

for Certain Employees, as amended, and for other purposes;

H.R. 13964. An act for the relief of Jeanette Green, as mother of the minor child, Ricky Baker, deceased, and as widow and administratrix of the estate of Enoch Odell Baker, deceased; and for the relief of Mary Jane Baker Nolan, individually, and as widow and administratrix, of the estate of John William Baker, deceased;

H.R. 14227. An act to direct the Secretary of Agriculture to release a condition with respect to certain real property conveyed by the United States to the board of regents of the universities and State colleges of Arizona for the use of the University of Arizona;

H.R. 14451. An act to amend the Federal Property and Administrative Services Act of 1949 to permit the donation of Federal surplus personal property to the States and local organizations for public purposes, and for other purposes;

H.R. 15276. An act to amend the District of Columbia Police and Firemen's Salary Act of 1953 to provide for the same cost-of-living adjustments in the basic compensation of officers and members of the U.S. Park Police force as are given to Federal employees under the General Schedule and to require submission of a report on the feasibility and desirability of codifying the laws relating to the U.S. Park Police force;

H.R. 15445. An act to study and provide enhanced protection for whales, and for other purposes; and

H.R. 15813. An act to amend the Act of June 3, 1976, relating to the Commission on Security and Cooperation in Europe.

On October 18, 1976:

H.J. Res. 1107. Joint resolution to provide for the printing and distribution of the Precedents of the House of Representatives compiled and prepared by Lewis Deschler.

H.R. 5682. An act to extend the boundary of the Tinicum National Environmental Center, and for other purposes;

H.R. 8002. An act to designate certain lands in the Point Reyes National Seashore, Calif., as wilderness, amending the Act of September 13, 1962 (76 Stat. 538), as amended (16 U.S.C. 459c-6a), and for other purposes.

H.R. 11455. An act to amend the act establishing the Indiana Dunes National Lakeshore to provide for the expansion of the lakeshore, and for other purposes;

H.R. 11891. An act to authorize the establishment of the Congaree Swamp National Monument in the State of South Carolina, and for other purposes;

H.R. 12939. An act to amend certain laws affecting personnel of the Coast Guard, and for other purposes;

H.R. 12961. An act to amend the Social Security Act to repeal the requirement that a State's plan for medical assistance under title XIX of such act include a provision giving consent of the State to certain suits brought with respect to payment for inpatient hospital services;

H.R. 14041. An act to amend the Railroad Retirement Act of 1974 with respect to the computation of annuity amounts in certain cases, and for other purposes; and

H.R. 15531. An act to permit the use of unsworn declarations under penalty of perjury as evidence in Federal proceedings.

On October 19, 1976:

H.R. 10133. An act to upgrade the position of Under Secretary of Agriculture to Deputy Secretary of Agriculture; to provide for an additional Assistant Secretary of Agriculture; to increase the compensation of certain officials of the Department of Agriculture; to provide for an additional member of the Board of Directors, Commodity Credit Corporation; and for other purposes;

H.R. 12033. An act to continue until the close of June 30, 1979, the existing suspension of duties on manganese ore (including ferruginous ore) and related products;

H.R. 13955. An act to provide for amend-

ment of the Bretton Woods Agreements Act, and for other purposes; and

H.R. 15571. An act to amend chapter 21 of the Internal Revenue Code of 1954 and title II of the Social Security Act to provide that the payment of social security taxes by a nonprofit organization with respect to its employees shall constitute (for both tax and benefit purposes) a constructive filing by such organization of the certificate otherwise required to provide social security coverage for such employees if it has not received a refund or credit of such taxes, and to require the filing of such a certificate by any nonprofit organization which paid such taxes but received a refund or credit because it had not previously filed such certificate.

On October 20, 1976:

H.R. 1144. An act to amend the Internal Revenue Code of 1954 with respect to the tax treatment of social clubs and certain other membership organizations, to provide for a study of tax incentives for recycling, and for other purposes;

H.R. 7228. An act to amend the Internal Revenue Code of 1954 to permit the authorization of means other than stamp on containers of distilled spirits as evidence of tax payment, to provide an extension of certain provisions relating to members of the Armed Forces missing in action, and for other purposes;

H.R. 9719. An act to provide for certain payments to be made to local governments by the Secretary of the Interior based upon the amount of certain public lands within the boundaries of such locality;

H.R. 10210. An act to require States to extend unemployment compensation coverage to certain previously uncovered workers; to increase the amount of the wages subject to the Federal unemployment tax; to increase the rate of such tax; and for other purposes;

H.R. 12207. An act to amend the Rural Electrification Act of 1936, as amended, to correct unintended inequities in the interest rate criteria for borrowers from the Rural Electrification Administration, and to make other technical amendments;

H.R. 13160. An act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes; and

H.R. 14535. An act to amend the Immigration and Nationality Act, and for other purposes.

On October 21, 1976:

H.R. 2735. An act to amend title 38, United States Code, to improve the quality of hospital care, medical services, and nursing home care in Veterans' Administration health care facilities; to make certain technical and conforming amendments; and for other purposes;

H.R. 9460. An act to provide for the establishment of constitutions for the Virgin Islands and Guam;

H.R. 10192. An act to amend title 14, United States Code, to provide for the non-discriminatory appointment of cadets to the United States Coast Guard Academy;

H.R. 11315. An act to define the jurisdiction of United States courts in suits against foreign states, the circumstances in which foreign states are immune from suit and in which execution may not be levied on their property, and for other purposes;

H.R. 12572. An act to amend the United States Grain Standards Act to improve the grain inspection and weighing system, and for other purposes;

H.R. 13500. An act to amend the Social Security Act with respect to food stamp purchases by welfare recipients;

H.R. 13713. An act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes;

H.R. 13828. An act to amend title 44, United States Code, to strengthen the authority of the Administrator of General Services with respect to records management by Federal agencies, and for other purposes; and H.R. 15563. An act to amend the act of July 9, 1965 (79 Stat. 213; 16 U.S.C. 4601-17 (c)), and for other purposes.

BILLS DISAPPROVED AFTER SINE DIE ADJOURNMENT

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

H.R. 4654

MEMORANDUM OF DISAPPROVAL

I have withheld my approval from H.R. 4654, a bill "For the relief of Day's Sportswear, Incorporated."

H.R. 4654 appears to relate to the same claim as presented in *B. A. McKenzie and Co., Inc. v. United States*, United States Customs Court #74-6-01520. Another known similar claim on behalf of another importer is pending in the case of *George S. Bush and Co., Inc. v. United States*, United States Customs Court #73-9-02693.

The United States Government is presently defending these two cases and the United States Customs Court is expected to rule. Briefly, the litigation involves the applicability of certain customs duties.

I believe that the courts should be permitted to rule in these cases in due course. I am also concerned that my approval of H.R. 4654 could inappropriately predispose the court's ruling. Further, H.R. 4654 would constitute preferred treatment of one importer against others having similar claims against the Government.

Finally, I believe that private relief legislation is appropriate only after all other avenues of available administrative and legal recourse have been pursued.

For these reasons, I have withheld my approval from H.R. 4654.

H.R. 5446

MEMORANDUM OF DISAPPROVAL

I am today withholding my signature from H.R. 5446, a bill to implement the United States obligations under the Convention on the International Regulations for Preventing Collisions at Sea, 1972.

The bill includes a provision which I believe to be unconstitutional. It would empower either the House of Representatives or the Senate to block amendments to the Convention's regulations merely by passing a resolution of disapproval.

This provision is incompatible with the express provision in the Constitution that a resolution having the force and effect of law must be presented to the President and, if disapproved, repassed by a two-thirds majority in the Senate and the House of Representatives. It extends to the Congress the power to prohibit specific transactions authorized by law without changing the law—and without following the constitutional process such a change would require. Moreover, it would involve the Congress directly in the performance of Executive functions in disregard of the fundamental principle of separation of powers.