

On November 1, 1978:

H.R. 15. An act to extend and amend expiring elementary and secondary education programs, and for other purposes;

H.R. 8389. An act authorizing the President of the United States to present a gold medal to the widow of Robert F. Kennedy;

H.R. 11002. An act to provide for the resolution of claims and disputes relating to Government contracts awarded by executive agencies; and

H.R. 11209. An act to provide for the establishment, ownership, operation, and governmental oversight and regulation of international maritime satellite telecommunications services.

On November 2, 1978:

H.R. 1422. An act for the relief of Julio Ortiz-Medina;

H.R. 1748. An act for the relief of Carmela Scudleri;

H.R. 1775. An act for the relief of Karin Ehard;

H.R. 1787. An act for the relief of Paz A. Norona;

H.R. 2291. An act for the relief of Carmen Cecelia Bianquicetti;

H.R. 3185. An act to amend the act commonly known as the Miller Act to raise the dollar amount of contracts to which such act applies from \$2,000 to \$25,000;

H.R. 3307. An act for the relief of Anthony Casamento;

H.R. 4319. An act to amend subchapter III of chapter 83 of title 5, United States Code, to provide that employees who retire after 5 years of service, in certain instances, may be eligible to retain their life and health insurance benefits, and for other purposes;

H.R. 7577. An act to amend the Economic Opportunity Act of 1964, and for other purposes;

H.R. 7795. An act for the relief of Veronica Judith Hudson;

H.R. 8192. An act for the relief of Andrée Marie Helene McGiffin;

H.R. 8751. An act for the relief of Francesco Giuttari;

H.R. 10342. An act to provide for recalculation of the retired pay of individuals who served as sergeant major of the Marine Corps before December 16, 1967;

H.R. 11003. An act to clarify the authority for employment of personnel in the White House Office and the Executive Residence at the White House, to clarify the authority for employment of personnel by the President to meet unanticipated needs, and for other purposes;

H.R. 12140. An act to amend the Federal Water Pollution Control Act to provide additional authorizations for certain operating programs under the act;

H.R. 12393. An act to provide for nationwide service of subpoenas in all suits involving the False Claims Act, and for other purposes;

H.R. 12605. An act to amend the Communications Act of 1934 to extend and improve the provisions of such act relating to long-term financing for the Corporation for Public Broadcasting and relating to certain grant programs for public telecommunications, and for other purposes;

H.R. 13597. An act to authorize the Architect of the Capitol to install solar collectors for furnishing a portion of the energy needs of the Rayburn House Office Building and House Office Building Annex No. 2, and for other purposes;

H.R. 14145. An act to amend title 28 of the United States Code to make certain changes in the divisions within judicial districts and in the places of holding court, and to require the Director of the Administrative Office of the United States Courts to conduct a study of the judicial business of the central district of California and the eastern district of New York; and

H.R. 14224. An act to authorize and direct

the Secretary of the Interior to acquire certain lands for the benefit of the Mille Lacs Band of the Minnesota Chippewa Indians.

On November 3, 1978:

H.R. 4533. An act for the relief of Gary Daves and Marc Cayer;

H.R. 7101. An act to amend certain provisions of law relating to land claims by the United States in Riverside County, Calif., based upon the accretion or avulsion, and for other purposes; and

H.R. 7971. An act to validate certain land conveyances, and for other purposes.

On November 4, 1978:

H.R. 5646. An act to amend the Regional Rail Reorganization Act of 1973 to require ConRail to make premium payments under certain medical and life insurance policies, to provide that ConRail shall be entitled to a loan under section 211(h) of such act in an amount required for such premium payments, and to provide that such premium payments shall be deemed to be expenses of administration of the respective railroads in reorganization;

H.R. 9701. An act to amend the Budget and Accounting Procedures Act of 1950 to require that the Comptroller General provide for a financial audit with respect to pension plans for officers and employees of the Federal Government and its agencies and instrumentalities, to require that an annual report, including a financial statement and an actuarial statement, be furnished to the Congress and the Comptroller General with respect to such plans, and for other purposes;

H.R. 10173. An act to amend title 38, United States Code, to provide improvements in the pension program for certain veterans of a period of war with non-service-connected disabilities, for certain surviving spouses of veterans of a period of war, and for certain surviving children of veterans of a period of war, to increase the rates of dependency and indemnity compensation for surviving parents of certain veterans, to provide for automatic annual cost-of-living adjustments in the rates of pension and in the rates of parents' dependency and indemnity compensation, to prevent reductions in and terminations of pension and terminations of parents' dependency and indemnity compensation solely attributable to cost-of-living increases in social security benefits, and for other purposes;

H.R. 12874. An act to provide for an accelerated program of research, development, and demonstration of solar photovoltaic energy technologies leading to early competitive commercial applicability of such technologies to be carried out by the Department of Energy, with the support of the National Aeronautics and Space Administration, the National Bureau of Standards, the General Services Administration, and other Federal agencies;

H.R. 13500. An act to amend title 44 to insure the preservation of and public access to the official records of the President, and for other purposes;

H.R. 13903. An act to amend title 10, United States Code, to provide that a member of the Board of Regents of the Uniformed Services University of the Health Sciences whose term of office has expired shall continue to serve until a successor is appointed; and

H.J. Res. 1173. Joint resolution relative to the convening of the 1st session of the 96th Congress, and for other purposes.

On November 6, 1978:

H.R. 8200. An act to establish a uniform law on the subject of bankruptcies;

H.R. 11733. An act to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, for highway safety, for mass transportation in urban and in rural areas, and for other purposes;

H.R. 12467. An act to amend the Rehabil-

tation Act of 1973 to extend certain programs established in such act, to establish a community service employment program for handicapped individuals, and to provide comprehensive services for independent living for handicapped individuals, to amend the Developmental Disabilities Services and Facilities Construction Act to revise and extend the programs under that act, and for other purposes; and

H.R. 13511. An act to amend the Internal Revenue Code of 1954 to reduce income taxes, and for other purposes.

On November 8, 1978:

H.R. 2329. An act to improve the administration of fish and wildlife programs, and for other purposes;

H.R. 9251. An act to change the tax treatment of income earned abroad by U.S. citizens and residents, and for other purposes;

H.R. 10898. An act to amend the Regional Rail Reorganization Act of 1973 to authorize appropriations for the United States Railway Association for fiscal year 1979; and

H.R. 13650. An act to authorize the Secretary of Energy to enter into cooperative agreements with certain States respecting residual radioactive material at existing sites, to provide for the regulation of uranium mill tailings under the Atomic Energy Act of 1954, and for other purposes.

On November 9, 1978:

H.R. 4018. An act to suspend until the close of June 30, 1980, the duty on certain doxorubicin hydrochloride antibiotics;

H.R. 5037. An act for the relief of Jack R. Misner;

H.R. 5146. An act to amend the Tariff Schedules of the United States to provide for the duty-free entry of competition bobsleds and luges;

H.R. 5263. An act to provide tax incentives for the production and conservation of energy, and for other purposes; and

H.R. 5289. An act for the relief of Joe Cortina of Tampa, Fla.

On November 10, 1978:

H.R. 7320. An act to revise miscellaneous timing requirements of the revenue laws, and for other purposes; and

H.R. 14279. An act to extend the authority for the flexible regulation of interest rates on deposits and accounts in depository institutions.

#### BILLS DISAPPROVED AFTER SINE DIE ADJOURNMENT

The President announced his disapproval of the following bills with memorandums of disapproval as follows:

H.R. 11445

##### MEMORANDUM OF DISAPPROVAL

I am withholding my approval of H.R. 11445, omnibus amendments to the Small Business Act and the Small Business Investment Act. Because I recognize very personally the needs of the small business community and the dedication of Congressman NEAL SMITH and Senator GAYLORD NELSON, chairmen of the respective House and Senate Small Business Committees, in developing this legislation, it is with great regret that I must take this action.

Having spent most of my adult life as a small businessman, I share with the Congress a strong commitment to the small business people of our country and I recognize the need for greater attention to small business needs by the Federal Government. Since I took office we have reduced the burden of Federal regulations on small business, proposed significant tax reductions, and increased lending under the guaranteed loan program

by 40 percent. In May of this year I signed an Executive order calling for a White House Conference on Small Business to be held in January 1980. This Conference will involve over 25,000 small business people throughout the country helping us to develop a small business policy for this country. I intend to work with the Congress and particularly with Chairmen SMITH and NELSON to develop and implement such a policy.

This legislation does have beneficial features. However, it is precisely because of my commitment to small business and an effective Small Business Administration, that I must withhold my approval from H.R. 11445. This bill, in its present form, is not the best we can do for small business in the United States and is inconsistent with the tight budget situation we will face in the next few years. Disapproval of the bill would not interrupt any existing SBA program since SBA programs are already authorized for fiscal year 1979, nor would it interfere with administration plans regarding the White House Conference on Small Business, since \$4,000,000 has already been appropriated for the Conference in fiscal year 1979. This Conference is an important priority of mine and of my administration.

The bill authorizes over \$2 billion in expenditures in excess of our budget projections through 1982. It continues a duplicative program of farm disaster lending by the SBA with excessively deep interest subsidies and terms which we believe to be wasteful. This has led to an unwarranted amount of farm disaster lending which should be done by the Farmers Home Administration. This Administration has proposed that farm lending be consolidated in the Department of Agriculture which has the farm credit expertise and extensive field network necessary to operate the program effectively and efficiently. The Congress has failed to act on this recommendation.

Even more important is the effect this bill would have on the operations of the Small Business Administration. The bill virtually mandates significant staff increases. It would also interfere with the ability of the Administrator of the SBA, my primary small business advisor and representative, to effectively run that agency. The legislation imposes specific titles and responsibilities upon agency officials and specifies funding and personnel levels for activities throughout SBA down to the smallest detail. These legislative strictures run counter to my efforts to better manage the Federal government.

The bill also distorts the role of SBA's Chief Counsel for Advocacy. I supported the establishment of this office as a means to insure that the views of small business were adequately reflected in the policy-making processes of the government. But the legislation tends to move the Chief Counsel for Advocacy into policy and administrative areas more properly those of the Administrator of the SBA. This bill also might begin to isolate the Chief Counsel for Advocacy from the executive policy-making process by calling for an annual report to Congress which could not be reviewed

or coordinated with any other agency of the Executive Branch. Current statutes provide the Chief Counsel with sufficient authorities to evaluate small business issues and serve as an ombudsman to small business interests.

I am also concerned by the loan pooling provision in this bill that would authorize private dealers to issue a new class of 100 percent Federally guaranteed securities which would compete directly with the Treasury and other Federally-backed securities in the bond markets.

I look forward to working with the Congress and the small business community who worked on this bill to develop a program to meet the needs of small business. It is my great hope that early in the next Congress an approach will be fashioned to meet the needs of the small business community, with the full involvement of my Administration.

JIMMY CARTER.

THE WHITE HOUSE, October 25, 1978.

H.R. 11092

MEMORANDUM OF DISAPPROVAL

I am withholding my approval of H.R. 11092, the "Navajo and Hopi Relocation Amendments of 1978." I have no objection to the authorization in this bill to fund the important and difficult work being performed by the Relocation Commission to administer the partitioning of land which has been jointly used by the Navajo and Hopi Tribes. My failure to approve this bill will not affect the ability of the Commission to continue its work, because appropriations for this fiscal year have already been approved.

My objections to the bill center on section 4, which would provide for a one-house veto of the relocation plan which is finally adopted by the Relocation Commission. I have previously informed the Congress of my view that such legislative veto devices are unconstitutional intrusions into the day-to-day administration of the law by the Executive Branch, including independent agencies such as the Relocation Commission. Congress is constitutionally empowered to overrule agency decisions executing the law only by enacting legislation subject to the veto power of the President under Article I, section 7 of the Constitution.

Where either Congress or the President is dissatisfied with the execution of the law by an independent agency or commission, legislation agreeable to both or enacted over the President's veto is an appropriate and constitutional means for overturning the result reached by that independent agency. If the Constitution required less, there would in fact be no true independence for agencies such as the Relocation Commission. This principle was adhered to by the Ninety-third Congress when it enacted the Navajo and Hopi Indian Relocation Commission Act in 1974 and is one from which we should not depart.

The bill also contains a provision which would oust incumbent members of the Navajo and Hopi Indian Relocation Commission if they happened to be Federal, State or local elected officials. This provision in section 2 has constitutional implications since it would allow for Congressional removal of officers in the Ex-

ecutive Branch. Further, as a matter of fairness and equity, interruption of the tenure of appointed officials by the imposition of new "qualifications" should not be lightly undertaken. Accordingly, I would suggest that the Ninety-sixth Congress, in any consideration of a similar bill, give due consideration to these problems.

The Administration will work with the Congress next year to develop any needed legislation to improve the operations of the Relocation Commission. The Commission needs to operate more effectively and I look forward to working with Congressional leaders such as Senator DeCONCINI and Congressman UDALL toward this end.

JIMMY CARTER.

THE WHITE HOUSE, November 2, 1978.

H.R. 11861

MEMORANDUM OF DISAPPROVAL

I am withholding my signature from H.R. 11861, which would require the Secretaries of Commerce and the Navy to meet at least four times a year with representatives of the maritime industry and to submit an annual report to the President and Congress on their activities and recommendations.

Both the Maritime Administration of the Commerce Department (MARAD) and the Navy already have numerous contacts with the maritime industry and with each other to study, develop, and implement the goals of the Merchant Marine Act. Navy and MARAD are currently working to improve their cooperation in this area by adding the Secretaries of Commerce and Navy to an existing inter-agency advisory board on maritime matters. They are also arranging to have the board meet at least four times a year, and at least one of these meetings will be open to maritime industry representatives.

In addition, in order to assure that the concerns that generated this bill are fully addressed, I am directing both Secretaries to consult regularly with maritime industry officials to discuss issues of mutual concern.

In light of these actions, I see no reason for this legislation. It is not necessary to achieve our goal of an adequate merchant marine. It would mandate a change in administrative functions which are currently satisfactory. It is an undue legislative intrusion into administrative activities which are the appropriate responsibility of the Executive Branch, and the required report would be an additional and unnecessary government expense. For these reasons, I am disapproving this bill.

JIMMY CARTER.

THE WHITE HOUSE, November 2, 1978.

H.R. 6536

MEMORANDUM OF DISAPPROVAL

I am withholding my approval from H.R. 6536 which would make certain changes in the retirement program for police, firefighters, teachers, and judges of the District of Columbia.

This action today in no way alters my commitment to the basic principles of fairness and self-determination which must be the cornerstone of Federal-District relations. Included among our ac-