next year. This was a most optimistic outlook and most agree the 93rd Congress will not pass Better Communities.

LEGISLATION:

COMMERCE

✓ Export Administration Act (S. 2053; H. R. 8547)

BACKGROUND:

scott / Bennett / W. W. W. W.

Special message - 6/13/73



PROVISIONS:

Amends the Export Administration Act of 1969, protects the domestic drain of scarce materials and commodities and reduces the inflationary impact of abnormal foreign demand.

STATUS:

- ✓ A. HOUSE: House Floor originally scheduled for 7/19 postponed *until September at least* x
- B. SENATE: Senate Banking Committee mark-up scheduled for 7/25

OUTLOOK:

The Ashley bill, H.R. 8547, faces some opposition in the House, but the overall outlook is good. Free traders and agriculture bloc can be expected to fight measure.

*Why postponed until Sept?*  
*after farm bill - soybeans one item -*  
*has using existing authority*

Scott

LEGISLATION:

✓ Bicentennial Reorganization (HR 3695)

BACKGROUND:

Statement 2/1/73



PROVISIONS:

Establishes an American Rev. Bicentennial Administration in lieu of the present Commission.

STATUS:

✓ A. HOUSE: Has passed in acceptable form, 344-14, an amended bill HR 7446.

B. SENATE: Judiciary Subcommittee hearings held July 11, 1973. Ifruska plans executive mark-up this week and hopes to get bill to Floor before August recess.

OUTLOOK:

LEGISLATION:

✓ Legal Services Corporation (S 1815; H. R. 7824)

BACKGROUND:

Special Message 3/1/73

Scott / Coriffen  


PROVISIONS:

Provides for a legal service corporation to give access to legal representation for Americans who would otherwise have been denied it because of lack of funds.

STATUS:

- ✓ A. HOUSE: Amended H. R. 7824 passed House by vote of 276 - 95 on 6/21/73.
  
- B. SENATE: Awaiting Committee action. Latest report is that Senate Labor and Public Welfare Committee may accept House version.

OUTLOOK:

LEGISLATION:

✓ Manpower Training (S 1514; H. R. 7489)

BACKGROUND:

Labor draft cleared 4/6/73



*Scott/Griffin/Quinn*

PROVISIONS:

This bill, along with the manpower programs authorized under the Economic Opportunity Act, represent the statutory base for the Dept. of Labor to administratively implement manpower revenue sharing.

STATUS:

- ✓ A. HOUSE: Labor Committee reported amended bill, H. R. 7950, on 6/18/73. Floor action not scheduled. *awaiting a rule.*
- B. SENATE: S 1560, adopted by Labor Committee in lieu of S 1514, now on Senate calendar. July action probable.

OUTLOOK:

House Adm  
x 52060

Scott  
Ford

✓ LEGISLATION:  
Federal Election Reform Commission  
(SJ Res. 110; HJ Res 559)

BACKGROUND:  
Presidential Message



PROVISIONS:  
Establishes a bi-partisan Commission to study election reform and make appropriate recommendations.

STATUS:  
A. SENATE: Senate Rules reported on 7/11/73 SJ 110 with amendments.  
✓ B. HOUSE: Referred to House Administration on 5/16/73  
*Probably will not schedule any hearing until after August recess.*

OUTLOOK:



LEGISLATION:

JUSTICE

LEAA Revenue Sharing (S. 1234; H.R. 5613)

BACKGROUND:

Special Message 3/14/73



PROVISIONS:

Provides for special revenue-sharing for improving State and local criminal justice systems.

STATUS:

- A. HOUSE: Passed amended bill (391-0) H.R. 8152 on 6/18/73. Extends authorization 1 year at \$1 billion.
- B. SENATE: Passed McClellan substitute on 6/28/73. Extends authorization for 5 years.

OUTLOOK:

Conference Committee has reconciled 32 matters in disagreement. Remaining to be settled are:

- (1) Juvenile Justice Provision (Bayh Amendment)
- (2) Kennedy Dissemination of information Amendment
- (3) Length of authorization - two years or four years.

Conference should be reported soon.

93<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 5613



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IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 1973

Mr. HUTCHINSON (for himself, Mr. McCLORY, and Mr. SANDMAN) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To provide for special law enforcement revenue sharing.

1        *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That this Act may be cited as the "Law Enforcement  
4 Revenue Sharing Act of 1973".

5        SEC. 2. Title I of the Omnibus Crime Control and  
6 Safe Streets Act of 1968, as amended, is amended to read  
7 as follows:

8                    "DECLARATIONS AND PURPOSE

9        "Congress finds that the high incidence of crime in the  
10 United States threatens the peace, security, and general wel-  
11 fare of the Nation and its citizens. To prevent crime and to

1 insure the greater safety of the people, law enforcement  
2 efforts must be better coordinated, intensified, and made more  
3 effective at all levels of government.

4 "Congress finds further that crime is essentially a local  
5 problem that must be dealt with by State and local govern-  
6 ments if it is to be controlled effectively.

7 "It is, therefore, the declared policy of the Congress to  
8 assist State and local governments in strengthening and  
9 improving law enforcement at every level by national assist-  
10 ance. It is the purpose of this title to (1) authorize special  
11 revenue sharing payments to State and units of local govern-  
12 ment in order to reduce and prevent crime and delinquency;  
13 (2) encourage States and units of general local government  
14 to prepare and adopt comprehensive plans based upon their  
15 evaluation of State and local problems of law enforcement;  
16 (3) encourage improved management of law enforcement  
17 activities; and (4) encourage research and development  
18 directed toward the improvement of law enforcement and  
19 the development of new methods for the prevention and  
20 reduction of crime and the detection and apprehension of  
21 criminals.

22 "PART A—LAW ENFORCEMENT ASSISTANCE

23 ADMINISTRATION

24 "SEC. 101. (a) There is hereby established within the  
25 Department of Justice under the authority of the Attorney

1 General, a Law Enforcement Assistance Administration  
2 (hereinafter referred to in this title as 'Administration')  
3 composed of an Administrator of Law Enforcement Assist-  
4 ance, who shall be appointed by the President, by and with  
5 the advice and consent of the Senate, and a Deputy Admin-  
6 istrator.

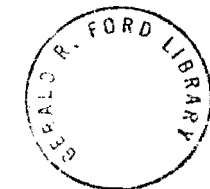
7 "(b) The Attorney General may delegate, and author-  
8 ize redelegation of all functions, powers, and duties created  
9 and established by this title so long as the Attorney General  
10 remains responsible for overall supervision, direction, and  
11 management of the programs authorized.

12 "PART B—STATE PLANNING PROCESS

13 "SEC. 201. It is the purpose of this part to encourage  
14 States and units of general local government to prepare and  
15 adopt comprehensive law enforcement plans based on their  
16 evaluation of State and local problems of law enforcement.

17 "SEC. 202. (a) Any State desiring to participate in the  
18 special revenue sharing program shall establish a State law  
19 enforcement planning process to be under the supervision and  
20 control of the Governor and including local government  
21 participation for the preparation, revision, and implemen-  
22 tation of the State plans required under this part.

23 "(b) Any areawide planning shall be the responsibility  
24 of a multijurisdictional planning and policy development  
25 organization designated by the Governor pursuant to pro-



1 cedures established for implementing title IV of the Inter-  
 2 governmental Cooperation Act of 1968, a majority of whose  
 3 policy board is composed of elected officials representing  
 4 general local government. Such an organization may have an  
 5 advisory body on matters relating to the purposes of this  
 6 title to include representatives of law enforcement agencies  
 7 and public agencies maintaining programs to reduce and  
 8 control crime.

9 "SEC. 203. The State shall—

10 "(1) develop, after appropriate hearings and con-  
 11 sultation with elected representatives of units of general  
 12 local government, representatives of law enforcement  
 13 agencies, and of public agencies maintaining programs  
 14 to reduce and control crime and delinquency, a compre-  
 15 hensive statewide plan for the reduction and prevention  
 16 of crime and delinquency;

17 "(2) define, develop, and correlate programs and  
 18 projects for the State and the units of general local  
 19 government in the State or combinations of States or  
 20 units for the reduction and prevention of crime and  
 21 delinquency;

22 "(3) establish priorities for the reduction and pre-  
 23 vention of crime and delinquency throughout the State;

24 "(4) adopt measures designed to bring to the at-  
 25 tention of the citizens of the State the contents of the  
 26 comprehensive statewide plan and any substantial modi-

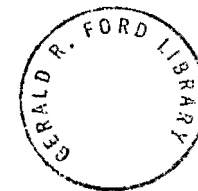
1 fication thereof immediately following the adoption of  
 2 such plan or any such modification by the State;

3 "(5) provide for the expenditure of amounts re-  
 4 ceived under special revenue sharing in accordance with  
 5 the laws and procedures applicable to the expenditure  
 6 of its own revenues;

7 "(6) adequately take into account the plans, needs  
 8 and requests of the units of general local government in  
 9 the State and encourage local initiative and interlocal  
 10 cooperation in the development of programs and projects  
 11 for the reduction and prevention of crime and delin-  
 12 quency, and provide for an appropriately balanced allo-  
 13 cation of funds between the State and the units of general  
 14 local government in the State and among such units  
 15 provide in the plan for the allocation of an adequate share  
 16 of assistance for law enforcement problems in areas char-  
 17 acterized by both high crime incidence and high law  
 18 enforcement activity;

19 "(7) provide for administration, fiscal control fund  
 20 accounting, audit and monitoring and evaluation proce-  
 21 dures as may be necessary to assure proper management  
 22 and disbursement of funds received under this title;

23 "(8) provide for the submission of such reports in  
 24 such form, at such times, and containing such informa-  
 25 tion as the Attorney General may reasonably require to



1 evaluate the overall impact of the plan and programs and  
2 to report to the President and the Congress on its priori-  
3 ties and effectiveness;

4 “(9) provide for appropriate review of procedures  
5 of actions taken by the State government disapproving  
6 an application for which funds are available or terminat-  
7 ing or refusing to continue financial assistance to a State  
8 agency or a unit of general local government or com-  
9 bination of such units;

10 “(10) provide that all meetings of any planning  
11 organizations established under this title at which any  
12 final action is taken respecting the approval of compre-  
13 hensive State plans (or regional or local components  
14 thereof), non-confidential applications for or award of  
15 funds, and the allocation or expenditure of such funds  
16 shall be public meetings. Such meetings shall be pre-  
17 ceeded by a public notice giving the time, place and gen-  
18 eral nature of business to be transacted;

19 “(11) provide for public access to all nonconfi-  
20 dential records; and

21 “(12) certify that financial efforts for law enforce-  
22 ment purposes by the State and the aggregate efforts  
23 by local units of government within the State (out of  
24 their own source) during a fiscal year are not less than  
25 the effort in the preceding year or the average of the

1 prior three years. The Attorney General shall accept  
2 such a certification unless he determines that such certi-  
3 fication is not sufficiently reliable to enable him to carry  
4 out his duties under this title.

5 “SEC. 204. (a) Each State government which expects  
6 to receive funds under part C for any entitlement period  
7 beginning on or after July 1, 1973, shall submit a compre-  
8 hensive State plan formulated pursuant to section 301  
9 and 303. Thereafter such plan shall be submitted every three  
10 years with an annual revision to reflect any changes neces-  
11 sary. Such revisions shall be submitted annually to the  
12 Attorney General.

13 “(b) The Attorney General shall review such plans  
14 and provide the State with such comments and recommenda-  
15 tions as he deems appropriate. Within a reasonable time  
16 after providing the State with any such comments and rec-  
17 ommendations, the Attorney General shall submit such  
18 comments and recommendations to Congress and publish  
19 them in the Federal Register.

20 “PART C—REVENUE SHARING FOR LAW ENFORCEMENT  
21 PURPOSES

22 “SEC. 301. (a) It is the purpose of this part to  
23 encourage States and units of general local government or  
24 combinations thereof, through special revenue-sharing pay-  
25 ments and other forms of financial assistance, to develop



1 and implement programs and projects to reduce and prevent  
2 crime and delinquency.

3 “(b) The Attorney General is authorized to make  
4 special revenue-sharing payments and other forms of finan-  
5 cial assistance to States for law enforcement purposes  
6 including—

7 “(1) public protection, including the development,  
8 demonstration, evaluation, implementation, and purchase  
9 of methods, devices, facilities, and equipment designed  
10 to improve and strengthen law enforcement and reduce  
11 crime in public and private places;

12 “(2) the recruiting of law enforcement personnel  
13 and the training of personnel in law enforcement;

14 “(3) public education relating to crime prevention  
15 and encouraging respect for law and order, including  
16 education programs in schools and programs to improve  
17 public understanding of and cooperation with law en-  
18 forcement agencies;

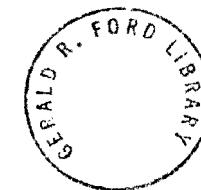
19 “(4) constructing buildings or other physical facil-  
20 ities which would fulfill or implement the purpose of  
21 this section, including local correctional facilities, centers  
22 for the treatment of narcotic addicts, and temporary  
23 courtroom facilities in areas of high crime incidence;

24 “(5) the organization, education, and training of  
25 special law enforcement units to combat organized crime,

1 including the establishment and development of State or-  
2 ganized crime prevention councils, the recruiting and  
3 training of special investigative and prosecuting person-  
4 nel, and the development of systems for collecting, stor-  
5 ing, and disseminating information relating to the control  
6 of organized crime;

7 “(6) the organization, education, and training of  
8 regular law enforcement officers, special law enforce-  
9 ment units, and law enforcement reserve units for the  
10 prevention, detection, and control of riots and other  
11 violent civil disorders, including the acquisition of riot  
12 control equipment;

13 “(7) the recruiting, organization, training and edu-  
14 cation of community service officers to serve with and  
15 assist local and State law enforcement agencies in the dis-  
16 charge of their duties through such activities as recruit-  
17 ing; improvement of police-community relations and  
18 grievance resolution mechanisms; community patrol ac-  
19 tivities; encouragement of neighborhood participation  
20 in crime prevention and public safety efforts; and other  
21 activities designed to improve police capabilities, public  
22 safety and the objectives of this section. In no case shall  
23 a grant be made under this subcategory without the  
24 approval of the local government or local law enforce-  
25 ment agency;



1       “(8) the establishment of a Criminal Justice Co-  
2       ordinating Council for any unit of general local govern-  
3       ment or any combination of such units within the State,  
4       having a population of two hundred and fifty thousand  
5       or more, to assure improved planning and coordination  
6       of all law enforcement activities;

7       “(9) the development and operation of com-  
8       munity based delinquent prevention and correctional  
9       programs, emphasizing diagnostic services, halfway  
10      houses and other community based rehabilitation centers  
11      for initial preconviction or postconviction referral of  
12      offenders; expanded probationary programs, including  
13      paraprofessional and volunteer participation; and com-  
14      munity service centers for the guidance and supervision  
15      of potential repeat youthful offenders;

16      “(10) the development and operation of justice  
17      reform programs, including improved court administra-  
18      tion and law reform;

19      “(11) the rendering of technical assistance in mat-  
20      ters relating to law enforcement;

21      “(12) the establishment of programs of academic  
22      educational assistance through contracts with institu-  
23      tions of higher education for grants or loans to persons  
24      enrolled in undergraduate or graduate programs in areas  
25      related to law enforcement;

1       “(13) the operation of State, regional, and local  
2       planning processes for the preparation, development,  
3       evaluation, and revision of State plans; and

4       “(14) the improved management of law enforce-  
5       ment activities.

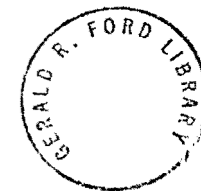
6       “(c) Any special revenue sharing payment made under  
7       this section may be used to pay up to 100 per centum of the  
8       cost of programs or projects specified in the comprehensive  
9       plan required to be submitted under this title.

10      “(d) No part of any special revenue sharing payment  
11      for the purpose of renting, leasing, or constructing buildings  
12      or other physical facilities shall be used for land acquisition.

13      “SEC. 302. (a) The Attorney General is authorized to  
14      obligate funds for the continuation of projects approved un-  
15      der title I of the Omnibus Crime Control and Safe Streets  
16      Act of 1968, as amended, prior to the date of enactment  
17      of this title to the extent that such approval provided for  
18      continuation.

19      “(b) Any funds obligated and all activities necessary  
20      may be carried out with funds previously appropriated and  
21      funds appropriated pursuant to this title.

22      “SEC. 303. (a) The Attorney General shall make spe-  
23      cial revenue sharing payments to a State government if such  
24      State has on file with the Attorney General a comprehensive



1 State plan which conforms with the purposes and require-  
2 ments of this title.

3 “(b) To be comprehensive the plan should conform to  
4 the definition in section 601 (m) and should consider state-  
5 wide priorities for the improvement and coordination of all  
6 aspects of law enforcement, the relationships of activities car-  
7 ried out under this title to related activities being car-  
8 ried out under other Federal programs, the general types  
9 of improvements to be made in the future, the effective uti-  
10 lization of existing facilities, the encouragement of coopera-  
11 tive arrangements between units of general local govern-  
12 ment, innovations and advanced techniques in the design of  
13 institutions and facilities, and advanced practices in the re-  
14 cruitment, organization, training, and education of law en-  
15 forcement personnel. It shall thoroughly address improved  
16 court programs and practices throughout the State. It shall  
17 include a long-range all-inclusive program for the construc-  
18 tion, acquisition, or renovation of correctional institutions  
19 and facilities in the State and the improvement of correctional  
20 programs and practices throughout the State. Such programs  
21 must adequately reflect National and State standards for all  
22 functions of the correctional and court systems.

23 “SEC. 304. The State government shall receive applica-  
24 tions for financial assistance submitted by heads of State  
25 agencies and the chief executive officers of units of general

1 local government, combinations of such units and other ap-  
2 plicants. When a State government determines that such an  
3 application is in accordance with the purposes stated in sec-  
4 tion 301 and is in conformance with any existing statewide  
5 comprehensive law enforcement plan, the State government  
6 is authorized to disburse funds to the applicant.

7 “SEC. 305. Where a State has failed to file a compre-  
8 hensive State plan as required by this title, the funds allo-  
9 cated for such State under paragraph (1), section 306 (a)  
10 of this title shall be available for reallocation by the Attorney  
11 General under paragraph (2) of section 306 (a).

12 “SEC. 306. (a) The funds appropriated each fiscal year  
13 for this part shall be allocated by the Attorney General as  
14 follows:

15 “(1) Eighty-five per centum of such funds shall  
16 be allocated among the States as special revenue sharing  
17 payments. The Attorney General shall make an initial  
18 allocation of \$200,000 to each of the States for the sup-  
19 port of the State, areawide, and local planning process.  
20 The Attorney General shall then allocate the remainder  
21 of such funds available among the States according to  
22 their relative populations. Of the amount allocated by  
23 population 5 per centum of the total shall be made avail-  
24 able for support of the State, areawide, and local plan-  
25 ning process.





1           “(A) At least the per centum of the special  
2 revenue sharing payments made to the State under  
3 this part for any fiscal year which corresponds to the  
4 per centum of the State and local law enforcement  
5 funds used in the immediately preceding fiscal year  
6 by units of general local government shall be made  
7 available to such units or combinations of such units  
8 in the immediately following fiscal year for the de-  
9 velopment and implementation of programs and  
10 projects for the reduction and prevention of crime  
11 and delinquency. Per centum determination will be  
12 applied to 70 per centum of the total special revenue  
13 sharing payment after reduction of the amount al-  
14 located for support of the planning process as speci-  
15 fied in section 306 (a) (1) ; the remaining 30 per  
16 centum may be used by the State for local or State  
17 adult and juvenile correctional programs, court pro-  
18 grams, technical assistance, and law enforcement  
19 education. Per centum determinations under this  
20 paragraph for law enforcement funding and expendi-  
21 tures for such accurate and complete data available  
22 for such fiscal year or for the last fiscal year for  
23 which such data are available, and reflect adjust-  
24 ments for any major program responsibility shifts  
25 between State and local government. Upon applica-

1           tion the Attorney General may waive the per cen-  
2 tum requirements upon a finding that the planning  
3 process developed under part B will assure that  
4 special revenue sharing funds for any fiscal year will  
5 be available to carry out the provisions of section  
6 203 (6).

7           “(B) Of the funds allocated for the planning  
8 process at least 40 per centum of such funds for any  
9 fiscal year shall be available to units of general local  
10 government or combinations of such units to enable  
11 such units and combinations of such units to par-  
12 ticipate in the formulation of the comprehensive  
13 State plan required under the title. Upon applica-  
14 tion the Attorney General may waive this require-  
15 ment in whole or in part, upon a finding that the  
16 requirement is inappropriate in view of the respec-  
17 tive law enforcement planning responsibilities exer-  
18 cised by the State and its units of general local  
19 government and that adherence to the requirement  
20 would not contribute to the efficient development of  
21 the State plan required under this title. In allocating  
22 planning funds the State shall assure that major  
23 cities and counties within the State receive planning  
24 funds to develop comprehensive plans and coordinate  
25 functions at the local level.



1           “(2) Fifteen per centum of such funds, plus any  
2 additional amounts made available by virtue of the ap-  
3 plication of the provisions of sections 305 and 509 of  
4 this title to the grant or revenue sharing payment of  
5 any State, may, in the discretion of the Attorney Gen-  
6 eral, be allocated among the States, units of general local  
7 government, or combinations of such units, and to non-  
8 profit organizations according to the criteria and on the  
9 terms and conditions the Attorney General determines  
10 consistent with the title.

11           “(b) Any grant made from funds available under para-  
12 graph (2) of this subsection may be up to 100 per centum  
13 of the cost of the program or project for which such grant  
14 is made. No part of any such grant shall be used for land  
15 acquisition.

16           “SEC. 307. For the purposes of this title, the term ‘spe-  
17 cial revenue sharing payment’ means a grant of funds  
18 allocated to a State in accordance with section 306.

19           “SEC. 308. (a) No person in any State shall on the  
20 ground of race, color, national origin, or sex be excluded  
21 from participation in, be denied the benefits of, or be sub-  
22 jected to discrimination under any program or activity  
23 funded in whole or in part with funds made available from  
24 the Law Enforcement Special Revenue Sharing Act.

25           “(b) Whenever the Attorney General determines that

1 a State government or unit of general local government has  
2 failed to comply with subsection (a) or an applicable reg-  
3 ulation, he shall notify the Governor of the State of the  
4 noncompliance and shall request the Governor to secure  
5 compliance. If within a reasonable period of time the Gov-  
6 ernor fails or refuses to secure compliance, the Attorney  
7 General is authorized—

8           “(1) to institute an appropriate civil action;

9           “(2) to exercise the powers and functions pursuant  
10 to title VI of the Civil Rights Act of 1964 (42 U.S.C.  
11 2000d) ;

12           “(3) to exercise the powers and functions provided  
13 in section 509 of this title; or

14           “(4) to take such other action as may be provided  
15 by law.

16           “(c) Whenever the Attorney General has reason to  
17 believe that a State government or unit of local government  
18 is engaged in a pattern or practice in violation of the pro-  
19 visions of this section, the Attorney General may bring  
20 a civil action in any appropriate United States district  
21 court for such relief as may be appropriate, including in-  
22 junctive relief.

23           “SEC. 309. The amounts appropriated and allocated for  
24 special revenue sharing payments shall be paid to the re-  
25 spective States at such intervals and in such installments



1 as the Attorney General may determine, taking account of  
2 the objective that the time elapsing between the transfer of  
3 funds from the United States Treasury and the disbursement  
4 thereof by the State shall be minimized.

5 "PART D—RESEARCH, DEMONSTRATION, AND TRAINING

6 "SEC. 401. It is the purpose of this part to provide  
7 for and encourage training, education, research, and develop-  
8 ment for the purpose of improving law enforcement and  
9 developing new methods for the prevention and reduction  
10 of crime, and the detection and apprehension of criminals.  
11 These purposes will include—

12 " (1) to make grants to, or enter into contracts  
13 with, public agencies, institutions of higher education,  
14 or private organizations to conduct research, demonstra-  
15 tions, or special projects pertaining to the purposes  
16 described in this title; including the development of new  
17 or improved approaches, techniques, systems, equip-  
18 ment, and devices to prevent and reduce crime and  
19 delinquency;

20 " (2) to make continuing studies and undertake  
21 programs of research to develop new or improved ap-  
22 proaches, techniques, systems, equipment, and devices  
23 to prevent and reduce crime and delinquency, including,  
24 but not limited to, the effectiveness of projects or pro-  
25 grams carried out under this title;

1 " (3) to carry out programs of behavioral research  
2 designed to provide more accurate information on the  
3 causes of crime and the effectiveness of various means  
4 of preventing crime, and to evaluate the success of cor-  
5 rectional procedures;

6 " (4) to make recommendations for action which  
7 can be taken by Federal, State, and local governments  
8 and by private persons and organizations to prevent  
9 and reduce crime and delinquency;

10 " (5) to carry out programs of instructional assist-  
11 ance consisting of research fellowships for the programs  
12 provided under this section, and special workshops for  
13 the presentation and dissemination of information result-  
14 ing from research, demonstrations, and special projects  
15 authorized by this title;

16 " (6) to carry out a program of collection and dis-  
17 semination of information obtained by other Federal  
18 agencies, public agencies, institutions of higher educa-  
19 tion or private organizations engaged in projects under  
20 this title, including information relating to new or im-  
21 proved approaches, techniques, systems, equipment, and  
22 devices to prevent and reduce crime and delinquency;

23 " (7) to establish a research center to carry out the  
24 programs described in this section; and

25 " (8) to cooperate with and render training and



1 technical assistance to States, units of general local gov-  
 2 ernment, combinations of such States or units, or other  
 3 public or private agencies, organizations, or institutions  
 4 in matters relating to law enforcement. While participat-  
 5 ing in the training program or traveling in connection  
 6 with participation in the training program, State and  
 7 local personnel shall be allowed travel expenses and a  
 8 per diem allowance in the same manner as prescribed  
 9 under section 5703 (b) of title 5 for persons employed  
 10 intermittently in the Government service.

11 "SEC. 402. There is established within the Law En-  
 12 forcement Assistance Administration a National Institute  
 13 of Law Enforcement and Criminal Justice. It shall be the  
 14 purpose of the Institute to encourage research and develop-  
 15 ment to prevent and reduce crime and delinquency.

16 "SEC. 403. A grant authorized under this part may be  
 17 up to 100 per centum of the total cost of each project for  
 18 which such grant is made. The Attorney General shall  
 19 require, whenever feasible, as a condition of approval of a  
 20 grant under this part, that the recipient contribute money,  
 21 facilities, or services to carry out the purpose for which the  
 22 grant is sought.

23 "SEC. 404. (a) The Director of the Federal Bureau  
 24 of Investigation is authorized to—

25 "(1) establish and conduct training programs at

1 the Federal Bureau of Investigation National Academy  
 2 at Quantico, Virginia, to provide, at the request of a  
 3 State or unit of local government, training for State  
 4 and local law enforcement personnel;

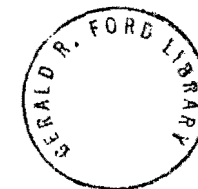
5 "(2) develop new or improved approaches, tech-  
 6 niques, systems, equipment, and devices to improve and  
 7 strengthen law enforcement; and

8 "(3) assist in conducting, at the request of a State  
 9 or unit of local government, local and regional training  
 10 programs for the training of State and local law enforce-  
 11 ment personnel. Such training shall be provided only  
 12 for persons actually employed as State police or high-  
 13 way patrol, police of a unit of local government, sheriffs  
 14 and their deputies, and such other persons as the State  
 15 or unit may nominate for police training while such per-  
 16 sons are actually employed as officers of such State or  
 17 unit.

18 "(b) In the exercise of the functions, powers, and  
 19 duties established under this section the Director of the  
 20 Federal Bureau of Investigation shall be under the general  
 21 authority of the Attorney General.

22 "PART E—ADMINISTRATIVE PROVISIONS

23 "SEC. 501. The Attorney General shall prescribe, after  
 24 appropriate consultation with representatives of States and  
 25 units of general local government, such regulations as may



1 be necessary or appropriate to carry out the provisions  
2 of this title.

3 "SEC. 502. The Attorney General may establish, alter, or  
4 discontinue such organizational units of the Administration as  
5 he may deem necessary or appropriate.

6 "SEC. 503. Title 5 of the United States Code, subsection  
7 (c) (10) of section 5108 remains unchanged.

8 "SEC. 504. Upon authorization of the Attorney Gen-  
9 eral, any hearing examiner assigned to or employed for the  
10 purpose of this title, shall have the power to hold hearings,  
11 sign and issue subpoenas, administer oaths, examine witnesses,  
12 and receive evidence at any place in the United States he  
13 may designate.

14 "SEC. 505. Effective January 1, 1974, section 5315 of  
15 title 5 of the United States Code is amended by deleting—

16 "“(90) Associate Administrator of the Law En-  
17 forcement Assistance (2)’.

18 "SEC. 506. Section 5316 of title 5 of the United States  
19 Code is amended by adding at the end thereof the following  
20 new subsection:

21 "“(131) Deputy Administrator of Law Enforce-  
22 ment Assistance.’.

23 "SEC. 507. Subject to the civil service and classification  
24 laws, the Attorney General is authorized to select, appoint,  
25 employ, and fix compensation of such officers and employees,

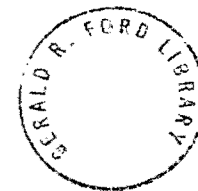
1 including hearing examiners, as shall be necessary to carry  
2 out its powers and duties under this title.

3 "SEC. 508. The Attorney General is authorized, on a  
4 reimbursable basis when appropriate, to use the available  
5 services, equipment, personnel, and facilities of other civilian  
6 or military agencies and instrumentalities of the Federal  
7 Government, and to cooperate with such other agencies  
8 and instrumentalities in the establishment and use of serv-  
9 ices, equipment, personnel, and facilities of the Administra-  
10 tion. The Attorney General is further authorized to confer  
11 with and avail himself of the cooperation, services, records,  
12 and facilities of State, municipal, or other local agencies, and  
13 to receive and utilize, for the purposes of this title, property  
14 donated or transferred for the purposes of testing by any  
15 other Federal agencies, States, units of general local govern-  
16 ment, public or private agencies or organizations, institu-  
17 tions of higher education, or individuals.

18 "SEC. 509. Whenever the Attorney General, after rea-  
19 sonable notice and opportunity for hearing to an applicant  
20 or a grantee under this title, finds that, with respect to any  
21 payments made or to be made under this title, there is a  
22 substantial failure to comply with—

23 " (a) the provisions of this title;

24 " (b) regulations promulgated by the Attorney Gen-  
25 eral under this title; or



1           “(c) a plan or application submitted in accordance  
2           with the provisions of this title.  
3           the Attorney General shall notify such applicant or grantee  
4           that further payments shall not be made (or in its discretion  
5           that further payments shall not be made for activities in  
6           which there is such failure), until there is no longer such  
7           failure.

8           “SEC. 510. (a) In carrying out the functions vested by  
9           this title in the Department of Justice, the determination,  
10          findings, and conclusions of the Attorney General shall be  
11          final and conclusive upon all applicants, except as hereafter  
12          provided.

13          “(b) If the application has been rejected or an appli-  
14          cant has been denied a grant or has had a grant, or any  
15          portion of a grant, discontinued, or has been given a grant in  
16          a lesser amount than such applicant believes appropriate  
17          under the provisions of this title, the Attorney General shall  
18          notify the applicant or grantee of its action and set forth  
19          the reason for the action taken. Whenever an applicant or  
20          grantee requests a hearing on action taken by the Attorney  
21          General on an application or a grant, the Attorney Gen-  
22          eral or any authorized officer thereof, is authorized and  
23          directed to hold such hearings or investigations at such times  
24          and places as the Attorney General deems necessary, follow-  
25          ing appropriate and adequate notice to such applicant; and

1           the findings of fact and determinations made by the Attorney  
2           General with respect thereto shall be final and conclusive,  
3           except as otherwise provided herein.

4           “(c) If such applicant is still dissatisfied with the find-  
5           ings and determinations of the Attorney General, following  
6           the notice and hearing provided for in subsection (b) of  
7           this section, a request may be made for rehearing, under such  
8           regulations and procedures as the Attorney General may  
9           establish, and such applicant shall be afforded an opportunity  
10          to present such additional information as may be deemed  
11          appropriate and pertinent to the matter involved. The find-  
12          ings and determinations of the Attorney General, following  
13          such rehearing, shall be final and conclusive upon all parties  
14          concerned, except as hereafter provided.

15          “SEC. 511. (a) If any applicant or grantee is dissatis-  
16          fied with the Attorney General's final action with respect to  
17          the approval of its application submitted under this title, or  
18          any applicant or grantee is dissatisfied with the Attorney  
19          General's final action under section 509 or section 510, such  
20          applicant or grantee may, within sixty days after notice of  
21          such action, file with the United States court of appeals for  
22          the circuit in which such applicant or grantee is located a  
23          petition for review of that action. A copy of the petition  
24          shall be forthwith transmitted by the clerk of court to the  
25          Department of Justice. The Attorney General shall there-



1 upon file in the court the record of the proceedings on which  
2 the action of the Attorney General was based, as provided  
3 in section 2112 of title 28, United States Code.

4 “(b) The determinations and the findings of fact by the  
5 Attorney General, if supported by substantial evidence, shall  
6 be conclusive; but the court, for good cause shown, may  
7 remand the case to the Attorney General to take further  
8 evidence. The Attorney General may thereupon make new  
9 or modified findings of fact and may modify the previous  
10 action, and shall file in the court the record of the further  
11 proceedings. Such new or modified findings of fact or deter-  
12 minations shall likewise be conclusive if supported by sub-  
13 stantial evidence.

14 “(c) Upon the filing of such petition, the court shall  
15 have jurisdiction to affirm the action of the Attorney Gen-  
16 eral or to set it aside, in whole or in part. The judgment of  
17 the court shall be subject to review by the Supreme Court  
18 of the United States upon certiorari or certification as pro-  
19 vided in section 1254 of title 28, United States Code.

20 “SEC. 515. (a) The Attorney General shall provide for  
21 such accounting and auditing procedures, evaluations, and  
22 reviews as may be necessary to insure that the expenditures  
23 of funds received under this title by State governments and  
24 units of local government and other recipients of assistance  
25 comply fully with the requirements of this title. The Attorney

1 General is authorized to accept an audit by a State of such  
2 expenditures of a State government or unit of local govern-  
3 ment if he determines that such audit and the audit proce-  
4 dures of that State are sufficiently reliable to enable him to  
5 carry out his duties under this title.

6 “(b) The Comptroller General of the United States is  
7 authorized to make reviews of the work as done by the At-  
8 torney General, the State governments, and the units of  
9 local government as may be necessary for the Congress to  
10 evaluate compliance and operations under this title.

11 “(c) The provisions of this section apply to all recipients  
12 of assistance under this title, whether by direct grant or con-  
13 tract from the administration or by subgrant or subcontract  
14 from primary grantees or contractors of the administration.

15 “SEC. 513. To insure that all Federal assistance to State  
16 and local programs under this title is carried out in a coordi-  
17 nated manner, the Attorney General is authorized to request  
18 any Federal department or agency to supply such statistics,  
19 data, program reports, and other material as the Attorney  
20 General deems necessary to carry out the functions under  
21 this title. Each such department or agency is authorized to  
22 cooperate with the Attorney General and, to the extent per-  
23 mitted by law, to furnish such materials to the Attorney Gen-  
24 eral. Any Federal department or agency engaged in ad-  
25 ministering programs related to this title shall, to the maxi-



1 mum extent practicable, consult with and seek advice from  
2 the Attorney General to insure fully coordinated efforts, and  
3 the Attorney General shall undertake to coordinate such  
4 efforts.

5 "SEC. 514. The Attorney General may arrange with and  
6 reimburse the heads of other Federal departments and agen-  
7 cies for the performance of any of the functions under this  
8 title.

9 "SEC. 515. The Attorney General is authorized—

10 " (a) to conduct evaluation studies of the programs  
11 and activities assisted under this title; and

12 " (b) to collect, evaluate, publish, and disseminate  
13 statistics and other information on the condition and  
14 progress of law enforcement in the United States.

15 "SEC. 516. (a) Payments under this title may be made  
16 in installments, and in advance or by way of reimbursement,  
17 as may be determined by the Attorney General, and may be  
18 used to pay the transportation and subsistence expenses of  
19 persons attending conferences or other assemblages notwith-  
20 standing the provisions of the joint resolution entitled 'Joint  
21 Resolution to prohibit expenditure of any moneys for hous-  
22 ing, feeding, or transporting conventions or meetings', ap-  
23 proved February 2, 1935 (31 U.S.C. sec. 551).

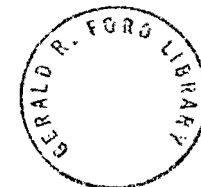
24 " (b) Not more than 12 per centum of the sums appro-  
25 priated for any fiscal year to carry out the provisions of this

1 title may be used within any one State except that this limita-  
2 tion shall not apply to grants made pursuant to part D.

3 "SEC. 517. (a) The Attorney General may procure the  
4 services of experts and consultants in accordance with section  
5 3109 of title 5, United States Code, at rates of compensation  
6 for individuals not to exceed the daily equivalent of the rate  
7 authorized for GS-18 by section 5332 of title 5, United  
8 States Code.

9 " (b) The Attorney General is authorized to appoint,  
10 without regard to the civil service law, technical or other  
11 advisory committees to advise the Administration with re-  
12 spect to the administration of this title as it deems necessary.  
13 Members of those committees not otherwise in the employ  
14 of the United States, while engaged in advising the Adminis-  
15 tration or attending meetings of the committees, shall be com-  
16 pensated at rates to be fixed by the Attorney General but not  
17 to exceed the daily equivalent of the rate authorized for  
18 GS-18 by section 5332 of title 5 of the United States Code  
19 and while away from home or regular place of business they  
20 may be allowed travel expenses, including per diem in lieu  
21 of subsistence, as authorized by section 5703 of such title 5  
22 for persons in the Government service employed inter-  
23 mittently.

24 "SEC. 518. Nothing contained in this title or any other  
25 Act shall be construed to authorize any department, agency,





1 officer, or employee of the United States to exercise any di-  
 2 rection, supervision, or control over any police force or any  
 3 other law enforcement agency of any State or any political  
 4 subdivision thereof.

5 "SEC. 519. On or before March 31 of each year, the  
 6 Attorney General shall report to the President and to the  
 7 Congress on activities pursuant to the provisions of this title  
 8 during the preceding fiscal year.

9 "SEC. 520. There is authorized to be appropriated, out  
 10 of the Treasury of the United States, such sums as may be  
 11 necessary to carry out all provisions of this title. Such sums  
 12 shall remain available for obligation until expended.

13 "SEC. 521. (a) To implement the provisions of this  
 14 title, neither the Attorney General, nor any other officer or  
 15 employee of the Department, nor any recipient of assistance  
 16 under the provisions of this title, may, except when ex-  
 17 pressly authorized under the provisions of this title—

18 "(1) use the information collected expressly for  
 19 statistical or research purposes under programs assisted  
 20 directly or indirectly by this title for any other purpose;  
 21 or

22 "(2) make any publication whereby such informa-  
 23 tion furnished by any particular private establishment  
 24 or individual can be identified; or

25 "(3) permit anyone other than the sworn officers

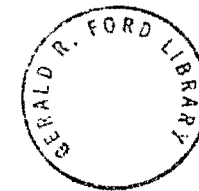
1 and employees of the Department of Justice, a research  
 2 grantee under the provisions of this title, or officers and  
 3 employees of such research grantee under the provi-  
 4 sions of this title to examine such information concern-  
 5 ing particular private establishments or individuals.

6 No department, bureau, agency, officer, or employee of the  
 7 Government, except as specifically authorized in this title,  
 8 shall require, for any reason, copies of such information on  
 9 establishments or individuals which have been retained by  
 10 any such establishment or individual. Copies of such in-  
 11 formation which have been so retained shall be immune  
 12 from legal process, and shall not, without the consent of the  
 13 establishment or individual concerned, be admitted as evi-  
 14 dence or used for any purpose in any action, suit, or other  
 15 judicial or administrative proceedings.

16 "(b) Any person violating the provisions of this sec-  
 17 tion, or any rule, regulation, or order issued thereunder, shall  
 18 be liable to a penalty not to exceed \$10,000, in addition to  
 19 any other penalty imposed by law. The amount of any such  
 20 penalty shall be payable into the Treasury of the United  
 21 States and shall be recoverable in a civil suit in the name of  
 22 the United States.

23 "PART F—DEFINITIONS

24 "SEC. 601. (a) As used in this title, 'law enforcement'  
 25 means any activity pertaining to crime prevention, control, or



1 reduction or the enforcement of the criminal law, including,  
 2 but not limited to, police efforts to prevent, control, or reduce  
 3 crime or to apprehend criminals, activities of courts having  
 4 criminal jurisdiction and related agencies, activities of cor-  
 5 rections, probation, or parole authorities, and programs re-  
 6 lating to the prevention, control, or reduction of juvenile  
 7 delinquency or narcotic addiction.

8 “(b) ‘Organized crime’ means the unlawful activities of  
 9 the members of a highly organized, disciplined association  
 10 engaged in supplying illegal goods and services, including  
 11 but not limited to gambling, prostitution, loan sharking, nar-  
 12 cotics, labor racketeering, and other unlawful activities of  
 13 members of such organizations.

14 “(c) ‘State’ means any State of the United States, the  
 15 District of Columbia, the Commonwealth of Puerto Rico,  
 16 Virgin Islands, Guam, and Samoa.

17 “(d) ‘Unit of general local government’ means any  
 18 city, county, township, town, borough, parish, village, or  
 19 other general purpose political subdivision of a State, an  
 20 Indian tribe which performs law enforcement functions as  
 21 determined by the Secretary of the Interior or, for the pur-  
 22 pose of assistance eligibility, any agency of the District of  
 23 Columbia government or the United States Government per-  
 24 forming law enforcement functions in and for the District of  
 25 Columbia. Such assistance eligibility of any agency of the

1 United States Government shall be for the sole purpose of  
 2 facilitating the transfer of criminal jurisdiction from the  
 3 United States District Court for the District of Columbia to  
 4 the Superior Court of the District of Columbia pursuant to  
 5 the District of Columbia Court Reform and Criminal Proce-  
 6 dure Act of 1970.

7 “(e) ‘Combination’ as applied to States or units of  
 8 general local government means any grouping or joining  
 9 together of such States or units for the purpose of preparing,  
 10 developing, or implementing a law enforcement plan.

11 “(f) ‘Construction’ means the erection, acquisition, ex-  
 12 pansion, or repair (but not including minor remodeling or  
 13 minor repairs) of new or existing buildings or other physical  
 14 facilities, and the acquisition or installation of initial equip-  
 15 ment therefor.

16 “(g) ‘State organized crime prevention council’ means  
 17 a council composed of not more than seven persons estab-  
 18 lished pursuant to State law or established by the chief exec-  
 19 utive of the State for the purpose of this title, or an existing  
 20 agency so designated, which council shall be broadly repre-  
 21 sentative of law enforcement officials within such State and  
 22 whose members by virtue of their training or experience  
 23 shall be knowledgeable in the prevention and control of  
 24 organized crime.

25 “(h) ‘Metropolitan area’ means a standard metropolitan



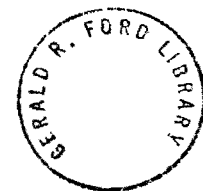
1 statistical area as established by the Office of Management  
2 and Budget, subject, however, to such modifications and  
3 extensions as the Attorney General may determine to be  
4 appropriate.

5 “(i) ‘Public agency’ means any State, unit of local  
6 government, combination of such States or units, or any  
7 department, agency, or instrumentality of any of the fore-  
8 going.

9 “(j) ‘Institution of higher education’ means any such  
10 institutions as defined by section 801 (a) of the Higher  
11 Education Act of 1965 (79 Stat. 1269; 20 U.S.C. 1141  
12 (a) ), subject, however, to such modifications and extensions  
13 as the Attorney General may determine to be appropriate.

14 “(k) ‘Community service officer’ means any citizen  
15 with the capacity, motivation, integrity, and stability to as-  
16 sist in or perform police work but who may not meet ordi-  
17 nary standards for employment as a regular police officer  
18 selected from the immediate locality of the police depart-  
19 ment of which he is to be a part, and meeting such other  
20 qualifications promulgated in regulations pursuant to section  
21 501 as the Attorney General may determine to be appro-  
22 priate to further the purposes of section 301 (b) (7) and this  
23 title.

24 “(l) The term ‘correctional institution or facility’ means  
25 any place for the confinement or rehabilitation of juvenile



1 offenders or individuals charged with or convicted of crimi-  
2 nal offenses.

3 “(m) ‘Comprehensive’ means that the plan must be a  
4 total and integrated analysis of the crime and juvenile delin-  
5 quency problem within the State; goals, priorities, and  
6 standards must be established in the plan and the plan  
7 must address (both short and long term) methods, organiza-  
8 tion, and operation performance, physical and human re-  
9 sources necessary to accomplish crime prevention; identifica-  
10 tion, detection, and apprehension of suspects; adjudication;  
11 custodial treatment of suspects and offenders; and institu-  
12 tional and noninstitutional rehabilitative measures.

13 “(n) ‘Areawide’ refers to the geographic scope of prob-  
14 lems which transcend the boundaries of any single unit or  
15 units of general local government but do not encompass the  
16 entire State.

17 “(o) ‘Multijurisdictional planning and policy develop-  
18 ment organization’ is an organization which has responsibility  
19 for comprehensive planning and has planning and policy  
20 control over two or more functional planning and policy  
21 development programs.

22 “PART G—CRIMINAL PENALTIES

23 “SEC. 651. Whoever embezzles, willfully misapplies,  
24 steals, or obtains by fraud or attempts to embezzle, will-  
25 fully misapply, steal, or obtain by fraud any funds, assets,

1 or property which are the subject of a grant or contract or  
2 other form of assistance pursuant to this title, whether  
3 received directly or indirectly from the Administration, or  
4 whoever receives, conceals, or retains the same with intent to  
5 convert it to his use or gain, knowing it to have been em-  
6 bezzled, willfully misapplied, stolen or obtained by fraud  
7 shall be fined not more than \$10,000 or imprisoned for not  
8 more than five years, or both.

9 "Whoever knowingly and willfully falsifies, conceals, or  
10 covers up by trick, scheme, or device, any material fact  
11 in any application for assistance submitted pursuant to this  
12 title shall be subject to prosecution under the provisions of sec-  
13 tion 1001 of title 18, United States Code.

14 "Any law enforcement program project underwritten, in  
15 whole or in part, by any grant, or contract or other form of as-  
16 sistance pursuant to this Act, whether received directly or in-  
17 directly from the Administration, shall be subject to the  
18 provisions of section 371 of title 18, United States Code."

19 SEC. 3. This Act shall take effect on July 1, 1973.



93<sup>d</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 5613

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## A BILL

To provide for special law enforcement  
revenue sharing.

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By Mr. HUTCHINSON, Mr. McCLORY, and  
Mr. SANDMAN

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MARCH 14, 1973

Referred to the Committee on the Judiciary

LEGISLATION:

JUSTICE

LEAA Revenue Sharing (S. 1234; H.R. 5613)

BACKGROUND:

Special Message 3/14/73



PROVISIONS:

Provides for special revenue-sharing for improving State and local criminal justice systems.

STATUS:

- A. HOUSE: Passed amended bill (391-0) H.R. 8152 on 6/18/73. Extends authorization 1 year at \$1 billion.
- B. SENATE: Passed McClellan substitute on 6/28/73. Extends authorization for 5 years.

OUTLOOK:

Conference Committee has reconciled 32 matters in disagreement. Remaining to be settled are:

- (1) Juvenile Justice Provision (Bayh Amendment)
- (2) Kennedy Dissemination of information Amendment
- (3) Length of authorization - two years or four years.

Conference should be reported soon.

LEGISLATION:

COMMERCE

Export Administration Act (S. 2053; H. R. 8547)

BACKGROUND:

Special message - 6/13/73



PROVISIONS:

Amends the Export Administration Act of 1969, protects the domestic drain of scarce materials and commodities and reduces the inflationary impact of abnormal foreign demand.

STATUS:

- A. HOUSE: House Floor originally scheduled for 7/19 postponed.
- B. SENATE: Senate Banking Committee mark-up scheduled for 7/25

OUTLOOK:

The Ashley bill, H.R. 8547, faces some opposition in the House, but the overall outlook is good. Free traders and agriculture bloc can be expected to fight measure.

LEGISLATION:

Legal Services Corporation (S 1815; H. R. 7824)

BACKGROUND:

Special Message 3/1/73



PROVISIONS:

Provides for a legal service corporation to give access to legal representation for Americans who would otherwise have been denied it because of lack of funds.

STATUS:

- A. HOUSE: Amended H. R. 7824 passed House by vote of 276- 95 on 6/21/73.
- B. SENATE: Awaiting Committee action. Latest report is that Senate Labor and Public Welfare Committee may accept House version.

OUTLOOK:



LEGISLATION:

Manpower Training (S 1514; H. R. 7489)

BACKGROUND:

Labor draft cleared 4/6/73



PROVISIONS:

This bill, along with the manpower programs authorized under the Economic Opportunity Act, represent the statutory base for the Dept. of Labor to administratively implement manpower revenue sharing.

STATUS:

- A. HOUSE: Labor Committee reported amended bill, H. R. 7950, on 6/18/73. Floor action not scheduled.
- B. SENATE: S 1560, adopted by Labor Committee in lieu of S 1514, now on Senate calendar. July action probable.

OUTLOOK:

LEGISLATION:

Pensions (S. 1557; H.R. 6900)  
(Employee Benefits Protection Act)

LABOR

BACKGROUND:

Special Message 4/11/73



PROVISIONS:

Provides for the reform of the private pension system.

STATUS:

A. HOUSE: Erlenborn Introduced H.R. 6900, Adm. bill, on 4/12/73  
Chairman Dent is holding informal sessions on his  
bill, H.R. 2. It appears House is waiting for Senate  
to make the first move.

B. SENATE: S. 1557 still pending in Labor Committee. Williams/  
Javits bill, S. 4, now on Senate calendar. Senate  
could consider S. 4 prior to August recess (Byrd  
listed the bill as one to be taken up in July). This  
measure is objectionable. Senate Finance Committee  
also considering pension legislation.

OUTLOOK:

The President very likely will receive a measure he'll have to  
veto this fall.

LEGISLATION:

Natural Gas Supply (S 2048; HR 7507)

BACKGROUND:

Special Message 4/18/73



PROVISIONS:

Provides that prices paid by interstate pipelines to producers for new supplies of domestic natural gas will be determined by competitive forces of the market system rather than by the Federal Power Commission.

STATUS:

- A. HOUSE: Referred to Commerce Committee; no further action and nothing scheduled.
- B. SENATE: Referred to Senate Commerce Subcommittee  
No further action and nothing scheduled.

OUTLOOK:

LEGISLATION:

Better Schools Act (S 1319; HR 5823)

BACKGROUND:

HEW draft cleared 3/18/73

PROVISIONS:

Provides for special revenue-sharing for education to replace categorical grant programs and remove Federal control from education.

STATUS: A. HOUSE:

General Subcommittee on Education now in mark-up. Brademas says he will kill HR 5823. Perkins bill, HR 69, likely to be reported. This is extension of ESEA.

B. SENATE:

S 1319 will be considered during Subcommittee hearings on July 31. Chairman Pell will push his version, S 1539.

OUTLOOK:

LEGISLATION:

Federal Election Reform Commission  
(SJ Res. 110; HJ Res 559)

BACKGROUND:

Presidential Message

PROVISIONS:

Establishes a bi-partisan Commission to study election reform and make appropriate recommendations.



STATUS:

- A. SENATE: Senate Rules reported on 7/11/73 SJ 110 with amendments.
- B. HOUSE: Referred to House Administration on 5/16/73

OUTLOOK:

INTERIOR

LEGISLATION:

Alaska Pipeline (S. 1040; H. R. 5442)

BACKGROUND:

Interior draft cleared 2/27/73.

PROVISIONS:

This bill would amend the Mineral Leasing Act of 1920 to allow the construction of the Trans-Alaska Pipeline.

STATUS:

A. HOUSE:

House Interior Public Lands Subcommittee reported H. R. 9130. May go to full Committee soon.

B. SENATE:

S. 1081 passed Senate on July 17 by vote of 77-20.

OUTLOOK:



LEGISLATION:

Dept. of Energy and Natural Resources (S. 2135; H.R. 9090)

BACKGROUND:

Presidential Statement

PROVISIONS:

Combines the Dept. of Interior and several other agencies to form a Dept. of Energy and Natural Resources.

STATUS:

- A. HOUSE: Referred to Government Operations on 6/29/73.
- B. SENATE: Referred to Government Operations on 7/9/73

OUTLOOK:



LEGISLATION:

HUD

Better Communities Act (S. 1743; H.R. 7277)

BACKGROUND:

HUD draft cleared 4/18/73



PROVISIONS:

Provides revenue sharing for community development replacing categorical grant programs and reducing Federal control.

STATUS:

- A. HOUSE: Absolutely no movement for hearings on H.R. 7277. It is most doubtful if such will be scheduled soon, perhaps not even this year.
- B. SENATE: First action taken 7/16/73 with Sec'y Lynn testifying before Subcommittee on House and Urban Affairs. During 3 hours of testimony, some five minutes spent on BCA, the remainder on Housing. The Administration's housing proposal won't be sent to Congress until Sept. 7. The opening of the 2 wks of hearings considered a failure.

OUTLOOK:

D.O.T. had though there was a 50/50 chance for enactment by next year. This was a most optimistic outlook and most agree the 93rd Congress will not pass Better Communities.



LEGISLATION:

Trade Reform Act of 1973 (H. R. 6767)

BACKGROUND:

Special Message 4/10/73

PROVISIONS:

Gives the President the negotiating tools to achieve better treatment for America in world trade.



STATUS:

- A. House: Hearings commenced on May 9 and mark-up started on June 18. Committee currently pushing to report bill so it can be passed by August recess.
- B. Senate: Referred to Senate Committee on Finance. No hearings scheduled.

OUTLOOK:

Believe the bill is shaping up to be acceptable to all interests. It will be passed by House barring any wild amendments.

LEGISLATION:

Deep Water Ports (S 1751; HR 7501)

BACKGROUND:

Special Message 4/18/73

PROVISIONS:

Provides authority for the Secretary of the Interior, in consultation with other federal agencies and State government to issue a license in waters beyond State jurisdiction for the operation of deep water ports.

STATUS:

## A. HOUSE:

Before House Interior Environmental Subcommittee for hearings. Prospects in House are cloudy because of jurisdictional problems between Interior, Public Works and Merchant Marine and Fisheries Committees. No Floor action in the House likely until after the recess.

## B. SENATE:

Interior, Commerce, and Public Works Committees will hold joint hearings July 23 through 25. No Senate Floor action likely before recess.

OUTLOOK:

LEGISLATION:

Bicentennial Reorganization (HR 3695)

BACKGROUND:

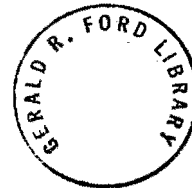
Statement 2/1/73

PROVISIONS:

Establishes an American Rev. Bicentennial Administration in lieu of the present Commission.

STATUS:

- A. HOUSE: Has passed in acceptable form, 344-14, an amended bill HR 7446.
- B. SENATE: Judiciary Subcommittee hearings held July 11, 1973. Hruska plans executive mark-up this week and hopes to get bill to Floor before August recess.

OUTLOOK:

LEGISLATION:

Foreign Assistance Act (S 1711; HR 7484)

BACKGROUND:

Presidential Message

PROVISIONS:

Authorizes \$2.9 (b) billion for economic and military assistance. Of this amount, \$1.2 (b) billion is for military assistance and the remainder for economic assistance.

STATUS:

A. HOUSE:

House Foreign Affairs Committee on 7/19/73  
ordered reported a clean bill -- HR 9360(Morgan)

OUTLOOK:

