The ACC, however, would be based on the accredited approach to youth unemployment that relies on artificial public sector employment, just as the Public Service Employment program operated under the Comprehensive Employment and Training Act until it was terminated by Congress in 1983.

Moreover, the ACC is not a necessary or effective way of managing Federal lands. The Federal Government currently spends over $4 billion annually on land management. This amount is adequate to fund all activities needed to ensure the preservation of these precious resources for this and future generations of Americans. Any conservation project that could be performed by the ACC could be done better and for less money under existing programs, because of less overhead for residential centers and the greater productivity of existing workers who are already well trained. In addition, I have recently signed S. 864, which would expand the National Park Service's volunteer program, and allow such a program to be established in the Bureau of Land Management. Under these worthwhile programs, including those administered by the Forest Service and the Fish and Wildlife Service, citizens offer valuable volunteer services to assist the Departments of Agriculture and the Interior in the management of Federal lands.

Finally, while the three year, $225 million ACC authorization is itself unnecessary, it would perhaps offer jobs to the workforce over the last two years. If given the opportunity, the private sector is much more likely to offer young people promising career opportunities than temporary make-work Federal job programs such as the American Conservation Corps.

RONALD REAGAN.
H.R. 5172
MEMORANDUM OF DISAPPROVAL
I am withholding my approval of H.R. 5172, which includes the "National Bureau of Standards Authorization Act for Fiscal Year 1985" (Title I), clarifications of the role of the National Science Foundation in engineering research and education (Title II), and the "Manufacturing Sciences and Research and Development Act of 1984" (Title III). Title I would, among other things, authorize appropriations for certain Department of Commerce programs for fiscal year 1983, for which appropriations have already been enacted.

Title III of H.R. 5172 would establish a new program providing Federal financial support for a variety of research, development, education, and training activities, whose purported purpose would be to improve manufacturing technologies, including robotics and automation. These activities would total $250 million during fiscal years 1985-1988, and represent an unwarranted role for the Federal government. The decisions on how to allocate investments for research on manufacturing technologies are best left to American industry. It is highly doubtful that this Act and resulting Federal expenditures would improve the competitive position of U.S. manufacturing.

The new role for Federal government contemplated by Title III could also serve as the basis for a Federal industrial policy to influence our Nation's technological development. This Administration has steadfastly opposed such a role for the Federal government.

My Administration has fostered the development of a robust and improving economy, which will do more than anything to improve the growth and productivity of the industrial sector. We will continue our efforts to improve the general economy, the regulatory environment, and tax policies that are essential if U.S. industry is to remain competitive. I cannot, however, approve legislation that would result in significant Federal expenditures with little or no assurance that there are any benefits that outweigh the costs.

I am, therefore, constrained to withhold my approval from H.R. 5172.

RONALD REAGAN.
H.R. 5760
MEMORANDUM OF DISAPPROVAL
I am withholding my approval of H.R. 5760, a bill "To declare that the Navajo Tribe of United States, 220 Ct. Cl. 350, 601 F. 2d 536 (1979), cert. denied, 444 U.S. 1045 (1980). In the lite.
bursing that small business or individual for those expenses. The Equal Access to Justice Act thus serves an important salutory purpose that should become a permanent part of our government. However, the bill makes certain changes to the Equal Access to Justice Act that do not further the Act's basic purposes and that are inconsistent with fundamental principles of good government. The most objectionable of these provisions is the change the bill would make in the definition of "position of the United States." Under this changed definition, the Act would no longer apply only to the government's position taken in the administrative or court litigation, but would extend to the underlying agency action. This would result in needless and wasteful litigation over what is supposed to be a subsidiary issue, the award of attorneys' fees, and would further burden the courts, which would have to hear the claims of some parties twice. In addition, this change could also undermine the free exchange of ideas and positions within each agency that is essential for good government. For example, the change would require courts in making fee determinations to examine the conduct of an agency even where that conduct is not at issue in the court's review of the merits of the case before it. This would mean that a fee proceeding could result in an entirely new and subsidiary inquiry in the circumstances that gave rise to the original lawsuit. This inquiry only could lead to far lengthier proceedings than required if the court is merely to examine arguments made in court, but also could lead to extensive discovery of how the underlying agency position was formulated, and who advocated what position and for what reasons at what time. In effect, every step of the agency decision-making process, at whatever level, could become the subject of litigation discovery. Such extensive discovery could inhibit free discussion within an agency prior to any final agency policy decision or action for fear that any internal disagreements or reservations would be the subject of discovery and judicial inquiry. In addition, H.R. 5479 contains a provision that would require the United States to pay interest on any awarded attorneys' fees not paid within 60 days after the date of the award. As noted by the Comptroller General of the United States, this provision would give lawyers who have received awards under this Act more favorable treatment than any other group entitled to interest payments from the United States. I agree with the Comptroller General that to the extent any interest should be paid under the Act, it should be paid on the same basis as other interest payments made by the government on court judgments.

The Department of Justice, the Office of Management and Budget, and other concerned agencies have recommended that the Congress adhere to their serious reservations about these and other provisions of H.R. 5479. I wholly support the prompt reauthorization of the Equal Access to Justice Act and believe the reauthorization should be retroactively effective to October 1, 1984. In light of the permanent nature of a reauthorization, such a reauthorization should include modifications and improvements in the Act, which the Administration is willing to explore with the Congress. Concurrently with this memorandum, I am issuing a memorandum to all agency heads concerning the Equal Access to Justice Act. This memorandum reaffirms my strong commitment to the policies underlying the Act and instructs agency heads to review the procedures of their agencies to ensure that agency positions continue to be substantially justified. Special attention is to be given to those agency positions that affect small businesses. In addition, it is to be the responsibility of agency heads to accept and assist in the preparation of fee applications which can be considered once the Act is reauthorized. I look forward to approving an acceptable reauthorization of the Equal Access to Justice Act early next year. For the reasons indicated, however, I am compelled to withhold my approval of H.R. 5479.

RONALD REAGAN


REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing of their agencies to the proper calendar, as follows:

[Pursuant to the order of the House on Oct. 11, 1984, the following report was filed on Oct. 16, 1984.]

Mr. BROOKS: Committee on Government Operations. Report on investigation of the Department of Education's college construction loan programs (Rept. No. 98-1164). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to the special order of the House on Oct. 11, 1984, the following report was filed on Oct. 23, 1984.]

Mr. BROOKS: Committee on Government Operations. Report on FDA's monitoring of pesticide residues in the Nation's food supply: Lessons from the ethylene dibromide (EDB) experience (Rept. No. 98-1165). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to the order of the House on Oct. 11, 1984, the following reports were filed on Nov. 1, 1984.]

Mr. BROOKS: Committee on Government Operations. Report on the Westway project: A study of failure in Federal/State relations (Rept. No. 98-1166). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Government Operations. Report on diversion of funds from Vietnam veterans readjustment counseling program (Rept. No. 98-1167). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to the order of the House on Oct. 11, 1984, the following report was filed on Nov. 6, 1984.]

Mr. BROOKS: Committee on Government Operations. Report on FDA's regulation of the marketing of unapproved new drugs: The case of Eferol (Rept. No. 98-1168). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to the order of the House on Oct. 15, 1984, the following report was filed on December 4, 1984.]

Mr. STOKES: Committee on Standards of Official Conduct. In the matter of Representative Geraldine A. Ferraro (Rept. No. 98-1169). Referred to the House Calendar.

[Pursuant to rule XI, clause 1(d), the following report was filed on December 7, 1984.]

Mr. JONES of Oklahoma: Committee on the Budget. Activities and summary report of the Committee on the Budget, U.S. House of Representatives for the 98th Congress (Rept. No. 98-1170). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to the order of the House on October 4, 1984, the following report was filed on December 10, 1984.]

Mr. MITCHELL: Committee on Small Business. The impact of changes in the telecommunications industry on small business (Rept. No. 98-1171). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to rule XI, clause 1(d), the following report was filed on December 14, 1984.]

Mr. de la GARZA: Committee on Agriculture. Activities report of the Committee on Agriculture during the 98th Congress (Rept. No. 98-1172). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to rule XI, clause 1(d), the following report was filed on December 16, 1984.]

Mr. ANNUNZIO: Committee on Health and Human Services. Report on the activities of the Committee on House Administration during the 98th Congress (Rept. No. 98-1173). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to rule XI, clause 1(d), the following report was filed on December 20, 1984.]

Mr. STOKES: Committee on Standards of Official Conduct. Summary of activities of the Committee on Standards of Official Conduct—98th Congress (Rept. No. 98-1174). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to the provisions of rule XI, the following report was filed on December 21, 1984.]

Mr. ROYBAL: Select Committee on Aging. Report on the activities of the Select Committee on Aging during the 98th Congress (Rept. No. 98-1175). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to the provisions of section 6(a) of H. Res. 15, the following report was filed on December 26, 1984.]

Mr. LELAND: Select Committee on Hunger. Progress report of the Select Com-