US Laws, Statutes, Etc.

UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
NINETY-THIRD CONGRESS
OF THE UNITED STATES OF AMERICA

1973

AND

REORGANIZATION PLANS AND PROCLAMATIONS

VOLUME 87

IN ONE PART

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1974

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
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vol. 87

PUBLISHED BY AUTHORITY OF LAW UNDER THE DIRECTION OF THE ADMINISTRATOR OF GENERAL SERVICES BY THE OFFICE OF THE FEDERAL REGISTER, NATIONAL ARCHIVES AND RECORDS SERVICE



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ENACTED DURING THE

FIRST SESSION OF THE NINETY-THIRD CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Monday, January 3, 1973, and adjourned sine die on Saturday, December 22, 1973. RICHARD M. NIXON, *President;* SPIRO T. AGNEW, *Vice President until his resignation October 10, 1973;* GERALD R. FORD, *Vice President on and after December 6, 1973;* CARL ALBERT, *Speaker of the House of Representatives.*

Public Law 93-1

JOINT RESOLUTION

January 19, 1973
[H. J. Res. 1]

Extending the time within which the President may transmit the Budget Message and the Economic Report to the Congress and extending the time within which the Joint Economic Committee shall file its report.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the provisions of section 201 of the Act of June 10, 1922, as amended (31 U.S.C. 11), the President shall transmit to the Congress not later than January 29, 1973, the Budget for the Fiscal Year 1974; (b) notwithstanding the provisions of section 3 of the Act of February 20, 1946, as amended (15 U.S.C. 1022), the President shall transmit to the Congress not later than January 31, 1973, the Economic Report; and (c) notwithstanding the provisions of clause (3) of section 5(b) of the Act of February 20, 1946 (15 U.S.C. 1024(b)), the Joint Economic Committee shall file its report on the President's Economic Report with the House of Representatives and the Senate not later than March 10, 1973.

Budget message, Economic Report, transmittal. Time extension. 64 Stat. 832; 84 Stat. 1169.

60 Stat. 24; 70 Stat. 289.

62 Stat. 16.

SEC. 2. Not later than February 10, 1973, the President shall transmit to the Congress (1) the reports, with respect to all funds impounded on or after October 27, 1972, and before January 29, 1973, required by section 203 of the Budget and Accounting Procedures Act of 1950 (as added by section 402 of the Federal Impoundment and Information Act), and (2) a report, with respect to all funds impounded on or after July 1, 1972, and before October 27, 1972, containing the same information as is required by such section.

Post, p. 7.

Approved January 19, 1973.

Public Law 93-2

January 26, 1973
[H. J. Res. 163]

JOINT RESOLUTION

Designating the week commencing January 28, 1973, as "International Clergy Week in the United States", and for other purposes.

International Clergy Week in the United States. Designation authorization.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week commencing January 28, 1973, is designated as "International Clergy Week in the United States". The President is authorized and directed to issue a proclamation inviting the people of the United States to observe this week with appropriate ceremonies and activities.

Approved January 26, 1973.

Public Law 93-3

February 1, 1973
[H. J. Res. 246]

JOINT RESOLUTION

Providing for a moment of Prayer and Thanksgiving and a National Day of Prayer and Thanksgiving.

WHEREAS the American people have reason to rejoice at the news of a just and honorable end to the long and trying war in Vietnam; and

WHEREAS our deep and abiding faith as a people reminds us that no great work can be accomplished without the aid and inspiration of Almighty God: Now, therefore, be it

Vietnam peace. National Moment and Day of Prayer and Thanksgiving. Designation authorization.

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating the moment of 7:00 p.m., e.s.t., January 27, 1973 a National Moment of Prayer and Thanksgiving for the peaceful end to the Vietnam War, and the 24 hours beginning at the same time as a National Day of Prayer and Thanksgiving.

That the President authorize the flying of the American flag at the appointed hour;

That all men and women of goodwill be urged to join in prayer that this settlement marks not only the end of the war in Vietnam, but the beginning of a new era of world peace and understanding; and

That copies of this resolution be sent to the Governors of the several States.

Approved February 1, 1973.

Public Law 93-4

February 2, 1973
[S. J. Res. 26]

JOINT RESOLUTION

To amend section 1319 of the Housing and Urban Development Act of 1968 to increase the limitation on the face amount of flood insurance coverage authorized to be outstanding.

Flood insurance. Limitation increase. 82 Stat. 581. 42 USC 4026.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1319 of the Housing and Urban Development Act of 1968 is amended by striking out "$2,500,000,000" and inserting in lieu thereof "$4,000,000,000".

Approved February 2, 1973.

Public Law 93-5

JOINT RESOLUTION

To extend the provisions of the Railway Labor Act and for other purposes.

February 9, 1973
[S. J. Res. 59]

Whereas a labor dispute exists between the Penn Central Transportation Company and certain of its employees represented by the United Transportation Union, arising out of the Penn Central Transportation Company's implementation of a plan to eliminate approximately five thousand seven hundred train crew positions; and

Whereas the recommendations of Presidential Emergency Board Number 180 did not result in a settlement of this dispute, and all procedures for resolving such dispute provided for in the Railway Labor Act have been exhausted; and

Whereas such dispute has now resulted in a cessation of the Penn Central Transportation Company's rail carrier operations; and

Whereas such cessation of operations by the Penn Central Transportation Company, a rail carrier which transports two hundred and twenty five thousand passengers a day and 20 per centum of the Nation's freight, and which provides many necessary connections with numerous other rail carriers operating throughout the Nation, threatens essential transportation services vital to the national health and safety; and

Whereas the Penn Central Transportation Company is now undergoing reorganization proceedings under section 77 of the Federal Bankruptcy Act, and its court-appointed trustees have indicated that present reorganization proceedings will not be successful, even with the eventual elimination of five thousand seven hundred train crew positions, alone, and that a massive infusion of Federal financial assistance would be needed; and

Whereas the financial crisis of the Penn Central Transportation Company is so acute that cessation of its operations for even a short period of time, may make it financially impossible to resume operations; and

Whereas failure of the Penn Central Transportation Company to resume operations, in addition to the previously stated impact on vital transportation services throughout the Nation, will further threaten the continued operation of other financially-imperiled rail carriers in the Northeast section of the Nation; and

Whereas the President has not provided the Congress with any proposals for preserving essential rail services in the Northeast section of the Nation, including those services which would be jeopardized by financial collapse of the Penn Central Company; and

Whereas the Congress finds that emergency measures are necessary to assure the continuity of essential rail transportation services: Now, therefore, in order to encourage the parties to the dispute to reach their own agreement, and to provide time for the submission to Congress of a comprehensive plan for preserving essential rail services in the Northeast section of the Nation, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160) shall apply and be extended for an additional period commencing at the expiration of the thirty-day period provided for in the third paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160) and ending at 12:01 antemeridian May 9, 1973, so that during such period no change except by agreement shall be made by the Penn Central Transportation Company or its employees

Railroad labor-management dispute.
Strike prohibition, extension.
44 Stat. 586.

or by order of any court in the conditions out of which such dispute arose.

Report to Congress.

SEC. 2. Not later than forty-five days from the enactment of this joint resolution the Secretary of Transportation shall submit to the Congress a report which, regardless of the settlement of the particular dispute between the Penn Central Transportation Company and its employees represented by the United Transportation Union, provides a full and comprehensive plan for the preservation of essential rail transportation services in the Northeast section of the Nation, including the President's proposals, if any, regarding Federal financial expenditures necessary for restoration or preservation of rail transportation services imperiled by the financial failure of rail carriers, and for alternative means for providing essential transportation services now provided by such carriers.

Report to Congress.

SEC. 3. Not later than thirty days prior to the expiration date specified in the first section of this joint resolution, the Secretary of Labor shall submit to the Congress a full and comprehensive report containing—

(1) the progress, if any, of negotiations between the Penn Central Transportation Company and its employees represented by the United Transportation Union; and

(2) any such recommendations for a proposed solution of the dispute described in this joint resolution as he deems appropriate.

Approved February 9, 1973.

Public Law 93-6

February 16, 1973
[S. J. Res. 42]

JOINT RESOLUTION

To extend the life of the Commission on Highway Beautification established under section 123 of the Federal-Aid Highway Act of 1970.

Commission on Highway Beautification. Extension. 23 USC 131 note.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (i) of section 123 of the Federal-Aid Highway Act of 1970 (84 Stat. 1727–28) is amended by striking out the first sentence and inserting the following in lieu thereof:

"(i) The Commission shall not later than December 31, 1973, submit to the President and the Congress its final report."

(b) Subsection (n) of section 123 of the Federal-Aid Highway Act of 1970 (84 Stat. 1727–28) is amended to read as follows:

"(n) There are hereby authorized to be appropriated such sums, but not more than $450,000, as may be necessary to carry out the provisions of this section and such moneys as may be appropriated shall be available to the Commission until expended."

Approved February 16, 1973.

Public Law 93-7

February 16, 1973
[H. J. Res. 299]

JOINT RESOLUTION

Relating to the date for the submission of the report of the Joint Economic Committee on the President's Economic Report.

Economic report.
Ante, p. 3.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 1, Ninety-third Congress, is amended by striking out "March 10, 1973" and inserting in lieu thereof "April 1, 1973".

Approved February 16, 1973.

Public Law 93-8

JOINT RESOLUTION

To designate the Manned Spacecraft Center in Houston, Texas, as the "Lyndon B. Johnson Space Center" in honor of the late President.

February 17, 1973
[S. J. Res. 37]

Whereas President Lyndon B. Johnson was one of the first of our national leaders to recognize the long-range benefits of an intensive space exploration effort; and

Whereas President Johnson, as Senate majority leader, established and served as chairman of the Special Committee on Space and Astronautics which gave the initial direction to the United States space effort; and

Whereas President Johnson, as Vice President of the United States, served as Chairman of the National Aeronautics and Space Council which recommended the goals for the manned space program; and

Whereas President Johnson for five years, as President of the United States, bore ultimate responsibility for the development of the Gemini and Apollo programs which resulted in man's first landing on the moon: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Manned Spacecraft Center, located in Houston, Texas, is hereby designated as the "Lyndon B. Johnson Space Center", and any reference to such center in any law, regulation, document, record, map, or other paper of the United States shall be deemed a reference to such center as the "Lyndon B. Johnson Space Center".

Lyndon B. Johnson Space Center. Designation.

Approved February 17, 1973.

Public Law 93-9

JOINT RESOLUTION

Making further continuing appropriations for the fiscal year 1973, and for other purposes.

March 8, 1973
[H. J. Res. 345]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (c) of section 102 and that section 108 of the joint resolution of July 1, 1972 (Public Law 92-334), as amended, are hereby amended by striking out "February 28, 1973" and inserting in lieu thereof "June 30, 1973" in both instances.

Continuing appropriations, 1973. 86 Stat. 404, 1204.

SEC. 2. The joint resolution of July 1, 1972 (Public Law 92-334), as amended, is further amended by adding the following new sections:

"SEC. 110. Notwithstanding any other provision of this joint resolution, obligations may be increased for the American Revolution Bicentennial Commission at not to exceed the annual rate of $6,224,000 during the period beginning February 16, 1973, and ending June 30, 1973.

American Revolution Bicentennial Commission.

"SEC. 111. Section 102 of Public Law 92-351 (86 Stat. 474) (July 13, 1972) is hereby repealed."

Repeal.

SEC. 3. Section 203 of the Budget and Accounting Procedures Act of 1950 (as added by section 402 of the Federal Impoundment and Information Act) is amended to read as follows:

86 Stat. 1325. 31 USC 581c-1.

"REPORTS ON IMPOUNDED FUNDS

"SEC. 203. (a) On or before the dates set forth in subsection (c), the President shall transmit to the Congress a report on funds impounded

Presidential report to Congress.

during the periods specified in such subsection containing the following information with respect to each impoundment:

"(1) the amount of the funds impounded;

"(2) the date on which the funds were ordered to be impounded;

"(3) the date the funds were impounded;

"(4) any department or establishment of the Government to which such impounded funds would have been available for obligation except for such impoundment;

"(5) the period of time during which the funds are to be impounded;

"(6) the reasons for the impoundment; and

"(7) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the impoundment.

"(b) The reports transmitted pursuant to subsection (a) for the second, third, and fourth periods of a fiscal year shall also contain the following information:

"(1) any revisions in the information transmitted with respect to any impoundment for any prior period of the fiscal year, and

"(2) a cumulative statement, by program, activity, or project and by the department or establishment of the Government, of impoundments since the beginning of the fiscal year, including impoundments during the period for which the report is transmitted.

Transmittal dates.

"(c) The first report for any fiscal year shall be transmitted on or before October 15 of such year and shall cover the period through September 30 of such year. The second and third reports for any fiscal year shall be submitted on or before the fifteenth and ninetieth days, respectively, after the submission of the Budget for such fiscal year and shall cover the periods through the date of the submission of the Budget and seventy-five days after such date, respectively. The fourth report for any fiscal year shall be submitted on or before July 15 following the close of such fiscal year and shall cover the remainder of the fiscal year. If on the day of transmittal of any report pursuant to subsection (a), the Senate or the House of Representatives, or both, are not in session, the Secretary of the Senate or the Clerk of the House of Representatives is authorized to receive such report for the Senate or the House of Representatives, as the case may be.

Copies, transmittal to Comptroller General.

"(d) The President shall transmit to the Comptroller General of the United States a copy of each report transmitted pursuant to subsection (a) on the same day on which such report is transmitted to the Congress.

Publication in Federal Register.

"(e) Each report transmitted pursuant to subsection (a) shall be printed in the first issue of the Federal Register published after the date on which such report is transmitted."

Effective date.

SEC. 4. This joint resolution shall be effective March 1, 1973.

Approved March 8, 1973.

Public Law 93-10

March 15, 1973
[H. J. Res. 334]

JOINT RESOLUTION

To provide for the designation of the second full calendar week in March 1973 as "National Employ the Older Worker Week".

National Employ the Older Worker Week. Designation authorization.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the second full calendar week in March of 1973 as "National Employ the Older Worker Week", and calling upon employer and employee organizations, other organizations officially concerned with employment, and

upon all the people of the United States to observe such week with appropriate ceremonies, activities, and programs designed to decrease employment discrimination in employment because of age.

Approved March 15, 1973.

Public Law 93-11

AN ACT

March 15, 1973
[H. R. 3694]

To amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended.

American Revolution Bicentennial Commission.
Appropriation authorization.
86 Stat. 1070.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7(a) of the joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes, approved July 4, 1966 (80 Stat. 261), as amended, is further amended by striking "until February 15, 1973" and inserting in lieu thereof "between February 16, 1973, and June 30, 1973".

Approved March 15, 1973.

Public Law 93-12

AN ACT

March 30, 1973
[S. 583]

To promote the separation of constitutional powers by suspending the effectiveness of the Rules of Evidence for United States Courts and Magistrates, the Amendments to the Federal Rules of Civil Procedure, and the Amendments to the Federal Rules of Criminal Procedure transmitted to the Congress by the Chief Justice on February 5, 1973, until approved by Act of Congress.

Federal courts.
Proposed rules of evidence, effectiveness.
Congressional approval requirement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provisions of law, the Rules of Evidence for United States Courts and Magistrates, the Amendments to the Federal Rules of Civil Procedure, and the Amendments to the Federal Rules of Criminal Procedure, which are embraced by the orders entered by the Supreme Court of the United States on Monday, November 20, 1972, and Monday, December 18, 1972, shall have no force or effect except to the extent, and with such amendments, as they may be expressly approved by Act of Congress.

Approved March 30, 1973.

Public Law 93-13

AN ACT

March 30, 1973
[H. R. 4278]

To amend the National School Lunch Act to assure that Federal financial assistance to the child nutrition programs is maintained at the level budgeted for fiscal year ending June 30, 1973.

Child nutrition programs.
Federal assistance, fiscal 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

CONGRESSIONAL FINDINGS

SECTION 1. The Congress finds that the volume and variety of Federal food donations to the school lunch and child nutrition programs are significantly below the amounts programed and budgeted for the fiscal year ending June 30, 1973, and that schools participating in these programs are confronted with serious financial problems in

obtaining sufficient supplies of the foods required to meet the nutritional standards established by law for these programs. It is, therefore, the purpose of this Act to provide an effective and immediate solution to this nutritional crisis.

SCHOOL PURCHASES OF FOOD SUPPLIES

60 Stat. 231; 84 Stat. 209. 42 USC 1755.

SEC. 2. Section 6 of the National School Lunch Act is amended by adding at the end thereof the following new subsections and by redesignating the existing portions of said section as subsection (a):

"(b) As of March 15, 1973, the Secretary shall make an estimate of the value of agricultural commodities and other foods that will be delivered during the fiscal year ending June 30, 1973, to States for school food service programs under the provisions of this section, section 416 of the Agricultural Act of 1949, and section 32 of the Act of August 24, 1935. If such estimated value is less than 90 per centum of the value of such deliveries initially programed for the fiscal year ending June 30, 1973, the Secretary shall pay to State educational agencies, by not later than April 15, 1973, an amount of funds that is equal to the difference between the value of such deliveries initially programed for such fiscal year and the estimated value as of March 15, 1973, of the commodities and other foods to be delivered in such fiscal year. The share of such funds to be paid to each State educational agency shall bear the same ratio to the total of such payment to all such agencies as the number of meals served under the provisions of section 9(a) of this Act and section 4(e) of the Child Nutrition Act of 1966 during the fiscal year ending June 30, 1972, bears to the total of all such meals served in all the States during such fiscal year: *Provided*, That in any State in which the Secretary directly administers school food service programs in the nonprofit private schools of such State, the Secretary shall withhold from the funds to be paid to any such State under the provisions of this subsection an amount that bears the same ratio to the total of such payment as the number of meals served in nonprofit private schools under the provisions of section 9(a) of this Act and section 4(e) of the Child Nutrition Act of 1966 during the fiscal year ending June 30, 1972, bears to the total of such meals served in all the schools in such State in such fiscal year. Each State educational agency, and the Secretary in the case of nonprofit private schools in which he directly administers school food service programs, shall promptly and equitably disburse such funds to schools participating in the lunch and breakfast programs under this Act and the Child Nutrition Act of 1966 and such disbursements shall be used by such schools to obtain agricultural commodities and other foods for their food service program. Such food shall be limited to the requirements for lunches and breakfasts for children as provided for in the regulations by the Department of Agriculture under title 7, subtitle b, chapter II, subchapter a, parts 210 and 220.

68 Stat. 458. 7 USC 1431. 49 Stat. 774. 7 USC 612c.

60 Stat. 233; 86 Stat. 726. 42 USC 1758. 86 Stat. 725. 42 USC 1773.

Nonprofit private schools.

80 Stat. 885. 42 USC 1771 note.

"(c) Notwithstanding any other provision of law, the Secretary, until such time as a supplemental appropriation may provide additional funds for the purpose of subsection (b) of this section, shall use funds appropriated by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) to make any payments to States authorized under such subsection. Any section 32 funds utilized to make such payments shall be reimbursed out of any supplemental appropriation hereafter enacted for the purpose of carrying out subsection (b) of this section and such reimbursement shall be deposited into the fund established pursuant to section 32 of the Act of August 24, 1935, to be available for the purposes of said section 32.

49 Stat. 774.

"(d) Any funds made available under subsection (b) or (c) of this section shall not be subject to the State matching provisions of section 7 of this Act."

60 Stat. 232; 84 Stat. 209. 42 USC 1756.

Approved March 30, 1973.

Public Law 93-14

AN ACT

To extend the Solid Waste Disposal Act, as amended, for one year.

April 9, 1973 [H. R. 5446]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (2) of subsection (a) of section 216 of the Solid Waste Disposal Act, as amended (84 Stat. 1234), is amended to read as follows:

Solid Waste Disposal Act, extension. 42 USC 3259.

"(2) There are authorized to be appropriated to the Administrator of the Environmental Protection Agency to carry out the provisions of this Act, other than section 208, not to exceed $72,000,000 for the fiscal year ending June 30, 1972, not to exceed $76,000,000 for the fiscal year ending June 30, 1973, and not to exceed $76,000,000 for the fiscal year ending June 30, 1974."

42 USC 3254b.

(b) Paragraph (3) of subsection (a) of section 216 of the Solid Waste Disposal Act, as amended (84 Stat. 1234), is amended to read as follows:

"(3) There are authorized to be appropriated to the Administrator of the Environmental Protection Agency to carry out section 208 of this Act not to exceed $80,000,000 for the fiscal year ending June 30, 1972, not to exceed $140,000,000 for the fiscal year ending June 30, 1973, and not to exceed $140,000,000 for the fiscal year ending June 30, 1974.".

(c) Subsection (b) of section 216 of the Solid Waste Disposal Act, as amended (84 Stat. 1234), is amended by striking "and not to exceed $22,500,000 for the fiscal year ending June 30, 1973." and inserting in lieu thereof ", not to exceed $22,500,000 for the fiscal year ending June 30, 1973, and not to exceed $22,500,000 for the fiscal year ending June 30, 1974.".

Approved April 9, 1973.

Public Law 93-15

AN ACT

To extend the Clean Air Act, as amended, for one year.

April 9, 1973 [H. R. 5445]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (c) of section 104 of the Clean Air Act, as amended (84 Stat. 1709), is amended by striking "and $150,000,000 for the fiscal year ending June 30, 1973." and inserting in lieu thereof ", $150,000,000 for the fiscal year ending June 30, 1973, and $150,000,000 for the fiscal year ending June 30, 1974.".

Clean Air Act, extension. 42 USC 1857b-1.

(b) Subsection (i) of section 212 of the Clean Air Act, as amended (84 Stat. 1703), is amended by striking "two succeeding fiscal years." and inserting in lieu thereof "three succeeding fiscal years.".

42 USC 1857f-6e.

(c) Section 316 of the Clean Air Act, as amended (84 Stat. 1709), is amended by striking "and $300,000,000 for the fiscal year ending June 30, 1973." and inserting in lieu thereof ", $300,000,000 for the fiscal year ending June 30, 1973, and $300,000,000 for the fiscal year ending June 30, 1974.".

42 USC 1857l.

Approved April 9, 1973.

Public Law 93-16

April 9, 1973
[H. J. Res. 5]

JOINT RESOLUTION

Requesting the President to issue a proclamation designating the week of April 23, 1973, as "Nicolaus Copernicus Week" marking the quinquecentennial of his birth.

Nicolaus Copernicus Week. Designation authorization.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to issue a proclamation designating the week of April 23, 1973, as "Nicolaus Copernicus Week" and calling upon the people of the United States to join with the Nation's scientific community as well as that of Poland and other nations in observing such week with appropriate ceremonies and activities.

Approved April 9, 1973.

Public Law 93-17

April 10, 1973
[H. R. 3577]

AN ACT

To provide an extension of the interest equalization tax, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Interest Equalization Tax Extension Act of 1973.

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the "Interest Equalization Tax Extension Act of 1973".

(b) AMENDMENT OF 1954 CODE.—Whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference is to a section or other provision of the Internal Revenue Code of 1954.

68A Stat. 3.
26 USC 1 *et seq.*

SEC. 2. EXTENSION OF INTEREST EQUALIZATION TAX.

78 Stat. 809; 85 Stat. 13.

Section 4911(d) is amended by striking out "March 31, 1973" and inserting in lieu thereof "June 30, 1974".

SEC. 3. OTHER AMENDMENTS.

(a) ESTATE TAXATION OF CERTAIN DEBT WHERE INTEREST EQUALIZATION TAX APPLIES.—

80 Stat. 1572.

(1) ESTATE TAX NOT TO APPLY.—The last sentence of section 2104(c) (relating to treatment of certain debt obligations for estate tax purposes) is amended by inserting "or section 861(a)(1)(G)" after "by reason of section 861(a)(1)(B)".

85 Stat. 15.
80 Stat. 1542.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to estates of decedents dying after December 31, 1972, except that in the case of the assumption of a

debt obligation of a foreign corporation which is treated as issued under section 4912(c)(2) after December 31, 1972, and before January 1, 1974, the amendment made by paragraph (1) shall apply with respect to estates of decedents dying after December 31, 1973. 85 Stat. 14. 26 USC 4912.

(b) REPEAL OF EXEMPTION FOR SHIPPING COMPANIES IN LESS DEVELOPED COUNTRIES.—

(1) IN GENERAL.—Section 4916 (relating to investments in less developed countries) is amended by adding at the end thereof the following new subsection: 78 Stat. 827.

"(e) REPEAL OF EXCLUSION FOR ISSUES AFTER JANUARY 29, 1973 IN THE CASE OF LESS DEVELOPED COUNTRY SHIPPING COMPANIES.—Subsection (a)(2) shall not apply to acquisitions of stock or debt obligations of a corporation described in subsection (c)(1)(B) (relating to certain less developed country shipping companies) which were issued after January 29, 1973." 81 Stat. 159.

(2) CONFORMING AMENDMENT.—Section 4916(a)(2) is amended by inserting "(except as provided in subsection (e))" after "less developed country corporation".

(c) EXCEPTIONS TO EXCLUSION RULES FOR CERTAIN PRE-EXISTING COMMITMENTS, ETC.—

(1) EXCEPTION FOR PRE-EXISTING COMMITMENTS.—Section 4916(e) of the Internal Revenue Code of 1954 (relating to repeal of exclusion for issues after January 29, 1973, in the case of less developed country shipping companies) shall not apply to an acquisition— *Supra.*

(A) made pursuant to an obligation to acquire which, on January 29, 1973—

(i) was unconditional, or

(ii) was subject only to conditions contained in a formal contract under which partial performance had occurred;

(B) as to which on or before January 29, 1973, the acquiring United States person (or, in a case where 2 or more United States persons are making acquisitions as part of a single transaction, a majority in interest of such persons) had taken every action to signify approval of the acquisition under the procedures ordinarily employed by such person (or persons) in similar transactions, subject only to the execution of formal documents evidencing the acquisition and to customary closing conditions, and the acquiring United States person (or persons)—

(i) had sent or deposited for delivery to the foreign issuer or obligor from whom the acquisition was made written evidence of such approval in the form of a com-

mitment letter, memorandum of terms, draft purchase contract, or other documents setting forth, or referring to a document sent by the foreign issuer or obligor from whom the acquisition was made which set forth, the principal terms of such acquisition, or

(ii) had received from the foreign issuer or obligor from whom the acquisition was made a memorandum of terms, draft purchase contract, or other document setting forth, or referring to a document sent by the acquiring United States person (or persons) which set forth, the principal terms of such acquisitions;

(C) of stock or a debt obligation issued in connection with the purchase or lease of a vessel the construction of which was begun before January 30, 1973, if—

(i) the acquisition meets the requirements of subparagraph (B) (except that for purposes of this clause, the term "January 29, 1973" appearing in such subparagraph shall be read as "April 30, 1973"), and

(ii) the contract for the construction of the vessel was entered into by the United States person, or by a less developed country corporation described in section 4916 (c)(1)(B) of the Internal Revenue Code of 1954 which is a member of the same controlled group (within the meaning of section 1563(a) of such Code) as that person, which purchased or leased such vessel; or

81 Stat. 159.
26 USC 4916.

78 Stat. 120; 83 Stat. 602.

(D) of stock or a debt obligation issued in connection with a purchase or lease of a vessel the construction of which was begun before January 30, 1973 if—

(i) a request for a ruling had been filed with the Internal Revenue Service within 60 days prior to January 30, 1973, with respect to the transaction,

(ii) before such date the United States person financing the transaction (or if two or more such persons are participating in financing the transaction, a majority in interest of such persons) had approved the transaction, or given a commitment to participate in the transaction (orally or in writing), subject to customary closing conditions, and

(iii) the vessel to be acquired in the transaction was delivered on or before March 1, 1973.

For purposes of this paragraph—

"Foreign issuer or obligor."

(I) FOREIGN ISSUER OR OBLIGOR.—The term "foreign issuer or obligor" shall include any person which, on the date of such acquisition, owned at least 80 percent of each class of stock of the foreign issuer or obligor, as determined under section 958(a) of

the Internal Revenue Code of 1954, or which is the agent or representative of such person. 76 Stat. 1018. 26 USC 958.

(II) ACQUIRING UNITED STATES PERSON.—The term "acquiring United States person (or persons)" includes the immediate predecessor in interest to such person or persons. "Acquiring United States person (or persons)."

(2) EXCEPTION FOR PUBLIC OFFERING.—Such section 4916(e) shall not apply to an acquisition if— *Ante*, p. 13.

(A) a registration statement (within the meaning of the Securities Act of 1933) had been in effect, with respect to the stock or debt obligation acquired, at the time of its issuance; 48 Stat. 74. 15 USC 77a.

(B) the registration statement was first filed with the Securities and Exchange Commission on January 29, 1973, or within 90 days before that date; and

(C) no amendment was filed with the Securities and Exchange Commission after January 29, 1973, and before the issuance of such stock or debt obligation which had the effect of increasing the number of shares of stock or the aggregate face amount of the debt obligations covered by the registration statement.

(3) EXCEPTION FOR OPTIONS, FORECLOSURES, AND CONVERSIONS.—Such section 4916(e) shall not apply to an acquisition—

(A) of stock pursuant to the exercise of an option or similar right (or a right to convert a debt obligation into stock), if such option or right was held on January 29, 1973, by the person making the acquisition or by a decedent from whom such person acquired the right to exercise such option or right by bequest or inheritance or by reason of such decedent's death, or

(B) of stock or debt obligations as a result of a foreclosure by a creditor pursuant to the terms of an instrument held by such creditor on January 29, 1973.

(4) CONSTRUCTION.—The provisions of this subsection shall be construed and applied as if this subsection were part of chapter 41 of the Internal Revenue Code of 1954 (relating to interest equalization tax), and the terms used in this subsection shall have the same meaning as such terms have when used in such chapter. 26 USC 4911 *et seq.*

(d) EXCLUSION FOR SECURITIES ISSUED TO FINANCE NEW OR ADDITIONAL DIRECT INVESTMENT IN THE UNITED STATES.—

(1) EXCLUSION FROM TAX.—Subchapter A of chapter 41 (relating to acquisition of foreign stock and debt obligations) is amended by adding at the end thereof the following new section: 78 Stat. 809; 85 Stat. 21.

"SEC. 4922. EXCLUSION FOR CERTAIN ISSUES TO FINANCE NEW OR ADDITIONAL DIRECT INVESTMENT IN THE UNITED STATES.

"(a) GENERAL RULE.—The tax imposed by section 4911 shall not apply to the acquisition by a United States person of—

"(1) stock or a debt obligation constituting all or part of a new issue (as defined in section 4917(c)) which was issued for the purpose of financing new or additional direct investment (as defined by the Secretary or his delegate) in the United States by the foreign issuer or obligor and which qualifies under subsection (b), 78 Stat. 830.

"(2) stock pursuant to a right to convert a debt obligation into stock without the payment of any further consideration if such debt obligation qualified for exclusion from tax under this subsection when it was issued, or

"(3) a debt obligation issued for the purpose of refunding or refinancing a new or original issue which met the requirements of paragraph (1) when that new or original issue was issued.

"(b) QUALIFICATION FOR EXCLUSION.—In order for any issue of stock or debt obligations to qualify for an exclusion under subsection (a), the foreign issuer or obligor (prior to the issuance of such stock or debt obligations) shall have established to the satisfaction of the Secretary or his delegate, pursuant to rules or regulations prescribed by the Secretary or his delegate, that—

"(1) at least 50 percent of the total funds required for the direct investment involved will come from sources outside the United States;

"(2) such investment will be made for a period of at least 10 years;

"(3) during such 10-year period the aggregate amount of all investments in the United States by the foreign issuer or obligor will at no time be reduced below the aggregate amount of such investments as determined immediately after the investment to which the exclusion applies;

"(4) during such 10-year period the foreign issuer or obligor will comply with such other conditions and requirements as the Secretary or his delegate may prescribe and make applicable to such issuer or obligor; and

"(5) during such 10-year period the foreign issuer or obligor will submit such reports and information, in such form and manner, as may be required by the Secretary or his delegate to substantiate compliance by the foreign issuer or obligor with the requirements of the preceding paragraphs.

For purposes of this subsection, a foreign issuer or obligor shall not be considered to have failed to meet the requirements of this subsection with respect to an issue of stock described in subsection (a)(2), or a debt obligation described in subsection (a)(3), if he continues to comply with the requirements imposed on him by this subsection with respect to the debt obligation converted, refunded, or refinanced, for the full 10-year period.

"(c) LOSS OF ENTITLEMENT TO EXCLUSION IN CASE OF SUBSEQUENT NONCOMPLIANCE.—

"(1) IN GENERAL.—Where an exclusion under subsection (a) has applied with respect to the acquisition of any stock or debt obligation, but the foreign issuer or obligor subsequently fails (before the termination date specified in section 4911(d)) to comply with any of the requirements enumerated in subsection (b) or made applicable to such issuer or obligor under paragraph (4) thereof, then liability for the tax imposed by section 4911 (in an amount determined under paragraph (2) of this subsection) shall be incurred by such foreign issuer or obligor (with respect to such stock or debt obligations) at the time such failure to comply occurs as determined by the Secretary or his delegate.

Ante, p. 12.

78 Stat. 809.
26 USC 4911.

"(2) AMOUNT OF TAX.—In any case where an exclusion under subsection (a) has applied with respect to an original or new issue of stock or debt obligations, but a subsequent failure to comply with the requirements enumerated in or made applicable to the foreign issuer or obligor under subsection (b) occurs and liability for the tax imposed by section 4911 is incurred by the issuer or obligor as a result thereof, the amount of such tax shall be equal to the amount of tax for which all persons acquiring such stock or debt obligations (as part of the original or new issue) would have been liable under such section upon their acquisition thereof if such exclusion had not applied to such acquisition."

(2) PENALTY.—Subchapter B of chapter 68 (relating to assessable penalties) is amended by adding at the end thereof the following new section:

68A Stat. 828; 86 Stat. 936, 1496.
26 USC 6671.

"SEC. 6689. FAILURE BY CERTAIN FOREIGN ISSUERS AND OBLIGORS TO COMPLY WITH UNITED STATES INVESTMENT EQUALIZATION TAX REQUIREMENTS.

"In addition to any other penalties imposed by law, any foreign issuer or obligor with respect to an original or new issue of whose stock or debt obligations an exclusion from tax under section 4922 applied, but who fails to comply with any of the applicable requirements enumerated in or made applicable to such issuer or obligor under subsection (b) of such section and (under section 4922(c)) incurs liability for the tax imposed by section 4911 as a result thereof, shall, unless it is shown that such failure to comply is due to reasonable cause and not due to willful neglect, be liable (in addition to the liability for tax so incurred) for a penalty equal to 25 percent of the total amount of such tax."

Ante, p. 15.

78 Stat. 809.
26 USC 4911.

(3) CONFORMING AMENDMENTS.—

(A) The table of sections for subchapter A of chapter 41 is amended by adding at the end thereof the following new item:

"Sec. 4922. Exclusion for certain issues to finance new or additional direct investment in the United States.".

(B) The table of sections for subchapter B of chapter 68 is amended by adding at the end thereof the following new item:

"Sec. 6689. Failure by certain foreign issuers and obligors to comply with United States investment equalization tax requirements.".

(e) CORPORATIONS FORMED TO ACQUIRE FOREIGN SECURITIES.—Section 4912(b)(3) (relating to acquisitions from domestic corporation or partnership formed or availed of to obtain funds for foreign issuer or obligor) is amended by adding at the end thereof the following: "The preceding sentence shall not apply to the acquisition of stock or a debt obligation of a domestic corporation all of whose acquisitions of stock or debt obligations of foreign issuers or obligors are either subject to the tax imposed by section 4911 or without liability for payment of such tax under section 4916, 4917, 4918, or 4920(b). An acquisition to which section 4914(c) applies shall not be taken into consideration in determining whether a domestic corporation or partnership is formed or availed of for the purpose of obtaining funds (directly or indirectly) for a foreign issuer or obligor."

78 Stat. 810.

78 Stat. 827.
81 Stat. 148.
79 Stat. 963.
Post, p. 18.

(f) EXPORT FINANCING.—

(1) SALE OR LEASE OF UNITED STATES PROPERTY OR SERVICES.—Section 4914(c)(1) (relating to export credit, etc., transactions) is amended to read as follows:

78 Stat. 815; 81 Stat. 158.

"(1) IN GENERAL.—The tax imposed by section 4911 shall not apply to the acquisition of a debt obligation arising out of the sale or lease of tangible personal property or services, or both, if—

"(A) payment of such debt obligation (or of any related debt obligation arising out of such sale or lease) is guaranteed or insured, in whole or in part, by an agency or wholly owned instrumentality of the United States; or

"(B)(i) not less than 85 percent of the amount of the loan or the amount paid or other consideration given to acquire such debt obligation is attributable to the sale or lease of property manufactured, produced, grown, or extracted in the United States, or to the performance of services by United States persons, or to both, and

"(ii) the extension of credit and the acquisition of the debt obligation related thereto are reasonably necessary to accomplish the sale or lease of property or services out of which the debt obligation arises, and the terms of the

debt obligation are not unreasonable in light of credit practices in the business in which the person selling or leasing such property or services is engaged.

"Services." The term 'services' as used in this paragraph and paragraph (2), shall not be construed to include functions performed as an underwriter."

78 Stat. 813; 81 Stat. 158. 26 USC 4914.

(2) REFUNDING OR REFINANCING CERTAIN DEBT OBLIGATIONS.—Section 4914(c) is amended by redesignating paragraph (8) as (9), and by inserting after paragraph (7) the following new paragraph:

78 Stat. 809.

"(8) REFUNDING OR REFINANCING CERTAIN DEBT OBLIGATIONS.—The tax imposed by section 4911 shall not apply to the acquisition of a debt obligation issued for the purpose of refunding or refinancing a new or original debt obligation if—

"(A) the purpose for which and circumstances under which the new or original debt obligation was issued are such that, were such debt obligation issued on the date on which the refunding or refinancing debt obligation is issued, the acquisition of that new or original debt obligation would not be subject to tax under section 4911, and

"(B) the terms of the refunding or refinancing debt obligation are not unreasonable in light of credit practices in the business in which the person acquiring the debt obligation is engaged and the refunding or refinancing of the new or original debt obligation is customary in transactions of the type out of which it arose."

85 Stat. 17.

(g)(1) EXCLUSION FOR ACQUISITIONS BY QLFC'S TO FINANCE EXPORTS.—Section 4915(e)(1)(A) is amended to read as follows:

"(A)(i) the amounts received by the corporation as a result of the acquisition will not be used to acquire stock of foreign issuers or debt obligations of foreign obligors (other than stock or debt obligations the acquisition of which is not subject to the tax imposed by section 4911 on account of section 4914(c)), or utilized in any way outside of the United States other than for the acquisition of tangible personal property for leasing which is manufactured or produced in the United States, or (ii) the funds used for such acquisition were obtained from sources outside the United States; and".

85 Stat. 18.

(2) DEFINITION OF QLFC AMENDED.—Section 4920(d)(2) is amended by striking out everything preceding subparagraph (A) and inserting in lieu thereof the following:

"(2) all debt obligations of foreign obligors (other than debt obligations the acquisition of which is not subject to the tax imposed by section 4911 on account of section 4914(c)) acquired by such corporation, and all tangible personal property not manufactured or produced in the United States acquired by such corporation for leasing, are acquired and carried solely out of—".

81 Stat. 148, 175.

(h)(1) PARTICIPATING FIRMS TRADING FOR THEIR OWN ACCOUNTS.—Section 4918(e) (relating to sales effected by participating firms in connection with exempt acquisitions) is amended by—

(A) striking "or" at the end of paragraph (7),

(B) redesignating paragraph (8) as (9), and

(C) inserting after paragraph (7) the following new paragraph:

"(8) sells for its own account and pays the tax imposed under section 4911 on its acquisition of such stock or debt obligation not later than the time it would be required to pay over such tax to the Secretary or his delegate if such tax were withheld under paragraph (7); or".

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to acquisitions of stock or debt obligations made on or after July 15, 1967.

(i)(1) INTEREST EQUALIZATION TAX REFUNDS.—Section 4919(a) (relating to credit or refund) is amended by striking out "credit or refund (without interest)" and inserting in lieu thereof "credit (without interest) or refund". 78 Stat. 833; 85 Stat. 20. 26 USC 4919.

(2) GRACE PERIOD FOR PROMPT REFUNDS.—Section 6611 (relating to interest on overpayments) is amended by redesignating subsection (h) as (i), and by inserting after subsection (g) the following new subsection: 68A Stat. 819; 72 Stat. 1640.

"(h) REFUND WITHIN 45 DAYS AFTER FILING CLAIM FOR REFUND OF INTEREST EQUALIZATION TAX PAID ON SECURITIES SOLD TO FOREIGNERS.—No interest shall be allowed under subsection (a) on any overpayment of the tax imposed by section 4911, arising by reason of section 4919(a), if the overpayment is refunded within 45 days after the filing of a claim for refund for that overpayment of tax with respect to a prior quarter." 78 Stat. 809. *Supra.*

(j) CHANGES IN DEFINITIONS AND SPECIAL RULES.—

(1) FOREIGN LENDING OR FINANCE BUSINESSES.—Section 4920(a)(3A) is amended by— 81 Stat. 161.

(A) amending subparagraph (A) to read as follows:

"(A) the term 'lending or finance business' has the meaning given to it by section 542(d)(1), except that the portion of subparagraph (B)(i) of such section following '60 months' shall be disregarded;" and "Lending or finance business." 78 Stat. 80.

(B) adding at the end of such section the following sentence: "For purposes of determining whether a domestic corporation is primarily engaged in the lending or finance business, ownership of stock of an affiliated corporation which satisfies the requirements of clause (i) and (ii) of paragraph (3)(C) shall be disregarded."

(2) FUNDING OF STOCK OPTIONS AND OTHER ISSUES OF STOCK.—Section 4920(b)(2) (relating to class of stock defined) is amended by— 79 Stat. 963; 85 Stat. 20.

(A) striking "or" at the end of subparagraph (C),

(B) redesignating subparagraph (D) as (E),

(C) inserting after subparagraph (C) the following new subparagraph:

"(D) issued after November 10, 1964, and prior to January 30, 1973, upon exercise of a stock option granted to an individual, in connection with his employment by the employer corporation, or its parent or subsidiary corporation, to purchase stock of any such corporations if the tax imposed by section 4911 has been paid;",

(D) amending clause (ii) of subparagraph (E) (as redesignated by subparagraph (B) of this paragraph) by inserting before the semicolon the following: ", or on the latest record date before the issuance of such additional shares",

(E) amending clause (iv) of such subparagraph (E) by inserting after "4917," the following: "or are shares issued after January 29, 1973, upon exercise of an option described in section 4914(a)(8) (determined without regard to whether or not the optionee is a United States person) granted to an employee who immediately after such option is granted is an individual described in section 422(b)(7) (provided that the aggregate number of shares of such class subject to all options described in section 4914(a)(8) (determined without regard to whether or not the optionee is a United States person) that are granted during one calendar year does not 78 Stat. 813. 78 Stat. 64.

exceed one percent of the total number of outstanding shares of such class on the first day of such calendar year),",

(F) striking the period at the end of clause (v) of such subparagraph (E) and inserting a semicolon and "or",

Ante, p. 19.

(G) inserting after such subparagraph (E) the following new subparagraph:

"(F) issued after March 31, 1973, as consideration for, or upon conversion (or in connection with the prior conversion) of debt obligations which were the consideration for, the acquisition of stock of a foreign corporation, if immediately after such acquisition the acquiring corporation owns (directly or indirectly) more than 50 percent of the total combined voting power of all classes of stock of such foreign corporation, or the acquisition of more than 50 percent (in value) of the assets of a foreign corporation, if—

"(i) such corporation satisfied the requirements of sections 4920(b)(2)(E) (i), (ii), and (iii);

"(ii) shares of such class were held of record by more than 5,000 persons on such corporation's latest record date before January 1, 1973;

"(iii) during the period beginning on January 1, 1973, and running through the date of issuance of such shares, shares of such class were listed for trading on one or more national securities exchanges registered with the Securities and Exchange Commission;

"(iv) during the period beginning on January 1, 1973, and running through the date of the issuance of the additional shares such corporation has maintained its principal office in the United States;

"(v) during the period beginning on January 1, 1973, and running through the date of issuance of the additional shares such corporation has been engaged in trade or business in the United States;

"(vi) during the 5-year period immediately preceding the date of issuance, the aggregate number of additional shares (other than additional shares issued under subparagraph (B), (C), (D), or (E) of this subsection) does not exceed 5 percent of the total number of outstanding shares of such class on the first day of such 5-year period, and

"(vii) the acquired foreign corporation was engaged in the active conduct of a trade or business (other than as a dealer in securities) immediately before the date of such acquisition.", and

(H) striking "subparagraph (D)" wherever it appears in the text of such section 4920(b)(2) after subparagraph (F) (added by subparagraph (G) of this paragraph) and inserting in lieu thereof "subparagraph (E)".

(3) FOREIGN SOURCE BORROWING BY QLFC FROM RELATED CORPORATIONS.—Section 4920(d)(2)(A)(iii) is amended to read as follows:

85 Stat. 18.
26 USC 4920.

"(iii) a foreign corporation (not including a qualified lending or financing corporation or a foreign corporation engaged in the commercial banking business which acquires such debt obligations in the ordinary course of such commercial banking business), if such corporation

(or one or more includible corporations in an affiliated group, as defined in section 1504, of which such corporation is a member) owns directly or indirectly (within the meaning of section 4915(a)(1)) 10 percent or more of the total combined voting power of all classes of stock of such foreign corporation, except to the extent such foreign corporation has, after having given advance notice to the Secretary or his delegate, sold its debt obligations to persons other than persons described in clauses (i) and (ii) and this clause and is using the proceeds of the sales of such debt obligations to acquire the debt obligations of such corporation (or such other domestic corporation),". 68A Stat. 369. 26 USC 1504. 78 Stat. 824.

(4) PERCENTAGE OF STOCK OWNED BY PARENT CORPORATION OF QLFC.—Section 4920(d)(2)(B) is amended by striking out "by one or more members of a controlled group (as defined in section 48(c)(3)(C)) of which such corporation is a member (or by a corporation which would be such a member if it were a domestic corporation)" and inserting "by a corporation owning directly or indirectly (within the meaning of section 4915(a)(1)) 10 percent or more of the total combined voting power of all classes of stock of such corporation". 85 Stat. 18. 83 Stat. 603.

(5) SOURCE OF FUNDS FOR QLFC'S.—Section 4920(d)(2) is amended by—

(A) striking "or" at the end of subparagraph (C),

(B) striking the semicolon at the end of subparagraph (D) and inserting in lieu thereof a comma and "or", and

(C) adding at the end thereof the following new subparagraph:

(E) the proceeds of the sale of debt obligations (by a domestic corporation which has made an election under section 4912(c) with respect to such debt obligations) to a person other than a person described in clause (i), (ii), or (iii) of subparagraph (A) if the proceeds are transferred directly from the lender to such corporation;". 85 Stat. 14.

(6) EQUITY INVESTMENTS OF QLFC'S.—Section 4920(d)(3) is amended to read as follows:

"(3) which does not acquire or own any stock of foreign issuers or of domestic corporations or domestic partnerships other than—

"(A) stock of one or more members of a controlled group (as defined in section 48(c)(3)(C)) of which such corporation is a member (or of a corporation which would be a member if it were a domestic corporation) acquired as payment for stock, or as a contribution to capital, of such corporation,

"(B)(i) stock of a corporation described in section 4915(e)(2)(C) or section 4920(a)(3B), if 10 percent or more of the total combined voting power of all classes of such stock is owned (directly or indirectly) by the acquiring corporation, or 85 Stat. 17, 18.

"(ii) stock of a partnership which meets the requirements of section 4920(d)(1) and (2) under regulations promulgated by the Secretary or his delegate, if immediately following the acquisition such corporation owns (directly or indirectly) 10 percent or more of the profits interest in such partnership, *Ante*, p. 20.

"(C) stock acquired by such corporation through foreclosure, where such stock was held by such corporation as security for loans or leases described in paragraph (1) if such stock is disposed of within a 90-day period beginning on the day after the date of such foreclosure (including any additional 90-day periods reasonably necessary to dispose of such stock that the Secretary or his delegate may allow), or

"(D) stock of a foreign corporation acquired in connection with and incidental to an acquisition of a debt obligation in a transaction described in paragraph (1) if (i) at the time of the acquisition of the debt obligation the value of such stock does not exceed 10 percent of the value of the debt obligation, and (ii) the terms of the debt obligation are not unreasonable in light of credit practices in the business in which the corporation acquiring such debt obligation is engaged; and".

85 Stat. 21. 26 USC 4920.

(7) STOCK DIVIDENDS BY CERTAIN MUTUAL FUNDS.—Section 4920(e) (relating to certain mutual funds) is amended by inserting before the period ", except stock issued as a capital gain dividend, as defined in section 852(b)(3)(C)".

68A Stat. 271; 83 Stat. 637.

SEC. 4. REPORT BY SECRETARY OF TREASURY.

78 Stat. 830; 79 Stat. 960.

26 USC 4911.

Report to Congress.

The Secretary of the Treasury shall study the effect on international monetary stability of the exemption granted under the authority of section 4917 of the Internal Revenue Code of 1954 (relating to exclusion for original or new issues where required for international monetary stability) from the tax imposed by chapter 41 of such Code (relating to interest equalization tax) of new issues of Canadian stock or debt obligations. The Secretary shall report to the Congress, not later than September 30, 1973, the results of such study and his conclusions as to whether the termination of such exemption will have such consequences for Canada as to imperil or threaten to imperil the stability of the international monetary system, together with any recommendations, including recommendations for legislation, he may have.

Approved April 10, 1973.

Public Law 93-18

JOINT RESOLUTION

April 14, 1973 [H. J. Res. 437]

To authorize the President to designate the period beginning April 15, 1973, as "National Clean Water Week".

National Clean Water Week. Designation authorization.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, to emphasize the importance of intelligently planned use and distribution of the Nation's water resources, and in recognition of the highly developed professional and industrial techniques which provide the American people with a constant supply of clean water for use in home, office, school, factory, hospital, and wherever else such clean water is needed, the President is hereby authorized and requested to issue a proclamation designating the period beginning April 15, 1973, and ending April 22, 1973, as "National Clean Water Week", calling upon interested groups and organizations to observe such week with appropriate ceremonies and activities.

Approved April 14, 1973.

Public Law 93-19

JOINT RESOLUTION

To authorize the President to proclaim April 16, 1973, as "Jim Thorpe Day".

April 16, 1973
[S. J. Res. 73]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, (1) in recognition of Jim Thorpe having been chosen the greatest athlete in the first half of the twentieth century by the Associated Press, (2) in appreciation for the standards of excellence set by Jim Thorpe which have taught all Americans to recognize the innate dignity of their fellow citizen, the American Indian, (3) in recognition of Jim Thorpe's example of overcoming social and economic barriers to achieve excellence, and blazing a trail for other talented minority Americans, and (4) in honor of the recognition Jim Thorpe brought to all Americans with his triumph at the 1912 Olympics, the President is authorized and requested to issue a proclamation designating April 16, 1973, as "Jim Thorpe Day", and calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

Jim Thorpe Day.
Designation authorization.

Approved April 16, 1973.

Public Law 93-20

JOINT RESOLUTION

To authorize and request the President to proclaim April 29, 1973, as a day of observance of the thirtieth anniversary of the Warsaw ghetto uprising.

April 20, 1973
[H. J. Res. 303]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the 29th day of April 1973 is hereby marked in commemoration of the thirtieth anniversary of the uprising against the Nazi occupation forces by the beleaguered and outnumbered Jews of the Warsaw ghetto who, by their heroic struggle, reaffirmed the ineradicable determination of mankind to fight for freedom from oppression and symbolized the indestructible spirit of liberty.

Warsaw ghetto uprising.
30th anniversary.
Designation authorization.

The President is authorized and requested to issue a proclamation inviting the people of the United States to observe such day with appropriate ceremonies and activities.

Approved April 20, 1973.

Public Law 93-21

JOINT RESOLUTION

To authorize the President to issue a proclamation designating the month of May, 1973, as "National Arthritis Month".

April 20, 1973
[H. J. Res. 275]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation (1) designating the month of May 1973 as "National Arthritis Month", (2) inviting the Governors of the several States to issue proclamations for like purposes, and (3) urging the people of the United States, and educational, philanthropic, scientific, medical, and health care professions and organizations to provide the necessary assistance and resources to discover the causes and cures of arthritis and rheumatic diseases and to alleviate the suffering of persons struck by these diseases.

National Arthritis Month.
Designation authorization.

Approved April 20, 1973.

Public Law 93-22

AN ACT

April 20, 1973
[S. 1315]

To extend diplomatic privileges and immunities to the Liaison Office of the People's Republic of China and to members thereof, and for other purposes.

People's Republic of China Liaison Office.
Diplomatic privileges, immunities; extension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, under such terms and conditions as he shall determine and consonant with the purposes of this Act, the President is authorized to extend to the Liaison Office of the People's Republic of China in Washington and to the members thereof the same privileges and immunities subject to corresponding conditions and obligations as are enjoyed by diplomatic missions accredited to the United States and by members thereof.

Approved April 20, 1973.

Public Law 93-23

JOINT RESOLUTION

April 20, 1973
[H. J. Res. 210]

Asking the President of the United States to declare the fourth Saturday of September, 1973, "National Hunting and Fishing Day".

National Hunting and Fishing Day.
Designation authorization.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That the President of the United States declare the fourth Saturday of September, 1973, as "National Hunting and Fishing Day" to provide that deserved national recognition, to recognize the esthetic, health, and recreational virtues of hunting and fishing, to dramatize the continued need for gun and boat safety, and to rededicate ourselves to the conservation and respectful use of our wildlife and natural resources.

Approved April 20, 1973.

Public Law 93-24

AN ACT

April 20, 1973
[H. R. 1975]

To amend the emergency loan program under the Consolidated Farm and Rural Development Act, and for other purposes.

Emergency farm loans.
86 Stat. 557.
7 USC 1969.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (a), (b), (c), (d), (e), and (f) of section 328 of the Consolidated Farm and Rural Development Act, as amended by Public Law 92-385, are repealed.

SEC. 2. Subsection (a) of section 321 of the Consolidated Farm and Rural Development Act is amended by striking out all of the language within the parentheses and inserting the following: "(including loans the Secretary is authorized to make or insure under subtitles A and B of this title or any other Act of Congress)".

75 Stat. 311.
7 USC 1961.

7 USC 1922, 1941.

SEC. 3. Subsection (b) of section 321 of the Consolidated Farm and Rural Development Act is amended by deleting said subsection in its entirety and substituting in lieu thereof:

"(b) The Secretary shall make loans in any such area designated by the Secretary in accordance with subsection (a) hereof and in any area designated as a major disaster by the President pursuant to the provisions of the Disaster Relief Act of 1970, as amended, (1) to established farmers, ranchers, or oyster planters who are citizens of the United States and (2) to private domestic corporations or partnerships engaged primarily in farming, ranching, or oyster planting:

84 Stat. 1744.
42 USC 4401 note.

Provided, That they have experience and resources necessary to assure a reasonable prospect for successful operation with the assistance of such loan, and are unable to obtain sufficient credit elsewhere to finance their actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time."

Interest rate.
75 Stat. 311.
7 USC 1964.

SEC. 4. Section 324 of the Consolidated Farm and Rural Development Act is amended by striking out "3 per centum" and inserting in lieu thereof "5 per centum".

Insured loans.
85 Stat. 491.
7 USC 1968.

SEC. 5. Section 328 of the Consolidated Farm and Rural Development Act, as amended by Public Law 92-173, is further amended by striking out "$100,000,000" and inserting "$500,000,000".

SEC. 6. Section 321(a) of the Consolidated Farm and Rural Development Act is amended by striking the word "may" and inserting in lieu thereof the word "shall".

Repeal.
84 Stat. 1753.
42 USC 4452.

SEC. 7. Section 232 of Public Law 91-606 is repealed.

Exception.
86 Stat. 557.
7 USC 1969.

SEC. 8. Notwithstanding the repeal herein of section 5 of Public Law 92-385, and notwithstanding any other provision of law, the Secretary of Agriculture shall make loans in accordance with the provisions of section 5 of Public Law 92-385 to eligible applicants in natural disaster areas determined or designated by the Secretary of Agriculture where such determination or designation had been made after January 1, 1972 and prior to December 27, 1972. The authority to accept applications for such loans shall expire 18 days after the effective date of this Act.

SEC. 9. Notwithstanding the provisions of any other law, any loan made by the Small Business Administration in connection with any disaster occurring on or after the date of enactment of this Act under sections 7(b) (1), (2), or (4) of the Small Business Act (15 U.S.C. 636(b)(1), (2), or (4)) shall bear interest at the rate determined under section 324 of the Consolidated Farm and Rural Development Act, as amended by section 4 of this Act. No portion of any such loan shall be subject to cancellation under the provisions of any law.

72 Stat. 387; 78 Stat. 7.

Approved April 20, 1973.

Public Law 93-25

JOINT RESOLUTION

April 26, 1973
[H. J. Res. 496]

Making supplemental appropriations for the fiscal year ending June 30, 1973, for the Civil Aeronautics Board and the Veterans Administration, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1973, namely:

Supplemental appropriations, 1973.

CIVIL AERONAUTICS BOARD

PAYMENTS TO AIR CARRIERS

For an additional amount for "Payments to air carriers", $26,800,000, to remain available until expended.

VETERANS ADMINISTRATION

READJUSTMENT BENEFITS

For an additional amount for "Readjustment benefits", $468,000,000, to remain available until expended.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF EDUCATION

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, Subparts 1 and 2 of Part A ($332,400,000), Part C ($270,200,000), and Part E ($269,400,000) of Title IV of the Higher Education Act of 1965, as amended, $872,000,000 to remain available until June 30, 1974: *Provided*, That of the sums herein appropriated for Subparts 1 and 2 of Part A, not to exceed $122,100,000 (including $11,500,000 for administrative expenses) may be used for Subpart 1.

86 Stat. 248.
20 USC 1070a, 1070b.
82 Stat. 1028.
86 Stat. 272.
42 USC 2751; 20 USC 1087aa.

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

None of the funds made available by the Continuing Resolution as amended (Public Law 92–334, Public Law 93–9) for carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), shall be available to pay any local educational agency in excess of 54 per centum of the amounts to which such agency would otherwise be entitled pursuant to section 3(b) of said title I and none of the funds shall be available to pay any local educational agency in excess of 90 per centum of the amounts to which such agency would otherwise be entitled pursuant to section 3(a) of said title I if the number of children in average daily attendance in schools of that agency eligible under said section 3(a) is less than 25 per centum of the total number of children in such schools.

86 Stat. 402.
Ante, p. 7.
64 Stat. 1100.
20 USC 236.
20 USC 238.

GENERAL SERVICES ADMINISTRATION

PROPERTY MANAGEMENT AND DISPOSAL SERVICE

OPERATING EXPENSES

For an additional amount for "Operating expenses" for the national reserve established by the National Industrial Reserve Act of 1948 (50 U.S.C. 451–462), $1,800,000, to remain available until expended.

62 Stat. 1225.

Approved April 26, 1973.

Public Law 93-26

April 27, 1973
[S. 1493]

AN ACT

To amend title 37, United States Code, relating to promotion of members of the uniformed services who are in a missing status.

Uniformed services.
Missing status, promotions.
86 Stat. 796.
70A Stat. 116.
80 Stat. 629.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 552(a) of title 37, United States Code, is amended by adding the following sentence at the end thereof: "Notwithstanding section 1523 of title 10 or any other provision of law, the promotion of a member while he is in a missing status is fully effective for all purposes, even though the Secretary concerned determines under section 556(b) of this title that the member died before the promotion was made."

Effective dates.
38 USC 401.

SEC. 2. For the purposes of chapter 13 of title 38, United States Code, this Act becomes effective as of November 24, 1971. For all other purposes this Act becomes effective as of February 28, 1961.

Approved April 27, 1973.

Public Law 93-27

AN ACT

To amend the Agricultural Adjustment Act of 1938 with respect to rice.

April 27, 1973
[H. R. 6883]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 353 of the Agricultural Adjustment Act of 1938 be amended by adding a new subsection (g) to read as follows:

Rice.
Acreage allotments, transfer.
63 Stat. 1059; 76 Stat. 20.
7 USC 1353.

"(g) Notwithstanding any other provision of this Act, if the Secretary determines for 1973 that because of a natural disaster a portion of the farm rice acreage allotments in a county cannot be timely planted or replanted in such year, he may authorize for such year the transfer of all or a part of the rice acreage allotment for any farm in the county so affected to another farm in the county or in an adjoining county on which one or more of the producers on the farm from which the transfer is to be made will be engaged in the production of rice and will share in the proceeds thereof, in accordance with such regulations as the Secretary may prescribe. Any farm allotment transferred under this subsection shall be deemed to be released acreage for the purpose of acreage history credits under subsection (e) of this section and section 377 of this Act: *Provided*, That, notwithstanding the provisions of subsection (e) of this section, the transfer of any farm allotment under this subsection shall operate to make the farm from which the allotment was transferred eligible for an allotment as having rice planted thereon during the five-year base period."

69 Stat. 45.
73 Stat. 393.
7 USC 1377.

Approved April 27, 1973.

Public Law 93-28

AN ACT

To extend and amend the Economic Stabilization Act of 1970.

April 30, 1973
[S. 398]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Economic Stabilization Act Amendments of 1973".

Economic Stabilization Act Amendments of 1973.

AUTHORITY TO ALLOCATE PETROLEUM PRODUCTS

SEC. 2. (a) The first sentence of section 202 of the Economic Stabilization Act of 1970 is amended by striking out the period at the end thereof and inserting in lieu thereof the following: ", and that in order to maintain and promote competition in the petroleum industry and assure sufficient supplies of petroleum products to meet the essential needs of various sections of the Nation, it is necessary to provide for the rational and equitable distribution of those products."

85 Stat. 744.
12 USC 1904 note.

(b) The first sentence of section 203(a) of such Act is amended—

(1) by striking out "and" at the end of clause (1);

(2) by striking out the period at the end of clause (2) and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof a new clause as follows:

"(3) provide after public hearing, conducted with such notice, under such regulations and subject to such review as the exigencies

of the case may, in his judgment, make appropriate for the establishment of priorities of use and for systematic allocation of supplies of petroleum products including crude oil in order to meet the essential needs of various sections of the Nation and to prevent anticompetitive effects resulting from shortages of such products."

DEFINITION OF SUBSTANDARD EARNINGS

85 Stat. 744.
12 USC 1904 note.

SEC. 3. Section 203(d) of the Economic Stabilization Act of 1970 is amended by adding at the end thereof the following new sentence: "The President shall prescribe regulations defining for the purposes of this subsection the term 'substandard earnings', but in no case shall such term be defined to mean earnings less than those resulting from a wage or salary rate which yields $3.50 per hour or less."

CLARIFICATION OF AUTHORITY CONFERRED BY ACT

SEC. 4. Section 203 of the Economic Stabilization Act of 1970 is amended by adding at the end thereof the following new subsection:

"(j) Nothing in this title may be construed to authorize or require the withholding or reservation of any obligational authority provided by law or of any funds appropriated under such authority."

DEFINITION OF WAGES AND SALARIES

SEC. 5. Section 203(g) of the Economic Stabilization Act of 1970 is amended to read as follows:

"(g) For the purposes of this title, the term 'wages' and 'salaries' do not include reasonable contributions by any employer pursuant to a compensation adjustment for—

"(1) any pension, profit sharing, or annuity and savings plan which meets the requirements of section 401(a), 404(a)(2), or 403(b) of the Internal Revenue Code of 1954;

26 USC 401, 404, 403.

"(2) any group insurance plan; or

"(3) any disability and health plan;

unless the President determines that the contributions for such purposes made by any such employer are unreasonably inconsistent with the standards for wage, salary, and price increases issued under subsection (b) or under any other provision of this title. Employees in all industries subject to controls under this title shall be treated equally for purposes of this title."

PUBLIC DISCLOSURE

85 Stat. 747.

SEC. 6. Section 205 of the Economic Stabilization Act of 1970 is amended—

(1) by striking "All" and inserting in lieu thereof "(a) Except as provided in subsection (b), all"; and

(2) by adding at the end thereof the following new subsection:

"(b)(1) Any business enterprise subject to the reporting requirements under section 130.21(b) of the regulations of the Cost of Living Council in effect on January 11, 1973, shall make public any report

(except for matter excluded in accordance with paragraph (2)) so required which covers a period during which that business enterprise charges a price for a substantial product which exceeds by more than 1.5 per centum the price lawfully in effect for such product on January 10, 1973, or on the date twelve months preceding the end of such period, whichever is later. As used in this subsection, the term 'substantial product' means any single product or service which accounted for 5 per centum or more of the gross sales or revenues of a business enterprise in its most recent full fiscal year.

"Substantial product."

"(2) A business enterprise may exclude from any report made public pursuant to paragraph (1) any information or data reported to the Cost of Living Council, proprietary in nature, which concerns or relates to the amount or sources of its income, profits, losses, costs, or expenditures but may not exclude from such report, data, or information, so reported, which concerns or relates to its prices for goods and services.

"(3) Immediately upon enactment of this subsection, the President or his delegate shall issue regulations defining for the purpose of this subsection what information or data are proprietary in nature and therefore excludable under paragraph (2), except that such regulations may not define as excludable any information or data which cannot currently be excluded from public annual reports to the Securities and Exchange Commission pursuant to section 13 or 15(d) of the Securities Exchange Act of 1934 by a business enterprise exclusively engaged in the manufacture or sale of a substantial product as defined in paragraph (1). Such regulations shall define as excludable any information or data which concerns or relates to the trade secrets, processes, operations, style of work, or apparatus of the business enterprise."

15 USC 78m, 78o.

AGENCY HEARINGS

SEC. 7. Section 207(b) of the Economic Stabilization Act of 1970 is amended by striking out the period at the end thereof and inserting the following in lieu thereof: ": *Provided*, That such agency shall issue no order which has the effect of reducing wages, or salaries in effect, or proposed to be put into effect, in an appropriate employee unit unless such order is made on the record after opportunity for a hearing. Not less than thirty days after issuance of such an order a statement of explanation shall be directed to the affected parties and made available to the public. Such statement shall include a full explanation of the reasons why the existing wage or salary, or proposed wage or salary adjustment, does not meet the requirements of or the standards established by the regulations prescribed by the agency."

85 Stat. 747. 12 USC 1904 note.

EXTENSION OF ACT

SEC. 8. Section 218 of the Economic Stabilization Act of 1970 is amended by striking out "April 30, 1973" and "May 1, 1973" and inserting in lieu thereof "April 30, 1974" and "May 1, 1974", respectively.

85 Stat. 752.

Approved April 30, 1973.

Public Law 93-29

May 3, 1973
[S. 50]

AN ACT

To strengthen and improve the Older Americans Act of 1965, and for other purposes.

Older Americans Comprehensive Services Amendments of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Older Americans Comprehensive Services Amendments of 1973".

TITLE I—DECLARATION OF OBJECTIVES

FINDINGS AND PURPOSES

SEC. 101. The Congress finds that millions of older citizens in this Nation are suffering unnecessary harm from the lack of adequate services. It is therefore the purpose of this Act, in support of the objectives of the Older Americans Act of 1965, to—

79 Stat. 218.
42 USC 3001 note.

(1) make available comprehensive programs which include a full range of health, education, and social services to our older citizens who need them,

(2) give full and special consideration to older citizens with special needs in planning such programs, and, pending the availability of such programs for all older citizens, give priority to the elderly with the greatest economic and social need,

(3) provide comprehensive programs which will assure the coordinated delivery of a full range of essential services to our older citizens, and, where applicable, also furnish meaningful employment opportunities for many individuals, including older persons, young persons, and volunteers from the community, and

(4) insure that the planning and operation of such programs will be undertaken as a partnership of older citizens, community agencies, and State and local governments, with appropriate assistance from the Federal Government.

42 USC 3001.

SEC. 102. Section 101(8) of the Older Americans Act of 1965 is amended by inserting after "services" the following: ", including access to low-cost transportation,".

TITLE II—ADMINISTRATION ON AGING

42 USC 3011.

SEC. 201. (a) Section 201 of the Older Americans Act of 1965 is amended to read as follows:

"ESTABLISHMENT OF ADMINISTRATION ON AGING

"SEC. 201. (a) There is established in the Office of the Secretary an Administration on Aging (hereinafter in this Act referred to as the 'Administration') which shall be headed by a Commissioner on Aging (hereinafter in this Act referred to as the 'Commissioner'). Except for title VI and as otherwise specifically provided by the Older Americans Comprehensive Services Amendments of 1973, the Administration shall be the principal agency for carrying out this Act. In the performance of his functions, the Commissioner shall be directly responsible to the Office of the Secretary. The Secretary shall not approve any delegation of the functions of the Commissioner to any other officer not directly responsible to the Commissioner unless the Secretary shall first submit a plan for such delegation to the Congress. Such delegation is effective at the end of the first period of sixty calen-

dar days of continuous session of Congress after the date on which the plan for such delegation is transmitted to it: *Provided, however*, That within thirty days of such transmittal, the Secretary shall consult with the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives respecting such proposed delegation. For the purpose of this section, continuity of session is broken only by an adjournment of Congress sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the thirty-day and sixty-day periods. Under provisions contained in a reorganization plan, a provision of the plan may be effective.

"(b) The Commissioner shall be appointed by the President by and with the advice and consent of the Senate."

Presidential appointment.

(b)(1) Section 202(4) of the Older Americans Act of 1965 is amended to read as follows:

Functions. 79 Stat. 220. 42 USC 3012.

"(4) develop plans, conduct and arrange for research in the field of aging, and assist in the establishment of and carry out programs designed to meet the needs of older persons for social services, including nutrition, hospitalization, preretirement training, continuing education, low-cost transportation and housing, and health services;"

(2) Section 202 of the Older Americans Act of 1965 is amended by striking out "and" at the end of paragraph (7), by striking out the period at the end of paragraph (8) and inserting in lieu thereof "; and", and by adding at the end thereof the following new paragraphs:

"(9) develop basic policies and set priorities with respect to the development and operation of programs and activities conducted under authority of this Act;

"(10) provide for the coordination of Federal programs and activities related to such purposes;

"(11) coordinate, and assist in, the planning and development by public (including Federal, State, and local agencies) and nonprofit private organizations of programs for older persons, with a view to the establishment of a nationwide network of comprehensive, coordinated services and opportunities for such persons;

"(12) convene conferences of such authorities and officials of public (including Federal, State, and local agencies) and nonprofit private organizations concerned with the development and operation of programs for older persons as the Commissioner deems necessary or proper for the development and implementation of policies related to the purposes of this Act;

"(13) develop and operate programs providing services and opportunities as authorized by this Act which are not otherwise provided by existing programs for older persons;

"(14) carry on a continuing evaluation of the programs and activities related to the purposes of this Act, with particular attention to the impact of medicare and medicaid, the Age Discrimination Act of 1967, and the programs of the National Housing Act relating to housing for the elderly and the setting of standards for the licensing of nursing homes, intermediate care homes, and other facilities providing care for older people;

81 Stat. 602. 29 USC 621 note. 48 Stat. 1246. 12 USC 1701 and note.

"(15) provide information and assistance to private nonprofit organizations for the establishment and operation by them of programs and activities related to the purposes of this Act; and

"(16) develop, in coordination with other agencies, a national plan for meeting the needs for trained personnel in the field of

aging, and for training persons for carrying out programs related to the purposes of this Act, and conduct and provide for the conducting of such training."

Ante, p. 31.

(3) Section 202 of the Act (as amended by the preceding provisions of this subsection) is further amended by inserting "(a)" after "SEC. 202.", and by adding at the end thereof the following new subsection:

"(b) In executing his duties and functions under this Act and carrying out the programs and activities provided for by this Act, the Commissioner, in consultation with the Director of Action, shall take all possible steps to encourage and permit voluntary groups active in social services, including youth organizations active at the high school or college levels, to participate and be involved individually or through representative groups in such programs or activities to the maximum extent feasible, through the performance of advisory or consultative functions, and in other appropriate ways."

79 Stat. 220.
42 USC 3011.

(c) Title II of the Older Americans Act of 1965 is further amended by adding at the end thereof the following new sections:

"FEDERAL AGENCY COOPERATION

"SEC. 203. Federal agencies proposing to establish programs substantially related to the purposes of this Act shall consult with the Administration on Aging prior to the establishment of such services, and Federal agencies administering such programs shall cooperate with the Administration on Aging in carrying out such services.

"THE NATIONAL INFORMATION AND RESOURCE CLEARING HOUSE FOR THE AGING

Establishment.

"SEC. 204. (a) The Commissioner is authorized and directed to establish and operate a National Information and Resource Clearing House for the Aging which shall—

"(1) collect, analyze, prepare, and disseminate information related to the needs and interests of older persons;

"(2) obtain information concerning older persons from public and private agencies and other organizations serving the needs and interests of older persons and furnish, upon request, information to such agencies and organizations, including information developed by Federal, State, and local public agencies with respect to programs of such agencies designed to serve the needs and interests of older persons;

"(3) encourage the establishment of State and local information centers and provide technical assistance to such centers, including sources established under section 304(c)(3) and section 305(a)(7), to assist older persons to have ready access to information; and

Post, p. 38.
Post, p. 41.

"(4) carry out a special program for the collection and dissemination of information relevant to consumer interests of older persons in order that such older persons may more readily obtain information concerning goods and services needed by them.

"(b) The Commissioner shall take whatever action is necessary to achieve coordination of activities carried out or assisted by all departments, agencies, and instrumentalities of the Federal Government with respect to the collection, preparation, and dissemination of information relevant to older persons. To the extent practicable, the Commissioner shall carry out his functions under this subsection through the National Information and Resource Clearing House for the Aging.

"(c) There are authorized to be appropriated to carry out the purposes of this section during the fiscal year ending June 30, 1973, the fiscal year ending June 30, 1974, and the fiscal year ending June 30, 1975, such sums as may be necessary. Appropriation.

"FEDERAL COUNCIL ON THE AGING

"SEC. 205. (a) There is established a Federal Council on the Aging to be composed of fifteen members appointed by the President with the advice and consent of the Senate for terms of three years without regard to the provisions of title 5, United States Code. Members shall be appointed so as to be representative of older Americans, national organizations with an interest in aging, business, labor, and the general public. At least five of the members shall themselves be older persons. Establishment; membership. 80 Stat. 378. 5 USC 101 *et seq.*

"(b)(1) Of the members first appointed, five shall be appointed for a term of one year, five shall be appointed for a term of two years, and five shall be appointed for a term of three years, as designated by the President at the time of appointment. Appointments.

"(2) Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. Members shall be eligible for reappointment and may serve after the expiration of their terms until their successors have taken office. Vacancies.

"(3) Any vacancy in the Council shall not affect its powers, but shall be filled in the same manner by which the original appointment was made.

"(4) Members of the Council shall, while serving on business of the Council, be entitled to receive compensation at a rate not to exceed the daily rate specified for grade GS–18 in section 5332 of title 5, United States Code, including traveltime, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently. Compensation, travel expenses. 5 USC 5332 note. 80 Stat. 499; 83 Stat. 190.

"(c) The President shall designate the Chairman from among the members appointed to the Council. The Council shall meet at the call of the Chairman but not less often than four times a year. The Secretary and the Commissioner on Aging shall be ex officio members of the Council. Chairman. Meetings.

"(d) The Council shall— Duties.

"(1) advise and assist the President on matters relating to the special needs of older Americans;

"(2) assist the Commissioner in making the appraisal of needs required by section 402; *Post*, p. 45.

"(3) review and evaluate, on a continuing basis, Federal policies regarding the aging and programs and other activities affecting the aging conducted or assisted by all Federal departments and agencies for the purpose of appraising their value and their impact on the lives of older Americans; and

"(4) serve as a spokesman on behalf of older Americans by making recommendations to the President, to the Secretary, the Commissioner, and to the Congress with respect to Federal policies regarding the aging and federally conducted or assisted programs and other activities relating to or affecting them;

"(5) inform the public about the problems and needs of the aging, in consultation with the National Information and Resource

Clearing House for the Aging, by collecting and disseminating information, conducting or commissioning studies and publishing the results thereof, and by issuing publications and reports; and

"(6) provide public forums for discussing and publicizing the problems and needs of the aging and obtaining information relating thereto by conducting public hearings, and by conducting or sponsoring conferences, workshops, and other such meetings.

Information, availability.

"(e) The Secretary and the Commissioner shall make available to the Council such staff, information, and other assistance as it may require to carry out its activities.

Report to President, transmittal to Congress.

"(f) Beginning with the year 1974 the Council shall make such interim reports as it deems advisable and an annual report of its findings and recommendations to the President not later than March 31 of each year. The President shall transmit each such report to the Congress together with his comments and recommendations.

Benefit programs, study. Report to Congress.

"(g) The Council shall undertake a study of the interrelationships of benefit programs for the elderly operated by Federal, State, and local government agencies. Following the completion of this study, but no later than eighteen months after enactment of this Act, the President shall submit to Congress recommendations for bringing about greater uniformity of eligibility standards, and for eliminating the negative impact that one program's standards may have on another.

Tax impact on elderly, study. Report to Congress and States.

"(h) The Council shall undertake a study of the combined impact of all taxes on the elderly—including but not limited to income, property, sales, social security taxes. Upon completion of this study, but no later than eighteen months after enactment of this Act, the President shall submit to Congress, and to the Governor and legislatures of the States, the results thereof and such recommendations as he deems necessary.

State allotment formulae, study. *Post*, p. 37.

"(i) The Council shall undertake a study or studies concerning the effects of the formulae specified in section 303 for allotment among the States of sums appropriated for area planning and social service programs authorized under title III of this Act. Upon completion of this study, but no later than January 1, 1975, the results of such study, together with recommendations for such changes, if any, in such formulae as may be determined to be desirable, and the justification for any changes recommended, shall be submitted to the Commissioner, the Secretary of Health, Education, and Welfare, the Committee on Labor and Public Welfare of the Senate, and the Committee on Education and Labor of the House of Representatives.

Post, p. 36. Report to HEW and congressional committees.

"ADMINISTRATION OF THE ACT

"SEC. 206. (a) In carrying out the purposes of this Act, the Commissioner is authorized to:

"(1) provide consultative services and technical assistance to public or nonprofit private agencies and organizations;

"(2) provide short-term training and technical instruction;

"(3) conduct research and demonstrations;

"(4) collect, prepare, publish, and disseminate special educational or informational materials, including reports of the projects for which funds are provided under this Act; and

"(5) provide staff and other technical assistance to the Federal Council on the Aging.

"(b) In administering his functions under this Act, the Commissioner may utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or organization, in accordance with agreements between the Commissioner and the head thereof, and is authorized to pay therefor, in

advance or by way of reimbursement, as may be provided in the agreement.

"(c) For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary. Appropriation.

"EVALUATION

"SEC. 207. (a) The Secretary shall measure and evaluate the impact of all programs authorized by this Act, their effectiveness in achieving stated goals in general, and in relation to their cost, their impact on related programs, and their structure and mechanisms for delivery of services, including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such programs. Evaluations shall be conducted by persons not immediately involved in the administration of the program or project evaluated.

"(b) The Secretary may not make grants or contracts under section 308 or title IV of this Act until he has developed and published general standards to be used by him in evaluating the programs and projects assisted under such section or title. Results of evaluations conducted pursuant to such standards shall be included in the reports required by section 208. *Post*, pp. 44, 45.

"(c) In carrying out evaluations under this section, the Secretary shall, whenever possible, arrange to obtain the opinions of program and project participants about the strengths and weaknesses of the programs and projects.

"(d) The Secretary shall annually publish summaries of the results of evaluative research and evaluation of program and project impact and effectiveness, the full contents of which shall be available to Congress and the public.

"(e) The Secretary shall take the necessary action to assure that all studies, evaluations, proposals, and data produced or developed with Federal funds shall become the property of the United States.

"(f) Such information as the Secretary may deem necessary for purposes of the evaluations conducted under this section shall be made available to him, upon request, by the departments and agencies of the executive branch.

"(g) The Secretary is authorized to use such sums as may be required, but not to exceed 1 per centum of the funds appropriated under this Act, or $1,000,000 whichever is greater, to conduct program and project evaluations (directly, or by grants or contracts) as required by this title. In the case of allotments from such an appropriation, the amount available for such allotments (and the amount deemed appropriated therefor) shall be reduced accordingly.

"REPORTS

"SEC. 208. Not later than one hundred and twenty days after the close of each fiscal year, the Commissioner shall prepare and submit to the President for transmittal to the Congress a full and complete report on the activities carried out under this Act. Such annual reports shall include statistical data reflecting services and activities provided individuals during the preceding fiscal year. Report to President, transmittal to Congress.

"JOINT FUNDING OF PROJECTS

"SEC. 209. Pursuant to regulations prescribed by the President, and to the extent consistent with the other provisions of this Act, where funds are provided for a single project by more than one Federal agency to any agency or organization assisted under this Act, the Federal agency principally involved may be designated to act for all in

administering the funds provided. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each Federal agency, and any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose.

"ADVANCE FUNDING

"SEC. 210. (a) For the purpose of affording adequate notice of funding available under this Act, appropriations under this Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation.

"(b) In order to effect a transition to the advance funding method of timing appropriation action, the amendment made by subsection (a) shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year."

Repeal. 86 Stat. 88. 42 USC 3051.

SEC. 202. Title VIII of the Older Americans Act of 1965 is hereby repealed.

TITLE III—GRANTS FOR STATE AND AREA PROGRAMS

79 Stat. 220; 83 Stat. 108. 42 USC 3021.

SEC. 301. The Older Americans Act of 1965 is amended by striking out title III and inserting in lieu thereof the following new title:

"TITLE III—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING

"PURPOSE

"SEC. 301. It is the purpose of this title to encourage and assist State and local agencies to concentrate resources in order to develop greater capacity and foster the development of comprehensive and coordinated service systems to serve older persons by entering into new cooperative arrangements with each other and with providers of social services for planning for the provision of, and providing, social services and, where necessary, to reorganize or reassign functions, in order to—

"(1) secure and maintain maximum independence and dignity in a home environment for older persons capable of self-care with appropriate supportive services; and

"(2) remove individual and social barriers to economic and personal independence for older persons.

"DEFINITIONS

"SEC. 302. For purposes of this title—

"(1) The term 'social services' means any of the following services which meet such standards as the Commissioner may prescribe:

"(A) health, continuing education, welfare, informational, recreational, homemaker, counseling, or referral services;

"(B) transportation services where necessary to facilitate access to social services;

"(C) services designed to encourage and assist older persons to use the facilities and services available to them;

"(D) services designed to assist older persons to obtain adequate housing;

"(E) services designed to assist older persons in avoiding institutionalization, including preinstitutionalization evaluation and screening, and home health services; or

"(F) any other services;

if such services are necessary for the general welfare of older persons.

"(2) The term 'unit of general purpose local government' means (A) a political subdivision of the State whose authority is broad and general and is not limited to only one function or a combination of related functions, or (B) an Indian tribal organization.

"(3) The term 'comprehensive and coordinated system' means a system for providing all necessary social services in a manner designed to—

"(A) facilitate accessibility to and utilization of all social services provided within the geographic area served by such system by any public or private agency or organization;

"(B) develop and make the most efficient use of social services in meeting the needs of older persons; and

"(C) use available resources efficiently and with a minimum of duplication.

"AREA PLANNING AND SOCIAL SERVICE PROGRAMS

"SEC. 303. (a) There are authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1973, $103,600,000 for the fiscal year ending June 30, 1974, and $130,000,000 for the fiscal year ending June 30, 1975, to enable the Commissioner to make grants to each State with a State plan approved under section 305 (except as provided in section 307(a)) for paying part of the cost (pursuant to subsection (e) of this section and section 306) of— Appropriation.

"(1) the administration of area plans by area agencies on aging designated pursuant to section 304(a)(2)(A), including the preparation of area plans on aging consistent with section 304(c) and the evaluation of activities carried out under such plans;

"(2) the development of comprehensive and coordinated systems for the delivery of social services; and

"(3) activities carried out pursuant to section 306.

"(b)(1) From the sums authorized to be appropriated for the fiscal year ending June 30, 1973, under subsection (a) of this section, (A) Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall each be allotted an amount equal to one-fourth of 1 per centum of such sum, (B) each other State shall be allotted an amount equal to one-half of 1 per centum of such sum, and (C) from the remainder of the sum so appropriated, each State shall be allotted an additional amount which bears the same ratio to such remainder as the population aged sixty or over in such State bears to the population aged sixty or over in all States. Allotment.

"(2) From the sums appropriated for the fiscal year ending June 30, 1974, and for the fiscal year ending June 30, 1975, each State shall be allotted an amount which bears the same ratio to such sums as the population aged sixty or over in such State bears to the population aged sixty or over in all States, except that (A) no State shall be allotted less than one-half of 1 per centum of the sum appropriated for the fiscal year for which the determination is made; (B) Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall each be allotted no less than one-fourth of 1 per centum of the sum appropriated for the fiscal year for which the determination is made; and (C) no State shall be allotted an amount

less than that State received for the fiscal year ending June 30, 1973. For the purpose of the exception contained in clause (A) of this paragraph only, the term 'State' does not include Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"State."

"(3) The number of persons aged sixty or over in any State and in all States shall be determined by the Commissioner on the basis of the most recent and satisfactory data available to him.

"(c) Whenever the Commissioner determines that any amount allotted to a State for a fiscal year under this section will not be used by such State for carrying out the purpose for which the allotment was made, he shall make such amount available for carrying out such purpose to one or more other States to the extent he determines such other States will be able to use such additional amount for carrying out such purpose. Any amount made available to a State from an appropriation for a fiscal year pursuant to the preceding sentence shall, for purposes of this title, be regarded as part of such State's allotment (as determined under the preceding provisions of this section) for such year.

"(d) The allotment of a State under this section for the fiscal year ending June 30, 1973, shall remain available until the close of the following fiscal year.

"(e) From a State's allotment under this section for a fiscal year—

"(1) such amount as the State agency determines, but not more than 15 per centum thereof, shall be available for paying such percentage as such agency determines, but not more than 75 per centum, of the cost of administration of area plans; and

"(2) such amount as the State agency determines, but (beginning with the fiscal year ending June 30, 1975) not more than 20 per centum thereof, shall be available for paying such percentage as such agency determines, but not more than 75 per centum, of the cost of social services which are not provided as a part of a comprehensive and coordinated system in planning and service areas for which there is an area plan approved by the State agency.

The remainder of such allotment shall be available to such State only for paying such percentage as the State agency determines, but not more than 90 per centum of the cost of social services provided in the State as a part of comprehensive and coordinated systems in planning and service areas for which there is an area plan approved by the State agency.

"ORGANIZATION

"State Organization

"SEC. 304. (a) In order for a State to be eligible to participate in the programs of grants to States from allotments under section 303 and section 306—

"(1) the State shall, in accordance with regulations of the Commissioner, designate a State agency as the sole State agency (hereinafter in this title referred to as 'the State agency') to: (A) develop the State plan to be submitted to the Commissioner for approval under section 305, (B) administer the State plan within such State, (C) be primarily responsible for the coordination of all State activities related to the purposes of this Act, (D) review and comment on, at the request of any Federal department or agency, any application from any agency or organization within such State to such Federal department or agency for assistance related to meeting the needs of older persons; and (E) divide

the entire State into distinct areas (hereinafter in this title referred to as 'planning and service areas'), in accordance with regulations of the Commissioner, after considering the geographical distribution of individuals aged sixty and older in the State, the incidence of the need for social services (including the numbers of older persons with low incomes residing in such areas), the distribution of resources available to provide such services, the boundaries of existing areas within the State which were drawn for the planning or administration of social services programs, the location of units of general purpose local government within the State, and any other relevant factors: *Provided*, That any unit of general purpose local government which has a population aged sixty or over of fifty thousand or more or which contains 15 per centum or more of the State's population aged sixty or over shall be designated as a planning and service area; except that the State may designate as a planning and service area, any region within the State recognized for purposes of areawide planning which includes one or more such units of general purpose local government when the State determines that the designation of such a regional planning and service area is necessary for, and will enhance, the effective administration of the programs authorized by this title, the State may include in any planning and service area designated pursuant to this provision such additional areas adjacent to the unit of general purpose local government or region so designated as the State determines to be necessary for, and will enhance. the effective administration of the programs authorized by this title, and

"(2) the State agency designated pursuant to paragraph (1) shall—

"(A) determine for which planning and service areas an area plan will be developed, in accordance with subsection (c) of this section, and for each such area designate, after consideration of the views offered by the unit or units of general purpose local government in such area, a public or nonprofit private agency or organization as the area agency on aging for such area; and

"(B) provide assurances, satisfactory to the Commissioner that the State agency will take into account, in connection with matters of general policy arising in the development and administration of the State plan for any fiscal year, the views of recipients of social services provided under such plan.

"Area Organization

"(b) An area agency on aging designated under subsection (a) must be—

"(1) an established office of aging which is operating within a planning and service area designated pursuant to subsection (a) of this section, or

"(2) any office or agency of a unit of general purpose local government, which is designated for this purpose by the chief elected official or officials of such unit, or

"(3) any office or agency designated by the chief elected official or officials of a combination of units of general purpose local government to act on behalf of such combination for this purpose, or

"(4) any public or nonprofit private agency in a planning and service area which is under the supervision or direction for this purpose of the designated State agency and which can engage

in the planning or provision of a broad range of social services within such planning and service area,

and must provide assurance, found adequate by the State agency, that it will have the ability to develop an area plan and to carry out, directly or through contractual or other arrangements, a program pursuant to the plan within the planning and service area. In designating an area agency on aging, the State agency shall give preference to an established office on aging, unless the State agency finds that no such office within the planning and service area will have the capacity to carry out the area plan.

"Area Plans

"(c) In order to be approved by the State agency, an area plan for a planning and service area shall be developed by the area agency on aging designated with respect to such area under subsection (a) and shall—

"(1) provide for the establishment of a comprehensive and coordinated system for the delivery of social services within the planning and service area covered by the plan, including determining the need for social services in such area (taking into consideration, among other things, the numbers of older persons with low incomes residing in such area), evaluating the effectiveness of the use of resources in meeting such need, and entering into agreements with providers of social services in such area, for the provision of such services to meet such need;

"(2) in accordance with criteria established by the Commissioner by regulation relating to priorities, provide for the initiation, expansion, or improvement of social services in the planning and service area covered by the area plan;

"(3) provide for the establishment or maintenance of information and referral sources in sufficient numbers to assure that all older persons within the planning and service area covered by the plan will have reasonably convenient access to such sources. For purposes of this section and section 305(a)(7), an information and referral source is a location where the State or other public or private agency or organization (A) maintains current information with respect to the opportunities and services available to older persons, and develops current lists of older persons in need of services and opportunities, and (B) employs a specially trained staff to inform older persons of the opportunities and services which are available, and assists such persons to take advantage of such opportunities and services; and

"(4) provide that the area agency on aging will—

"(A) conduct periodic evaluations of activities carried out pursuant to the area plan;

"(B) render appropriate technical assistance to providers of social services in the planning and service area covered by the area plan;

"(C) where necessary and feasible, enter into arrangements, consistent with the provisions of the area plan, under which funds under this title may be used to provide legal services to older persons in the planning and service area carried out through federally assisted programs or other public or nonprofit agencies;

"(D) take into account, in connection with matters of general policy arising in the development and administration of the area plan, the views of recipients of services under such plan;

"(E) where possible, enter into arrangements with organizations providing day care services for children so as to provide opportunities for older persons to aid or assist, on a voluntary basis, in the delivery of such services to children; and

"(F) establish an advisory council, consisting of representatives of the target population and the general public, to advise the area agency on all matters relating to the administration of the plan and operations conducted thereunder.

"STATE PLANS

"SEC. 305. (a) In order for a State to be eligible for grants for a fiscal year from its allotments under section 303 and section 306, except as provided in section 307(a), it shall submit to the Commissioner a State plan for such year which meets such criteria as the Commissioner may prescribe by regulation and which—

"(1) provides that the State agency will evaluate the need for social services within the State and determine the extent to which existing public or private programs meet such need;

"(2) provides for the use of such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Commissioner shall exercise no authority with respect to the selection, tenure of office, or compensation of an individual employed in accordance with such methods) as are necessary for the proper and efficient administration of the plan;

"(3) provides that the State agency will make such reports, in such form, and containing such information, as the Commissioner may from time to time require, and comply with such requirements as the Commissioner may impose to assure the correctness of such reports;

"(4) provides that the State agency will conduct periodic evaluations of activities and projects carried out under the State plan;

"(5) establishes objectives, consistent with the purposes of this title, toward which activities under the plan will be directed, identifies obstacles to the attainment of those objectives, and indicates how it proposes to overcome those obstacles;

"(6) provides that each area agency on aging designated pursuant to section 304(a)(2)(A) will develop and submit to the State agency for approval an area plan which complies with section 304(c);

"(7) provides for establishing or maintaining information and referral sources in sufficient numbers to assure that all older persons in the State who are not furnished adequate information and referral sources under section 304(c)(3) will have reasonably convenient access to such sources;

"(8) provides that no social service will be directly provided by the State agency or an area agency on aging, except where, in the judgment of the State agency, provision of such service by the State agency or an area agency on aging is necessary to assure an adequate supply of such service; and

"(9) provides that subject to the requirements of merit employment systems of State and local governments, preference shall be given to persons aged sixty or over for any staff positions (full time or part time) in State and area agencies for which such persons qualify.

"(b) The Commissioner shall approve any State plan which he finds fulfills the requirements of subsection (a) of this section.

Hearing.

"(c) The Commissioner shall not make a final determination disapproving any State plan, or any modification thereof, or make a final determination that a State is ineligible under section 304, without first affording the State reasonable notice and opportunity for a hearing.

"(d) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State agency, finds that—

"(1) the State is not eligible under section 304,

"(2) the State plan has been so changed that it no longer complies with the provisions of subsection (a), or

"(3) in the administration of the plan there is a failure to comply substantially with any such provision of subsection (a),

the Commissioner shall notify such State agency that no further payments from its allotments under section 303 and section 306 will be made to the State (or, in his discretion, that further payments to the State will be limited to projects under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments shall be made to such State from its allotments under section 303 and section 306 (or payments shall be limited to projects under or portions of the State plan not affected by such failure). The Commissioner shall, in accordance with regulations he shall prescribe, disburse the funds so withheld directly to any public or nonprofit private organization or agency or political subdivision of such State submitting an approved plan in accordance with the provisions of section 304 and section 306. Any such payment or payments shall be matched in the proportions specified in sections 303 and 306.

Appeal.

"(e) A State which is dissatisfied with a final action of the Commissioner under subsection (b), (c), or (d) may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner, or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Commissioner may modify or set aside his order. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Commissioners' action.

72 Stat. 941; 80 Stat. 1323.

62 Stat. 928.

"PLANNING, COORDINATION, EVALUATION, AND ADMINISTRATION OF STATE PLANS

"SEC. 306. (a) (1) Amounts appropriated as authorized by section 303 may be used to make grants to States for paying such percentages as each State agency determines, but not more than 75 per centum, of the cost of the administration of its State plan, including the preparation of the State plan, the evaluation of activities carried out under such plan, the collection of data and the carrying out of analyses related to the need for social services within the State, the dissemination of information so obtained, the provision of short-term training to personnel of public or nonprofit private agencies and organizations engaged in the operation of programs authorized by this Act, and the carrying out of demonstration projects of statewide significance relating to the initiation, expansion, or improvement of social service.

"(2) Any sums allotted to a State under this section for covering part of the cost of the administration of its State plan which the State determines is not needed for such purpose may be used by such State to supplement the amount available under section 303(e)(1) to cover part of the cost of the administration of area plans.

"(3) Any State which has designated a single planning and service area pursuant to section 304(a)(1)(E) covering all, or substantially all, of the older persons in such State, as determined by the Commissioner, may elect to pay part of the costs of the administration of State and area plans either out of sums allotted under this section or out of sums made available for the administration of area plans pursuant to section 303(e)(1), but shall not pay such costs out of sums allotted under both such sections.

Allotment.

"(b)(1) From the sums appropriated for any fiscal year under section 303 for carrying out the purposes of this section, each State shall be allotted an amount which bears the same ratio to such sum as the population aged sixty or over in such State bears to the population aged sixty or over in all States, except that (A) no State shall be allotted less than one-half of 1 per centum of the sum appropriated for the fiscal year for which the determination is made, or $160,000, whichever is greater, and (B) Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall each be allotted no less than one-fourth of 1 per centum of the sum appropriated for the fiscal year for which the determination is made, or $50,000, whichever is greater. For the purpose of the exception contained in clause (A) of this paragraph, the term 'State' does not include Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(2) The number of persons aged sixty or over in any State and in all States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

Reallotment.

"(c) The amounts of any State's allotment under subsection (b) for any fiscal year which the Commissioner determines will not be required for that year shall be reallotted, from time to time and on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (b) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Such reallotments shall be made on the basis of the State plan so approved, after taking into consideration the population aged

sixty or over. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (b) for that year.

"(d) The allotment of a State under this section for the fiscal year ending June 30, 1973, shall remain available until the close of the following fiscal year.

"PAYMENTS

"SEC. 307. (a) Payments of grants or contracts under this title may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments, as the Commissioner may determine. From a State's allotment for a fiscal year which is available pursuant to section 306 the Commissioner may pay to a State which does not have a State plan approved under section 305 such amounts as he deems appropriate for the purpose of assisting such State in developing a State plan. From a State's allotment for a fiscal year which is available pursuant to section 303, the Commissioner may, during the period ending one year after the date of enactment of the Older Americans Comprehensive Services Amendments, pay, in accordance with such regulations as he may prescribe, to a State which does not have a State plan approved under section 305, such amounts as he deems appropriate for the purpose of continuing Federal financial assistance for activities assisted under the plan of such State approved under section 303 of this Act prior to enactment of the Older Americans Comprehensive Services Amendments.

Matching funds.

"(b) Beginning with the fiscal year ending June 30, 1975, not less than 25 per centum of the non-Federal share (pursuant to section 303(e)) of the total expenditures under the State plan shall be met from funds from State or local public sources.

"(c) A State's allotment under section 303 for a fiscal year shall be reduced by the percentage (if any) by which its expenditures for such year from State sources under its State plan approved under section 305 are less than its expenditures from such sources for the preceding fiscal year.

"MODEL PROJECTS

Grants.

"SEC. 308. (a) The Commissioner may, after consultation with the State agency, make grants to any public or nonprofit private agency or organization or contracts with any agency or organization within such State for paying part or all of the cost of developing or operating statewide, regional, metropolitan area, county, city, or community model projects which will expand or improve social services or otherwise promote the well-being of older persons. In making grants and contracts under this section, the Commissioner shall give special consideration to projects designed to—

Housing.

"(1) assist in meeting the special housing needs of older persons by (A) providing financial assistance to such persons, who own their own homes, necessary to enable them to make the repairs and renovations to their homes which are necessary for them to meet minimum standards, (B) studying and demonstrating methods of adapting existing housing, or construction of new housing, to meet the needs of older persons suffering from physical disabilities, and (C) demonstrating alternative methods of relieving older persons of the burden of real property taxes on their homes;

Continuing education.

"(2) provide continuing education to older persons designed to enable them to lead more productive lives by broadening the educational, cultural, or social awareness of such older persons,

emphasizing, where possible, free tuition arrangements with colleges and universities;

"(3) provide preretirement education, information, and relevant services (including the training of personnel to carry out such programs and the conducting of research with respect to the development and operation of such programs) to persons planning retirement; or

Preretirement services.

"(4) provide services to assist in meeting the particular needs of the physically and mentally impaired older persons including special transportation and escort services, homemaker, home health and shopping services, reader services, letter writing services, and other services designed to assist such individuals in leading a more independent life.

Physically or mentally impaired persons.

"(b) For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1973, the fiscal year ending June 30, 1974, and the fiscal year ending June 30, 1975."

Appropriation.

TITLE IV—TRAINING AND RESEARCH

SEC. 401. The Older Americans Act of 1965 is amended by striking out titles IV and V and by inserting immediately after title III the following new title:

79 Stat. 224; 83 Stat. 111. 42 USC 3031, 3041.

"TITLE IV—TRAINING AND RESEARCH

"PART A—TRAINING

"STATEMENT OF PURPOSE

"SEC. 401. The purpose of this part is to improve the quality of service and to help meet critical shortages of adequately trained personnel for programs in the field of aging by (1) developing information on the actual needs for personnel to work in the field of aging, both present and long range; (2) providing a broad range of quality training and retraining opportunities, responsive to changing needs of programs in the field of aging; (3) attracting a greater number of qualified persons into the field of aging; and (4) helping to make personnel training programs more responsive to the need for trained personnel in the field of aging.

"APPRAISING PERSONNEL NEEDS IN THE FIELD OF AGING

"SEC. 402. (a) The Commissioner shall from time to time appraise the Nation's existing and future personnel needs in the field of aging, at all levels and in all types of programs, and the adequacy of the Nation's efforts to meet these needs. In developing information relating to personnel needs in the field of aging, the Commissioner shall consult with, and make maximum utilization of statistical and other related information of the Department of Labor, the Veterans' Administration, the Office of Education, Federal Council on the Aging, the National Foundation on the Arts and Humanities, State educational agencies, other State and local public agencies and offices dealing with problems of the aging, State employment security agencies, and other appropriate public and private agencies.

Agency cooperation.

"(b) The Commissioner shall prepare and publish annually as a part of the annual report provided in section 208 a report on the professions dealing with the problems of the aging, in which he shall present in detail his view on the state of such professions and the

Report.

Ante, p. 35.

trends which he discerns with respect to the future complexion of programs for the aging throughout the Nation and the funds and the needs for well-educated personnel to staff such programs. The report shall indicate the Commissioner's plans concerning the allocation of Federal assistance under this title in relation to the plans and programs of other Federal agencies.

"ATTRACTING QUALIFIED PERSONS TO THE FIELD OF AGING

Grants.
Ante, p. 38.

"SEC. 403. The Commissioner may make grants to State agencies referred to in section 304, State or local educational agencies, institutions of higher education, or other public or nonprofit private agencies, organizations, or institutions, and he may enter into contracts with any agency, institution, or organization for the purpose of—

"(1) publicizing available opportunities for careers in the field of aging;

"(2) encouraging qualified persons to enter or reenter the field of aging;

"(3) encouraging artists, craftsmen, artisans, scientists, and persons from other professions and vocations and homemakers, to undertake assignments on a part-time basis or for temporary periods in the field of aging; or

"(4) preparing and disseminating materials, including audio-visual materials and printed materials, for use in recruitment and training of persons employed or preparing for employment in carrying out programs related to the purposes of this Act.

"TRAINING PROGRAMS FOR PERSONNEL IN THE FIELD OF AGING

Grants.

"SEC. 404. (a) The Commissioner may make grants to any public or nonprofit private agency, organization, or institution or with State agencies referred to in section 304, or contracts with any agency, organization, or institution, to assist them in training persons who are employed or preparing for employment in fields related to the purposes of this Act—

"(1) to assist in covering the cost of courses of training or study (including short-term or regular session institutes and other inservice and preservice training programs),

"(2) for establishing and maintaining fellowships to train persons to be supervisors or trainers of persons employed or preparing for employment in fields related to the purposes of this Act,

"(3) for seminars, conferences, symposiums, and workshops in the field of aging, including the conduct of conferences and other meetings for the purposes of facilitating exchange of information and stimulating new approaches with respect to activities related to the purposes of this Act,

"(4) for the improvement of programs for preparing personnel for careers in the field of aging, including design, development, and evaluation of exemplary training programs, introduction of high quality and more effective curricula and curricula materials, and

"(5) the provision of increased opportunities for practical experience.

"(b) The Commissioner may include in the terms of any contract or grant under this part provisions authorizing the payment, to persons participating in training programs supported under this part, of such stipends (including allowances for subsistence and other expenses for such persons and their dependents) as he determines to be consistent with prevailing practices under comparable federally supported pro-

grams. Where the Commissioner provides for the use of funds under this section for fellowships, he shall (in addition to stipends for the recipients) pay to colleges or universities in which the fellowship is being pursued such amounts as the Commissioner shall determine to be consistent with prevailing practices under comparable federally supported programs.

"PART B—RESEARCH AND DEVELOPMENT PROJECTS

"DESCRIPTION OF ACTIVITIES

"SEC. 411. The Commissioner may make grants to any public or nonprofit private agency, organization, or institution and contracts with any agency, organization, or institution or with any individual for the purpose of— Grants.

"(1) studying current patterns and conditions of living of older persons and identifying factors which are beneficial or detrimental to the wholesome and meaningful living of such persons;

"(2) developing or demonstrating new approaches, techniques, and methods (including the use of multipurpose centers) which hold promise of substantial contribution toward wholesome and meaningful living for older persons;

"(3) developing or demonstrating approaches, methods, and techniques for achieving or improving coordination of community services for older persons;

"(4) evaluating these approaches, techniques, and methods, as well as others which may assist older persons to enjoy wholesome and meaningful lives and to continue to contribute to the strength and welfare of our Nation;

"(5) collecting and disseminating, through publications and other appropriate means, information concerning research findings, demonstration results, and other materials developed in connection with activities assisted under this part; or

"(6) conducting conferences and other meetings for the purposes of facilitating exchange of information and stimulating new approaches with respect to activities related to the purposes of this part.

"SPECIAL STUDY AND DEMONSTRATION PROJECTS ON THE TRANSPORTATION PROBLEMS OF OLDER AMERICANS

"SEC. 412. (a) The Commissioner shall, after consultation with the Secretary of Transportation and the Secretary of Housing and Urban Development, conduct a comprehensive study and survey of the transportation problems of older Americans with emphasis upon solutions that are practicable and can be implemented in a timely fashion. In conducting the study and survey, the Commissioner shall consider—

"(1) the use of all community transportation facilities, particularly public transportation systems, the possible use of school buses, and excess Department of Defense vehicles; and

"(2) the need for revised and improved procedures for obtaining motor vehicle insurance by older Americans to be implemented for use in a coordinated transportation system.

"(b) In connection with the study required by subsection (a), the Commissioner, in coordination with the Secretary of Transportation and the Secretary of Housing and Urban Development, shall conduct research and demonstration projects, either directly or by grants or

contracts with public or private nonprofit agencies and organizations, in order to—

"(1) demonstrate possible solutions of economic and service aspect of furnishing adequate transportation to older persons in rural and urban areas including transportation services furnished by social service agencies;

"(2) demonstrate improvement of transportation services available to older persons with emphasis on (A) establishing special transportation subsystems for older persons or similar groups with similar mobility restrictions, (B) providing portal-to-portal service and demand actuated services, (C) making payments directly to older persons to enable them to obtain reasonable and necessary transportation services;

"(3) demonstrate improved coordination between transportation systems and social service delivery systems; and

"(4) demonstrate innovative solutions for other special transportation problems confronting older Americans.

"(c) At least half of the projects authorized under subsection (b) of this section shall be conducted in States that are predominantly rural in character.

Report to Secretary of Transportation, President, and Congress.

"(d) Not later than January 1, 1975, the Commissioner shall prepare and transmit to the Secretary, to the President, and to the Congress, a report on his findings and recommendations, including a plan for implementation of improved transportation services for older Americans and recommendations for additional legislation, administrative and other measures to provide solutions to the transportation problems of older Americans not later than January 1, 1975, as he deems advisable.

"(e) In carrying out the study and survey, and the demonstration and research projects under this section, the Commissioner is authorized to—

Experts and consultants.

80 Stat. 416.

"(1) procure temporary or intermittent services of experts and consultants in accordance with section 3109 of title 5, United States Code, and

Agency cooperation.

"(2) secure directly from any executive department, bureau, agency, board, commission, office, independent establishment or instrumentality information, suggestions, estimates, and statistics for the purpose of this section; and each such department, bureau, agency, board, commission, office, independent establishment or instrumentality is authorized and directed, to the extent permitted by law, to furnish such information, suggestions, estimates, and statistics directly to the Commissioner upon request made by him.

"PART C—MULTIDISCIPLINARY CENTERS OF GERONTOLOGY

Grants.

"SEC. 421. The Commissioner may make grants to public and private nonprofit agencies, organizations, and institutions for the purpose of establishing or supporting multidisciplinary centers of gerontology. A grant may be made under this section only if the application therefor—

"(1) provides satisfactory assurance that the applicant will expend the full amount of the grant to establish or support a multidisciplinary center of gerontology which shall—

"(A) recruit and train personnel at the professional and subprofessional levels,

"(B) conduct basic and applied research on work, leisure, and education of older people, living arrangements of older

people, social services for older people, the economics of aging, and other related areas,

"(C) provide consultation to public and voluntary organizations with respect to the needs of older people and in planning and developing services for them,

"(D) serve as a repository of information and knowledge with respect to the areas for which it conducts basic and applied research,

"(E) stimulate the incorporation of information on aging into the teaching of biological, behavioral, and social sciences at colleges or universities,

"(F) help to develop training programs on aging in schools of social work, public health, health care administration, education, and in other such schools at colleges and universities, and

"(G) create opportunities for innovative, multidisciplinary efforts in teaching, research, and demonstration projects with respect to aging;

"(2) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the applicant under this section; and

"(3) provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"PART D—AUTHORIZATION OF APPROPRIATIONS

"AUTHORIZATION

"SEC. 431. There are authorized to be appropriated for the purposes of carrying out this title such sums as may be necessary for the fiscal year ending June 30, 1973, the fiscal year ending June 30, 1974, and the fiscal year ending June 30, 1975.

"PAYMENTS OF GRANTS

"SEC. 432. (a) To the extent he deems it appropriate, the Commissioner shall require the recipient of any grant or contract under this title to contribute money, facilities, or services for carrying out the project for which such grant or contract was made.

"(b) Payments under this part pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Commissioner may determine. Advance payments.

"(c) The Commissioner shall make no grant or contract under this title in any State which has established or designated a State agency for purposes of title III of this Act unless the Commissioner has consulted with such State agency regarding such grant or contract." *Ante*, p. 36.

TITLE V—MULTIPURPOSE SENIOR CENTERS

SEC. 501. The Older Americans Act of 1965 is further amended by inserting immediately after title IV the following new title:

"TITLE V—MULTIPURPOSE SENIOR CENTERS

"PART A—ACQUISITION, ALTERATION, OR RENOVATION OF MULTIPURPOSE SENIOR CENTERS

"GRANTS AUTHORIZED

"SEC. 501. (a) In order to provide a focal point in communities for the development and delivery of social services and nutritional services designed primarily for older persons, the Commissioner may make grants to units of general purpose local government or other public or nonprofit private agencies or organizations and may make contracts with any agency or organization to pay not to exceed 75 per centum of the cost of acquiring, altering, or renovating existing facilities to serve as multipurpose senior centers (including the initial equipment of such facilities). Facilities assisted by grants or contracts under this part shall be in close proximity to the majority of individuals eligible to use the multipurpose senior center, and within walking distance where possible.

Limitation.

"(b) The total payments made pursuant to grants or contracts under this section in any State for any fiscal year shall not exceed 10 per centum of the total amount appropriated for the year for the purposes of carrying out this part.

"Multipurpose senior center."

"(c) The term 'multipurpose senior center' means a community facility for the organization and provision of a broad spectrum of services (including provision of health, social, and educational services and provision of facilities for recreational activities) for older persons.

"REQUIREMENTS FOR APPROVAL OF APPLICATIONS

"SEC. 502. (a) A grant or contract for purchase under this part may be made only if the application therefor is approved by the Commissioner upon his determination that—

"(1) the application contains or is supported by reasonable assurances that (A) for not less than ten years after purchase, the facility will be used for the purposes for which it is to be purchased, (B) sufficient funds will be available to meet the non-Federal share of the cost of purchase of the facility, (C) sufficient funds will be available, when purchase is completed, for effective use of the facility for the purpose for which it is being purchased, and (D) the facility will not be used and is not intended to be used for sectarian instruction or as a place for religious worship;

"(2) the application contains or is supported by reasonable assurances that there are no existing facilities in the community suitable for leasing as a multipurpose senior center;

"(3) the plans and specifications are in accordance with regulations relating to minimum standards of construction and equipment (promulgated with particular emphasis on securing compliance with the requirements of the Architectural Barriers Act of 1968 (Public Law 90–480)); and

82 Stat. 718.
42 USC 4151.

"(4) the application contains or is supported by adequate assurance that any laborer or mechanic employed by any contractors or subcontractors in the performance of work on the facility will be paid wages at rates not less than those prevailing for similar work in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a5). The Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950

49 Stat. 1011.

(15 F.R. 3176; 64 Stat. 1267), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c). 63 Stat. 108.

"(b) In making grants or contracts under this part, the Commissioner shall—

"(1) give preference to the acquisition of multipurpose senior centers in areas where there is being developed a comprehensive and coordinated system under title III of this Act; and *Ante*, p. 36.

"(2) consult with the Secretary of Housing and Urban Development with respect to the technical adequacy of any proposed alteration or renovation.

"PAYMENTS

"SEC. 503. Upon approval of any application for a grant or contract under this part, the Commissioner shall reserve, from any appropriation available therefor, the amount of such grant or contract. The amount so reserved may be paid in advance or by way of reimbursement, and in such installments consistent with progress in alteration or renovation, as the Commissioner may determine. The Commissioner's reservation of any amount under this section may be amended by him, either upon approval of an amendment of the application or upon revision of the estimated cost of altering or renovating the facility.

"RECAPTURE OF PAYMENTS

"SEC. 504. If, within ten years after purchase of any facility for which funds have been paid under this part—

"(a) the owner of the facility ceases to be a public or nonprofit private agency or organization, or

"(b) the facility ceases to be used for the purposes for which it was purchased (unless the Commissioner determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to do so),

the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which such facility is situated.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 505. (a) There are authorized to be appropriated for the purpose of making grants or contracts under section 501, such sums as may be necessary for the fiscal year ending June 30, 1973, the fiscal year ending June 30, 1974, and the fiscal year ending June 30, 1975.

"(b) Sums appropriated for any fiscal year under subsection (a) of this section and remaining unobligated at the end of such year shall remain available for such purpose for the next fiscal year.

"MORTGAGE INSURANCE FOR MULTIPURPOSE SENIOR CENTERS

"SEC. 506. (a) It is the purpose of this section to assist and encourage the provision of urgently needed facilities for programs for the elderly.

Definitions.
12 USC 1713.

"(b) For the purpose of this part the terms 'mortgage', 'mortgagor', 'mortgagee', 'maturity date', and 'State' shall have the meanings respectively set forth in section 207 of the National Housing Act.

"(c) The Secretary of Health, Education, and Welfare is authorized to insure any mortgage (including advances on such mortgage during acquisition, alteration, or renovation) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and make commitments for insurance of such mortgage prior to the date of its execution or disbursement thereon.

"(d) In order to carry out the purpose of this section, the Secretary is authorized to insure any mortgage which covers a new multipurpose senior center, including equipment to be used in its operation, subject to the following conditions:

"(1) The mortgage shall be executed by a mortgagor, approved by the Secretary, who demonstrates ability successfully to operate one or more programs for the elderly. The Secretary may in his discretion require any such mortgagor to be regulated or restricted as to minimum charges and methods of financing, and, in addition thereto, if the mortgagor is a corporate entity, as to capital structure and rate of return. As an aid to the regulation or restriction of any mortgagor with respect to any of the foregoing matters, the Secretary may make such contracts with and acquire for not to exceed $100 such stock interest in such mortgagor as he may deem necessary. Any stock or interest so purchased shall be paid for out of the Multipurpose Senior Center Insurance Fund, and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Secretary under the insurance.

Limitation.

"(2) The mortgage shall involve a principal obligation in an amount not to exceed $250,000 and not to exceed 90 per centum of the estimated replacement cost of the property or project, including equipment to be used in the operation of the multipurpose senior center, when the proposed improvements are completed and the equipment is installed.

"(3) The mortgage shall—

"(A) provide for complete amortization by periodic payments within such term as the Secretary shall prescribe, and

"(B) bear interest (exclusive of premium charges for insurance and service charges, if any) at not to exceed such per centum per annum on the principal obligation outstanding at any time as the Secretary finds necessary to meet the mortgage market.

"(4) The Secretary shall not insure any mortgage under this section unless he has determined that the center to be covered by the mortgage will be in compliance with minimum standards to be prescribed by the Secretary.

"(5) In the plans for such Multipurpose Senior Center, due consideration shall be given to excellence of architecture and design, and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project).

"(e) The Secretary shall fix and collect premium charges for the insurance of mortgages under this section which shall be payable annually in advance by the mortgagee, either in cash or in debentures of the Multipurpose Senior Center Insurance Fund (established by subsection (h)) issued at par plus accrued interest. In the case of any mortgage such charge shall be not less than an amount equivalent to one-fourth of 1 per centum per annum nor more than an amount equivalent to 1 per centum per annum of the amount of the principal obligation of the mortgage outstanding at any one time, without taking into account delinquent payments or prepayments. In addition to the

premium charge herein provided for, the Secretary is authorized to charge and collect such amounts as he may deem reasonable for the appraisal of a property or project during acquisition, alteration, or renovation; but such charges for appraisal and inspection shall not aggregate more than 1 per centum of the original principal face amount of the mortgage.

"(f) The Secretary may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe.

"(g)(1) The Secretary shall have the same functions, powers, and duties (insofar as applicable) with respect to the insurance of mortgages under this section as the Secretary of Housing and Urban Development has with respect to the insurance of mortgages under title II of the National Housing Act. 12 USC 1707.

"(2) The provisions of subsections (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 of the National Housing Act shall apply to mortgages insured under this section; except that, for the purposes of their application with respect to such mortgages, all references in such provisions to the General Insurance Fund shall be deemed to refer to the Multipurpose Senior Center Insurance Fund, and all references in such provisions to 'Secretary' shall be deemed to refer to the Secretary of Health, Education, and Welfare. 12 USC 1713.

"(h)(1) There is hereby created a Multipurpose Senior Center Insurance Fund which shall be used by the Secretary as a revolving fund for carrying out all the insurance provisions of this section. All mortgages insured under this section shall be insured under and be the obligation of the Multipurpose Senior Center Insurance Fund. Multipurpose Senior Center Insurance Fund, establishment.

"(2) The general expenses of the operations of the Department of Health, Education, and Welfare relating to mortgages insured under this section may be charged to the Multipurpose Senior Center Insurance Fund.

"(3) Moneys in the Multipurpose Senior Center Insurance Fund not needed for the current operations of the Department of Health, Education, and Welfare with respect to mortgages insured under this section shall be deposited with the Treasurer of the United States to the credit of such fund, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Secretary may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued as obligations of the Multipurpose Senior Center Insurance Fund. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued.

"(4) Premium charges, adjusted premium charges, and appraisal and other fees received on account of the insurance of any mortgage under this section, the receipts derived from property covered by such mortgages and from any claims, debts, contracts, property, and security assigned to the Secretary in connection therewith, and all earnings as the assets of the fund, shall be credited to the Multipurpose Senior Center Insurance Fund. The principal of, and interest paid and to be paid on, debentures which are the obligation of such fund, cash insurance payments and adjustments, and expenses incurred in the handling, management, renovation, and disposal of properties acquired, in connection with mortgages insured under this section, shall be charged to such fund.

Appropriation.

"(5) There are authorized to be appropriated to provide initial capital for the Multipurpose Senior Center Insurance Fund, and to assure the soundness of such fund thereafter, such sums as may be necessary.

"ANNUAL INTEREST GRANTS

"SEC. 507. (a) To assist nonprofit private agencies to reduce the cost of borrowing from other sources for the acquisition, alteration or renovation of facilities, the Secretary may make annual interest grants to such agencies.

"(b) Annual interest grants under this section with respect to any facility shall be made over a fixed period not exceeding forty years, and provision for such grants shall be embodied in a contract guaranteeing their payment over such period. Each such grant shall be in an amount not greater than the difference between (1) the average annual debt service which would be required to be paid, during the life of the loan, on the amount borrowed from other sources for the acquisition, alteration or renovation or such facilities, and (2) the average annual debt service which the institution would have been required to pay, during the life of the loan, with respect to such amounts if the applicable interest rate were 3 per centum per annum: *Provided*, That the amount on which such grant is based shall be approved by the Secretary.

Appropriation.

"(c)(1) There are hereby authorized to be appropriated to the Secretary such sums as may be necessary for payment of annual interest grants in accordance with this section.

"(2) Contracts for annual interest grants under this section shall not be entered into in an aggregate amount greater than is authorized in appropriation Acts.

Limitation.

"(d) Not more than 12½ per centum of the funds provided for in this section for grants may be used within any one State.

"PART B—INITIAL STAFFING OF MULTIPURPOSE SENIOR CENTERS

"PERSONNEL STAFFING GRANT PROGRAM AUTHORIZED

"SEC. 511. (a) For the purpose of assisting in the establishment and initial operation of multipurpose senior centers the Commissioner may, in accordance with the provisions of this part, make grants to meet, for the temporary periods specified in this part, all or part of the costs of compensation of professional and technical personnel for the initial operation of new multipurpose senior centers and for the delivery of social services established therein.

"(b) Grants for such costs of any center under this title may be made only for the period beginning with the first day of the first month for which such grant is made and ending with the close of three years after such first day. Such grants with respect to any center may not exceed 75 per centum of such costs for the first year of the project, 66⅔ per centum of such costs for the second year of the project, and 50 per centum of such costs for the third year of the project.

"(c) In making such grants, the Secretary shall take into account the relative needs of the several States for community centers for senior citizens, their relative financial needs, and their population of persons over sixty years of age.

Appropriation.

"(d) For the purpose of this part, there are authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1973, and for each of the next two succeeding fiscal years."

TITLE VI—NATIONAL OLDER AMERICANS VOLUNTEER PROGRAM

SEC. 601. Section 601 of the Older Americans Act of 1965 is amended by adding at the end thereof the following new subsection: 83 Stat. 111. 42 USC 3044.

"(d) Notwithstanding any other provision of law, no compensation provided to individual volunteers under this part shall be considered income for any purpose whatsoever."

SEC. 602. Section 603 of the Older Americans Act of 1965 is amended by inserting immediately before the period at the end thereof the following: "and $15,000,000 for the fiscal year ending June 30, 1973, $17,500,000 for the fiscal year ending June 30, 1974, and $20,000,000 for the fiscal year ending June 30, 1975". 42 USC 3044a.

SEC. 603. (a) The heading of part B of title VI of the Older Americans Act of 1965 is amended to read as follows:

"FOSTER GRANDPARENT PROGRAM AND OLDER AMERICANS COMMUNITY SERVICE PROGRAMS".

(b) Section 611 of such Act is amended to read as follows: Grants. 86 Stat. 705. 42 USC 3044b.

"SEC. 611. (a) The Commissioner is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay part or all of the cost of development and operation of projects designed to provide opportunities for low-income persons aged sixty or over to render supportive person-to-person services in health, education, welfare, and related settings to children having exceptional needs, including services as 'Foster Grandparents' to children receiving care in hospitals, homes for dependent and neglected children, or other establishments providing care for children with special needs.

"(b) The Commissioner is also authorized to make grants or contracts to carry out the purposes described in subsection (a) in the case of persons (other than children) having exceptional needs, including services as 'senior health aides' to work with persons receiving home health care and nursing care, and as 'senior companions' to persons having developmental disabilities.

"(c) Payments under this part pursuant to a grant or contract may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, in such installments and on such conditions as the Commissioner may determine. Advance payments.

"(d) Notwithstanding any other provision of law, no compensation provided to individual volunteers under this part shall be considered income for any purpose whatsoever."

(c) The first sentence of section 613 of such Act is amended to read as follows: Interagency cooperation. 83 Stat. 113. 42 USC 3044d.

"In administering this part, the Commissioner shall consult with the Office of Economic Opportunity, the Departments of Labor and Health, Education, and Welfare and any other Federal agencies administering relevant programs with a view to achieving optimal coordination with such other programs and shall promote the coordination of projects under this part with other public or private programs or projects carried out at State and local levels."

SEC. 604. Section 614 of the Older Americans Act is amended to read as follows: Appropriations. 42 USC 3044e.

"SEC. 614. (a) (1) There are authorized to be appropriated for grants or contracts under subsections (a) and (b) of section 611, $25,000,000 for the fiscal year ending June 30, 1973, $32,500,000 for the fiscal year

ending June 30, 1974, and $40,000,000 for the fiscal year ending June 30, 1975, respectively, of which (A) $25,000,000 for the fiscal year ending June 30, 1973, $26,500,000 for the fiscal year ending June 30, 1974, and $32,000,000 for the fiscal year ending June 30, 1975, respectively, shall be available for such years for grants or contracts under subsection (a) of section 611, and (B) $6,000,000 for the fiscal year ending June 30, 1974, and $8,000,000 for the fiscal year ending June 30, 1975, respectively, shall be available for such years for grants or contracts under subsection (b) of such section.

"(2) If the sums authorized to be appropriated under paragraph (1) of this subsection for fiscal years beginning after June 30, 1973, are not appropriated and made available for each such fiscal year, then such sums as are so appropriated and made available for each such fiscal year shall be allocated so that—

"(A) any amounts appropriated not in excess of a sum which when added to carryover balances otherwise available for obligation under subsection (a) of section 611 equals $25,000,000 shall be used for grants or contracts under such subsection; and

"(B) any amounts appropriated in excess of a sum which when added to carryover balances otherwise available for obligation under subsection (a) of section 611 equals $31,000,000 for the fiscal year ending June 30, 1974, and $33,000,000 for the fiscal year ending June 30, 1975, respectively, shall be used for grants or contracts for such fiscal years under subsection (a) of such section."

SEC. 605. The authorities conferred upon the Commissioner of the Administration on Aging by the amendments made in this title shall be carried out pursuant to delegations of authority, reorganization plans, and transfers made effective prior to the date of enactment of this Act with respect to authorities conferred upon the Secretary of the Department of Health, Education, and Welfare under title VI of the Older Americans Act of 1965, as amended.

83 Stat. 111.
42 USC 3044.

TITLE VII—NUTRITION PROGRAM

AVAILABILITY OF SURPLUS COMMODITIES

86 Stat. 94.
42 USC 3045f.

SEC. 701. Section 707 of the Older Americans Act of 1965 is amended to read as follows:

"AVAILABILITY OF SURPLUS COMMODITIES

"SEC. 707. (a) Agricultural commodities and products purchased by the Secretary of Agriculture under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) may be donated to a recipient of a grant or contract to be used for providing nutritional services in accordance with the provisions of this title.

49 Stat. 774.

"(b) The Commodity Credit Corporation may dispose of food commodities under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) by donating them to a recipient of a grant or contract to be used for providing nutritional services in accordance with the provisions of this title.

68 Stat. 458;
86 Stat. 1492.

"(c) Dairy products purchased by the Secretary of Agriculture under section 709 of the Food and Agriculture Act of 1965 (7 U.S.C. 1446a–1) may be used to meet the requirements of programs providing nutritional services in accordance with the provisions of this title."

79 Stat. 1212;
80 Stat. 1538.

86 Stat. 91.
42 USC 3045d.

SEC. 702. Section 705(a) of the Older Americans Act of 1965 is amended by adding at the end thereof the following new paragraph:

"(5) provide that, when mutually agreed upon by recipients

of grants and contracts and area planning and service areas agencies, nutrition projects assisted under this title shall be made a part of the comprehensive and coordinated systems established under title III of this Act." *Ante*, p. 36.

STATE PLANNING

SEC. 703. Section 705(a)(2)(B) of the Older Americans Act of 1965 is amended by inserting "for the fiscal year ending June 30, 1973," following "administrative cost,"; by striking out "any fiscal year" in this section and substituting in lieu thereof "such fiscal year"; and by adding at the end of the first sentence thereof the following sentence: "For the fiscal years ending after June 30, 1973, funds allotted to a State for State planning and administration pursuant to section 306 of this Act may be used for the administration of the State plan submitted pursuant to this section, except that wherever the governor of the State designates an agency other than the agency designated under section 304(a)(1) of this Act, then the Commissioner shall determine that portion of a State's allotment under section 306 which shall be available to the agency designated under section 705(a)(1) for planning and administration." 86 Stat. 91. 42 USC 3045d. *Ante*, p. 38.

CONFORMING AMENDMENT

SEC. 704. (a) The first sentence of section 705(a) of the Older Americans Act of 1965 is amended by striking out "303" the first time it appears in such sentence and inserting in lieu thereof "304" and by striking out "303" the second time it appears in such sentence and inserting in lieu thereof, "305".

(b) Section 705(a)(1) of the Older Americans Act of 1965 is amended by striking out "303" and inserting in lieu thereof "304".

(c) Title VII of the Older Americans Act of 1965 is amended by striking out "Secretary" wherever in such title the term refers to the Secretary of Health, Education, and Welfare, and inserting in lieu thereof "Commissioner". 42 USC 3045.

TITLE VIII—AMENDMENTS TO OTHER ACTS

AMENDMENT TO LIBRARY SERVICES AND CONSTRUCTION ACT

SEC. 801. (a) The Library Services and Construction Act (20 U.S.C. 351 et seq.) is amended by adding at the end thereof the following new title: 70 Stat. 293; 84 Stat. 1660.

"TITLE IV—OLDER READERS SERVICES

"GRANTS TO STATES FOR OLDER READERS SERVICES

"SEC. 401. The Commissioner shall carry out a program of making grants to States which have an approved basic State plan under section 6 and have submitted a long-range program and an annual program under section 403 for library services for older persons.

"USES OF FEDERAL FUNDS

"SEC. 402. (a) Funds appropriated pursuant to paragraph (4) of section 4(a) shall be available for grants to States from allotments under section 5(a) for the purpose of carrying out the Federal share of the cost of carrying out State plans submitted and approved under section 403. Such grants shall be used for (1) the training of librarians

to work with the elderly; (2) the conduct of special library programs for the elderly; (3) the purchase of special library materials for use by the elderly; (4) the payment of salaries for elderly persons who wish to work in libraries as assistants on programs for the elderly; (5) the provision of in-home visits by librarians and other library personnel to the elderly; (6) the establishment of outreach programs to notify the elderly of library services available to them; and (7) the furnishing of transportation to enable the elderly to have access to library services.

Federal share.

"(b) For the purposes of this title, the Federal share shall be 100 per centum of the cost of carrying out the State plan.

"STATE ANNUAL PROGRAM FOR LIBRARY SERVICES FOR THE ELDERLY

"SEC. 403. Any State desiring to receive a grant from its allotment for the purposes of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 6, submit for that fiscal year an annual program for library services for older persons. Such program shall be submitted at such time, in such form, and contain such information as the Commissioner may require by regulation and shall—

"(1) set forth a program for the year submitted under which funds paid to the State from appropriations pursuant to paragraph (4) of section 4(a) will be used, consistent with its long-range program for the purposes set forth in section 402, and

"(2) include an extension of the long-range program taking into consideration the results of evaluations.

"COORDINATION WITH PROGRAMS FOR OLDER AMERICANS

"SEC. 404. In carrying out the program authorized by this title, the Commissioner shall consult with the Commissioner of the Administration on Aging and the Director of ACTION for the purpose of coordinating where practicable, the programs assisted under this title with the programs assisted under the Older Americans Act of 1965."

Ante, p. 30.

Appropriation.
84 Stat. 1662.
20 USC 351b.

(b) Section 4(a) of the Library Services and Construction Act is amended by adding at the end thereof the following new paragraph:

"(4) For the purpose of making grants to States to enable them to carry out public library service programs for older persons authorized by title IV, there are authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1973, the fiscal year ending June 30, 1974, the fiscal year ending June 30, 1975, and the fiscal year ending June 30, 1976."

Ante, p. 57.

Allotments,
20 USC 351c.

(c)(1) Section 5(a)(1) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)".

(2) Section 5(a)(2) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)".

(3) Section 5(a) of such Act is amended by striking out the word "and" at the end of such paragraph (B) thereof, by striking out the period at the end of subparagraph (C) and inserting in lieu thereof a semicolon and the word "and", and by inserting after subparagraph (C) thereof the following:

"(D) with respect to appropriations for the purposes of title IV, $40,000 for each State, except that it shall be $10,000 in the case of Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands."

(4) The last sentence of section 5(a)(3) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)".

(5) Section 5(b) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)". 84 Stat. 1662. 20 USC 351c.

(c) Section 6(a) of such Act is amended by striking out "and III" and inserting in lieu thereof "III and IV". 20 USC 351d.

(d)(1) Section 7(a) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)". 20 USC 351e.

(2) Section 7(b)(1) of such Act is amended by inserting "and title IV" after "title III".

(e) The amendments made by subsections (a), (b), and (c) of this section shall be effective after June 30, 1973. Effective date.

AMENDMENT TO NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

SEC. 802. (a) Section 5(a)(2) of the National Commission on Libraries and Information Science Act is amended by striking out "and" after "areas" and inserting a comma in lieu thereof, and by inserting after "deprived persons," the following: "and of elderly persons,". 84 Stat. 441. 20 USC 1504.

(b) The second sentence of section 6(a) (20 U.S.C. 1505(a)) of such Act is amended by inserting before the period at the end thereof the following: ", and at least one other of whom shall be knowledgeable with respect to the library and information service and science needs of the elderly".

AMENDMENT TO HIGHER EDUCATION ACT OF 1965

SEC. 803. Title I of the Higher Education Act of 1965 is amended by redesignating sections 110, 111, and 112 (and cross references thereto) as 111, 112, and 113, respectively, and by inserting after section 109 the following new section: 86 Stat. 236. 20 USC 1009-1011.

"SPECIAL PROGRAMS AND PROJECTS RELATING TO PROBLEMS OF THE ELDERLY

"SEC. 110. (a) The Commissioner is authorized to make grants to institutions of higher education (and combinations thereof) to assist such institutions in planning, developing, and carrying out, consistent with the purpose of this title, programs specifically designed to apply the resources of higher education to the problems of the elderly, particularly with regard to transportation and housing problems of elderly persons living in rural and isolated areas. Grants.

"(b) For purposes of making grants under this section, there are authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1973, and each succeeding fiscal year ending prior to July 1, 1977. Appropriation.

"(c) In carrying out the program authorized by this section, the Commissioner shall consult with the Commissioner of the Administration on Aging for the purpose of coordinating, where practicable, the programs assisted under this section with the programs assisted under the Older Americans Act of 1965." *Ante*, p. 30.

AMENDMENT TO ADULT EDUCATION ACT

SEC. 804. (a) The Adult Education Act (20 U.S.C. 1201 et seq.) is amended by redesignating sections 310, 311, and 312 (and cross references thereto) as sections 311, 312, and 313, respectively, and by inserting after section 309 the following new section: 84 Stat. 163. 20 USC 1209-1211.

"SPECIAL PROJECTS FOR THE ELDERLY

Grants.

"SEC. 310. (a) The Commissioner is authorized to make grants to State and local educational agencies or other public or private nonprofit agencies for programs to further the purpose of this Act by providing educational programs for elderly persons whose ability to speak and read the English language is limited and who live in an area with a culture different than their own. Such programs shall be designed to equip such elderly persons to deal successfully with the practical problems in their everyday life, including the making of purchases, meeting their transportation and housing needs, and complying with governmental requirements such as those for obtaining citizenship, public assistance and social security benefits, and housing.

Appropriation.

"(b) For the purpose of making grants under this section there are authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1973, and each succeeding fiscal year ending prior to July 1, 1975.

"(c) In carrying out the program authorized by this section, the Commissioner shall consult with the Commissioner of the Administration on Aging for the purpose of coordinating, where practicable, the programs assisted under this section with the programs assisted under the Older Americans Act of 1965."

Ante, p. 30.

Ante, p. 59.

(b) Section 313(a) of such Act, as redesignated, is amended by inserting before the period at the end thereof the following: "(other than section 310)".

ADDITIONAL AUTHORIZATION FOR SENIOR OPPORTUNITIES AND SERVICES

SEC. 805. In addition to the amounts authorized to be appropriated and allocated pursuant to the Economic Opportunity Amendments of 1972, there is further authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1973, and the succeeding fiscal year, to be used for the Senior Opportunities and Services program described in section 222(a)(7) of the Economic Opportunity Act of 1964.

86 Stat. 688.
42 USC 2701 note.

81 Stat. 698; 82 Stat. 1019.
42 USC 2809.

TITLE IX—COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

SHORT TITLE

Citation of title.

SEC. 901. This title may be cited as the "Older American Community Service Employment Act".

OLDER AMERICAN COMMUNITY SERVICE EMPLOYMENT PROGRAM

SEC. 902. (a) In order to foster and promote useful part-time work opportunities in community service activities for unemployed low-income persons who are fifty-five years old or older and who have poor employment prospects, the Secretary of Labor (hereinafter referred to as the "Secretary") is authorized to establish an older American community service employment program (hereinafter referred to as the "program").

(b) In order to carry out the provisions of this title, the Secretary is authorized—

(1) to enter into agreements with public or private nonprofit agencies or organizations, agencies of a State government or a political subdivision of a State (having elected or duly appointed governing officials), or a combination of such political subdivisions, or Indian tribes on Federal or State reservations in

order to further the purposes and goals of the program. Such agreements may include provisions for the payment of costs, as provided in subsection (c), of projects developed by such organizations and agencies in cooperation with the Secretary in order to make the program effective or to supplement it. No payments shall be made by the Secretary toward the cost of any project established or administered by any such organization or agency unless he determines that such project—

(A) will provide employment only for eligible individuals, except for necessary technical, administrative, and supervisory personnel, but such personnel shall, to the fullest extent possible, be recruited from among eligible individuals;

(B) will provide employment for eligible individuals in the community in which such individuals reside, or in nearby communities;

(C) will employ eligible individuals in services related to publicly owned and operated facilities and projects, or projects sponsored by organizations exempt from taxation under the provisions of section 501(c)(3) of the Internal Revenue Code of 1954 (other than political parties), except projects involving the construction, operation, or maintenance of any facility used or to be used as a place for sectarian religious instruction or worship; 68A Stat. 163. 26 USC 501.

(D) will contribute to the general welfare of the community;

(E) will provide employment for eligible individuals whose opportunities for other suitable public or private paid employment are poor;

(F) will result in an increase in employment opportunities for eligible individuals, and will not result in the displacement of employed workers or impair existing contracts;

(G) will utilize methods of recruitment and selection (including, but not limited to, listing of job vacancies with the employment agency operated by any State or political subdivision thereof) which will assure that the maximum number of eligible individuals will have an opportunity to participate in the project;

(H) will include such training as may be necessary to make the most effective use of the skills and talents of those individuals who are participating, and will provide for the payment of the reasonable expenses of individuals being trained, including a reasonable subsistence allowance;

(I) will assure that safe and healthy conditions of work will be provided, and will assure that persons employed in public service jobs assisted under this title shall be paid wages which shall not be lower than whichever is the highest of (i) the minimum wage which would be applicable to the employee under the Fair Labor Standards Act of 1938, if section 6(a)(1) of such Act applied to the participant and if he were not exempt under section 13 thereof, (ii) the State or local minimum wage for the most nearly comparable covered employment, or (iii) the prevailing rates of pay for persons employed in similar public occupations by the same employer; 52 Stat. 1060. 29 USC 201. 80 Stat. 838. 29 USC 206. 29 USC 213.

(J) will be established or administered with the advice of persons competent in the field of service in which employment is being provided, and of persons who are knowledgeable with regard to the needs of older persons;

(K) will authorize pay for necessary transportation costs of eligible individuals which may be incurred in employment

in any project funded under this title in accordance with regulations promulgated by the Secretary; and

(L) will assure that to the extent feasible such projects will serve the needs of minority, Indian, and limited English-speaking eligible individuals in proportion to their numbers in the State;

Regulations.

(2) to make, issue, and amend such regulations as may be necessary to effectively carry out the provisions of this title.

Costs.

(c)(1) The Secretary is authorized to pay not to exceed 90 per centum of the cost of any project which is the subject of an agreement entered into under subsection (b), except that the Secretary is authorized to pay all of the costs of any such project which is (A) an emergency or disaster project or (B) a project located in an economically depressed area as determined in consultation with the Secretary of Commerce and the Director of the Office of Economic Opportunity.

Non-Federal share.

(2) The non-Federal share shall be in cash or in kind. In determining the amount of the non-Federal share, the Secretary is authorized to attribute fair market value to services and facilities contributed from non-Federal sources.

ADMINISTRATION

SEC. 903. (a) In order to effectively carry out the purposes of this title, the Secretary is authorized to consult with agencies of States and their political subdivisions with regard to—

(1) the localities in which community service projects of the type authorized by this title are most needed;

(2) consideration of the employment situation and the types of skills possessed by available local individuals who are eligible to participate; and

(3) potential projects and the number and percentage of eligible individuals in the local population.

Agency cooperation.

(b)(1) The Secretary is authorized and directed to require agencies and organizations administering community service projects and other activities assisted under this title to coordinate their projects and activities with agencies and organizations conducting related manpower and unemployment programs receiving assistance under this Act and under other authorities such as the Economic Opportunity Act of 1964, the Manpower Development and Training Act of 1962, and the Emergency Employment Act of 1971. In carrying out the provisions of this paragraph, the Secretary is authorized to make necessary arrangements to include projects and activities assisted under this title within a common agreement and a common application with projects assisted under this Act and other provisions of law such as the Economic Opportunity Act of 1964, the Manpower Development and Training Act of 1962, the Emergency Employment Act of 1971.

78 Stat. 508.
76 Stat. 23.
42 USC 2701 note, 2571 note.
85 Stat. 146.
42 USC 4871 note.

(2) The Secretary is authorized to make whatever arrangements that are necessary to carry out the programs assisted under this title as part of any general manpower legislation hereafter enacted, except that appropriations for programs assisted under this title may not be expended for programs assisted under that title.

Non-Federal offices, utilization.

(c) In carrying out the provisions of this title, the Secretary is authorized to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies, and instrumentalities in the use of services, equipment, and facilities.

Criteria.

(d) The Secretary shall establish criteria designed to assure equitable participation in the administration of community service proj-

ects by agencies and organizations eligible for payment under section 902(b).

(e) Payments under this title may be made in advance or by way of reimbursement and in such installments as the Secretary may determine. Advance payments.

(f) The Secretary shall not delegate his functions and duties under this title to any other department or agency of Government.

PARTICIPANTS NOT FEDERAL EMPLOYEES

SEC. 904. (a) Eligible individuals who are employed in any project funded under this title shall not be considered to be Federal employees as a result of such employment and shall not be subject to the provisions of part III of title 5, United States Code. 80 Stat. 407. 5 USC 2101.

(b) No contract shall be entered into under this title with a contractor who is, or whose employees are, under State law, exempted from operation of the State workmen's compensation law, generally applicable to employees, unless the contractor shall undertake to provide either through insurance by a recognized carrier, or by self insurance, as allowed by State law, that the persons employed under the contract, shall enjoy workmen's compensation coverage equal to that provided by law for covered employment. The Secretary must establish standards for severance benefits, in lieu of unemployment insurance coverage, for eligible individuals who have participated in qualifying programs and who have become unemployed. Severance benefits, standards.

INTERAGENCY COOPERATION

SEC. 905. The Secretary shall consult and cooperate with the Office of Economic Opportunity, the Administration on Aging, the Department of Health, Education, and Welfare, and any other related Federal agency administering related programs, with a view to achieving optimal coordination with such other programs and shall promote the coordination of projects under this title with other public and private programs or projects of a similar nature. Such Federal agencies shall cooperate with the Secretary in disseminating information about the availability of assistance under this title and in promoting the identification and interests of individuals eligible for employment in projects funded under this title.

EQUITABLE DISTRIBUTION OF ASSISTANCE

SEC. 906. (a)(1) From the sums appropriated for any fiscal year under section 908 there shall be initially allotted for projects within each State an amount which bears the same ratio to such sum as the population, aged fifty-five or over in such State bears to the population aged fifty-five or over in all States, except that (A) no State shall be allotted less than one-half of 1 per centum of the sum appropriated for the fiscal year for which the determination is made; and (B) Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall each be allotted an amount equal to one-fourth of 1 per centum of the sum appropriated for the fiscal year for which the determination is made. For the purpose of the exception contained in this paragraph, the term "State" does not include Guam, "State."

American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(2) The number of persons aged fifty-five or over in any State and for all States shall be determined by the Secretary on the basis of the most satisfactory data available to him.

(b) The amount allotted for projects within any State under subsection (a) for any fiscal year which the Secretary determines will not be required for that year shall be reallotted, from time to time and on such dates during such year as the Secretary may fix, to projects within other States in proportion to the original allotments to projects within such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Secretary estimates that projects within such State need and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for that year.

(c) The amount apportioned for projects within each State under subsection (a) shall be apportioned among areas within each such State in an equitable manner, taking into consideration the proportion which eligible persons in each such area bears to such total number of such persons, respectively, in that State.

DEFINITIONS

SEC. 907. As used in this title—

(a) "State" means any of the several States of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands;

(b) "eligible individual" means an individual who is fifty-five years old or older, who has a low income, and who has or would have difficulty in securing employment, except that pursuant to regulations prescribed by the Secretary any such individual who is sixty years old or older shall have priority for the work opportunities provided for under this Act;

(c) "community service" means social, health, welfare, educational, library, recreational, and other similar services; conservation, maintenance or restoration of natural resources; community betterment or beautification; antipollution and environmental quality efforts; economic development; and such other services which are essential and necessary to the community as the Secretary, by regulation, may prescribe.

AUTHORIZATION OF APPROPRIATIONS

SEC. 908. There are hereby authorized to be appropriated $60,000,000 for the fiscal year ending June 30, 1973, and $100,000,000 for fiscal year ending June 30, 1974, to carry out the provisions of this title.

Approved May 3, 1973.

Public Law 93-30

JOINT RESOLUTION

May 5, 1973
[S. J. Res. 51]

To authorize and request the President to issue a proclamation designating the calendar week beginning May 6, 1973, as "National Historic Preservation Week".

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation—

National Historic Preservation Week.
Designation authorization.

(1) designating the calendar week beginning May 6, 1973, as "National Historic Preservation Week"; and

(2) urging Federal, State, and local government agencies, as well as citizens and private organizations, especially the preservation organizations, historical societies, and related groups, to observe that week with educational efforts, ceremonies, and other appropriate activities which—

(a) are designed to call public attention to the urgent need to have our historic landmarks for the enjoyment and edification of the citizens of this Nation, present and future; and

(b) will demonstrate lasting respect for this unique heritage.

Approved May 5, 1973.

Public Law 93-31

AN ACT

May 8, 1973
[S. 1494]

To amend section 236 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees to limit the number of employees that may be retired under such Act during specified periods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 236 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended (78 Stat. 1043; 50 U.S.C. 403 note), is amended by (1) striking out "eight hundred" and inserting in lieu thereof "twenty-one hundred", and (2) striking out the period at the end of such section and inserting in lieu thereof a comma and the following: "nor a total of fifteen hundred during the period beginning on July 1, 1974, and ending on June 30, 1979."

Certain Central Intelligence Agency employees.
Retirement limitation.
84 Stat. 1873.

Approved May 8, 1973.

Public Law 93-32

AN ACT

May 11, 1973
[S. 394]

To amend the Rural Electrification Act of 1936, as amended, to establish a Rural Electrification and Telephone Revolving Fund to provide adequate funds for rural electric and telephone systems through insured and guaranteed loans at interest rates which will allow them to achieve the objectives of the Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy of the Congress that adequate funds should be made available to rural electric and telephone systems through direct, insured and guaranteed loans at interest rates which will allow them to achieve the objectives of the Rural Electrification Act of 1936, as amended, and that such rural electric and telephone systems should

Rural electric and telephone direct loan programs.
Restoration.
49 Stat. 1363.
7 USC 901.

be encouraged and assisted to develop their resources and ability to achieve the financial strength needed to enable them to satisfy their credit needs from their own financial organizations and other sources at reasonable rates and terms consistent with the loan applicant's ability to pay and achievement of the Act's objectives. The Rural Electrification Act of 1936, as amended (7 U.S.C. 901–950(b)), is therefore further amended as hereinafter provided.

49 Stat. 1363.

SEC. 2. Title III of the Rural Electrification Act of 1936, as amended, is amended by striking out all of sections 301 and 302 and inserting in lieu thereof the following new sections:

85 Stat. 29.
7 USC 931, 932.

"SEC. 301. RURAL ELECTRIFICATION AND TELEPHONE REVOLVING FUND.—(a) There is hereby established in the Treasury of the United States a fund, to be known as the Rural Electrification and Telephone Revolving Fund (hereinafter referred to as the 'fund'), consisting of:

"(1) all notes, bonds, obligations, liens, mortgages, and property delivered or assigned to the Administrator pursuant to loans heretofore or hereafter made under sections 4, 5, and 201 of this Act and under this title, as of the effective date of this title, as revised herein, and all proceeds from the sales hereunder of such notes, bonds, obligations, liens, mortgages, and property, which shall be transferred to and be assets of the fund;

49 Stat. 1365.
63 Stat. 948.
7 USC 904, 905, 922.

"(2) undisbursed balances of electric and telephone loans made under sections 4, 5, and 201, which as of the effective date of this title, as revised herein, shall be transferred to and be assets of the fund;

"(3) notwithstanding section 3(a) of title I, all collections of principal and interest received on and after July 1, 1972, on notes, bonds, judgments, or other obligations made or held under titles I and II of this Act and under this title, except for net collection proceeds previously appropriated for the purchase of class A stock in the Rural Telephone Bank, which shall be paid into and be assets of the fund;

61 Stat. 546.
7 USC 903.

49 Stat. 1363;
63 Stat. 948.
7 USC 901, 921.

"(4) all appropriations for interest subsidies and losses required under this title which may hereafter be made by the Congress;

"(5) moneys borrowed from the Secretary of the Treasury pursuant to section 304(a); and

Post, p. 67.

"(6) shares of the capital stock of the Rural Telephone Bank purchased by the United States pursuant to section 406(a) of this Act and moneys received from said bank upon retirement of said shares of stock in accordance with the provisions of title IV of this Act, which said shares and moneys shall be assets of the fund.

85 Stat. 33.
7 USC 946.

7 USC 941.

"SEC. 302. LIABILITIES AND USES OF FUND.—(a) The notes of the Administrator to the Secretary of the Treasury to obtain funds for loans under sections 4, 5, and 201 of this Act, and all other liabilities against the appropriations or assets in the fund in connection with electrification and telephone loan operations shall be liabilities of the fund, and all other obligations against such appropriations or assets in the fund arising out of electrification and telephone loan operations shall be obligations of the fund.

"(b) The assets of the fund shall be available only for the following purposes:

"(1) loans which could be insured under this title, and for advances in connection with such loans and loans previously made, as of the effective date of this title, as revised herein, under sections 4, 5, and 201 of this Act;

63 Stat. 948.
85 Stat. 37.
7 USC 904, 905, 922.

"(2) payment of principal when due (without interest) on outstanding loans to the Administrator from the Secretary of the Treasury for electrification and telephone purposes pursuant to section 3(a) of this Act and payment of principal and interest when due on loans to the Administrator from the Secretary of the Treasury pursuant to section 304(a) of this title;

61 Stat. 546.
7 USC 903.
Infra.

"(3) payment of amounts to which the holder of notes is entitled on insured loans: *Provided*, That payments other than final payments need not be remitted to the holder until due or until the next agreed annual, semiannual, or quarterly remittance date;

"(4) payment to the holder of insured notes of any defaulted installment or, upon assignment of the note to the Administrator at his request, the entire balance due on the note;

"(5) purchase of notes in accordance with contracts of insurance entered into by the Administrator;

"(6) payment in compliance with contracts of guarantee;

"(7) payment of taxes, insurance, prior liens, expenses necessary to make fiscal adjustments in connection with the application, and transmittal of collections or necessary to obtain credit reports on applicants or borrowers, expenses for necessary services, including construction inspections, commercial appraisals, loan servicing, consulting business advisory or other commercial and technical services, and other program services, and other expenses and advances authorized in section 7 of this Act in connection with insured loans. Such items may be paid in connection with guaranteed loans after or in connection with the acquisition of such loans or security thereof after default, to the extent determined to be necessary to protect the interest of the Government, or in connection with any other activity authorized in this Act;

49 Stat. 1365.
7 USC 907.

"(8) payment of the purchase price and any costs and expenses incurred in connection with the purchase, acquisition, or operation of property pursuant to section 7 of this Act.

"SEC. 303. DEPOSIT OF FUND MONEYS.—Moneys in the fund shall remain on deposit in the Treasury of the United States until disbursed.

"SEC. 304. FINANCIAL TRANSACTIONS OF THE FUND.—(a) The Administrator is authorized to make and issue interim notes to the Secretary of the Treasury for the purpose of obtaining funds necessary for discharging obligations of the fund and for making loans, advances and authorized expenditures out of the fund. Such notes shall be in such form and denominations and have such maturities and be subject to such terms and conditions as may be agreed upon by the

Interim notes, issuance.

Interest rate determination.

Administrator and the Secretary of the Treasury. Such notes shall bear interest at a rate fixed by the Secretary of the Treasury, taking into consideration the current average market yield of outstanding marketable obligations of the United States having maturities comparable to the notes issued by the Administrator under this section. The Secretary of the Treasury is authorized and directed to purchase any notes of the Administrator issued hereunder, and, for that purpose, the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which such securities may be issued under such Act, as amended, are extended to include the purchase of notes issued by the Administrator. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes shall be treated as public debt transactions of the United States: *Provided, however*, That such interim notes to the Secretary of the Treasury shall not be included in the totals of the budget of the United States Government and shall be exempt from any general limitation imposed by statute on expenditures and net lending (budget outlays) of the United States.

40 Stat. 288. 31 USC 774.

U.S. budget totals, exclusion.

Obligations, purchase for resale.

"(b) The Secretary of the Treasury is authorized and directed to purchase for resale obligations insured through the fund when offered by the Administrator. Such resales shall be upon such terms and conditions as the Secretary of the Treasury shall determine. Purchases and resales by the Secretary of the Treasury hereunder shall not be included in the totals of the budget of the United States Government and shall be exempt from any general limitation imposed by statute on expenditures and net lending (budget outlays) of the United States.

U.S. budget totals, exclusion.

Notes and certificates, sale.

"(c) The Administrator may, on an insured basis or otherwise, sell and assign any notes in the fund or sell certificates of beneficial ownership therein to the Secretary of the Treasury or in the private market. Any sale by the Administrator of notes individually or in blocks shall be treated as a sale of assets for the purposes of the Budget and Accounting Act, 1921, notwithstanding the fact that the Administrator, under an agreement with the purchaser or purchasers, holds the debt instruments evidencing the loans and holds or reinvests payments thereon as trustee and custodian for the purchaser or purchasers of the individual note or of the certificate of beneficial ownership in a number of such notes. Security instruments taken by the Administrator in connection with any notes in the fund may constitute liens running to the United States notwithstanding the fact that such notes may be thereafter held by purchasers thereof.

42 Stat. 20. 31 USC 1.

Liens.

"SEC. 305. INSURED LOANS; INTEREST RATES AND LENDING LEVELS.—(a) The Administrator is authorized to make insured loans under this title and at the interest rates hereinafter provided to the full extent of the assets available in the fund, subject only to limitations as to amounts authorized for loans and advances as may be from time to time imposed by the Congress of the United States for loans to be made in any one year, which amounts shall remain available until expended: *Provided*, That the Congress in the annual appropriation Act may also authorize the transfer of any excess cash in the fund for deposit into the Treasury as miscellaneous receipts: *And provided further*, That any such loans and advances shall not be included in the totals of the budget of the United States Government and shall be exempt from any general limitation imposed by statute on expenditures and net lending (budget outlays) of the United States.

Transfer of funds.

U.S. budget totals, exclusion.

"(b) Insured loans made under this title shall bear interest at either 2 per centum per annum (hereinafter called the 'special rate'), or 5 per centum per annum (hereinafter called the 'standard rate'). Loans bearing the special rate shall be available only for an electric or telephone borrower which meets either of the following conditions: "Special rate." "Standard rate."

"(1) has an average consumer or subscriber density of two or fewer per mile, or

"(2) has an average gross revenue per mile which is at least $450 below the average gross revenue per mile of REA-financed electric systems, in the case of electric borrowers, or at least $300 below the average gross revenue per mile of REA-financed telephone systems, in the case of telephone borrowers: *Provided, however*, That the Administrator may, in his sole discretion, make a loan at the special rate if he finds that the borrower:

"(A) has experienced extenuating circumstances or extreme hardship; or

"(B) cannot, in accordance with generally accepted management and accounting principles, produce net income or margins before interest at least equal to 150 per centum of its total interest requirements on all outstanding and proposed loans with an interest rate greater than 2 per centum per annum on the entire current loan, and still meet the objectives of the Act, or

"(C) cannot, in accordance with generally accepted management and accounting principles and without an excessive increase in the rates charged by such borrowers to their consumers or subscribers, provide service consistent with the objectives of the Act.

"(c) Loans made under this section shall be insured by the Administrator when purchased by a lender. As used in this Act, an insured loan is one which is made, held, and serviced by the Administrator, and sold and insured by the Administrator hereunder; such loans shall be sold and insured by the Administrator without undue delay.

"SEC. 306. GUARANTEED LOANS; ACCOMMODATION AND SUBORDINATION OF LIENS.—The Administrator may provide financial assistance to borrowers for purposes provided in the Rural Electrification Act of 1936, as amended, by guaranteeing loans, in the full amount thereof, made by the Rural Telephone Bank, National Rural Utilities Cooperative Finance Corporation, and any other legally organized lending agency, or by accommodating or subordinating liens or mortgages in the fund held by the Administrator as owner or as trustee or custodian for purchases of notes from the fund, or by any combination of such guarantee, accommodation, or subordination. No fees or charges shall be assessed for any such guarantee, accommodation, or subordination. Guaranteed loans shall bear interest at the rate agreed upon by the borrower and the lender. Guaranteed loans, and accommodation and subordination of liens or mortgages, may be made concurrently with a loan insured at the standard rate. The amount of guaranteed loans shall be subject only to such limitations as to amounts as may be authorized from time to time by the Congress of the United States: *Provided*, That any amounts guaranteed hereunder shall not be included in the totals of the budget of the United States Government and shall be exempt from any general limitation imposed by statute on expenditures and net lending (budget outlays) of the United States. As used in this title a guaranteed loan is one which is made, held, and serviced by a legally organized lending agency and which is guaranteed by the Administrator hereunder. 49 Stat. 1363; 85 Stat. 29. 7 USC 901. U.S. budget totals, exclusion. Definition.

"SEC. 307. OTHER FINANCING.—When it appears to the Administrator that the loan applicant is able to obtain a loan for part of his credit needs from a responsible cooperative or other credit source at reasonable rates and terms consistent with the loan applicant's ability to pay and the achievement of the Act's objectives, he may request the loan applicant to apply for and accept such a loan concurrently with a loan insured at the standard rate, subject, however, to full use being made by the Administrator of the funds made available hereunder for such insured loans under this title.

"SEC. 308. FULL FAITH AND CREDIT OF THE UNITED STATES.—Any contract of insurance or guarantee executed by the Administrator under this title shall be an obligation supported by the full faith and credit of the United States and incontestable except for fraud or misrepresentation of which the holder has actual knowledge.

"SEC. 309. LOAN TERMS AND CONDITIONS.—Loans made from or insured through the fund shall be for the same purposes and on the same terms and conditions as are provided for loans in titles I and II of this Act except as otherwise provided in sections 303 to 308 inclusive.

49 Stat. 1363; 63 Stat. 948. 7 USC 901, 921.

"SEC. 310. REFINANCING OF RURAL DEVELOPMENT ACT LOANS.—At the request of the borrower, the Administrator is authorized and directed to refinance with loans which will be insured under this Act at the interest rates provided in section 305 any loans made for rural electric and telephone facilities under any provision of the Consolidated Farm and Rural Development Act."

Ante, p. 67.

Ante, p. 68.

86 Stat. 657. 7 USC 1921 note.

SEC. 3. Section 3(f) of the Rural Electrification Act of 1936, as amended, is repealed.

Repeal. 7 USC 903.

SEC. 4. Section 405 of the Rural Electrification Act of 1936, as amended, is further amended by striking subsection (e) in its entirety and by inserting in lieu thereof a new subsection (e), as follows:

85 Stat. 32. 7 USC 945.

"(e) Thereafter, the cooperative-type entities and organizations holding class B and class C stock, voting as a separate class, shall elect three directors to represent their class by a majority vote of the stockholders voting in such class; and the commercial-type entities and organizations holding class B and class C stock, voting as a separate class, shall elect three directors to represent their class by a majority vote of the stockholders voting in such class. Limited proxy voting may be permitted, as authorized by the bylaws of the telephone bank. Cumulative voting shall not be permitted."

SEC. 5. The second sentence of section 406(a) of the Rural Electrification Act of 1936, as amended, is further amended by striking "from net collection proceeds in the rural telephone account created under title III of this Act" immediately after the word "appropriated".

7 USC 946.

SEC. 6. Subsection (a) of section 407 of the Rural Electrification Act of 1936, as amended, is amended by striking out "eight" in the second sentence and inserting in lieu thereof "twenty", and by striking out all of the third sentence.

85 Stat. 34; 86 Stat. 390. 7 USC 947.

SEC. 7. Section 407 of the Rural Electrification Act of 1936, as amended, is amended by adding a new subsection (c) as follows:

U.S. budget totals, exclusion.

"(c) Purchases and resales by the Secretary of the Treasury as authorized in subsection (b) of this section shall not be included in the totals of the budget of the United States Government and shall be exempt from any general limitation imposed by statute on expenditures and net lending (budget outlays) of the United States."

SEC. 8. Subsection (a) of section 408 of the Rural Electrification Act of 1936, as amended, is amended (a) by inserting the words "or

7 USC 948.

which have been certified by the Administrator to be eligible for such a loan or loan commitment," immediately following the term "this Act," where it first appears; and (b) by adding at the end thereof the following sentence: "Loans and advances made under this section shall not be included in the totals of the budget of the United States Government and shall be exempt from any general limitation imposed by statute on expenditures and net lending (budget outlays) of the United States."

U.S. budget totals, exclusion.

SEC. 9. Subsection (b) of section 408 of the Rural Electrification Act of 1936, as amended, is amended by striking out all of paragraph (3) and inserting in lieu thereof a new paragraph (3) reading:

85 Stat. 35. 7 USC 948.

"(3) Loans under this section shall bear interest at the 'cost of money rate'. The cost of money rate is defined as the average cost of moneys to the telephone bank as determined by the Governor, but not less than 5 per centum per annum."

"Cost of money rate."

SEC. 10. No funds provided under the Rural Electrification Act of 1936, as amended, shall be used outside the United States or any of its territories.

Prohibition.

SEC. 11. The right to repeal, alter, or amend this Act is expressly reserved.

SEC. 12. This Act shall take effect upon enactment.

Effective date.

Approved May 11, 1973.

Public Law 93-33

AN ACT

To provide for the striking of medals in commemoration of Roberto Walker Clemente.

May 14, 1973
[H. R. 3841]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the outstanding athletic, civic, charitable, and humanitarian contributions of Roberto Walker Clemente, the Secretary of the Treasury is authorized and directed to strike and furnish to the Chamber of Commerce of Greater Pittsburgh, Pittsburgh, Pennsylvania, (1) one gold medal, to be awarded at the discretion of such organization, with suitable emblems, devices, and inscriptions to be determined by such organization subject to the approval of the Secretary of the Treasury, and (2) not more than two hundred thousand duplicate medals of sizes and alloys to be determined by such organization subject to the approval of the Secretary of the Treasury, to be made and delivered at such times as may be required by such organization in quantities of not less than two thousand. Any profits derived by such organization from the sale of such medals shall be contributed by such organization to the Roberto Clemente Memorial Fund, Pittsburgh, Pennsylvania. The medals are national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

Roberto Walker Clemente. Commemorative medals.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint, shall be furnished to indemnify the United States for the full payment of such costs.

Cost.

SEC. 3. No medals shall be made under the authority of this Act after December 31, 1974.

Time limitation.

Approved May 14, 1973.

Public Law 93-34

May 14, 1973
[S. J. Res. 93]

JOINT RESOLUTION

To provide a temporary extension of the authorization for the President's National Commission on Productivity.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(f) of Public Law 92–210, approved December 22, 1971, is amended by striking out "April 30, 1973" and inserting in lieu thereof "June 30, 1973".

85 Stat. 755.
15 USC 1026.

Approved May 14, 1973.

Public Law 93-35

May 16, 1973
[H. J. Res. 393]

JOINT RESOLUTION

To amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Postsecondary Education and the period within which it must make its final report.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 140(d) of the Education Amendments of 1972 is amended by striking out "April 30, 1973" and inserting in lieu thereof "December 31, 1973".

National Commission on the Financing of Postsecondary Education.
Extension.
86 Stat. 282.
20 USC 1070 note.

(b) Section 140(h) of such Act is amended by striking out "1973" and inserting in lieu thereof "1974".

(c) Section 140(b)(1) of such Act is amended by striking the last sentence and inserting in lieu thereof the following: "Upon the submission of its final report required by subsection (d) the Commission shall cease to exist, except that it shall, if necessary, have a reasonable time (but not later than June 30, 1974) to terminate the affairs of the Commission."

Basic educational opportunity grants, limitation.
86 Stat. 247.
20 USC 1070a.

SEC. 2. If the appropriation for the fiscal year 1973 for making payments under subpart 1 of part A of title IV of the Higher Education Act of 1965 does not exceed $385,000,000, payments under such subpart from such appropriation shall not be paid on the basis of any entitlement for any student (1) who was in attendance, as a regular student (as defined by the Commissioner of Education), at an institution of higher education prior to July 1, 1973, or (2) who is in attendance at such an institution on less than a full-time basis.

Effective date.

SEC. 3. The provisions of this joint resolution shall be effective on and after May 1, 1973, and such provisions shall be deemed to be enacted immediately before such date.

Approved May 16, 1973.

Public Law 93-36

May 18, 1973
[S. 1379]

AN ACT

To authorize further appropriations for the Office of Environmental Quality, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 205 of the Environmental Quality Improvement Act of 1970 (42 U.S.C. 4374) is amended to read as follows:

Office of Environmental Quality
Appropriation authorization.
84 Stat. 115.

"SEC. 205. There are hereby authorized to be appropriated for the operations of the Office of Environmental Quality and the Council on

Environmental Quality $1,500,000 for the fiscal year ending June 30, 1974, and $2,000,000 for the fiscal year ending June 30, 1975. This authorization is in addition to those contained in Public Law 91-190." 83 Stat. 856. 42 USC 4347.

Approved May 18, 1973.

Public Law 93-37

AN ACT

May 24, 1973 [S. 721]

To authorize appropriations for the Indian Claims Commission for fiscal year 1974, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated to carry out the provisions of the Indian Claims Commission Act (25 U.S.C. 70), during fiscal year 1974 a sum not to exceed $1,200,000. Indian Claims Commission. Appropriation authorization. 60 Stat. 1049.

SEC. 2. Section 1 of the Act of November 4, 1963 (77 Stat. 301), as amended (25 U.S.C. 70n-1), is further amended by striking out "$1,800,000" and by inserting "$2,700,000". 80 Stat. 814.

Approved May 24, 1973.

Public Law 93-38

JOINT RESOLUTION

June 5, 1973 [S. J. Res. 112]

To amend section 1319 of the Housing and Urban Development Act of 1968 to increase the limitation on the face amount of flood insurance coverage authorized to be outstanding.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1319 of the Housing and Urban Development Act of 1968 is amended by striking out "$4,000,000,000" and inserting in lieu thereof "$6,000,000,000". Flood insurance. Limitation increase. *Ante*, p. 4.

Approved June 5, 1973.

Public Law 93-39

AN ACT

June 12, 1973 [H. R. 6077]

To permit immediate retirement of certain Federal employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8336(d) of title 5, United States Code, is amended to read as follows: Federal employees. Immediate retirement. 80 Stat. 571.

"(d) An employee who is separated from the service—

"(1) involuntarily, except by removal for cause on charges of misconduct or delinquency; or

"(2) voluntarily, during a period when the agency in which he is employed is undergoing a major reduction in force, as determined by the Commission, and who is serving in such geographic areas as may be designated by the Commission;

after completing 25 years of service or after becoming 50 years of age and completing 20 years of service is entitled to a reduced annuity.".

Approved June 12, 1973.

Public Law 93-40

June 12, 1973
[S. 1235]

AN ACT

To amend Public Law 90–553 authorizing an additional appropriation for an International Center for Foreign Chanceries.

International Center for Foreign Chanceries.
Appropriation authorization.
D.C. Code 9-301 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 6 of Public Law 90–553 (82 Stat. 958) is hereby amended to read as follows:

"There is hereby authorized to be appropriated, without fiscal year limitation, not to exceed $2,200,000 to carry out the purposes of section 5 of this Act: *Provided*, That such sums as may be appropriated hereunder shall be reimbursed to the Treasury from proceeds of the sale or lease of property to foreign governments and international organizations as provided for in the first section of this Act."

Approved June 12, 1973.

Public Law 93-41

June 14, 1973
[H. J. Res. 533]

JOINT RESOLUTION

Authorizing the President to proclaim June 17, 1973, as a day of commemoration of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet in 1673.

Opening of upper Mississippi River.
300th anniversary.
Designation authorization.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating June 17, 1973, as a day of commemoration of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet, and calling upon the people of the United States to observe the tercentenary with appropriate ceremonies and activities.

Approved June 14, 1973.

Public Law 93-42

June 15, 1973
[H. J. Res. 296]

JOINT RESOLUTION

To authorize the President to proclaim the last week of June 1973, as "National Autistic Children's Week".

National Autistic Children's Week.
Designation authorization.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the week which begins on June 24 as "National Autistic Children's Week", and calling the attention of the people of the United States to the plight of the autistic child, and the services which are available to help such children and their families.

Approved June 15, 1973.

Public Law 93-43

AN ACT

June 18, 1973
[S. 49]

To amend title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Cemeteries Act of 1973".

National Cemeteries Act of 1973.

SEC. 2. (a) Part II of title 38, United States Code, is amended by adding at the end thereof the following new chapter:

72 Stat. 1117.
38 USC 301.

"Chapter 24—NATIONAL CEMETERIES AND MEMORIALS

"Sec.
"1000. Establishment of National Cemetery System; composition of such system; appointment of director.
"1001. Advisory committee on cemeteries and memorials.
"1002. Persons eligible for interment in national cemeteries.
"1003. Memorial areas.
"1004. Administration.
"1005. Disposition of inactive cemeteries.
"1006. Acquisition of lands.
"1007. Authority to accept and maintain suitable memorials.

"§ 1000. Establishment of National Cemetery System; composition of such system; appointment of director

"(a) There shall be within the Veterans' Administration a National Cemetery System for the interment of deceased servicemen and veterans. To assist him in carrying out his responsibilities in administering the cemeteries within the System, the Administrator may appoint a Director, National Cemetery System, who shall perform such functions as may be assigned by the Administrator.

"(b) The National Cemetery System shall consist of—

"(1) national cemeteries transferred from the Department of the Army to the Veterans' Administration by the National Cemeteries Act of 1973;

"(2) cemeteries under the jurisdiction of the Veterans' Administration on the date of enactment of this chapter; and

"(3) any other cemetery, memorial, or monument transferred to the Veterans' Administration by the National Cemeteries Act of 1973, or later acquired or developed by the Administrator.

"§ 1001. Advisory Committee on Cemeteries and Memorials

"There shall be appointed by the Administrator an Advisory Committee on Cemeteries and Memorials. The Administrator shall advise and consult with the Committee from time to time with respect to the administration of the cemeteries for which he is responsible, and with respect to the selection of cemetery sites, the erection of appropriate memorials, and the adequacy of Federal burial benefits. The Committee shall make periodic reports and recommendations to the Administrator and to Congress.

Reports to Administrator of Veterans' Affairs and Congress.

"§ 1002. Persons eligible for interment in national cemeteries

"Under such regulations as the Administrator may prescribe and subject to the provisions of section 3505 of this title, the remains of the following persons may be buried in any open national cemetery in the National Cemetery System:

73 Stat. 453; 85 Stat. 348.
38 USC 3505.

"(1) Any veteran (which for the purposes of this chapter includes a person who died in the active military, naval, or air service).

"(2) Any member of a Reserve component of the Armed Forces, and any member of the Army National Guard or the Air National Guard, whose death occurs under honorable conditions while he is

hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is performing active duty for training, inactive duty training, or undergoing that hospitalization or treatment at the expense of the United States.

"(3) Any member of the Reserve Officers' Training Corps of the Army, Navy, or Air Force whose death occurs under honorable conditions while he is—

"(A) attending an authorized training camp or on an authorized practice cruise;

"(B) performing authorized travel to or from that camp or cruise; or

"(C) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is—

"(i) attending that camp or on that cruise;

"(ii) performing that travel; or

"(iii) undergoing that hospitalization or treatment at the expense of the United States.

"(4) Any citizen of the United States who, during any war in which the United States is or has been engaged, served in the armed forces of any government allied with the United States during that war, and whose last such service terminated honorably.

"(5) The wife, husband, surviving spouse, minor child, and, in the discretion of the Administrator, unmarried adult child of any of the persons listed in paragraphs (1) through (4).

"(6) Such other persons or classes of persons as may be designated by the Administrator.

"§ 1003. Memorial areas

"(a) The Administrator shall set aside, when available, suitable areas in national cemeteries to honor the memory of members of the Armed Forces missing in action, or who died or were killed while serving in such forces and whose remains have not been identified, have been buried at sea or have been determined to be nonrecoverable.

"(b) Under regulations prescribed by the Administrator, appropriate memorials or markers shall be erected to honor the memory of those individuals, or group of individuals, referred to in subsection (a) of this section.

"(c) All national and other veterans' cemeteries in the National Cemetery System created by this Act shall be considered national shrines as a tribute to our gallant dead and, notwithstanding the provisions of any other law, the Administrator is hereby authorized to permit appropriate officials to fly the flag of the United States of America at such cemeteries twenty-four hours each day.

"§ 1004. Administration

Rules and regulations.

"(a) The Administrator is authorized to make all rules and regulations which are necessary or appropriate to carry out the provisions of this chapter, and may designate those cemeteries which are considered to be national cemeteries.

Facilities.

"(b) In conjunction with the development and administration of cemeteries for which he is responsible, the Administrator shall provide all necessary facilities including, as necessary, superintendents' lodges, chapels, crypts, mausoleums, and columbaria.

Grave markers.

"(c) Each grave in a national cemetery shall be marked with an appropriate marker. Such marker shall bear the name of the person buried, the number of the grave, and such other information as the Administrator shall by regulation prescribe.

"(d) There shall be kept in each national cemetery, and at the main office of the Veterans' Administration, a register of burials in each cemetery setting forth the name of each person buried in the cemetery, the number of the grave in which he is buried, and such other information as the Administrator by regulation may prescribe. Burial register.

"(e) In carrying out his responsibilities under this chapter, the Administrator may contract with responsible persons, firms, or corporations for the care and maintenance of such cemeteries under his jurisdiction as he shall choose, under such terms and conditions as he may prescribe. Contract authority.

"(f) The Administrator is authorized to convey to any State, or political subdivision thereof, in which any national cemetery is located, all right, title, and interest of the United States in and to any Government owned or controlled approach road to such cemetery if, prior to the delivery of any instrument of conveyance, the State or political subdivision to which such conveyance is to be made notifies the Administrator in writing of its willingness to accept and maintain the road included in such conveyance. Upon the execution and delivery of such a conveyance, the jurisdiction of the United States over the road conveyed shall cease and thereafter vest in the State or political subdivision concerned. Approach roads, conveyance.

"(g) Notwithstanding any other provision of law, the Administrator may at such time as he deems desirable, relinquish to the State in which any cemetery, monument, or memorial under his jurisdiction is located, such portion of legislative jurisdiction over the lands involved as is necessary to establish concurrent jurisdiction between the Federal Government and the State concerned. Such partial relinquishment of jurisdiction under the authority of this subsection may be made by filing with the Governor of the State involved a notice of such relinquishment and shall take effect upon acceptance thereof by the State in such manner as its laws may prescribe. Jurisdiction, relinquishment.

"§ 1005. Disposition of inactive cemeteries

"(a) The Administrator may transfer, with the consent of the agency concerned, any inactive cemetery, burial plot, memorial, or monument within his control to the Department of the Interior for maintenance as a national monument or park, or to any other agency of the Government. Any cemetery transferred to the Department of the Interior shall be administered by the Secretary of the Interior as a part of the National Park System, and funds appropriated to the Secretary for such system shall be available for the management and operation of such cemetery. Transfer.

"(b) The Administrator may also transfer and convey all right, title, and interest of the United States in or to any inactive cemetery or burial plot, or portion thereon, to any State, county, municipality, or proper agency thereof, in which or in the vicinity of which such cemetery or burial plot is located, but in the event the grantee shall cease or fail to care for and maintain the cemetery or burial plot or the graves and monuments contained therein in a manner satisfactory to the Administrator, all such right, title, and interest transferred or conveyed by the United States, shall revert to the United States.

"(c) If a cemetery not within the National Cemetery System has been or is to be discontinued, the Administrator may provide for the removal of remains from that cemetery to any cemetery within such System. He may also provide for the removal of the remains of any veteran from a place of temporary interment, or from an abandoned grave or cemetery, to a national cemetery.

"§ 1006. Acquisition of lands

"As additional lands are needed for national cemeteries, they may be acquired by the Administrator by purchase, gift (including donations from States or political subdivisions thereof), condemnation, transfer from other Federal agencies, or otherwise, as he determines to be in the best interest of the United States.

"§ 1007. Authority to accept and maintain suitable memorials

"Subject to such restrictions as he may prescribe, the Administrator may accept gifts, devises, or bequests from legitimate societies and organizations or reputable individuals, made in any manner, which are made for the purpose of beautifying national cemeteries, or are determined to be beneficial to such cemetery. He may make land available for this purpose, and may furnish such care and maintenance as he deems necessary."

(b) The table of chapters of part II and the table of parts and chapters of title 38, United States Code, are each amended by inserting immediately below

"23. Burial benefits ..... 901"

the following:

"24. National cemeteries and memorials ..... 1000".

86 Stat. 110.

(c) Section 5316 of title 5, United States Code, is amended by striking out:

"(131) General Counsel of the Equal Employment Opportunity Commission."

and inserting in lieu thereof the following:

"(132) General Counsel of the Equal Employment Opportunity Commission.

"(133) Director, National Cemetery System, Veterans' Administration."

Studies, recommendations to Congress.

SEC. 3. (a) The Administrator shall conduct a comprehensive study and submit his recommendations to Congress within twelve months after the convening of the first session of the Ninety-third Congress concerning:

(1) criteria which govern the development and operation of the National Cemetery System, including the concept of regional cemeteries;

(2) the relationship of the National Cemetery System to other burial benefits provided by Federal and State Governments to servicemen and veterans;

(3) steps to be taken to conform the existing System to the recommended criteria;

(4) the private burial and funeral costs in the United States;

(5) current headstone and marker programs; and

(6) the marketing and sales practices of non-Federal cemeteries and interment facilities, or any person either acting on their behalf or selling or attempting to sell any rights, interests, or service therein, which is directed specifically toward veterans and their dependents.

(b) The Administrator shall also, in conjunction with the Secretary of Defense, conduct a comprehensive study of and submit their joint recommendations to Congress within twelve months after the convening of the first session of the Ninety-third Congress concerning:

(1) whether it would be advisable in carrying out the purposes of this Act to include the Arlington National Cemetery within the National Cemetery System established by this Act;

(2) the appropriateness of maintaining the present eligibility requirements for burial at Arlington National Cemetery; and

(3) the advisability of establishing another national cemetery in or near the District of Columbia.

SEC. 4. (a) Subchapter II of chapter 3 of title 38, United States Code, is amended by adding at the end thereof the following new section: 72 Stat. 1114. 38 USC 210.

"§ 218. Standards of conduct and arrests for crimes at hospitals, domiciliaries, cemeteries, and other Veterans' Administration reservations

"(a) For the purpose of maintaining law and order and of protecting persons and property on lands (including cemeteries) and in buildings under the jurisdiction of the Veterans' Administration (and not under the control of the Administrator of General Services), the Administrator or any officer or employee of the Veterans' Administration duly authorized by him may—

"(1) make all needful rules and regulations for the governing of the property under his charge and control, and annex to such rules and regulations such reasonable penalties within the limits prescribed in subsection (b) of this section as will insure their enforcement. Such rules and regulations shall be posted in a conspicuous place on such property; Rules and regulations.

"(2) designate officers and employees of the Veterans' Administration to act as special policemen on such property and, if the Administrator deems it economical and in the public interest, with the concurrence of the head of the agency concerned, utilize the facilities and services of existing Federal law-enforcement agencies, and, with the consent of any State or local agency, utilize the facilities and services of such State or local law-enforcement agencies; and

"(3) empower officers or employees of the Veterans' Administration who have been duly authorized to perform investigative functions to act as special investigators and to carry firearms, whether on Federal property or in travel status. Such special investigators shall have, while on real property under the charge and control of the Veterans' Administration, the power to enforce Federal laws for the protection of persons and property and the power to enforce rules and regulations issued under subsection (a)(1) of this section. Any such special investigator may make an arrest with or without a warrant for any offense committed upon such property in his presence or if he has reasonable ground to believe (A) the offense constitutes a felony under the laws of the United States, and (B) that the person to be arrested is guilty of that offense.

"(b) Whoever shall violate any rule or regulation issued pursuant to subsection (a)(1) of this section shall be fined not more than $50 or imprisoned not more than thirty days, or both." Penalty.

(b) Section 625 of title 38, United States Code, is hereby repealed. Repeal. 72 Stat. 1144; 83 Stat. 34.

(c)(1) The table of sections at the beginning of chapter 3 of title 38, United States Code, is amended by inserting immediately after—

"217. Studies of rehabilitation of disabled persons."

the following:

"218. Standards of conduct and arrests for crimes at hospitals, domiciliaries, cemeteries, and other Veterans' Administration reservations.".

(2) The table of sections at the beginning of chapter 17 of title 38, United States Code, is amended by striking out—

"625. Arrests for crimes in hospitals and domiciliary reservations.".

23 USC 901.

SEC. 5. (a) Chapter 23 of title 38, United States Code, is amended by—

72 Stat. 1170; 75 Stat. 218.

(1) amending section 903 to read as follows:

"§ 903. Death in Veterans' Administration facility; plot allowance

"(a) Where death occurs in a Veterans' Administration facility to which the deceased was properly admitted for hospital or domiciliary care under section 610 or 611 of this title, the Administrator—

72 Stat. 1141; 84 Stat. 1096.

"(1) shall pay the actual cost (not to exceed $250) of the burial and funeral or, within such limits, may make contracts for such services without regard to the laws requiring advertisement for proposals for supplies and services for the Veterans' Administration; and

"(2) shall, when such a death occurs in a State, transport the body to the place of burial in the same or any other State.

"(b) In addition to the foregoing, if such a veteran, or a veteran eligible for a burial allowance under section 902 of this title, is not buried in a national cemetery or other cemetery under the jurisdiction of the United States, the Administrator, in his discretion, having due regard for the circumstances in each case, may pay a sum not exceeding $150, as a plot or interment allowance to such person as he prescribes. In any case where any part of the plot or interment expenses have been paid or assumed by a State, any agency or political subdivision of a State, or the employer of the deceased veteran, no claim for such allowance shall be allowed for more than the difference between the entire amount of the expenses incurred and the amount paid or assumed by any or all of the foregoing entities."; and

72 Stat. 1169; 80 Stat. 29. 38 USC 902.

(2) adding at the end of such chapter the following new sections:

"§ 906. Headstones and markers

"(a) The Administrator shall furnish, when requested, appropriate Government headstones or markers at the expense of the United States for the unmarked graves of the following:

"(1) Any individual buried in a national cemetery or in a post cemetery.

"(2) Any individual eligible for burial in a national cemetery (but not buried there), except for those persons or classes of persons enumerated in section 1002 (4), (5), and (6) of this title.

Ante, p. 75.

"(3) Soldiers of the Union and Confederate Armies of the Civil War.

"(b) The Administrator shall furnish, when requested, an appropriate memorial headstone or marker to commemorate any veteran dying in the service, and whose remains have not been recovered or identified or were buried at sea, for placement by the applicant in a national cemetery area reserved for such purposes under the provisions of section 1003 of this title, or in any private or local cemetery.

Ante, p. 76.

"§ 907. Death from service-connected disability

"In any case in which a veteran dies as the result of a service-connected disability or disabilities, the Administrator, upon the request of the survivors of such veteran, shall pay the burial and funeral expenses incurred in connection with the death of the veteran in an amount not exceeding the amount authorized to be paid under section 8134(a) of title 5 in the case of a Federal employee whose death occurs as the result of an injury sustained in the performance of duty. Funeral and burial benefits provided under this section shall be in lieu of any benefits authorized under sections 902 and 903 (a) (1) and (b) of this title."

80 Stat. 548.

(b) The table of sections at the beginning of chapter 23 of title 38, United States Code, is amended—

(1) by striking out

"903. Death in Veterans' Administration facility."

and inserting in lieu thereof

"903. Death in Veterans' Administration facility; plot allowance.";

and

(2) by adding at the end thereof the following items:

"906. Headstones and markers.
"907. Death from service-connected disability.".

Jurisdiction, transfer.

SEC. 6. (a) (1) There are hereby transferred from the Secretary of the Army to the Administrator of Veterans' Affairs all jurisdiction over, and responsibility for, (A) all national cemeteries (except the cemetery at the United States Soldiers' and Airmen's Home and Arlington National Cemetery), and (B) any other cemetery (including burial plots), memorial, or monument under the jurisdiction of the Secretary of the Army immediately preceding the effective date of this section (except the cemetery located at the United States Military Academy at West Point) which the President determines would be appropriate in carrying out the purposes of this Act.

(2) There are hereby transferred from the Secretary of the Navy and the Secretary of the Air Force to the Administrator of Veterans' Affairs all jurisdiction over, and responsibility for, any cemetery (including burial plots), memorial, or monument under the jurisdiction of either Secretary immediately preceding the effective date of this section (except those cemeteries located at the United States Naval Academy at Annapolis, the United States Naval Home Cemetery at Philadelphia, and the United States Air Force Academy at Colorado Springs) which the President determines would be appropriate in carrying out the purposes of this Act.

Funds, transfer.

(b) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available to, or under the jurisdiction of, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, in connection with functions transferred by this Act, as determined by the Director of the Office of Management and Budget, are transferred to the Administrator of Veterans' Affairs.

Savings provisions.

(c) All offenses committed and all penalties and forfeitures incurred under any of the provisions of law amended or repealed by this Act may be prosecuted and punished in the same manner and with the same effect as if such amendments or repeals had not been made.

(d) All rules, regulations, orders, permits, and other privileges issued or granted by the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force with respect to the cemeteries, memorials, and monuments transferred to the Veterans' Administration by this Act, unless contrary to the provisions of such Act, shall remain in full force and effect until modified, suspended, overruled, or otherwise changed by the Administrator of Veterans' Affairs, by any court of competent jurisdiction, or by operation of law.

(e) No suit, action, or other proceeding commenced by or against any officer in his official capacity as an official of the Department of the Army, the Department of the Navy, or the Department of the Air Force with respect to functions transferred under subsection (a) or (c) of this section shall abate by reason of the enactment of this section. No cause of action by or against any such department with respect to functions transferred under such subsection (a) or by or against any officer thereof in his official capacity, shall abate by reason of the enact-

ment of this section. Causes of actions, suits, or other proceedings may be asserted by or against the United States or such officer of the Veterans' Administration as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time, upon its own motion or that of any party, enter an order which will give effect to the provisions of this subsection. If before the date this section takes effect, any such department, or officer thereof in his official capacity, is a party to a suit with respect to any function so transferred, such suit shall be continued by the Administrator of Veterans' Affairs.

Repeals.

SEC. 7. (a) The following provisions of law are repealed, except with respect to rights and duties that matured, penalties, liabilities, and forfeitures that were incurred, and proceedings that were begun, before the effective date of this section:

(1) Sections 4870, 4871, 4872, 4873, 4875, 4877, 4881, and 4882 of the Revised Statutes (24 U.S.C. 271, 272, 273, 274, 276, 279, 286, and 287).

52 Stat. 1233.

(2) The Act entitled "An Act to provide for a national cemetery in every State", approved June 29, 1938 (24 U.S.C. 271a).

62 Stat. 84; 75 Stat. 411.

(3) The Act entitled "An Act to provide for selection of superintendents of national cemeteries from meritorious and trustworthy members of the Armed Forces who have been disabled in line of duty for active field service", approved March 24, 1948, as amended (24 U.S.C. 275).

19 Stat. 99.

(4) The proviso to the second paragraph preceding the center heading "MEDICAL DEPARTMENT" in the Act entitled "An Act making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-seven, and for other purposes", approved July 24, 1876, as amended (24 U.S.C. 278).

62 Stat. 1215; 84 Stat. 836.

(5) The Act entitled "An Act to provide for the procurement and supply of Government headstones or markers for unmarked graves of members of the Armed Forces dying in the service on or after honorable discharge therefrom, and other persons, and for other purposes", approved July 1, 1948, as amended (24 U.S.C. 279a–279c).

73 Stat. 547.

(6) The Act entitled "An Act to establish eligibility for burial in national cemeteries, and for other purposes", approved May 14, 1948, as amended (24 U.S.C. 281).

68 Stat. 880; 70 Stat. 489.

(7) The Act entitled "An Act to provide for the erection of appropriate markers in national cemeteries to honor the memory of members of the Armed Forces missing in action", approved August 27, 1954, as amended (24 U.S.C. 279d).

61 Stat. 742.

(8) The Act entitled "An Act to provide for the utilization of surplus War Department owned military real property as national cemeteries, when feasible", approved August 4, 1947 (24 U.S.C. 281a–281c).

61 Stat. 234.

(9) The Act entitled "An Act to preserve historic graveyards in abandoned military posts", approved July 1, 1947 (24 U.S.C. 296).

64 Stat. 12.

(10) The Act entitled "An Act to provide for the utilization as a national cemetery of surplus Army Department owned military real property at Fort Logan, Colorado", approved March 10, 1950 (24 U.S.C. 281d–f).

64 Stat. 434.

(11) The Act entitled "An Act to provide for the expansion and disposition of certain national cemeteries", approved August 10, 1950 (24 U.S.C. 281g).

37 Stat. 440.

(12) The ninth paragraph following the side heading "National Cemeteries" in the Act entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes", approved August 24, 1912 (24 U.S.C. 282).

(13) The fourth paragraph after the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropri-

Repeals.

ations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1926, and for other purposes", approved February 12, 1925 (24 U.S.C. 288).

43 Stat. 926.

(14) The second paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes", approved May 23, 1941 (24 U.S.C. 289).

55 Stat. 191.

(15) The first proviso to the second paragraph and all of the third paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes", approved April 15, 1926 (44 Stat. 287).

24 USC 290 note, 288.

(16) The first proviso to the second paragraph and all of the third paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1928, and for other purposes", approved February 23, 1927 (44 Stat. 1138).

(17) The first proviso of the fourth paragraph and all of the fifth paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1929, and for other purposes", approved March 23, 1928 (45 Stat. 354).

(18) The first proviso to the second paragraph and all of the third paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1930, and for other purposes", approved February 28, 1929 (45 Stat. 1375).

(19) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1931, and for other purposes", approved May 28, 1930 (46 Stat. 458).

(20) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes", approved February 23, 1931 (46 Stat. 1302).

(21) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1933, and for other purposes", approved July 14, 1932 (47 Stat. 689).

(22) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1934, and for other purposes", approved March 4, 1933 (47 Stat. 1595).

(23) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1935, and for other purposes", approved April 26, 1934 (48 Stat. 639).

(24) The first proviso to the paragraph immediately following the

Repeals.

center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1936, and for other purposes", approved April 9, 1935 (49 Stat. 145).

24 USC 290 note, 288.

(25) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1937, and for other purposes", approved May 15, 1936 (49 Stat. 1305).

(26) The first proviso to the paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes", approved July 19, 1937 (50 Stat. 515).

(27) The first proviso to the first paragraph and all of the second paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1939, for civil functions administered by the War Department and for other purposes", approved June 11, 1938 (52 Stat. 668).

(28) The first proviso to the first paragraph and all of the second paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1940, for civil functions administered by the War Department, and for other purposes", approved June 28, 1939 (53 Stat. 857).

(29) The first proviso to the first paragraph and all of the second paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes", approved June 24, 1940 (54 Stat. 505).

(30) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes", approved May 23, 1941 (55 Stat. 191).

Ante, p. 83.

(31) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes", approved April 28, 1942 (56 Stat. 220).

(32) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1944, for civil functions administered by the War Department, and for other purposes", approved June 2, 1943 (57 Stat. 94).

(33) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1945, for civil functions administered by the War Department, and for other purposes", approved June 26, 1944 (58 Stat. 327–328).

(34) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1946, for civil functions administered by the War Department, and for other purposes", approved March 31, 1945 (59 Stat. 39).

(35) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act

making appropriations for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes", approved May 2, 1946 (60 Stat. 161). Repeals. 24 USC 290 note, 289.

(36) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the War Department for the fiscal year ending June 30, 1948, and for other purposes", approved July 31, 1947 (61 Stat. 687).

(37) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes", approved June 25, 1948 (62 Stat. 1019).

(38) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1950, and for other purposes", approved October 13, 1949 (63 Stat. 846).

(39) The first proviso to the paragraph following the center heading "CEMETERIAL EXPENSES" in chapter IX of the Act entitled "An Act making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes", approved September 6, 1950 (64 Stat. 725).

(40) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1952, and for other purposes", approved October 24, 1951 (65 Stat. 617).

(41) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes", approved July 11, 1952 (66 Stat. 579).

(42) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1954, and for other purposes", approved July 27, 1953 (24 U.S.C. 290). 67 Stat. 197.

(43) The first proviso to the third paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1926, and for other purposes", approved February 12, 1925 (43 Stat. 926).

(44) The first and second provisos to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes", approved June 30, 1954 (68 Stat. 331).

(45) The first and second provisos to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the Atomic Energy Commission, the Tennessee Valley Authority, certain agencies of the Department of the Interior, and civil functions administered by the Department of the Army, for the fiscal year ending June 30, 1956, and for other purposes", approved July 15, 1955 (69 Stat. 360).

(46) The first and second provisos to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the Tennessee Valley Authority,

certain agencies of the Department of the Interior, and civil functions administered by the Department of the Army, for the fiscal year ending June 30, 1957, and for other purposes", approved July 2, 1956 (70 Stat. 474).

Repeals.

(47) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes", approved August 26, 1957 (71 Stat. 416).

(48) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes", approved September 2, 1958 (72 Stat. 1572).

(49) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes", approved September 10, 1959 (73 Stat. 492).

(50) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and certain river basin commissions for the fiscal year ending June 30, 1963, and for other purposes", approved October 24, 1962 (76 Stat. 1216).

(51) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and certain river basin commissions for the fiscal year ending June 30, 1964, and for other purposes", approved December 31, 1963 (77 Stat. 844).

(52) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority and the Delaware River Basin Commission, for the fiscal year ending June 30, 1965, and for other purposes", approved August 30, 1964 (78 Stat. 682).

(53) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority and the Delaware River Basin Commission, and the Interoceanic Canal Commission, for the fiscal year ending June 30, 1966, and for other purposes", approved October 28, 1965 (79 Stat. 1096).

Repeals.

(54) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes", approved October 15, 1966 (80 Stat. 1002).

(55) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1968, and for other purposes", approved November 20, 1967 (81 Stat. 471).

(56) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, the Water Resources Council, and the Atomic Energy Commission, for the fiscal year ending June 30, 1969, and for other purposes", approved August 12, 1968 (82 Stat. 705).

(57) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for public works for water, pollution control, and power development, including the Corps of Engineers—Civil, the Panama Canal, the Federal Water Pollution Control Administration, the Bureau of Reclamation, power agencies of the Department of the Interior, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1970, and for other purposes", approved December 11, 1969 (83 Stat. 327).

(58) The first proviso to the paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for public works for water, pollution control, and power development, including the Corps of Engineers—Civil, the Panama Canal, the Federal Water Quality Administration, the Bureau of Reclamation, power agencies of the Department of the Interior, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1971, and for other purposes", approved October 7, 1970 (84 Stat. 893).

(59) The first proviso to the paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian Regional Commission, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1972, and for other purposes", approved October 5, 1971 (85 Stat. 368).

Repeals.

(60) The Act entitled "An Act to revise eligibility requirements for burial in national cemeteries, and for other purposes", approved September 14, 1959 (73 Stat. 547).

Ante, p. 82.

(61) The Act entitled "An Act to amend the Act of March 24, 1948, which establishes special requirements governing the selection of superintendents of national cemeteries", approved August 30, 1961 (75 Stat. 411).

(b) Nothing in this section shall be deemed to affect in any manner the functions, powers, and duties of—

(1) the Secretary of the Interior with respect to those cemeteries, memorials, or monuments under his jurisdiction on the effective date of this section, or

(2) the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force with respect to those cemeteries, memorials, or monuments under his jurisdiction to which the transfer provisions of section 6(a) of this Act do not apply.

73 Stat. 453.

SEC. 8. The first sentence of section 3505(a) of title 38, United States Code, is amended by inserting immediately after the words "gratuitous benefits" where first appearing therein, the following: "(including the right to burial in a national cemetery)".

SEC. 9. (a) The Secretary of Defense is authorized and directed to cause to be brought to the United States the remains of an American, who was a member of the Armed Forces of the United States, who served in Southeast Asia who lost his life during the Vietnam era, and whose identity has not been established, for burial in the Memorial Amphitheater of the National Cemetery at Arlington, Virginia.

(b) The implementation of this section shall take place after the United States has concluded its participation in hostilities in Southeast Asia, as determined by the President or the Congress of the United States.

Appropriation.

(c) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

Effective dates.

SEC. 10. (a) The first section and sections 2, 3, 4, and 8 of this Act shall take effect on the date of enactment of this Act.

(b) Clause (1) of section 5(a) shall take effect on the first day of the second calendar month following the date of enactment of this Act.

Publication in Federal Register.

(c) Clause (2) of section 5(a) and sections 6 and 7 of this Act shall take effect September 1, 1973, or on such earlier date as the President may prescribe and publish in the Federal Register.

Approved June 18, 1973.

Public Law 93-44

June 18, 1973
[S. 38]

AN ACT

To amend the Airport and Airway Development Act of 1970, as amended, to increase the United States share of allowable project costs under such Act, to amend the Federal Aviation Act of 1958, as amended, to prohibit certain State taxation of persons in air commerce, and for other purposes.

Airport Development Acceleration Act of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Airport Development Acceleration Act of 1973".

84 Stat. 220.

SEC. 2. Section 11(2) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1711) is amended by inserting immediately after "Federal Aviation Act of 1958," the following: "and security equipment required of the sponsor by the Secretary by rule or regulation

for the safety and security of persons and property on the airport,".

Grants, increase. 84 Stat. 224.

SEC. 3. (a) Section 14(a) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1714(a)), is amended—

(1) by striking out "1975" in paragraph (1) and inserting in lieu thereof "1973, and $275,000,000 for each of the fiscal years 1974 and 1975"; and

(2) by striking out "1975" in paragraph (2) and inserting in lieu thereof "1973, and $35,000,000 for each of the fiscal years 1974 and 1975".

Obligational authority of Secretary of Transportation.

(b) Section 14(b) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1714(b)) is amended—

(1) by striking out "$840,000,000" in the first sentence thereof and inserting in lieu thereof "$1,460,000,000";

(2) by striking out "extend beyond" in the second sentence thereof and by inserting in lieu thereof "be incurred after"; and

(3) by striking out "and" in the last sentence thereof and inserting immediately before the period ", an aggregate amount exceeding $1,150,000,000 prior to June 30, 1974, and an aggregate amount exceeding $1,460,000,000 prior to June 30, 1975".

SEC. 4. Section 16(c)(1) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1716(c)) is amended by inserting in the last sentence thereof "or the United States or an agency thereof" after "public agency".

Project costs, U.S. share, limitation.

SEC. 5. Section 17 of the Airport and Airway Development Act of 1970 (49 U.S.C. 1717) relating to United States share of project costs, is amended—

(1) by striking out subsection (a) of such section and inserting in lieu thereof the following:

"(a) GENERAL PROVISION.—Except as otherwise provided in this section, the United States share of allowable project costs payable on account of any approved airport development project submitted under section 16 of this part may not exceed—

"(1) 50 per centum for sponsors whose airports enplane not less than 1 per centum of the total annual passengers enplaned by air carriers certificated by the Civil Aeronautics Board; and

"(2) 75 per centum for sponsors whose airports enplane less than 1 per centum of the total annual passengers enplaned by air carriers certificated by the Civil Aeronautics Board and for sponsors of general aviation or reliever airports."; and

(2) by adding at the end thereof the following new subsection:

"(e) SAFETY CERTIFICATION AND SECURITY EQUIPMENT.—

"(1) To the extent that the project cost of an approved project for airport development represents the cost of safety equipment required by rule or regulation for certification of an airport under section 612 of the Federal Aviation Act of 1958 the United States share may not exceed 82 per centum of the allowable cost thereof with respect to airport development project grant agreements entered into after May 10, 1971.

84 Stat. 234; 85 Stat. 492. 49 USC 1432.

"(2) To the extent that the project cost of an approved project for airport development represents the cost of security equipment required by the Secretary by rule or regulation, the United States share may not exceed 82 per centum of the allowable cost

thereof with respect to airport development project grant agreements entered into after September 28, 1971.".

84 Stat. 221.

SEC. 6. The first sentence of section 12(a) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1712(a)) is amended by striking out "two years" and inserting in lieu thereof "three years".

72 Stat. 797; 84 Stat. 1502. 49 USC 1501.

SEC. 7. (a) Title XI of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new section:

"STATE TAXATION OF AIR COMMERCE

Prohibition exemption.

"SEC. 1113. (a) No State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) shall levy or collect a tax, fee, head charge, or other charge, directly or indirectly, on persons traveling in air commerce or on the carriage of persons traveling in air commerce or on the sale of air transportation or on the gross receipts derived therefrom; except that any State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) which levied a tax, fee, head charge, or other charge, directly or indirectly, on persons traveling in air commerce or on the carriage of persons traveling in air commerce or on the sale of air transportation or on the gross receipts derived therefrom prior to May 21, 1970, shall be exempt from the provisions of this subsection until December 31, 1973.

Permissible State taxes and fees.

"(b) Nothing in this section shall prohibit a State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) from the levy or collection of taxes other than those enumerated in subsection (a) of this section, including property taxes, net income taxes, franchise taxes, and sales or use taxes on the sale of goods or services; and nothing in this section shall prohibit a State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) owning or operating an airport from levying or collecting reasonable rental charges, landing fees, and other service charges from aircraft operators for the use of airport facilities.

Nonapplicability.

"(c) In the case of any airport operating authority which—

"(1) has an outstanding obligation to repay a loan or loans of amounts borrowed and expended for airport improvements;

"(2) is collecting without air carrier assistance, a head tax on passengers in air transportation for the use of its facilities; and

"(3) has no authority to collect any other type of tax to repay such loan or loans,

the provisions of subsection (a) shall not apply to such authority until December 31, 1973.".

(b) That portion of the table of contents contained in the first section of such Act which appears under the center heading

"TITLE XI—MISCELLANEOUS"

is amended by adding at the end thereof the following:

"Sec. 1113. State taxation of air commerce.".

Approved June 18, 1973.

Public Law 93-45

AN ACT

June 18, 1973
[S. 1136]

To extend through fiscal year 1974 certain expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Health Programs Extension Act of 1973.

SHORT TITLE

SECTION 1. This Act may be cited as the "Health Programs Extension Act of 1973".

TITLE I—AMENDMENTS TO PUBLIC HEALTH SERVICE ACT

REFERENCES TO ACT

SEC. 101. Whenever in this title an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Public Health Service Act.

58 Stat. 682.
42 USC 201 note.

HEALTH SERVICES RESEARCH AND DEVELOPMENT

SEC. 102. Section 304(c)(1) is amended (1) by striking out "and" after "1972,", and (2) by inserting before the period at the end thereof a comma and the following: "and $42,617,000 for the fiscal year ending June 30, 1974".

84 Stat. 1302.
42 USC 242b.

NATIONAL HEALTH SURVEYS AND STUDIES

SEC. 103. Section 305(d) is amended (1) by striking out "and" after "1972," and (2) by striking out the period and inserting in lieu thereof a comma and the following: "and $14,518,000 for the fiscal year ending June 30, 1974".

84 Stat. 1304.
42 USC 242c.

PUBLIC HEALTH TRAINING

SEC. 104. (a) Section 306(a) is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $10,300,000 for the fiscal year ending June 30, 1974,".

70 Stat. 923; 84 Stat. 52.
42 USC 242d.

(b) Section 309(a) is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $6,500,000 for the fiscal year ending June 30, 1974".

74 Stat. 819; 84 Stat. 52.
42 USC 242g.

(c) Section 309(c) is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $6,500,000 for the fiscal year ending June 30, 1974".

MIGRANT HEALTH

SEC. 105. Section 310 is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $26,750,000 for the fiscal year ending June 30, 1974".

76 Stat. 592; 84 Stat. 52.
42 USC 242h.

COMPREHENSIVE HEALTH PLANNING SERVICES

80 Stat. 1181; 84 Stat. 1304. 42 USC 246.

SEC. 106. (a) (1) Section 314(a) (1) is amended (A) by striking out "and" after "1972,", and (B) by inserting after "1973" the following: ", and $10,000,000 for the fiscal year ending June 30, 1974".

(2) Section 314(b) (1) (A) is amended (A) by striking out "and" after "1972,", and (B) by inserting after "1973" the following: ", and $25,100,000 for the fiscal year ending June 30, 1974".

(3) Section 314(c) is amended (A) by striking out "and" after "1972,", and (B) by inserting after "1973" the following: ", and $4,700,000 for the fiscal year ending June 30, 1974".

(4) Section 314(d) (1) is amended (A) by striking out "and" after "1972,", and (B) by inserting after "1973" the following: ", and $90,000,000 for the fiscal year ending June 30, 1974".

(5) Section 314(e) is amended (A) by striking out "and" after "1972,", (B) by inserting "and $230,700,000 for the fiscal year ending June 30, 1974," after "1973,", and (C) by adding at the end thereof the following: "No grant may be made under this subsection for the fiscal year ending June 30, 1974, to cover the cost of services described in clause (1) or (2) of the first sentence if a grant or contract to cover the cost of such services may be made or entered into from funds authorized to be appropriated for such fiscal year under an authorization of appropriations in any provision of this Act (other than this subsection) amended by title I of the Health Programs Extension Act of 1973."

Ante, p. 91.

(b) The first sentences of sections 314(b) (1) (A) and 314(c) are each amended by striking out "and ending June 30, 1973" and inserting in lieu thereof "and ending June 30, 1974".

ASSISTANCE TO MEDICAL LIBRARIES

79 Stat. 1062; 4 Stat. 63. 42 USC 280b-4.

SEC. 107. (a) Section 394(a) is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $1,500,000 for the fiscal year ending June 30, 1974".

42 USC 280b-5.

(b) Section 395(a) is amended by inserting after the first sentence the following new sentence: "To enable the Secretary to carry out such purposes, there is authorized to be appropriated $95,000 for the fiscal year ending June 30, 1974."

(c) Section 395(b) is amended by inserting after the first sentence the following new sentence: "To enable the Secretary to carry out such purposes, there is authorized to be appropriated $900,000 for the fiscal year ending June 30, 1974."

84 Stat. 67. 42 USC 280b-7.

(d) Section 396(a) is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $2,705,000 for the fiscal year ending June 30, 1974".

42 USC 280b-8.

(e) Section 397(a) is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $2,902,000 for the fiscal year ending June 30, 1974".

42 USC 280b-9.

(f) Section 398(a) is amended by inserting after the first sentence the following new sentence: "To enable the Secretary to carry out such purposes, there is authorized to be appropriated $340,000 for the fiscal year ending June 30, 1974.".

HILL-BURTON PROGRAMS

78 Stat. 448; 84 Stat. 337. 42 USC 291a.

SEC. 108. (a) (1) Section 601(a) is amended to read as follows: "(a) for the fiscal year ending June 30, 1974—

"(1) $20,800,000 for grants for the construction of public or other nonprofit facilities for long-term care;

"(2) $70,000,000 for grants for the construction of public or other nonprofit outpatient facilities;

"(3) $15,000,000 for grants for the construction of public or other nonprofit rehabilitation facilities;".

(2) Section 601(b) is amended (A) by striking out "and" after "1972,", and (B) by inserting after "1973" the following: ", and $41,400,000 for the fiscal year ending June 30, 1974". 78 Stat. 448; 84 Stat. 337. 42 USC 291a.

(3) Section 601(c) is amended (A) by striking out "and" after "1972,", and (B) by inserting after "1973" the following: ", and $50,000,000 for the fiscal year ending June 30, 1974".

(b)(1) Section 621(a) is amended by striking out "through June 30, 1973" in paragraphs (1) and (2) and inserting in lieu thereof "through June 30, 1974". 84 Stat. 334. 42 USC 291j-1.

(2) Section 625(2) is amended by striking out "for the fiscal year ending June 30, 1973" and inserting in lieu thereof "for each of the fiscal years ending June 30, 1973, and June 30, 1974". 84 Stat. 347. 42 USC 291j-5.

TRAINING IN THE ALLIED HEALTH PROFESSIONS

SEC. 109. (a) Section 792(b) is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $20,000,000 for the fiscal year ending June 30, 1974". 84 Stat. 1344. 42 USC 295h-1.

(b) Section 792(c)(1) is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $18,245,000 for the fiscal year ending June 30, 1974".

(c) Section 793(a) is amended (1) by striking out "and" after "1972;", and (2) by inserting after "1973" the following: "; and $6,000,000 for the fiscal year ending June 30, 1974". 80 Stat. 1228; 84 Stat. 1346. 42 USC 295h-2.

(d) Section 794A(b) is amended (1) by striking out "and" after "1972;", and (2) by inserting after "1973" the following: "; and $100,000 for the fiscal year ending June 30, 1974". 42 USC 295h-3a.

REGIONAL MEDICAL PROGRAMS

SEC. 110. Section 901(a) is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $159,000,000 for the fiscal year ending June 30, 1974,". 79 Stat. 926; 84 Stat. 1298. 42 USC 299a.

POPULATION RESEARCH AND FAMILY PLANNING

SEC. 111. (a) Section 1001(c) is amended (1) by striking out "and" after "1972;", and (2) by inserting after "1973" the following: ", and $111,500,000 for the fiscal year ending June 30, 1974". 84 Stat. 1506; 86 Stat. 754. 42 USC 300.

(b) Section 1003(b) is amended (1) by striking out "and" after "1972;", and (2) by inserting after "1973" the following: "; and $3,000,000 for the fiscal year ending June 30, 1974". 42 USC 300a-1.

(c) Section 1004(b) is amended (1) by striking out "and" after "1972;", and (2) by inserting after "1973" the following: "; and $2,615,000 for the fiscal year ending June 30, 1974". 42 USC 300a-2.

(d) Section 1005(b) is amended (1) by striking out "and" after "1972;", and (2) by inserting after "1973" the following: "; and $909,000 for the fiscal year ending June 30, 1974". 42 USC 300a-3.

TITLE II—AMENDMENTS TO THE COMMUNITY MENTAL HEALTH CENTERS ACT

REFERENCES TO ACT

SEC. 201. Whenever in this title an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Community Mental Health Centers Act.

77 Stat. 290.
42 USC 2681 note.

CONSTRUCTION ASSISTANCE FOR MENTAL HEALTH CENTERS

84 Stat. 54.
42 USC 2681.

SEC. 202. (a) Section 201(a) is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $20,000,000 for the fiscal year ending June 30, 1974".

42 USC 2687.

(b) Section 207 is amended by striking out "1973" and inserting in lieu thereof "1974".

STAFFING ASSISTANCE FOR MENTAL HEALTH CENTERS

79 Stat. 428; 84 Stat. 57.
42 USC 2688a.
42 USC 2688d.

SEC. 203. (a) Section 221(b) is amended by striking out "1973" each place it occurs and inserting in lieu thereof "1974".

(b) Section 224(a) is amended (1) by striking out "and" after "1972,", (2) by inserting after "1973" the following: ", and $49,131,000 for the fiscal year ending June 30, 1974", and (3) by striking out "thirteen succeeding years" and inserting in lieu thereof "fourteen succeeding years".

ALCOHOLISM PROGRAMS

84 Stat. 59.
42 USC 2688j-1.

SEC. 204. (a) Section 246 is amended by striking out "1973" and inserting in lieu thereof "1974".

84 Stat. 1851.
42 USC 2688j-2.

(b) Section 247(d) is amended by striking out "for the fiscal year ending June 30, 1973" and inserting in lieu thereof "for each of the fiscal years ending June 30, 1973, and June 30, 1974".

DRUG ABUSE PROGRAMS

82 Stat. 1010; 84 Stat. 59.
42 USC 2688*l*.

SEC. 205. (a) Section 252 is amended by striking out "1973" and inserting in lieu thereof "1974".

84 Stat. 1238.
42 USC 2688*l*-1.

(b) Section 253(d) is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $1,700,000 for the fiscal year ending June 30, 1974".

86 Stat. 76.
42 USC 2688n-1.

(c) Section 256(e) is amended by striking out "$75,000,000" and inserting in lieu thereof "$60,000,000".

OTHER AUTHORIZATIONS FOR ALCOHOLISM AND DRUG ABUSE PROGRAMS

42 USC 2688*o*.

SEC. 206. (a) Section 261(a) is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $36,774,000 for the fiscal year ending June 30, 1974".

84 Stat. 58.

(b) Section 261(b) is amended (1) by striking out "nine fiscal years" and inserting in lieu thereof "ten fiscal years", and (2) by striking out "1973" and inserting in lieu thereof "1974".

MENTAL HEALTH OF CHILDREN

84 Stat. 60.
42 USC 2688u.

SEC. 207. (a) Section 271(d)(1) is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $16,515,000 for the fiscal year ending June 30, 1974".

(b) Section 271(d)(2) is amended (A) by striking out "eight fiscal years" and inserting in lieu thereof "nine fiscal years", and (B) by striking out "1973" and inserting in lieu thereof "1974". 84 Stat. 60. 42 USC 2688u.

TITLE III—AMENDMENTS TO THE DEVELOPMENTAL DISABILITIES SERVICES AND FACILITIES CONSTRUCTION ACT

AUTHORIZATION OF APPROPRIATIONS FOR SERVICES AND PLANNING

SEC. 301. (a) Section 122(b) of the Developmental Disabilities Services and Facilities Construction Act is amended (1) by striking out "and" after "1972;", and (2) by inserting after "1973" the following: "; and $9,250,000 for the fiscal year ending June 30, 1974". 84 Stat. 1326. 42 USC 2661a.

(b) Section 131 of such Act is amended (1) by striking out "and" after "1972,", and (2) by inserting after "1973" the following: ", and $32,500,000 for the fiscal year ending June 30, 1974". 84 Stat. 1317. 42 USC 2671.

(c) Section 137(b)(1) is amended by striking out "the fiscal year ending June 30, 1973" and inserting in lieu thereof "each of the fiscal years ending June 30, 1973, and June 30, 1974". 84 Stat. 1323. 42 USC 2677.

TITLE IV—MISCELLANEOUS

MISCELLANEOUS

SEC. 401. (a) Section 601 of the Medical Facilities Construction and Modernization Amendments of 1970 is amended by striking out "1973" and inserting in lieu thereof "1974". 84 Stat. 353. 42 USC 201 note.

(b) The receipt of any grant, contract, loan, or loan guarantee under the Public Health Service Act, the Community Mental Health Centers Act, or the Developmental Disabilities Services and Facilities Construction Act by any individual or entity does not authorize any court or any public official or other public authority to require— Sterilization or abortion; discrimination prohibition. 58 Stat. 682. 42 USC 201 note. 77 Stat. 290. 42 USC 2681 note. 42 USC 2661 note.

(1) such individual to perform or assist in the performance of any sterilization procedure or abortion if his performance or assistance in the performance of such procedure or abortion would be contrary to his religious beliefs or moral convictions; or

(2) such entity to—

(A) make its facilities available for the performance of any sterilization procedure or abortion if the performance of such procedure or abortion in such facilities is prohibited by the entity on the basis of religious beliefs or moral convictions, or

(B) provide any personnel for the performance or assistance in the performance of any sterilization procedure or abortion if the performance or assistance in the performance of such procedure or abortion by such personnel would be contrary to the religious beliefs or moral convictions of such personnel.

(c) No entity which receives a grant, contract, loan, or loan guarantee under the Public Health Service Act, the Community Mental Health Centers Act, or the Developmental Disabilities Services and Facilities Construction Act after the date of enactment of this Act may—

(1) discriminate in the employment, promotion, or termination of employment of any physician or other health care personnel, or

(2) discriminate in the extension of staff or other privileges to any physician or other health care personnel,

because he performed or assisted in the performance of a lawful sterilization procedure or abortion, because he refused to perform or assist in the performance of such a procedure or abortion on the grounds that his performance or assistance in the performance of the procedure or abortion would be contrary to his religious beliefs or moral convictions, or because of his religious beliefs or moral convictions respecting sterilization procedures or abortions.

Approved June 18, 1973.

Public Law 93-46

June 18, 1973
[H. R. 2246]

AN ACT

To amend the Public Works and Economic Development Act of 1965 to extend the authorizations for a one-year period.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Public works program.
Extension.
79 Stat. 554; 85 Stat. 166.
42 USC 3135.

SECTION 1. The first sentence of section 105 of the Public Works and Economic Development Act of 1965, as amended, is amended by striking out the word "and" after the words "June 30, 1971," and by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and not to exceed $200,000,000 for the fiscal year ending June 30, 1974.", and by striking in the last sentence the words "and June 30, 1973," and inserting in lieu thereof ", June 30, 1973, and June 30, 1974,".

Loans, extension.
42 USC 3141.

SEC. 2. Subsection (c) of section 201 of the Public Works and Economic Development Act of 1965, as amended, is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and shall not exceed $55,000,000 for the fiscal year ending June 30, 1974."

Eligible Indian tribes, payment of administrative expenses.
42 USC 3151.

SEC. 3. (a) Subsection (b) of section 301 of the Public Works and Economic Development Act of 1965, as amended, is amended by inserting in the first sentence immediately after the word "hereof" the following: ", except that in the case of a grant under this subsection to an Indian tribe the Secretary is authorized to defray up to 100 per centum of such expenses".

42 USC 3152.

(b) Section 302 of the Public Works and Economic Development Act of 1965, as amended, is amended by striking out the word "and" after the words "June 30, 1969," and by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and $35,000,000 for the fiscal year ending June 30, 1974."

42 USC 3171.

SEC. 4. Subsection (g) of section 403 of the Public Works and Economic Development Act of 1965, as amended, is amended by inserting after "1973", the following: "and not to exceed $45,000,000 for the fiscal year ending June 30, 1974,".

SEC. 5. The first sentence of subsection (d) of section 509 of the Public Works and Economic Development Act of 1965 is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and for the fiscal year ending June 30, 1974, to be available until expended, $95,000,000.".

Grants-in-aid.
83 Stat. 218;
85 Stat. 167.
42 USC 3188a.

SEC. 6. (a) Section 2 of the Act of July 6, 1970, as amended (Public Law 91-304), is amended by striking out "1972" and inserting in lieu thereof "1974".

85 Stat. 168.
42 USC 3162 note.

(b) The amendment made by subsection (a) of this section shall take effect May 31, 1972, and any area designated as a redevelopment area for the purposes of the Public Works and Economic Development Act of 1965, as amended, on or before that date and which has had such designation terminated or modified in accordance with section 402 of such Act of 1965 on or before the date of enactment of this Act shall, for the purposes of such Act of 1965, be held and considered as a designated redevelopment area during such period and shall continue to be designated as a redevelopment area until otherwise terminated or modified in accordance with the provisions of section 402 of such Act of 1965 and section 2 of the Act of July 6, 1970, as amended by this Act (Public Law 91-304).

Redevelopment area, designation, termination.
79 Stat. 552.
42 USC 3121 note.
42 USC 3162.

SEC. 7. The President's Inter-Agency Economic Adjustment Committee established under Presidential Memorandum of March 4, 1970, shall submit to the Congress within thirty days following enactment of this Act a report. Such report, with respect to each community affected by the defense facility and activity realignments announced on April 17, 1973, shall—

Report to Congress.

(1) contain details as to the facilities or portions thereof affected by the realignments which are excess to the Government's security needs and which can be turned over to the local jurisdiction for civilian use;

(2) describe procedures providing for the most expeditious transfer of such facilities to civilian use;

(3) contain comprehensive analyses of the community economic impact of a realignment which reduces or terminates activities resulting in a decrease in military or civilian personnel employed at a facility;

(4) describe technical assistance and program resources made available by Federal agencies to communities in planning and carrying out economic development plans to utilize facilities transferred to civilian control; and

(5) contain an estimate of the Federal program resources and the anticipated cost to fully implement community economic development plans, and, where necessary, contain recommendations for increased appropriations to meet those anticipated costs.

SEC. 8. The President shall instruct the Secretary of Commerce and the Office of Management and Budget to reexamine current and past Federal efforts to secure balanced national economic development and shall submit to Congress within six months after the enactment of this Act a proposal for the restructuring of the various Federal economic development programs.

Economic development programs, restructure proposal, submittal to Congress.

Approved June 18, 1973.

Public Law 93-47

June 22, 1973
[H.R. 5610]

AN ACT

To amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes.

Foreign Service Buildings Act, amendments.
44 Stat. 404; 80 Stat. 881.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Foreign Service Buildings Act, 1926 (22 U.S.C. 295), is amended—

(1) by redesignating subsection (g) as subsection (h) and by inserting immediately after subsection (f) the following new subsection:

"(g) In addition to amounts authorized before the date of enactment of this subsection, there is hereby authorized to be appropriated to the Secretary of State—

"(1) for acquisition by purchase or construction (including acquisition of leaseholds) of sites and buildings in foreign countries under this Act, and for major alterations of buildings acquired under this Act, the following sums—

"(A) for use in Africa, not to exceed $2,190,000, of which not to exceed $590,000 may be appropriated for the fiscal year 1974;

"(B) for use in the American Republics, not to exceed $375,000, of which not to exceed $240,000 may be appropriated for the fiscal year 1974;

"(C) for use in Europe, not to exceed $4,780,000, of which not to exceed $160,000 may be appropriated for the fiscal year 1974;

"(D) for use in East Asia, not to exceed $2,585,000, of which not to exceed $985,000 may be appropriated for the fiscal year 1974;

"(E) for use in the Near East and South Asia, not to exceed $3,518,000, of which not to exceed $2,218,000 may be appropriated for the fiscal year 1974;

"(F) for facilities for the United States Information Agency, not to exceed $45,000 for use beginning in the fiscal year 1975;

"(G) for facilities for agricultural and defense attaché housing, not to exceed $318,000 for use beginning in the fiscal year 1974; and

"(2) for use to carry out other purposes of this Act for fiscal years 1974 and 1975, $45,800,000, of which not to exceed $21,700,000 may be appropriated for fiscal year 1974."; and

(2) by striking out paragraph (2) of subsection (h), as so redesignated by paragraph (1), of this Act, and inserting in lieu thereof the following new paragraphs:

Limitation.

"(2) Not to exceed 10 per centum of the funds authorized by any subparagraph under paragraph (1) of subsections (d), (f), and (g) of this section may be used for any of the purposes for which funds are authorized under any other subparagraph of any of such paragraphs (1).

"(3) There are hereby authorized to be appropriated to the Secretary of State such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law."

Approved June 22, 1973.

Public Law 93-48

AN ACT

June 22, 1973
[H. R. 4682]

To provide for the immediate disposal of certain abaca and sisal cordage fiber now held in the national stockpile.

Abaca and sisal cordage fiber.
Disposal.
60 Stat. 597.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), the abaca cordage fiber and sisal cordage fiber which was declared obsolescent by the Office of Emergency Preparedness and with respect to which notice of disposal was published in the Federal Register by the General Services Administration on January 9, 1973, may be disposed of on or after the date of the enactment of this Act.

Approved June 22, 1973.

Public Law 93-49

AN ACT

June 25, 1973
[H. R. 5293]

To authorize additional appropriations to carry out the Peace Corps Act, and for other purposes.

Peace Corps Act, amendment.
86 Stat. 495.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first phrase of section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)), ending with a colon, is amended to read as follows: "There are authorized to be appropriated to the President for the fiscal year 1974 not to exceed $77,001,000 to carry out the purposes of this Act".

Procurement procedure.
75 Stat. 618.
41 USC 5.
41 USC 252.

SEC. 2. Section 10(d) of the Peace Corps Act (22 U.S.C. 2509(d)) is amended by inserting immediately after "other than", the following: "section 3709 of the Revised Statutes of the United States, as amended, section 302 of the Federal Property and Administrative Services Act of 1949, and".

Approved June 25, 1973.

Public Law 93-50

AN ACT

July 1, 1973
[H. R. 9055]

Making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes.

Second Supplemental Appropriations Act, 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriations Act, 1973") for the fiscal year ending June 30, 1973, and for other purposes, namely:

TITLE I

CHAPTER I

AGRICULTURAL PROGRAMS

DEPARTMENT OF AGRICULTURE

SCIENCE AND EDUCATION PROGRAMS

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

For an additional amount for "Animal and Plant Health Inspection Service", $12,100,000: *Provided*, That this appropriation shall be available for acquisition of land, or interest therein, as authorized by section 11 of the Act of August 3, 1956 (7 U.S.C. 428a).

70 Stat. 1034.

MARKETING SERVICES

AGRICULTURAL MARKETING SERVICE

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be available for child feeding programs and nutritional programs authorized by law in the School Lunch Act and Child Nutrition Act, as amended, in the amount of $21,960,000 for the current fiscal year in addition to amounts heretofore provided for such purposes.

49 Stat. 774; 62 Stat. 1257.

42 USC 1751 note, 1771 note

ENVIRONMENTAL PROGRAMS

ENVIRONMENTAL PROTECTION AGENCY

ABATEMENT AND CONTROL

For an additional amount for abatement and control activities, $6,287,000, to remain available until expended.

Funds made available for independent grant and contract review advisory committees shall be available for transfer to meet increased pay costs.

NATIONAL COMMISSION ON MATERIALS POLICY

Not to exceed $91,000 of the funds made available by Public Law 92–399 shall remain available until September 30, 1973.

86 Stat. 606.

DEPARTMENT OF AGRICULTURE

SOIL CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for "Watershed and flood prevention operations" for emergency measures for runoff retardation and soil-

erosion prevention, as authorized by section 216 of the Flood Control Act of 1950 (33 U.S.C. 701b–1), $20,000,000, to remain available until expended. 64 Stat. 184.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

EMERGENCY CONSERVATION MEASURES

For an additional amount for "Emergency conservation measures", to be used for the same purposes and subject to the same conditions as funds appropriated under this head in the Third Supplemental Appropriations Act, 1957, to remain available until expended, $15,000,000, with which shall be merged the unexpended balances of funds heretofore appropriated for emergency conservation measures. 71 Stat. 176.

CONSUMER PROGRAMS

DEPARTMENT OF AGRICULTURE

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

For an additional amount to carry out the provisions of the nonfood assistance program of the Child Nutrition Act, as amended, $6,000,000, to remain available until expended. 80 Stat. 885; 86 Stat. 724. 42 USC 1771 note.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

FOOD AND DRUG ADMINISTRATION

Not to exceed $17,252,000 of the funds made available to the Food and Drug Administration by Public Law 92–306 and Public Law 92–399 shall remain available until September 30, 1973. 86 Stat. 164. 86 Stat. 610.

CHAPTER II

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", $41,399,000, of which the following amounts shall be available to liquidate obligations incurred and chargeable to "Military Personnel, Navy", as follows: For the fiscal year 1969, $151,000; for the fiscal year 1971, $20,000,000; and for the fiscal year 1972, $21,248,000: *Provided*, That such funds shall not be available for any fiscal year for payments to Stock Funds or Industrial Funds of the Department of Defense

or for payments to the Internal Revenue Service until all other obligations for each specified fiscal year is liquidated.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", $2,427,000.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", $1,000,000.

RETIRED MILITARY PERSONNEL

RETIRED PAY, DEFENSE

For an additional amount for "Retired Pay, Defense", including the purposes of Section 4 of Public Law 92–425, $83,000,000.

86 Stat. 712.
10 USC 1448 note.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", $7,800,000.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", $4,000,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", $23,800,000.

OPERATION AND MAINTENANCE, DEFENSE AGENCIES

For an additional amount for "Operation and Maintenance, Defense Agencies", as follows: for the Organization of the Joint Chiefs of Staff, $50,000; for the Defense Supply Agency, $1,550,000; in all, $1,600,000.

CHAPTER III

DISTRICT OF COLUMBIA

DISTRICT OF COLUMBIA FUNDS

GENERAL OPERATING EXPENSES

For an additional amount for "General operating expenses", $684,000.

PUBLIC SAFETY

For an additional amount for "Public safety", $21,538,000, of which $685,000 shall be available for fiscal year 1971 and $2,851,000 shall be available for fiscal year 1972.

EDUCATION

For an additional amount for "Education", $7,250,000.

HUMAN RESOURCES

For an additional amount for "Human resources", $6,500,000.

SETTLEMENT OF CLAIMS AND SUITS

For payment of property damage claims in excess of $500 and of personal injury claims in excess of $1,000, approved by the Commissioner in accordance with the provisions of the Act of February 11, 1929, as amended (45 Stat. 1160; 46 Stat. 500; 65 Stat. 131), $158,000. D.C. Code 1-902 to 1-906.

CAPITAL OUTLAY

For an additional amount for "Capital outlay", to remain available until expended, $28,700,000: *Provided*, That $700,000 shall be available for construction services by the Director of General Services or by contract for architectural engineering services, as may be determined by the Commissioner.

DIVISION OF EXPENSES

The sums appropriated herein for the District of Columbia shall be paid out of the general fund of the District of Columbia, except as otherwise provided.

CHAPTER IV

FOREIGN OPERATIONS

FUNDS APPROPRIATED TO THE PRESIDENT

ECONOMIC ASSISTANCE

ADMINISTRATIVE AND OTHER EXPENSES, STATE

For an additional amount for "Administrative and other expenses, State", $100,000.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for "Migration and refugee assistance", $600,000, which shall remain available until December 31, 1973.

CHAPTER V

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

Of the amount heretofore made available for lands and structures in the appropriation heretofore granted under this head for the current fiscal year, not to exceed $600,000 shall remain available until June 30, 1974.

VETERANS ADMINISTRATION

ASSISTANCE FOR HEALTH MANPOWER TRAINING INSTITUTIONS

For pilot programs for assistance in the establishment of new State medical schools, grants to affiliated medical schools, assistance to public and nonprofit institutions of higher learning, hospitals and other health manpower institutions affiliated with the Veterans Administration to increase the production of professional and other health personnel, and for expansion of Veterans Administration hospital education and training capacity as authorized by 38 U.S.C. Chapter 82, $20,000,000, to remain available until June 30, 1979.

86 Stat. 1101.
38 USC 5070.

CHAPTER VI

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For an additional amount for "Management of lands and resources", $18,500,000.

BUREAU OF INDIAN AFFAIRS

RESOURCES MANAGEMENT

For an additional amount for "Resources management", $2,900,000.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for "Construction", $3,100,000, to remain available until expended.

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST PROTECTION AND UTILIZATION

For an additional amount for "Forest protection and utilization", for "Forest land management", $39,563,000: *Provided*, That, in addition, there may be transferred to "Forest land management", $3,179,000 from the amount available for "Forest research" and $5,000,000 from the amount available for "State and private forestry cooperation": *Provided further*, That none of the funds currently available or made available under this Act shall be obligated or expended to change the boundaries of any region, or abolish any region, of the National Forest System of the Forest Service.

HISTORICAL AND MEMORIAL COMMISSIONS

AMERICAN REVOLUTION BICENTENNIAL COMMISSION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses," $2,868,000, of which not to exceed $1,200,000 shall be for grants-in-aid as authorized by section 9(1) of Public Law 92–236, to remain available until expended. 86 Stat. 43.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

SALARIES AND EXPENSES

For necessary expenses, as authorized by section 17 of Public Law 92–578, $350,000, to remain available until expended. 86 Stat. 1275. 40 USC 885.

CHAPTER VII

DEPARTMENT OF LABOR

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $832,000.

FEDERAL WORKMEN'S COMPENSATION BENEFITS

For an additional amount for "Federal workmen's compensation benefits", $26,300,000: *Provided*, That not to exceed $2,300,000 may be transferred to the fund created by section 44 of the Longshoremen's and Harbor Workers' Compensation Act, as amended. 44 Stat. 1444; 86 Stat. 1256. 33 USC 944.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For an additional amount for "Departmental Management, Salaries and Expenses", $40,000.

MANPOWER ADMINISTRATION

MANPOWER TRAINING SERVICES

Of the amounts heretofore appropriated under this heading for fiscal year 1973, $44,500,000 shall remain available until September 30, 1973, to carry out the provisions of section 102 of the Manpower Development and Training Act of 1962, as amended: *Provided*, That these funds shall not be available for the purposes of sections 106(d) and 309(b) of said Act. 76 Stat. 24. 42 USC 2572. 82 Stat. 1352, 1354. 42 USC 2573, 2619.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

HEALTH SERVICES PLANNING AND DEVELOPMENT

For an additional amount for "Health services planning and development", for carrying out, to the extent not otherwise provided, section 304 and title IX of the Public Health Service Act, $17,000,000, to remain available until expended.

81 Stat. 534; 84 Stat. 1301. 79 Stat. 926; 84 Stat. 1297. 42 USC 242b, 299.

NATIONAL INSTITUTES OF HEALTH

HEALTH MANPOWER

For an additional amount for "Health manpower" to remain available until expended to carry out the Family Practice of Medicine Act of 1970 (S. 3418, Ninety-first Congress), $100,000.

For an additional amount for "Health manpower" to remain available until expended to carry out the Physician Shortage Area Scholarship Program (subpart III of part F of title VII of the Public Health Service Act), $2,000,000.

85 Stat. 455. 42 USC 295g-21.

OFFICE OF EDUCATION

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

The paragraph under this heading in Public Law 93–25 is amended by striking out "54%" and inserting in lieu thereof "68%".

Ante, p. 26.

EDUCATION FOR THE HANDICAPPED

For an additional amount for carrying out, to the extent not otherwise provided, the Education of the Handicapped Act, $13,800,000 which, together with $12,500,000 heretofore appropriated for this purpose, shall remain available until September 30, 1973.

84 Stat. 175. 20 USC 1401 note.

HIGHER EDUCATION

For an additional amount for "Higher education", for carrying out, to the extent not otherwise provided, titles III, IV, section 745, and part B of title IX of the Higher Education Act, title VI of the National Defense Education Act, as amended, the Mutual Educational and Cultural Exchange Act of 1961, and the Emergency Insured Student Loan Act of 1969, $243,510,000, of which not to exceed $35,500,000 of the $87,500,000 for strengthening developing institutions shall be available through December 31, 1973, and the following amounts shall remain available until expended: $30,000,000 for subsidies on guaranteed student loans (in addition to amounts appropriated for this purpose by the Supplemental Appropriation Act, 1973), and $14,069,000 for annual interest grants on subsidized construction loans: *Provided*, That the aggregate amount of contracts for annual interest grants entered into between July 1, 1972, and June 30, 1973, shall not exceed $150,000,000: *Provided further*, That the following

20 USC 1051, 1070, 1132c-4, 1134d. 20 USC 511. 22 USC 2451 note. 20 USC 1078a note.

86 Stat. 1498.

amounts shall remain available until September 30, 1973; $13,860,000 for language training and area studies until title VI of the National Defense Education Act and the Mutual Educational and Cultural Exchange Act of 1961; and $15,000,000 for university community services, $10,000,000 for aid to land-grant colleges under section 22 of the Act of June 29, 1935, $17,857,000 for library programs as authorized by title II (except section 231) of the Higher Education Act, and $25,000,000 for veterans cost-of-instruction payments, for which funds were appropriated in Public Law 92–607.

20 USC 511.
22 USC 2451 note.
7 USC 329.
20 USC 1021.
86 Stat. 1498.

STUDENT LOAN INSURANCE FUND

For an additional amount for "Student Loan Insurance Fund", $17,593,000, to remain available until expended.

SOCIAL AND REHABILITATION SERVICE

GRANTS TO STATES FOR PUBLIC ASSISTANCE

For an additional amount for "Grants to States for public assistance", $614,066,000.

SOCIAL AND REHABILITATION SERVICES

Funds contained in the Supplemental Appropriation Act, 1973 (Public Law 92–607) for grants under section 103 of the Rehabilitation Act of 1972 shall be available for grants under section 2 of the Vocational Rehabilitation Act: *Provided*, That such funds made available for grants under section 2 shall not exceed $590,000,000 and that allotments to States under such section shall not, in the aggregate, exceed $600,000,000: *Provided further*, That the $5,000,000 contained in such Supplemental Appropriation Act, 1973 (Public Law 92–607) for the construction of the National Center for Deaf/Blind Youths and Adults, as authorized by said Vocational Rehabilitation Act, shall remain available until expended.

79 Stat. 1282.
29 USC 32.

NUTRITION PROGRAM FOR THE ELDERLY

For carrying out title VII of the Older Americans Act of 1965, $100,000,000, to remain available until December 31, 1973: *Provided*, That funds in the amount of $100,000,000 contained in the Supplemental Appropriation Act, 1973 (Public Law 92–607), to carry out title III of the Older Americans Act of 1965, shall remain available until December 31, 1973, to carry out title III of the Older Americans Comprehensive Services Amendments of 1973 (Public Law 93–29).

86 Stat. 88.
42 USC 3051.
79 Stat. 220; 83 Stat. 108.
42 USC 3021.
Ante, p. 36.

SOCIAL SECURITY ADMINISTRATION

SUPPLEMENTAL SECURITY INCOME PROGRAM

For payment to the Social Security trust funds for administrative expenses for the Supplemental Security Income Program, pursuant to section 201(g)(1) of the Social Security Act, $77,207,000.

79 Stat. 338; 86 Stat. 1484.
42 USC 401.

LIMITATION ON SALARIES AND EXPENSES

For an additional amount for "Limitation on salaries and expenses", $146,549,000 may be expended as authorized by section 201(g)(1) of the Social Security Act, from any or all of the trust funds referred to therein.

SPECIAL INSTITUTIONS

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For an additional amount for "National Technical Institute for the Deaf", $1,915,000.

RELATED AGENCIES

ACTION

OPERATING EXPENSES, DOMESTIC PROGRAMS

Funds in the amount of $8,000,000 contained under this heading in the Supplemental Appropriation Act, 1973 (Public Law 92-607), to carry out the provisions of Title VI of the Older Americans Act of 1965, as amended, shall remain available until expended.

86 Stat. 1498.

83 Stat. 111.
42 USC 3044.

RAILROAD RETIREMENT BOARD

LIMITATION ON SALARIES AND EXPENSES

For an additional amount for "Limitation on salaries and expenses", $1,100,000 to be derived from the railroad retirement accounts.

UNITED STATES SOLDIERS' AND AIRMEN'S HOME

OPERATION AND MAINTENANCE

For an additional amount for "Operation and maintenance", to be paid from the Soldiers' and Airmen's Home permanent fund, $356,000.

CAPITAL OUTLAY

For an additional amount for "Capital outlay", to be paid from the Soldiers' and Airmen's Home permanent fund, $2,065,000, to remain available until expended.

CHAPTER VIII

LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Caroline C. Bow, widow of Frank T. Bow, late a Representative from the State of Ohio, $42,500.

SALARIES, MILEAGE FOR THE MEMBERS, AND EXPENSE ALLOWANCE OF THE SPEAKER

MILEAGE OF MEMBERS AND EXPENSE ALLOWANCE OF THE SPEAKER

For an additional amount for "Mileage of members and expense allowance of the Speaker", $2,000.

SALARIES, OFFICERS AND EMPLOYEES

COMMITTEE ON APPROPRIATIONS

For an additional amount for "Committee on Appropriations", $275,000.

CONTINGENT EXPENSES OF THE HOUSE

MISCELLANEOUS ITEMS

For an additional amount for "Miscellaneous items", $1,000,000.

STATIONERY (REVOLVING FUND)

For an additional amount for "Stationery (revolving fund)", $336,250.

PORTRAIT OF SPEAKER

For an additional amount for "Portrait of Speaker", $2,500, to remain available until expended, and to be disbursed by the Clerk of the House under the direction of the Speaker.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

CAPITOL BUILDINGS

For an additional amount for "Capitol Buildings", $1,698,000, to remain available until expended, of which $298,000 is to be derived by transfer from the appropriation for "Capitol Power Plant" provided in the Legislative Branch Appropriation Act, 1973, all to be expended in accordance with the provisions of H. Con. Res. 550, Ninety-second Congress, agreed to September 19, 1972, and the limit of cost authorized by such resolution is increased by such additional amount. 86 Stat. 444.

For an additional amount for "Capitol Buildings", $75,000.

MODIFICATIONS AND ENLARGEMENT, CAPITOL POWER PLANT

To enable the Architect of the Capitol, under the direction of the House Office Building Commission, to make modifications to the Capitol Power Plant, its steam and chilled water distribution systems, including the enlargement thereof, required to supply steam and chilled water for air-conditioning refrigeration for the Library of Congress James Madison Memorial Building, in addition to the buildings now supplied with such service by the plant, with sufficient reserve plant capacity to provide for projected additional loads through 1980, including necessary environmental control and other appurtenant facilities, in substantial accordance with a basic plan providing for demolition of the existing two-story annex building constructed in 1931, located west of the original turbine room of the power plant; construction on and adjacent to the site of the annex building, after its demolition, of a new building to house a refrigeration plant of twenty-four thousand tons nominal capacity, to be operated in conjunction with the existing refrigeration plant of fifteen thousand four hundred tons capacity, as the first increment of a future modular-type plant; installation in the new refrigeration plant building of four or more centrifugal refrigeration machines having a total nominal capacity of twenty-four thousand tons, together with necessary cooling towers, chilled water and condenser water pump and piping systems, local equipment controls, electrical load center and

other associated auxiliary equipment; installation on the existing power plant site of a new outdoor main electrical substation and underground distribution system; construction on the power plant site of a new operations building and installation therein of (a) equipment necessary to centralize the administration and control functions of both the new and existing refrigeration plants, (b) new sanitary and maintenance facilities, and (c) central monitoring and control equipment adequate to supervise and direct the operation of the entire Capitol Power Plant and its distribution systems; installation in a tunnel across the north portion of the existing power plant site of a new underground chilled water pipe "headering" system to provide for appropriate connection of the existing and proposed new refrigeration plants with the existing and future distribution systems; installation of necessary supply and return mains in branch tunnels and/or conduits to connect the Library of Congress James Madison Memorial Building and the Senate Office Building Extension to the existing steam distribution system and to the chilled water distribution system with flow-limiting equipment and flow and temperature measuring instrumentation; modification of the existing chilled water distribution system to accommodate the additional flow of chilled water to the James Madison Memorial Building and the Senate Office Building Extension; installation of sectionalizing valves in both the chilled water supply and return mains at selected points in the existing distribution system; reactivation, or replacement as necessary, of inoperative existing flow-limiting and flow-metering devices on chilled water mains in buildings supplied by the plant, and installation of new devices where they do not exist in such buildings; installation of new dust collectors for the four existing oil-fired boilers and making necessary resulting modifications to mechanical draft equipment and smoke monitoring devices; installation of new acoustical enclosures to minimize the noise from existing induced draft fans, overfire fans, forced draft fans, and diesel-driven air compressors; soundproofing local control rooms for protection of operators in both the existing refrigeration plant and the new refrigeration plant building; installation of new noise attenuated ventilation system for the existing refrigeration plant and for the new refrigeration plant building; installation of an acoustical barrier for the existing cooling tower installations to shield local residents from objectionable noise; and providing temporary quarters to house the present annex building activities until the new operations building is constructed and available for occupancy: *Provided*, That the Architect of the Capitol, under the direction of the House Office Building Commission, is hereby authorized and directed to enter into such contracts, incur such obligations, and make such expenditures, including expenditures for personal and other services as may be necessary to carry out the provisions of this appropriation: *Provided further*, That any changes in the aforesaid basic plan shall be subject to the approval of the Commission; $17,400,000 to remain available until expended and said amount shall be carried under the appropriation account "Modifications and Enlargement, Capitol Power Plant" as an addition to the appropriation of $1,200,000 provided under that heading in the Supplemental Appropriations Act, 1972 (85 Stat. 637; Public Law 92-184).

Contract authority.

ADDITIONAL PARKING FACILITIES FOR CONGRESSIONAL EMPLOYEES

To enable the Architect of the Capitol, under the direction of the Select Committee on Parking of the House of Representatives created and appointed under authority of House Resolution 145, Ninety-third Congress, agreed to February 7, 1973, and the Senate Committee on Rules and Administration, to provide additional parking facilities for

congressional employees in an area or areas in the District of Columbia outside the limits of the United States Capitol Grounds, to provide for transportation of such employees to and from such area or areas and the United States Capitol Grounds, to employ the necessary personal services for such purpose, and to incur all other necessary expenses in connection therewith, $50,000, to remain available until June 30, 1974: *Provided*, That, notwithstanding any other provision of law, (1) the Architect of the Capitol, under the direction of the aforesaid Committees, is authorized to enter into such contracts and make such arrangements as such Committees may deem necessary for obtaining and utilizing additional areas for outdoor automobile parking; (2) the assignment and regulation of such parking shall be determined by such Committees; and (3) the United States Capitol Police, with respect to such areas, transportation, and transit routes, and operations, shall have and perform the same powers and duties as vested by law in the Metropolitan Police of the District of Columbia, and the United States Park Police.

BOTANIC GARDEN

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $14,000.

CHAPTER IX

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for "Flood Control and Coastal Emergencies", $103,000,000, to remain available until expended.

RELATED AGENCIES

FEDERAL POWER COMMISSION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $100,000.

WATER RESOURCES COUNCIL

WATER RESOURCES PLANNING

For an additional amount for "Water resources planning", $250,000, to remain available until expended.

CHAPTER X

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $3,700,000.

ACQUISITION, OPERATION, AND MAINTENANCE OF BUILDINGS ABROAD

For an additional amount for "Acquisition, operation, and maintenance of buildings abroad," $3,000,000, to remain available until expended.

ACQUISITION, OPERATION, AND MAINTENANCE OF BUILDINGS ABROAD (SPECIAL FOREIGN CURRENCY PROGRAM)

For an additional amount for "Acquisition, operation, and maintenance of buildings abroad (special foreign currency program)," $435,000, to remain available until expended.

PAYMENT TO FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For an additional amount for "Payment to Foreign Service retirement and disability fund," $836,000.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for "Contributions to international organizations," $9,167,000.

MISSIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for "Missions to international organizations," $85,000.

INTERNATIONAL CONFERENCES AND CONTINGENCIES

For an additional amount for "International conferences and contingencies," $200,000, of which $70,000 shall remain available until December 31, 1973.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

CONSTRUCTION

For an additional amount for "Construction", $10,000,000, to remain available until expended.

EDUCATIONAL EXCHANGE

MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACTIVITIES

For an additional amount for "Mutual educational and cultural exchange activities," $250,000.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

FEES AND EXPENSES OF WITNESSES

For an additional amount for "Fees and expenses of witnesses", $500,000.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES, BUREAU OF PRISONS

For an additional amount for "Salaries and expenses, Bureau of Prisons", $900,000.

SUPPORT OF UNITED STATES PRISONERS

For an additional amount for "Support of United States prisoners", $2,500,000.

DEPARTMENT OF COMMERCE

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $350,000, to remain available until June 30, 1974.

PARTICIPATION IN UNITED STATES EXPOSITIONS

For an additional amount for "Participation in United States Expositions", $8,000,000, to remain available until expended.

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

PRINTING AND BINDING SUPREME COURT REPORTS

For an additional amount for "Printing and binding Supreme Court reports", $61,000, together with an additional amount of $26,000 to defray a 1972 deficiency.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES OF JUDGES

For an additional amount for "Salaries of Judges", $500,000.

REPRESENTATION BY COURT-APPOINTED COUNSEL AND OPERATION OF DEFENDER ORGANIZATIONS

For an additional amount for "Representation by Court-Appointed Counsel and Operation of Defender Organizations", $2,972,000, of which not to exceed $1,500,000 shall be available for the liquidation of obligations incurred in prior years: *Provided*, That not to exceed $471,000 of the funds contained herein shall be available for the compensation and reimbursement of expenses of attorneys appointed by judges of the District of Columbia Court of Appeals or by judges of the Superior Court of the District of Columbia.

COMMISSION ON REVISION OF THE FEDERAL COURT APPELLATE SYSTEM OF THE UNITED STATES

For necessary expenses of the Commission on Revision of the Federal Court Appellate System of the United States created by the Act of October 13, 1972 (Public Law 92–489) (86 Stat. 807), $255,000, to remain available until expended.

28 USC 41 note.

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $18,000.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses," $128,000.

COMMISSION ON INTERNATIONAL RADIO BROADCASTING

INTERNATIONAL RADIO BROADCASTING ACTIVITIES

For an additional amount for "International radio broadcasting activities," $1,150,000: *Provided*, That this appropriation shall be available only upon the enactment into law of authorizing legislation.

DEPARTMENT OF THE TREASURY

BUREAU OF ACCOUNTS

FISHERMEN'S PROTECTIVE FUND

To provide initial capital for the "Fishermen's Protective Fund" in accordance with section 5 of Public Law 92–569, approved October 26, 1972, $3,000,000, to remain available until expended.

86 Stat. 1182.
22 USC 1975.

FOREIGN CLAIMS SETTLEMENT COMMISSION

PAYMENT OF VIETNAM AND U.S.S. PUEBLO PRISONER OF WAR CLAIMS

For payment of claims as authorized by the War Claims Act of 1948, as amended by Public Law 91–289, approved June 24, 1970, $16,200,000, to remain available until expended: *Provided*, That this appropriation shall not be available for administrative expenses.

62 Stat. 1240; 84 Stat. 323. 50 USC app. 2001 note.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses," $1,000,000, to be transferred from the "Disaster Loan fund."

DISASTER LOAN FUND

For additional capital for the "Disaster loan fund", authorized by the Small Business Act, as amended, $475,000,000, to remain available without fiscal year limitation.

72 Stat. 384. 15 USC 631 note.

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses," $2,250,000.

SPECIAL INTERNATIONAL EXHIBITIONS

For an additional amount for "Special international exhibitions", $115,000, to remain available until expended.

CHAPTER XI

DEPARTMENT OF TRANSPORTATION

COAST GUARD

RETIRED PAY

For an additional amount for "Retired pay", $4,000,000.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

Not to exceed $3,250,000 shall be available until expended from amounts heretofore provided for acquisition and modernization of facilities and equipment and service testing in the appropriation granted under this heading in the Department of Transportation and Related Agencies Appropriation Act, 1973, for acquisition of additional screening devices which may be transferred, conveyed, or loaned to air carriers and commercial operators. 86 Stat. 580.

FEDERAL PAYMENT TO THE AIRPORT AND AIRWAY TRUST FUND

For an additional amount for "Federal payment to the Airport and Airway trust fund", $24,669,000.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

TRAFFIC AND HIGHWAY SAFETY

Not to exceed $2,000,000 shall be available until June 30, 1974, from amounts heretofore provided for the Traffic Safety Program and Research and Analysis Activities in the appropriation granted under this heading in the Department of Transportation and Related Agencies Appropriation Act, 1973, and the Supplemental Appropriations Act, 1973, to carry out the provisions of the Motor Vehicle Information and Cost Savings Act (Public Law 92-513). 86 Stat. 1498. 86 Stat. 947. 15 USC 1901 note.

FEDERAL RAILROAD ADMINISTRATION

EMERGENCY RAIL FACILITIES RESTORATION

To enable the Department of Transportation to make loans, as authorized under the Emergency Rail Facilities Restoration Act (Public Law 92-591), $34,748,000, to remain available through June 30, 1975. 86 Stat. 1304.

RELATED AGENCIES

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

INTEREST SUBSIDY

To enable the Department of Transportation to pay the Washington Metropolitan Area Transit Authority the interest subsidy authorized by Public Law 92-349, $4,885,000, to remain available until expended.

86 Stat. 464.

COMMISSION ON HIGHWAY BEAUTIFICATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $250,000, to remain available until expended.

CHAPTER XII

DEPARTMENT OF THE TREASURY

BUREAU OF ACCOUNTS

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $1,100,000.

INTERNAL REVENUE SERVICE

ACCOUNTS, COLLECTION AND TAXPAYER SERVICE

For an additional amount for "Accounts, collection and taxpayer service", including $5,600,000 for temporary employment in addition to that heretofore authorized, $9,600,000.

COMPLIANCE

For an additional amount for "Compliance," $2,627,000.

EXECUTIVE OFFICE OF THE PRESIDENT

ECONOMIC STABILIZATION ACTIVITIES

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $4,400,000.

OFFICE OF EMERGENCY PREPAREDNESS

DISASTER RELIEF

For an additional amount for "Disaster Relief", $100,000,000, to remain available until expended: *Provided*, That not to exceed 3 per centum of the foregoing amount shall be available for administrative expenses.

INDEPENDENT AGENCIES

CIVIL SERVICE COMMISSION

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For an additional amount for "Payment to Civil Service Retirement and Disability Fund", $190,900,000.

GENERAL SERVICES ADMINISTRATION

PROPERTY MANAGEMENT AND DISPOSAL SERVICE

OPERATING EXPENSES

For an additional amount for "operating expenses", $900,000.

CHAPTER XIII

CLAIMS AND JUDGMENTS

CLAIMS AND JUDGMENTS

For payment of claims settled and determined by departments and agencies in accord with law and judgments rendered against the United States by the United States Court of Claims and United States district courts, as set forth in Senate Documents Numbered 15 and 18 and House Document Numbered 89, Ninety-third Congress, $23,108,029, together with such amounts as may be necessary to pay interest (as and when specified in such judgments or provided by law) and such additional sums due to increases in rates of exchange as may be necessary to pay claims in foreign currency: *Provided*, That no judgment herein appropriated for shall be paid until it shall become final and conclusive against the United States by failure of the parties to appeal or otherwise: *Provided further*, That unless otherwise specifically required by law or by judgment, payment of interest wherever appropriated for herein shall not continue for more than thirty days after the date of approval of the Act.

TITLE II

INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1973, for increased pay costs authorized by or pursuant to law, as follows:

LEGISLATIVE BRANCH

SENATE

CONTINGENT EXPENSES OF THE SENATE

"Inquiries and investigations", $276,240, to be derived by transfer from the appropriation "Salaries, Officers and Employees", fiscal year 1973.

HOUSE OF REPRESENTATIVES

SALARIES, OFFICERS AND EMPLOYEES

"Office of the Speaker", $1,120, to be derived by transfer from the appropriation for "Office of the Sergeant at Arms", fiscal year 1973;

"Office of the majority floor leader", $3,435, to be derived by transfer from the appropriation for "Office of the Sergeant at Arms", fiscal year 1973;

"Office of the minority floor leader", $3,150, to be derived by transfer from the appropriation for "Office of the Sergeant at Arms", fiscal year 1973;

"Office of the majority whip", $1,585, to be derived by transfer from the appropriation for "Office of the Sergeant at Arms", fiscal year 1973;

"Office of the minority whip", $1,585, to be derived by transfer from the appropriation for "Office of the Sergeant at Arms", fiscal year 1973;

"Two printing clerks for the majority and minority caucus rooms", $625, to be derived by transfer from the appropriation for "Office of the Sergeant at Arms", fiscal year 1973;

"Technical assistant, Office of the Attending Physician", $565, to be derived by transfer from the appropriation for "Office of the Sergeant at Arms", fiscal year 1973;

"Official reporters of debates", $11,525, to be derived by transfer from the appropriation for "Office of the Sergeant at Arms", fiscal year 1973;

"Official reporters to committees", $12,925, to be derived by transfer from the appropriation for "Office of the Sergeant at Arms", fiscal year 1973;

"Committee on Appropriations (investigations)", $3,750, to be derived by transfer from the appropriation for "Office of the Sergeant at Arms", fiscal year 1973;

MEMBERS' CLERK HIRE

"Members' clerk hire", $3,000,000;

CONTINGENT EXPENSES OF THE HOUSE

"Government contributions", $135,000, to be derived by transfer from the appropriation for "Committee employees", fiscal year 1973;

JOINT ITEMS

CONTINGENT EXPENSES OF THE HOUSE

"Joint Committee on Defense Production", $3,000, to be derived by transfer from the appropriation for "Office of the Sergeant at Arms", fiscal year 1973;

ARCHITECT OF THE CAPITOL

OFFICE OF THE ARCHITECT OF THE CAPITOL

"Salaries", $24,000;

CAPITOL BUILDINGS AND GROUNDS

"Capitol buildings", $68,400;

"Capitol grounds", $20,500;

SENATE OFFICE BUILDINGS

For an additional amount for Senate Office Buildings, $186,000.

SENATE GARAGE

For an additional amount for Senate Garage, $3,100.
"House office buildings", $329,600;
"Capitol power plant", $20,600;

LIBRARY BUILDINGS AND GROUNDS

"Structural and mechanical care", $28,000;

BOTANIC GARDEN

"Salaries and expenses", $25,700;

LIBRARY OF CONGRESS

"Salaries and expenses", $752,000, of which $89,000 shall be derived by transfer from the appropriation for "Salaries and expenses, Copyright Office", fiscal year 1973;

DISTRIBUTION OF CATALOG CARDS

"Salaries and expenses", $61,000, to be derived by transfer from the appropriation for "Salaries and expenses, Copyright Office", fiscal year 1973, and in addition $46,000 of the reserve fund of $200,000 under this head, fiscal year 1973, may be used for increased pay costs;

GOVERNMENT PRINTING OFFICE

OFFICE OF SUPERINTENDENT OF DOCUMENTS

"Salaries and expenses", $315,100;

GENERAL ACCOUNTING OFFICE

"Salaries and expenses", $1,830,000;

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

"Care of the building and grounds", $14,000;

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

"Salaries of supporting personnel", $1,200,000, of which $200,000 shall be derived by transfer from the appropriation for "Fees of jurors", fiscal year 1973;

"Administrative Office of the United States Courts", $82,000, to be derived by transfer from the appropriation for "Fees of jurors", fiscal year 1973;

"Expenses of referees", $236,000, to be derived by transfer from the appropriation for "Salaries of referees", fiscal year 1973;

EXECUTIVE OFFICE OF THE PRESIDENT

SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

"Salaries and expenses", $14,000;

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN ASSISTANCE

MILITARY ASSISTANCE

"Military assistance", $300,000;

SECURITY SUPPORTING ASSISTANCE

"Security supporting assistance", $1,304,860, to be derived by transfer from appropriations under the heading Economic assistance, fiscal year 1973;

ECONOMIC ASSISTANCE

"Worldwide, technical assistance", $2,111,520, to be derived by transfer from other appropriations under the heading Economic assistance, fiscal year 1973;

"Alliance for Progress, technical assistance", $270,300, to be derived by transfer from other appropriations under the heading Economic assistance, fiscal year 1973;

"Administrative expenses, Agency for International Development", $1,233,840, to be derived by transfer from other appropriations under the heading Economic assistance, fiscal year 1973;

"Administrative and other expenses", $78,000, to be derived by transfer from other appropriations under the heading Economic assistance, fiscal year 1973;

"Programs relating to population growth", $193,980, to be derived by transfer from other appropriations under the heading Economic assistance, fiscal year 1973;

DEPARTMENT OF AGRICULTURE

"Office of the Secretary", $112,000, of which $28,000 shall be available for the Office of Communication;

"Office of the General Counsel", $113,000;

"Agricultural Research Service", $2,856,000;

"Animal and Plant Health Inspection Service", $3,495,000;

"Statistical Reporting Service", $41,000;

"Foreign Agricultural Service", $166,000;

"Economic Research Service", $251,000;

FARMERS HOME ADMINISTRATION

"Salaries and expenses", $1,584,000;

AGRICULTURAL MARKETING SERVICE

"Marketing Services", $438,000;

SOIL CONSERVATION SERVICE

"Conservation operation", $3,371,000, to remain available until expended;

"River basin surveys and investigations", $252,000 to remain available until expended;

"Watershed planning", $167,000, to remain available until expended;

FOREST SERVICE

"Forest protection and utilization", $5,144,000;

"Construction and land acquisition", $213,000, to remain available until expended;

DEPARTMENT OF COMMERCE

GENERAL ADMINISTRATION

"Salaries and expenses", $164,543, to be derived by transfer from the appropriation for "Salaries and expenses", National Oceanic and Atmospheric Administration, fiscal year 1973;

SOCIAL AND ECONOMIC STATISTICS ADMINISTRATION

"1972 census of governments", $29,000 to be derived by transfer from the appropriation for "Salaries and expenses", Social and Economic Statistics Administration, fiscal year 1973;

"1972 economic censuses", $310,800, to be derived by transfer from the appropriation for "Salaries and expenses", Social and Economic Statistics Administration, fiscal year 1973;

"Nineteenth decennial census", $255,200, to be derived by transfer from the appropriation for "Salaries and expenses", Social and Economic Statistics Administration, fiscal year 1973;

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

"Salaries and expenses", $372,900, to be derived by transfer from the appropriation for "Salaries and expenses", National Oceanic and Atmospheric Administration, fiscal year 1973;

NATIONAL INDUSTRIAL POLLUTION CONTROL COUNCIL

"Salaries and expenses", $7,000, to be derived by transfer from the appropriation for "Salaries and expenses", National Oceanic and Atmospheric Administration, fiscal year 1973;

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

"Research, development and facilities", $1,254,200, to be derived by transfer from the appropriation for "Salaries and expenses", National Oceanic and Atmospheric Administration, fiscal year 1973;

"Satellite operations", $273,440, to be derived by transfer from the appropriation for "Salaries and expenses", National Oceanic and Atmospheric Administration, fiscal year 1973;

OFFICE OF TELECOMMUNICATIONS

"Research, engineering, analysis, and technical services", $92,100, to be derived by transfer from the appropriation for "Salaries and expenses", National Oceanic and Atmospheric Administration, fiscal year 1973;

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

"Military Personnel, Army", $175,651,000;

"Military Personnel, Navy", $123,311,000, and in addition, $13,800,000 which shall be derived by transfer from "Shipbuilding and Conversion, Navy, Fiscal Year 1973/1977", and $750,000 which shall be derived by transfer under the provisions of section 735 of the Department of Defense Appropriation Act, 1973, from "Procurement of Aircraft and Missiles, Navy, FY 1971/1973";

86 Stat. 1202.

"Military Personnel, Marine Corps", $40,362,000;

"Military Personnel, Air Force", $164,070,000, and in addition, $7,000,000 which shall be derived by transfer from "Other Procurement, Air Force, FY 1973/1975";

"Reserve Personnel, Army", $7,924,000;

"Reserve Personnel, Navy", $5,935,000;

"National Guard Personnel, Army", $15,416,000;

OPERATION AND MAINTENANCE

"Operation and Maintenance, Army", $91,000,000;

"Operation and Maintenance, Navy", $95,000,000;

"Operation and Maintenance, Marine Corps", $5,000,000;

"Operation and Maintenance, Air Force", $75,600,000;

"Operation and Maintenance, Defense Agencies", as follows: for the Organization of the Joint Chiefs of Staff, $136,000; for the Office of Information of the Armed Forces, $50,000; for the Armed Forces Institute, $18,000; for Intelligence and Communication activities, $6,100,000; for the Defense Supply Agency, $12,350,000; for the Defense Contract Audit Agency, $1,300,000; for the Defense Mapping Agency, $3,045,000; for the Defense Investigative Service, $3,000; in all, $23,002,000;

"Operation and Maintenance, Army Reserve", $3,700,000;

"Operation and Maintenance, Navy Reserve", $2,300,000;

"Operation and Maintenance, Air Force Reserve", $3,300,000;

"Operation and Maintenance, Army National Guard", $8,500,000;

"Operation and Maintenance, Air National Guard, $6,500,000;

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

"General Investigations", to remain available until expended, $800,000, to be derived by transfer from the appropriation for "Construction, general", fiscal year 1973;

"General expenses", $700,000, to be derived by transfer from the appropriation for "Construction, general", fiscal year 1973;

UNITED STATES SOLDIERS' AND AIRMEN'S HOME

"Operation and maintenance", $324,000, to be paid from the Soldiers' and Airmen's Home permanent fund;

THE PANAMA CANAL

CANAL ZONE GOVERNMENT

"Operating expenses", $750,000;

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

FOOD AND DRUG ADMINISTRATION

"Food, drug, and product safety", $2,072,000, to be derived by transfer from the appropriation for "Special benefits for disabled coal miners", fiscal year 1973;

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

"Saint Elizabeths Hospital", $934,000, to be derived by transfer from the appropriation for "Special benefits for disabled coal miners", fiscal year 1973;

"Office of the Administrator", $282,000, to be derived by transfer from the appropriation for "Special benefits for disabled coal miners", fiscal year 1973;

"Indian health services", $2,734,000, to be derived by transfer from the appropriation for "Special benefits for disabled coal miners", fiscal year 1973;

"Emergency health", $81,000, to be derived by transfer from the appropriation for "Special benefits for disabled coal miners", fiscal year 1973;

OFFICE OF CHILD DEVELOPMENT

"Child Development", $150,000, to be derived by transfer from the appropriation for "Special benefits for disabled coal miners", fiscal year 1973.

OFFICE OF THE SECRETARY

"Office of Consumer Affairs", $25,000, to be derived by transfer from the appropriation for "Special benefits for disabled coal miners", fiscal year 1973;

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

"Education and welfare services", $2,326,000, of which $2,040,000 shall be derived by transfer from the appropriation for "Salaries and expenses", Office of Water Resources Research, fiscal year 1973, and $286,000 shall be derived by transfer from the appropriation for "Surveys, investigations, and research", Geological Survey, fiscal year 1973;

BUREAU OF OUTDOOR RECREATION

"Salaries and expenses", $72,000, to be derived by transfer from the appropriation for "Surveys, investigations, and research", Geological Survey, fiscal year 1973;

BUREAU OF MINES

"Health and safety", $663,000, to be derived by transfer from the appropriation for "Surveys, investigations, and research", Geological Survey, fiscal year 1973;

"General administrative expenses", $43,000, to be derived by transfer from the appropriation for "Surveys, investigations, and research", Geological Survey, fiscal year 1973;

BUREAU OF SPORT FISHERIES AND WILDLIFE

"Management and investigations of resources," $900,000;

NATIONAL PARK SERVICE

"Management and protection," $1,442,000;

"Maintenance and rehabilitation of physical facilities," $2,598,000;

BUREAU OF RECLAMATION

"General investigations", to remain available until expended, $315,000, be derived by transfer from the appropriation for "Construction and Rehabilitation", fiscal year 1973;

"Operation and maintenance", $1,165,000, to be derived by transfer from the appropriation for "Construction and Rehabilitation", fiscal year 1973;

"General Administrative Expenses", $375,000, to be derived by transfer from the appropriation for "Construction and Rehabilitation", fiscal year 1973;

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

"Salaries and expenses, general administration", $200,000, to be derived by transfer from the appropriation for "Salaries and expenses", Law Enforcement Assistance Administration, fiscal year 1973;

"Salaries and expenses, general legal activities", $500,000, of which $100,000 shall be derived by transfer from the appropriation for "Salaries and expenses, Community Relations Service", fiscal year 1973, and $400,000 from the appropriation for "Salaries and expenses", Law Enforcement Assistance Administration, fiscal year 1973;

"Salaries and expenses, United States attorneys and marshals", $1,360,000, to be derived by transfer from the appropriation for "Salaries and expenses", Law Enforcement Assistance Administration, fiscal year 1973;

FEDERAL BUREAU OF INVESTIGATION

"Salaries and expenses", $7,240,000, to be derived by transfer from the appropriation for "Salaries and expenses", Law Enforcement Assistance Administration, fiscal year 1973;

IMMIGRATION AND NATURALIZATION SERVICE

"Salaries and expenses", $2,400,000 to be derived by transfer from the appropriation for "Salaries and expenses", Law Enforcement Assistance Administration, fiscal year 1973;

FEDERAL PRISON SYSTEM

"Salaries and expenses, Bureau of Prisons", $2,000,000, to be derived by transfer from the appropriation for "Salaries and expenses", Law Enforcement Assistance Administration, fiscal year 1973;

BUREAU OF NARCOTICS AND DANGEROUS DRUGS

"Salaries and expenses", $600,000, to be derived by transfer from the appropriation for "Salaries and expenses", Law Enforcement Assistance Administration, fiscal year 1973;

DEPARTMENT OF LABOR

LABOR-MANAGEMENT SERVICES ADMINISTRATION

"Salaries and expenses", $475,700, to be derived by transfer from the appropriation for "Federal grants to States for employment services", fiscal year 1973;

EMPLOYMENT STANDARDS ADMINISTRATION

"Salaries and expenses", $1,028,500, to be derived by transfer from the appropriation for "Manpower Administration, Salaries and expenses", fiscal year 1973;

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

"Salaries and expenses", $667,800, to be derived by transfer from the appropriation for "Federal grants to States for employment services", fiscal year 1973;

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

"Salaries and expenses", $3,668,500, of which $534,000 shall be derived by transfer from the appropriation for "Migration and refugee assistance", fiscal year 1973, and $185,500 from the appropriation for "International radio broadcasting activities", Commission on International Radio Broadcasting, fiscal year 1973;

INTERNATIONAL ORGANIZATION AND CONFERENCES

"Missions to international organizations", $60,400, to be derived by transfer from the appropriation for "International radio broadcasting activities", Commission in International Radio Broadcasting, fiscal year 1973;

INTERNATIONAL COMMISSIONS

International Boundary and Water Commission, United States and Mexico: "Operation and maintenance", $83,000, of which $20,000 shall be derived by transfer from the appropriation for "Chamizal settlement";

"American sections, international commissions", $13,000, to be derived by transfer from the appropriation for "International radio broadcasting activities", Commission on International Radio Broadcasting, fiscal year 1973;

"International fisheries commissions", $16,000, to be derived by transfer from the appropriation for "International radio broadcasting activities", Commission on International Radio Broadcasting, fiscal year 1973;

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

"Operations", $21,523,000, to be derived by transfers from the appropriations for "Coast Guard: Operating expenses, ($200,000); Reserve training, ($600,000); Alteration of bridges, ($3,000,000); Urban Mass Transportation Fund, ($4,323,000); Office of the Secretary: Transportation planning, research, and development, ($3,000,000); Federal Aviation Administration: Construction, National Capital Airports, ($4,000,000); Operations (no-year), ($6,400,000);

FEDERAL HIGHWAY ADMINISTRATION

"Salaries and expenses", $98,428 to be derived by transfer from the appropriation for "Highway beautification, administrative expenses";

FEDERAL RAILROAD ADMINISTRATION

"Salaries and expenses", $56,000, to be derived by transfer from "Urban Mass Transportation Fund";

DEPARTMENT OF THE TREASURY

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $200,000, to be derived by transfer from "Salaries and expenses", Federal Law Enforcement Training Center, $100,000, and from "Administering the Public Debt", Bureau of the Public Debt, $100,000;

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $700,000, to be derived by transfer from "Salaries and expenses", Bureau of the Mint;

BUREAU OF CUSTOMS

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $2,000,000, to be derived by transfer from "Administering the Public Debt", Bureau of the Public Debt;

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

"Salaries and expenses", $2,050,000, of which $300,000 shall be derived by transfer from "Salaries and expenses", Bureau of the Mint;

GENERAL SERVICES ADMINISTRATION

PUBLIC BUILDINGS SERVICE

"Operating expenses", $5,000,000;

FEDERAL SUPPLY SERVICE

"Operating expenses", $230,000, to be derived by transfer from "Indian Tribal Claims", Office of Administrator;

SALARIES AND EXPENSES

"Salaries and expenses", $400,000;

NATIONAL ARCHIVES AND RECORDS SERVICE

"Operating expenses", $340,000, to be derived by transfer from "Records Declassification", National Archives and Records Service;

AUTOMATED DATA AND TELECOMMUNICATIONS SERVICE

"Operating expenses", $14,000, to be derived by transfer from "Indian Tribal Claims", Office of Administrator;

PROPERTY MANAGEMENT AND DISPOSAL SERVICE

"Operating expenses", $262,000, to be derived by transfer from "Indian Tribal Claims", Office of Administrator;

OFFICE OF THE ADMINISTRATOR

"Salaries and expenses", $30,000, to be derived by transfer from "Indian Tribal Claims", Office of Administrator;

VETERANS ADMINISTRATION

"Medical and Prosthetics Research", $1,170,000, to remain available until expended, and to be derived by transfer from "General Operating Expenses", fiscal year 1973;

OTHER INDEPENDENT AGENCIES

ACTION

"Operating expenses, domestic programs", $269,260, to be derived by transfer from "Operating expenses, international programs," fiscal year 1973;

AMERICAN BATTLE MONUMENTS COMMISSION

"Salaries and expenses", $323,000;

CIVIL AERONAUTICS BOARD

"Salaries and expenses", $200,000;

CIVIL SERVICE COMMISSION

"Salaries and expenses", $115,000, to be derived by transfer from "Salaries and expenses", Federal Labor Relations Council, $50,000, and from "Annuities Under Special Acts", $65,000;

FEDERAL MEDIATION AND CONCILIATION SERVICE

"Salaries and expenses", $168,000;

FEDERAL POWER COMMISSION

"Salaries and expenses", $477,000;

INTERGOVERNMENTAL AGENCIES

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

"Salaries and expenses", $12,000;

INTERSTATE COMMERCE COMMISSION

"Salaries and expenses", $600,000;

NATIONAL SCIENCE FOUNDATION

Of the amount heretofore appropriated for "Salaries and expenses", for the current fiscal year, the amount in the limitation for program development and management may be increased by not to exceed $560,000;

SECURITIES AND EXCHANGE COMMISSION

"Salaries and expenses", $532,000: *Provided*, That the amount available in the current fiscal year for expenses of travel is increased by $53,000;

UNITED STATES INFORMATION AGENCY

"Salaries and expenses", $500,000;

DISTRICT OF COLUMBIA

(OUT OF DISTRICT OF COLUMBIA FUNDS)

"General operating expenses", $958,000, of which $13,200 shall be payable from the highway fund (including $3,400 from the motor vehicle parking account); $2,100 from the water fund; and $900 from the sanitary sewage works fund;

"Public safety", $1,108,000;

"Education", $1,043,000;

"Recreation", $250,000;

"Human resources", $2,248,000;

"Highways and traffic", $291,000, of which $254,000 shall be payable from the highway fund;

"Environmental services", $993,000, of which $248,600 shall be payable from the water fund, and $183,700 from the sanitary sewage works fund.

DIVISION OF EXPENSES

The sums appropriated herein for the District of Columbia shall be paid out of the general fund of the District of Columbia, except as otherwise specifically provided.

TITLE III

GENERAL PROVISIONS

Fiscal year limitation.

SEC. 301. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 302. Except where specifically increased or decreased elsewhere in this Act, the restrictions contained within appropriations, or provisions affecting appropriations or other funds, available during the fiscal year 1973, limiting the amounts which may be expended for personal services, or for purposes involving personal services, or amounts which may be transferred between appropriations or authorizations available for or involving such services, are hereby increased to the extent necessary to meet increased pay costs authorized by or pursuant to law.

Retroactive pay increases.

SEC. 303. Applicable appropriations or funds available for the fiscal year 1973 shall also be available for payment of prior fiscal year obligations for retroactive pay increases granted pursuant to 5 U.S.C. 5341.

80 Stat. 471; 82 Stat. 997.

North Vietnam reconstruction, funds, prohibition.

SEC. 304. No funds appropriated in this Act shall be expended to aid or assist in the reconstruction of the Democratic Republic of Vietnam (North Vietnam).

Publicity or propaganda.

SEC. 305. No part of any appropriation contained in this or any other Act, or of funds available for expenditure by any corporation or agency shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 306. Appropriations and authority provided in this Act shall be available from June 5, 1973, and all obligations incurred in anticipation of the appropriations and authority provided in this Act are hereby ratified and confirmed if otherwise in accordance with the provisions of this Act.

U.S. combat activities in Southeast Asia, funds, prohibition.

SEC. 307. None of the funds herein appropriated under this Act may be expended to support directly or indirectly combat activities in or over Cambodia, Laos, North Vietnam and South Vietnam or off the shores of Cambodia, Laos, North Vietnam and South Vietnam by United States forces, and after August 15, 1973, no other funds heretofore appropriated under any other Act may be expended for such purpose.

Approved July 1, 1973.

Public Law 93-51

AN ACT

July 1, 1973
[S. 1386]

To authorize appropriations for the saline water program for fiscal year 1974, and for other purposes.

Saline water conversion program.

Appropriation authorization.

42 USC 1959 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated to carry out the provisions of the Saline Water Conversion Act of 1971 (85 Stat. 159), during fiscal year 1974, the sum of $9,127,000 to remain available until expended as follows:

(1) Research expense, not more than $2,000,000;

(2) Development expense, not more than $3,200,000;

(3) Design, construction, acquisition, modification, operation,

and maintenance of saline water conversion test beds and test facilities, not more than $1,350,000;

(4) Design, construction, acquisition, modification, operation, and maintenance of saline water conversion modules, not more than $677,000; and

(5) Administration and coordination, not more than $1,900,000.

85 Stat. 159. 42 USC 1959 note.

(b) Funds authorized and appropriated prior to fiscal year 1974 for any purpose under the Saline Water Conversion Act of 1971 may be obligated and expended as follows, notwithstanding any other provisions of law:

(1) Research expense, $2,400,000;

(2) Development expense, $400,000;

(3) Design, construction, acquisition, modification, operation, and maintenance of saline water conversion test beds and facilities, $2,000,000; and

(4) Design, construction, acquisition, modification, operation, and maintenance of saline water conversion modules, $1,875,094.

(c) Expenditures and obligations under paragraphs (1), (2), (3), and (4) of subsections (a) and (b) of this section may be increased by not more than 10 per centum and expenditures and obligations under paragraph (5) of subsection (a) of this section may be increased by not more than 2 per centum, if any such increase under any paragraph is accompanied by an equal decrease in expenditures and obligations under one or more of the other paragraphs.

SEC. 2. In addition to the sums authorized to be appropriated by section 1 of this Act there are authorized to be appropriated such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law, or other nondiscretionary costs.

Approved July 1, 1973.

Public Law 93-52

July 1, 1973
[H. J. Res. 636]

JOINT RESOLUTION

Making continuing appropriations for the fiscal year 1974, and for other purposes.

Continuing appropriations, 1974.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government for the fiscal year 1974, namely:

SEC. 101. (a)(1) Such amounts as may be necessary for continuing projects or activities (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1973 and for which appropriations, funds, or other authority would be available in the following Appropriation Acts for the fiscal year 1974:

Agriculture-Environmental and Consumer Protection Appropriation Act;

District of Columbia Appropriation Act;

Department of Housing and Urban Development; Space,

Science, Veterans, and Certain Other Independent Agencies Appropriation Act;

Department of the Interior and Related Agencies Appropriation Act;

Departments of Labor, and Health, Education, and Welfare, and Related Agencies Appropriation Act, as now or hereafter passed by the House and the Senate;

Legislative Branch Appropriation Act;

Public Works for Water and Power Development and Atomic Energy Commission Appropriation Act;

Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act; and

Department of Transportation and Related Agencies Appropriation Act;

(2) Appropriations made by this subsection shall be available to the extent and in the manner which would be provided by the pertinent appropriation Act; Availability.

(3) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this subsection as passed by the House is different from that which would be available or granted under such Act as passed by the Senate, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority: *Provided*, That no provision in any appropriation Act for the fiscal year 1974, which makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation, shall be effective before the date set forth in section 102(c) of this joint resolution;

(4) Whenever an Act listed in this subsection has been passed by only one House or where an item is included in only one version of an Act as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower: *Provided*, That no provision which is included in an appropriation Act enumerated in this subsection but which was not included in the applicable appropriation Act for 1973, and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution unless such provision shall have been included in identical form in such bill as enacted by both the House and the Senate: *Provided further*, That with respect to the projects and activities included in the Departments of Labor, and Health, Education, and Welfare, and Related Agencies Appropriation Act, the current rate for operations within the meaning of this joint resolution shall be that permitted by the joint resolution of July 1, 1972 (Public Law 92-334, as amended), and other appropriations for the fiscal year 1973: *Provided further*, That the aggregate amounts made available to each State under title I-A of the Elementary and Secondary Education Act for grants to local education agencies within that State shall not be less than such amounts as were made available for that purpose for fiscal year 1972; 86 Stat. 402.

79 Stat. 27.
20 USC 236.

(b) Such amounts as may be necessary for continuing projects or activities (not otherwise provided for in this joint resolution) which were conducted in the fiscal year 1973 and are listed in this subsection at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower, and under the more restrictive authority—

86 Stat. 471. activities for which provision was made in the Treasury, Postal Service, and General Government Appropriation Act, 1973;

86 Stat. 1184. activities for which provision was made in the Department of Defense Appropriation Act, 1973;

86 Stat. 1156. activities for which provision was made in the Military Construction Appropriation Act, 1973;

86 Stat. 1204. activities for which provision was made in section 108 of Public Law 92–571, as amended, and such amounts shall be available notwithstanding section 10 of Public Law 91–672 and section 84 Stat. 2055. 22 USC 2412. 655(c) of the Foreign Assistance Act of 1961, as amended; and 86 Stat. 29. 22 USC 2415. in addition, unobligated balances as of June 30, 1973, of funds heretofore made available under the authority of the Foreign Assistance Act of 1961, as amended, are hereby continued available for the same general purposes for which appropriated: *Provided*, That new obligational authority authorized herein to carry 75 Stat. 424. 22 USC 2151 note. out the Foreign Assistance Act of 1961, as amended, and the Foreign Military Sales Act, as amended, shall not exceed an annual 82 Stat. 1320. 22 USC 2751 note. rate of $2,200,000,000: *Provided further*, That none of the activities contained in this paragraph should be funded at a rate exceeding one quarter of the annual rate as provided by this joint resolution;

86 Stat. 649. 22 USC 2848. activities of the Commission on International Economic Policy, notwithstanding section 209 of Public Law 92–412;

86 Stat. 71. 21 USC 1133. 86 Stat. 1498. activities for the "Special fund" established by section 223 of the Drug Abuse Office and Treatment Act of 1972 (Public Law 92–253) for which provision was made in the Supplemental Appropriations Act, 1973;

activities incident to adjudication of Indian Tribal Claims by the Indian Claims Commission for which provision was made in the Supplemental Appropriations Act, 1973;

activities of the Corporation for Public Broadcasting;

activities for operating expenses, domestic programs, of ACTION, for which provision was made in the Supplemental Appropriations Act, 1973;

activities of the Office of Consumer Affairs;

activities of the Cabinet Committee on Opportunities for Spanish-Speaking People;

activities of the National Study Commission on Water Quality Management;

activities of the National Industrial Pollution Control Council;

activities of the Department of the Interior for: (a) Saline water research program, (b) Trust Territory of the Pacific Islands, and (c) grants-in-aid and special bicentennial grants-in-aid under the Preservation of Historic Properties;

activities of the American Revolution Bicentennial Commission;

activities for Coast Guard reserve training;

activities of the Federal Railroad Administration for grants to National Railroad Passenger Corporation;

activities of the National Highway Traffic Safety Administration under the National Traffic and Motor Vehicle Safety Act of 1966, as amended. 80 Stat. 718. 15 USC 1381 note.

(c) Such amounts as may be necessary for continuing projects or activities for which disbursements are made by the Secretary of the Senate, and the Senate items under the Architect of the Capitol, to the extent and in the manner which would be provided for in the budget estimates for fiscal year 1974;

(d) Such amounts as may be necessary for continuing the following activities, but at a rate for operations not in excess of the budget estimate—

activities under section 201(g)(1) of the Social Security Act, as amended, for which provision was made in the Second Supplemental Appropriations Act, 1973; 79 Stat. 338; 86 Stat. 1484. 42 USC 401.

activities authorized by title I of Public Law 92-328; and *Ante*, p. 99. 86 Stat. 393. 38 USC 314 note.

(e) Such amounts as may be necessary for continuing the following activities, but at a rate for operations not in excess of the current rate—

activities of the National Commission on Productivity;

activities relating to the compensation and reimbursement of attorneys appointed by judges of the District of Columbia courts pursuant to the Criminal Justice Act of 1964, as amended; 78 Stat. 552; 84 Stat. 916. 18 USC 3006A.

activities or the Commission on the Organization of the Government for the Conduct of Foreign Policy;

notwithstanding the fourth clause of subsection (b) of this section, activities of the Department of Health, Education, and Welfare for assistance to refugees in the United States (Cuban program);

activities under the Vocational Rehabilitation Act, as amended, and the Manpower Development and Training Act of 1962, as amended, and title I and title III-B of the Economic Opportunity Act of 1964, as amended, for which provision was made under joint resolution of July 1, 1972, Public 92-334, as amended, and the Supplemental Appropriations Act, 1973, Public Law 92-607: *Provided*, That the current rate for operations shall be defined as that permitted by such appropriations for fiscal year 1973; and 68 Stat. 652. 29 USC 31 note. 76 Stat. 23. 42 USC 2571 note. 78 Stat. 508. 42 USC 2711, 2861. 86 Stat. 402. 86 Stat. 1498.

activities under the Public Works and Economic Development Act of 1965, as amended. 79 Stat. 552. 42 USC 3121 note.

SEC. 102. Appropriations and funds made available and authority granted pursuant to this joint resolution shall remain available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) enactment of the applicable Appropriation Act by both Houses without any provision for such project or activity, or (c) September 30, 1973, whichever first occurs.

SEC. 103. Appropriations and funds made available or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in subsection (d)(2) of section 3679 of the Revised Statutes, as amended, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds. 31 USC 665.

SEC. 104. Appropriations made and authority granted pursuant

to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 105. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

Fiscal year limitation.

SEC. 106. No appropriation or fund made available or authority granted pursuant to this joint resolution shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1973.

SEC. 107. Any appropriation for the fiscal year 1974 required to be apportioned pursuant to section 3679 of the Revised Statutes, as amended, may be apportioned on a basis indicating the need (to the extent any such increases cannot be absorbed within available appropriations) for a supplemental or deficiency estimate of appropriation to the extent necessary to permit payment of such pay increases as may be granted pursuant to law to civilian officers and employees and to active and retired military personnel. Each such appropriation shall otherwise be subject to the requirements of section 3679 of the Revised Statutes, as amended.

31 USC 665.

U.S. combat activities in Southeast Asia, funds, prohibition.

SEC. 108. Notwithstanding any other provision of law, on or after August 15, 1973, no funds herein or heretofore appropriated may be obligated or expended to finance directly or indirectly combat activities by United States military forces in or over or from off the shores of North Vietnam, South Vietnam, Laos or Cambodia.

SEC. 109. Appropriations and authority provided in this joint resolution shall be available from July 1, 1973, and all obligations incurred in anticipation of the appropriations and authority provided in this joint resolution are hereby ratified and confirmed if otherwise in accordance with the provisions of this joint resolution.

North Vietnam, funds, prohibition.

SEC. 110. Unless specifically authorized by Congress, none of the funds herein appropriated under this joint resolution or heretofore appropriated under any other Act may be expended for the purpose of providing assistance in the reconstruction or rehabilitation of the Democratic Republic of Vietnam (North Vietnam).

SEC. 111. Any provision of law which requires unexpended funds to return to the general fund of the Treasury at the end of the fiscal year shall not be held to affect the status of any lawsuit or right of action involving the right to those funds.

Approved July 1, 1973.

Public Law 93-53

July 1, 1973
[H. R. 8410]

AN ACT

To continue the existing temporary increase in the public debt limit through November 30, 1973, and for other purposes.

Public debt limit.
Temporary increase, continuation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101 of the Act of October 27, 1972, providing for a temporary increase in the

public debt limit for the fiscal year ending June 30, 1973 (Public Law 92–599), is amended by striking out "June 30, 1973" and inserting in lieu thereof "November 30, 1973".

86 Stat. 1324.
31 USC 757b note.

SEC. 2. The last sentence of the second paragraph of the first section of the Second Liberty Bond Act, as amended (31 U.S.C. 752), is amended to read as follows: "Bonds authorized by this section may be issued from time to time to the public and to Government accounts at a rate or rates of interest exceeding 4¼ per centum per annum; except that bonds may not be issued under this section to the public, or sold by a Government account to the public, with a rate of interest exceeding 4¼ per centum per annum in an amount which would cause the face amount of bonds issued under this section then held by the public with rates of interest exceeding 4¼ per centum per annum to exceed $10,000,000,000."

Interest rates.
40 Stat. 288.

SEC. 3. (a) Section 22 of the Second Liberty Bond Act, as amended (31 U.S.C. 757c), is amended by adding at the end thereof the following new subsection:

Tax refund check-bond.
49 Stat. 21; 59 Stat. 47.

"(j)(1) The Secretary of the Treasury is authorized to prescribe by regulations that checks issued to individuals (other than trusts and estates) as refunds made in respect of the taxes imposed by subtitle A of the Internal Revenue Code of 1954 may, at the time and in the manner provided in such regulations, become United States savings bonds of series E. Except as provided in paragraph (2), bonds issued under this subsection shall be treated for all purposes of law as series E bonds issued under this section. This subsection shall apply only if the claim for refund was filed on or before the last day prescribed by law for filing the return (determined without extensions thereof) for the taxable year in respect of which the refund is made.

68A Stat. 3; 83 Stat. 600.
26 USC 1 *et seq.*

"(2) Any check-bond issued under this subsection shall bear an issue date of the first day of the first calendar month beginning after the close of the taxable year for which issued.

"(3) In the case of any check-bond issued under this subsection to joint payees, the regulations prescribed under this subsection may provide that either payee may redeem the bond upon his request."

(b) The amendment made by subsection (a) shall apply with respect to refunds made after December 31, 1973.

Effective date.

SEC. 4. (a)(1) Paragraph (1) of section 502 of the Social Security Act is amended by striking out "each of the next 4 fiscal years" and inserting in lieu thereof "each of the next 5 fiscal years".

Maternal and child health services.
86 Stat. 456.
42 USC 702.

(2) Paragraph (2) of section 502 of such Act is amended by striking out "June 30, 1974" and inserting in lieu thereof "June 30, 1975".

42 USC 705.

(3) Section 505(a)(8) of the Social Security Act is amended by striking out "July 1, 1973" and inserting in lieu thereof "July 1, 1974".

(4) Section 505(a)(9) of such Act is amended by striking out "July 1, 1973" and inserting in lieu thereof "July 1, 1974".

(5) Section 505(a)(10) of such Act is amended by striking out "July 1, 1973" and inserting in lieu thereof "July 1, 1974".

42 USC 708.

(6) Section 508(b) of such Act is amended by striking out "June 30, 1973" and inserting in lieu thereof "June 30, 1974".

42 USC 709.

(7) Section 509(b) of such Act is amended by striking out "June 30, 1973" and inserting in lieu thereof "June 30, 1974".

86 Stat. 457.
42 USC 710.

(8) Section 510(b) of such Act is amended by striking out "June 30, 1973" and inserting in lieu thereof "June 30, 1974".

81 Stat. 921.
42 USC 701.

(b) Title V of the Social Security Act is amended by adding at the end thereof the following new section:

"SUPPLEMENTAL ALLOTMENTS

"SEC. 516. (a)(1) For each fiscal year (commencing with the fiscal year ending June 30, 1975), there shall (subject to paragraph (2)) be allotted to each State (from funds appropriated for such fiscal year pursuant to subsection (b)) an amount, which shall be in addition to and available for the same purposes as the allotments of such State (as determined under sections 503 and 504), equal to the excess (if any) of—

42 USC 703, 704.

"(A) the amount of the allotment of such State (as determined under sections 503 and 504) for the fiscal year ending June 30, 1973, plus the amounts of any grants to such States under sections 508, 509, and 510, over

Ante, p. 135; *Supra*.

"(B) the amount of the allotment of such State (as determined under sections 503 and 504) for such fiscal year which commences after June 30, 1973.

"(2) No State shall receive an allotment under this section for any fiscal year, unless such State (in the administration of its State plan, approved under section 505) has in effect arrangements which the Secretary finds will provide for the continuation of appropriate services to population groups previously receiving services from funds made available (for the fiscal year ending June 30, 1974) to such State pursuant to sections 508, 509, and 510.

Ante, p. 135.

Appropriation.

"(b)(1)(A) There are (subject to subparagraph (B)) hereby authorized to be appropriated for each fiscal year (commencing with the fiscal year ending June 30, 1975) such amounts as may be necessary to enable the Secretary to make the allotments authorized under subsection (a).

Limitation.

"(B) Nothing contained in subparagraph (A) shall be construed to authorize, for any fiscal year, the appropriation under this subsection of any amount which is in excess of the amount by which—

"(i) the amount authorized to be appropriated under section 501 for such year exceeds

"(ii) the total amounts appropriated pursuant to section 501 for such year.

"(2) If, for any fiscal years, the total amount appropriated pursuant to paragraph (1) is less than the total amount allotted to all States under subsection (a), then the amount of the allotment of each State (as determined under subsection (a)) shall be reduced to an amount which bears the same ratio to the total amount appropriated pursuant to paragraph (1) for such fiscal year as the amount of the allotment of such State (as determined under subsection (a)) bears to the total amount allotted to all States under subsection (a) for such fiscal year."

(c)(1) In the case of any State, if for the fiscal year ending June 30, 1974, the sum of—

(A) the amount of the allotment which such State would have received under section 503 of the Social Security Act for such year (if subsection (a) of this section had not been enacted), plus

(B) the amount of the allotment which such State would have received under section 504 of such Act for such year (if subsection (a) of this section had not been enacted), 81 Stat. 922. 42 USC 704.

is in excess of the sum of—

(C) the aggregate of the allotments which such State received (for the fiscal year ending June 30, 1973) under such sections 503 and 504, plus

(D) the aggregate of the grants received (for the fiscal year ending June 30, 1973) under sections 508, 509, and 510 of such Act, *Ante*, pp. 135, 136.

then, for the fiscal year ending June 30, 1974, there shall be added to the allotments of such State, under sections 503 and 504 of such Act, in such proportion to each such allotment as the State shall specify, an amount equal to such excess.

(2)(A) There are (subject to subparagraph (B)) hereby authorized to be appropriated, for the fiscal year ending June 30, 1974, such amounts as may be necessary to make the increase in allotments provided for in paragraph (1). Appropriation.

(B) Nothing contained in subparagraph (A) shall be construed to authorize, for the fiscal year ending June 30, 1974, the appropriation under this paragraph of any amount which is in excess of the amount by which— Limitation.

(i) the amount authorized to be appropriated under section 501 of such year, exceeds 42 USC 701.

(ii) the total amounts appropriated pursuant to section 501 for such year.

(3) If, for the fiscal year ending June 30, 1974, the amount appropriated pursuant to the preceding provisions of this subsection is less than the total of the amounts authorized to be added to the allotments of States (as determined under paragraph (1)), then the amount to be added to the allotment of each State shall be reduced to an amount which bears the same ratio to the amount so appropriated for such year as the amount to be added to the allotment of such State (as determined under paragraph (1)) bears to the total of the amounts to be added to the allotments of all States (as determined under paragraph (1)).

SEC. 5. Section 203(e)(2) of the Federal-State Extended Unemployment Compensation Act of 1970 is amended by adding at the end thereof the following: "Effective with respect to compensation for weeks of unemployment beginning before January 1, 1974, and beginning after the date of the enactment of this sentence (or, if later, the date established pursuant to State law), the State by law may provide that the determination of whether there has been a State 'off' indicator ending any extended benefit period shall be made under this subsection as if paragraph (1) did not contain subparagraph (A) thereof and may provide that the determination of whether there has been a State 'on' indicator beginning any extended benefit period shall be made under this subsection as if (i) paragraph (1) did not contain subparagraph (A) thereof, (ii) the 4 per centum contained in subparagraph (B) thereof were 4.5 per centum, and (iii) paragraph (1) of subsection (b) did not contain subparagraph (B) thereof. In the case of any individual who has a week with respect to which extended compensation was payable pursuant to a State law referred to in the preceding sentence, if the extended benefit period under such law does not expire before January 1, 1974, the eligibility period of such individual for purposes of such law shall end with the thirteenth week which begins after December 31, 1973." Unemployment compensation. 84 Stat. 709; 86 Stat. 1326. 26 USC 3304 notes.

Presidential Election Campaign Fund.
80 Stat. 1587; 85 Stat. 573.
26 USC 6096.

SEC. 6. (a) Section 6096 of the Internal Revenue Code of 1954 (relating to designation by individuals of income tax payments to Presidential Election Campaign Fund) is amended to read as follows:

"SEC. 6096. DESIGNATION BY INDIVIDUALS.

"(a) IN GENERAL.—Every individual (other than a nonresident alien) whose income tax liability for the taxable year is $1 or more may designate that $1 shall be paid over to the Presidential Election Campaign Fund in accordance with the provisions of section 9006(a). In the case of a joint return of husband and wife having an income tax liability of $2 or more, each spouse may designate that $1 shall be paid to the fund.

Infra.

"(b) INCOME TAX LIABILITY.—For purposes of subsection (a), the income tax liability of an individual for any taxable year is the amount of the tax imposed by chapter 1 on such individual for such taxable year (as shown on his return), reduced by the sum of the credits (as shown in his return) allowable under sections 33, 37, 38, 40, and 41.

68A Stat. 13; 85 Stat. 553, 560.

"(c) MANNER AND TIME OF DESIGNATION.—A designation under subsection (a) may be made with respect to any taxable year—

"(1) at the time of filing the return of the tax imposed by chapter 1 for such taxable year, or

"(2) at any other time (after the time of filing the return of the tax imposed by chapter 1 for such taxable year) specified in regulations prescribed by the Secretary or his delegate.

Such designation shall be made in such manner as the Secretary or his delegate prescribes by regulations except that, if such designation is made at the time of filing the return of the tax imposed by chapter 1 for such taxable year, such designation shall be made either on the first page of the return or on the page bearing the taxpayer's signature."

85 Stat. 567.

(b) Section 9006 of the Internal Revenue Code of 1954 (relating to payments to eligible candidates) is amended to read as follows:

"SEC. 9006. PAYMENTS TO ELIGIBLE CANDIDATES.

"(a) ESTABLISHMENT OF CAMPAIGN FUND.—There is hereby established on the books of the Treasury of the United States a special fund to be known as the 'Presidential Election Campaign Fund'. The Secretary shall, as provided by appropriation Acts, transfer to the fund an amount not in excess of the sum of the amounts designated (subsequent to the previous Presidential election) to the fund by individuals under section 6096.

Supra.

"(b) TRANSFER TO THE GENERAL FUND.—If, after a Presidential election and after all eligible candidates have been paid the amount which they are entitled to receive under this chapter, there are moneys remaining in the fund, the Secretary shall transfer the moneys so remaining to the general fund of the Treasury.

"(c) PAYMENTS FROM THE FUND.—Upon receipt of a certification from the Comptroller General under section 9005 for payment to the eligible candidates of a political party, the Secretary shall pay to such candidates out of the fund the amount certified by the Comptroller General. Amounts paid to any such candidates shall be under the control of such candidates.

"(d) INSUFFICIENT AMOUNTS IN FUND.—If at the time of a certification by the Comptroller General under section 9005 for payment to the eligible candidates of a political party, the Secretary or his dele-

gate determines that the moneys in the fund are not, or may not be, sufficient to satisfy the full entitlements of the eligible candidates of all political parties, he shall withhold from such payment such amount as he determines to be necessary to assure that the eligible candidates of each political party will receive their pro rata share of their full entitlement. Amounts withheld by reason of the preceding sentence shall be paid when the Secretary or his delegate determines that there are sufficient moneys in the fund to pay such amounts, or portions thereof, to all eligible candidates from whom amounts have been withheld, but, if there are not sufficient moneys in the fund to satisfy the full entitlement of the eligible candidates of all political parties, the amounts so withheld shall be paid in such manner that the eligible candidates of each political party receive their pro rata share of their full entitlement."

(c) Sections 9003(b)(2), 9007(b)(3), and 9012(b)(1) of the Internal Revenue Code of 1954 are each amended by striking out "9006(c)" and inserting in lieu thereof "9006(d)". 85 Stat. 564. 26 USC 9003, 9007, 9012.

(d) The amendments made by this section shall apply with respect to taxable years beginning after December 31, 1972. Any designation made under section 6096 of the Internal Revenue Code of 1954 (as in effect for taxable years beginning before January 1, 1973) for the account of the candidates of any specified political party shall, for purposes of section 9006(a) of such Code (as amended by subsection (b)), be treated solely as a designation to the Presidential Election Campaign Fund. Effective date.

Approved July 1, 1973.

Public Law 93-54

AN ACT

July 1, 1973
[S. 1201]

To amend the Act of October 15, 1966 (80 Stat. 915), as amended, establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of October 15, 1966 (80 Stat. 915), as amended (16 U.S.C. 470) is further amended in the following respects: Historic property preservation program. Extension.

(a) Section 108 is amended by deleting the first sentence and inserting in lieu thereof the following: "To carry out the provisions of this title, there are authorized to be appropriated not more than $15,600,000 in fiscal year 1974, $20,000,000 in fiscal year 1975, and $24,400,000 in fiscal year 1976." 84 Stat. 204. 16 USC 470h.

(b) Section 206 is amended by deleting all of subsection (c) and inserting in lieu thereof the following: International study centre, U.S. participation. 16 USC 470n.

"(c) For the purposes of this section there are authorized to be appropriated not more than $100,000 in fiscal year 1974, $100,000 in fiscal year 1975, and $125,000 in fiscal year 1976: *Provided*, That effective January 1, 1974, no appropriation is authorized and no payment shall be made to the Centre in excess of 25 per centum of the total annual assessment of such organization."

(c) Section 201 is amended by inserting the following new subsection: Advisory Council, time extension. 16 USC 470i.

"(g) The Council shall continue in existence until December 31, 1985."

(d) Section 101(b)(1) is amended by deleting "and American Samoa." and inserting "American Samoa, and the Trust Territory of the Pacific Islands." 16 USC 470a.

Approved July 1, 1973.

Public Law 93-55

July 1, 1973
[S. 1501]

AN ACT

To amend the Water Resources Planning Act to provide for continuing authorization for appropriations.

Water Resources Planning Act, continuing appropriation authorization.
86 Stat. 578.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 401 of the Water Resources Planning Act (Public Law 89–80; 79 Stat. 244; 42 U.S.C. 1962d) is amended to delete, immediately after the phrase "(c) not to exceed $3,500,000," the words "in fiscal year 1973 and such annual amounts as may be authorized by subsequent Acts" and to insert "annually for fiscal years 1974 and 1975".

Approved July 1, 1973.

Public Law 93-56

July 1, 1973
[H. J. Res. 499]

JOINT RESOLUTION

Providing for an extension of the term of the Commission on the Bankruptcy Laws of the United States, and for other purposes.

Commission on the Bankruptcy Laws of the U.S. Term extension.
86 Stat. 63.
11 USC prec. 1 note.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of the first section of the joint resolution entitled "Joint Resolution to create a commission to study the bankruptcy laws of the United States" approved July 24, 1970 (84 Stat. 468), is amended to read as follows:

"(c) The Commission shall submit a comprehensive report of its activities, including its recommendations, to the President, the Chief Justice of the United States, and the Congress prior to July 31, 1973. The Commission shall cease to exist thirty days after the date of the submission of its final report."

SEC. 2. Money appropriated for the purposes of carrying out the joint resolution entitled "Joint Resolution to create a commission to study the bankruptcy laws of the United States" approved July 24, 1970 (84 Stat. 468), shall remain available until expended or until the Commission established under such joint resolution ceases to exist.

Approved July 1, 1973.

Public Law 93-57

July 6, 1973
[H. R. 5157]

AN ACT

To amend the Service Contract Act of 1965 to extend its geographical coverage to contracts performed on Canton Island.

Service contracts.
Canton Island.
79 Stat. 1036.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8(d) of the Service Contract Act of 1965 (41 U.S.C. 357(d)) is amended by inserting "and Canton Island," between "Johnson Island," and "but".

EFFECTIVE DATE

SEC. 2. The amendment made hereby shall be effective with respect to all contracts entered into at any time after the date of enactment.

Approved July 6, 1973.

Public Law 93-58

AN ACT

July 6, 1973
[H. R. 7357]

To amend sections 3(e) and 5(l)(1) of the Railroad Retirement Act of 1937 to simplify administration of the Act; and to amend section 226(e) of the Social Security Act to extend kidney disease medicare coverage to railroad employees, their spouses, and their dependent children; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(e) of the Railroad Retirement Act of 1937 is amended by striking out the word "and" after clause (ix) in the second paragraph thereof and inserting after the semicolon in clause (x) in such second paragraph the following new clauses:

Railroad Retirement Act of 1937, amendment.
Kidney disease medicare.
82 Stat. 18; 86 Stat. 765.
45 USC 228c.

"'(xi) years of coverage as defined in section 215(a) of the Social Security Act for an employee who has been awarded an annuity under section 2 of this Act shall be determined only on the basis of his wages and self-employment income credited under the Social Security Act through the later of December 31, 1971, or December 31 of the year preceding the year in which his annuity began to accrue; and (xii) in determining increment months for the purpose of a delayed retirement increase, section 303(w)(2)(B)(ii) of the Social Security Act shall be deemed to read as follows: "such individual was not entitled to an old-age insurance benefit";'."

86 Stat. 410, 1333.
42 USC 415.
45 USC 228b.

SEC. 2. Section 5(l)(1) of the Railroad Retirement Act of 1937 is amended—

Child's annuity, extension.
60 Stat. 733; 65 Stat. 688; 80 Stat. 1084.
45 USC 228e.

(1) by striking out from clause (ii) "shall not be adopted after such death by other than a stepparent, grandparent, aunt, uncle, brother, or sister;";

(2) by striking out from such clause (ii) "age eighteen" and inserting in lieu thereof "age twenty-two or before the close of the eighty-fourth month following the month in which his most recent entitlement to an annuity under section 5(c) of this Act terminated because he ceased to be under such a disability";

(3) by striking from the third sentence thereof "202(d)(3) or (4)" and inserting in lieu thereof "202(d)(3), (4), or (9)";

(4) by adding immediately after the seventh sentence thereof the following new sentence: "A child whose entitlement to an annuity under section 5(c) of this Act was terminated because he ceased to be disabled as provided in clause (ii) of this paragraph and who becomes again disabled as provided in such clause (ii), may become reentitled to an annuity on the basis of such disability upon his application for such reentitlement."; and

Reentitlement.

(5) by adding the following new paragraph at the end thereof:

Full-time students, annuity.

"A child who attains age twenty-two at a time when he is a full-time student (as defined in subparagraph (A) of paragraph 7 of section 202(d) of the Social Security Act and without the application of subparagraph (B) of such paragraph) but has not (at such time) completed the requirements for, or received, a degree from a four-year college or university shall be deemed (for purposes of determining whether his entitlement to an annuity under this section has terminated under subsection (j) and for purposes of determining his initial entitlement to such an annuity) not to have attained such age until the first day of the first month following the end of the quarter or semester in which he is enrolled at such time (or, if the educational institution in which he is enrolled is not operated on a quarter or semester system, until the first day of the first month following the completion

79 Stat. 371; 81 Stat. 860.
42 USC 402.

of the course in which he is so enrolled or until the first day of the third month beginning after such time, whichever first occurs)."

Kidney disease medicare.
86 Stat. 1463.
42 USC 426.
50 Stat. 307.
45 USC 228a.

SEC. 3. Section 226(e) of the Social Security Act is amended—

(1) by inserting "or would be fully or currently insured if his service as an employee (as defined in the Railroad Retirement Act of 1937) after December 31, 1936, were included in the term 'employment' as defined in this Act" after "(as such terms are defined in section 214 of this Act)" in 2(A) thereof;

(2) by inserting "or an annuity under the Railroad Retirement Act of 1937" after "monthly insurance benefits under title II of this Act" in 2(B) thereof;

(3) by inserting "or would be fully or currently insured if his service as an employee (as defined in the Railroad Retirement Act of 1937) after December 31, 1936, were included in the term 'employment' as defined in this Act" after "fully or currently insured" in 2(C) thereof; and

(4) by inserting "or an annuity under the Railroad Retirement Act of 1937" after "monthly insurance benefits under title II of this Act" in 2(D) thereof.

Effective dates.
86 Stat. 1329.

SEC. 4. (a) The provisions of this Act, except the provisions of section 1, shall be effective as of the date the corresponding provisions of Public Law 92–603 are effective. The provisions of clauses (xi) and (xii), which are added by section 1 of this Act, shall be effective as follows: clause (xi) shall be effective with respect to calendar years after 1971 for annuities accruing after December 1972; and clause (xii) shall be effective as of the date the delayed retirement provision of Public Law 92–603 is effective.

60 Stat. 729;
65 Stat. 685.
45 USC 228e.

(b) Any child (1) whose entitlement to an annuity under section 5(c) of the Railroad Retirement Act was terminated by reason of his adoption prior to the enactment of this Act, and (2) who, except for such adoption, would be entitled to an annuity under such section for a month after the month in which this Act is enacted, may, upon filing application for an annuity under the Railroad Retirement Act after the date of enactment of this Act, become reentitled to such annuity; except that no child shall, by reason of the enactment of this Act, become reentitled to such annuity for any month prior to the effective date of the relevant amendments made by this Act to section 5(l)(1)(ii) of the Railroad Retirement Act.

Ante, p. 141.

Approved July 6, 1973.

Public Law 93-59

July 6, 1973
[S. 1972]

AN ACT

To further amend the United States Information and Educational Exchange Act of 1948.

Radio Free Europe and Radio Liberty.
Appropriation authorization.
86 Stat. 114, 577.
22 USC 1477a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 703 of the United States Information and Educational Exchange Act of 1948, as amended, is hereby amended to insert the following sentence between the first and second sentence thereof: "There are further authorized to be appropriated in fiscal year 1973 not to exceed $1,150,000 for nondiscretionary costs.".

Approved July 6, 1973.

Public Law 93-60

AN ACT

July 6, 1973
[S. 1994]

To authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Atomic Energy Commission. Appropriation authorization. 77 Stat. 88. 42 USC 2017.

SEC. 101. There is hereby authorized to be appropriated to the Atomic Energy Commission in accordance with the provisions of section 261 of the Atomic Energy Act of 1954, as amended:

(a) For "Operating expenses", $1,740,750,000 not to exceed $128,800,000 in operating costs for the high energy physics program category.

(b) For "Plant and capital equipment", including construction, acquisition, or modification of facilities, including land acquisition; and acquisition and fabrication of capital equipment not related to construction, a sum of dollars equal to the total of the following:

(1) NUCLEAR MATERIALS.—

Project 74–1–a, additional facilities, high level waste storage, Savannah River, South Carolina, $14,000,000.

Project 74–1–b, replacement ventilation, air filter, F chemical separations area, Savannah River, South Carolina, $5,200,000.

Project 74–1–c, calcined solids storage and plant safety improvements, Idaho Chemical Processing Plant, National Reactor Testing Station, Idaho, $3,000,000.

Project 74–1–d, cooling tower fire protection, gaseous diffusion plants, $3,300,000.

Project 74–1–e, new purge cascade, gaseous diffusion plant, Oak Ridge, Tennessee, $5,900,000.

Project 74–1–f, plant liquid effluent pollution control, gaseous diffusion plants, $8,000,000.

Project 74–1–g, cascade uprating program, gaseous diffusion plants (partial AE and limited component procurement only), $6,000,000.

Project 74–1–h, transuranium contaminated solid waste treatment development facility, Los Alamos Scientific Laboratory, New Mexico, $1,650,000.

(2) ATOMIC WEAPONS.—

Project 74–2–a, weapons production, development, and test installations, $10,000,000.

Project 74–2–b, acid waste neutralization and recycle facilities, Y–12 Plant, Oak Ridge, Tennessee, $1,700,000.

Project 74–2–c, high energy laser facility, Lawrence Livermore Laboratory, California, $20,000,000.

Project 74–2–d, national security and resources study center (AE only), site undesignated, $350,000.

(3) REACTOR DEVELOPMENT.—

Project 74–3–a, Liquid Metal Engineering Center (LMEC) facility modifications, Santa Susana, California, $3,000,000.

Project 74–3–b, modifications to EBR–II, National Reactor Testing Station, Idaho, $2,000,000.

Project 74–3–c, emergency process waste treatment facility, Oak Ridge National Laboratory, Tennessee, $1,300,000.

Project 74–3–d, modifications to reactors, $2,000,000.

Project 74–3–e, modifications to TREAT facility, National Reactor Testing Station, Idaho, $2,500,000.

(4) PHYSICAL RESEARCH.—

Project 74–4–a, accelerator and reactor improvements, high energy physics, $1,700,000.

Project 74–4–b, accelerator and reactor improvements, medium and low energy physics, $600,000.

(5) PHYSICAL RESEARCH.—

Project 74–5–a, computation building, Stanford Linear Accelerator Center, California, $2,900,000.

(6) BIOMEDICAL AND ENVIRONMENTAL RESEARCH.—

Project 74–6–a, addition to physics building (human radiobiology facility), Argonne National Laboratory, Illinois, $1,300,000.

(7) GENERAL PLANT PROJECTS.—$47,825,000.

(8) CONSTRUCTION PLANNING AND DESIGN.—$1,000,000.

(9) CAPITAL EQUIPMENT.—Acquisition and fabrication of capital equipment not related to construction, $172,300,000.

SEC. 102. LIMITATIONS.—(a) The Commission is authorized to start any project set forth in subsections 101(b) (1), (2), (3), and (4) only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

(b) The Commission is authorized to start any project under subsections 101(b), (5), (6), and (8) only if the currently estimated cost of that project does not exceed by more than 10 per centum the estimated cost set forth for that project.

(c) The Commission is authorized to start any project under subsection 101(b)(7) only if it is in accordance with the following:

(1) The maximum currently estimated cost of any project shall be $500,000 and the maximum currently estimated cost of any building included in such project shall be $100,000, provided that the building cost limitation may be exceeded if the Commission determines that it is necessary in the interest of efficiency and economy.

(2) The total cost of all projects undertaken under subsection 101(b)(7) shall not exceed the estimated cost set forth in that subsection by more than 10 per centum.

(d) The total cost of any project authorized under subsections 101 (b) (1), (2), (3), and (4) shall not exceed the estimated cost set forth for that project by more than 25 per centum, unless and until additional appropriations are authorized under section 261 of the Atomic Energy Act of 1954, as amended.

77 Stat. 88.
42 USC 2017.

(e) The total cost of any project authorized under subsections 101 (b) (5), (6), (7), and (8) shall not exceed the estimated cost set forth for that project by 10 per centum unless and until additional appropriations are authorized under section 261 of the Atomic Energy Act of 1954, as amended.

Construction design services.

SEC. 103. The Commission is authorized to perform construction design services for any Commission construction project whenever (1) such construction project has been included in a proposed authorization bill transmitted to the Congress by the Commission and (2) the Commission determines that the project is of such urgency that construction of the project should be initiated promptly upon enactment of legislation appropriating funds for its construction.

Transfer of amounts.

SEC. 104. When so specified in an appropriation Act, transfers of amounts between "Operating expenses" and "Plant and capital equipment" may be made as provided in such appropriation Act.

SEC. 105. AMENDMENT OF PRIOR YEAR ACTS.—(a) Section 101 of Public Law 91-273, as amended, is further amended by (1) striking from subsection (b)(1), project 71-1-e, gaseous diffusion production support facilities, the figure "$72,020,000" and substituting therefor the figure "$105,900,000", (2) striking from subsection (b)(1), project 71-1-f, process equipment modifications, gaseous diffusion plants, the figure "$34,400,000" and substituting therefor the figure "$172,100,000", and (3) striking from subsection (b)(9), project 71-9, fire, safety, and adequacy of operating conditions projects, various locations, the figure "$69,000,000" and substituting therefor the figure "$193,000,000". 86 Stat. 225. 84 Stat. 1565; 86 Stat. 225.

(b) Section 106 of Public Law 91-273, as amended, is further amended by adding the following sentence at the end of the present text of subsection (a) thereof: 84 Stat. 300; 85 Stat. 306.

"Notwithstanding the foregoing, authorization of additional appropriations for the conduct of Project Definition Phase activities subsequent to the execution of the aforementioned cooperative arrangement, in the amount of $2,000,000, is hereby authorized.".

(c) Section 101 of Public Law 92-314 is amended by (1) striking from subsection (b)(1), project 73-1-d, component test facility, Oak Ridge, Tennessee, the figure "$20,475,000" and substituting therefor the figure "$26,675,000", and (2) striking from subsection (b)(5), project 73-5-h, S8G prototype nuclear propulsion plant, West Milton, New York, the figure "$56,000,000" and substituting therefor the figure "$125,000,000". 86 Stat. 223.

SEC. 106. RESCISSION.—(a) Public Law 91-273, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

Project 71-5-a, addition to physics building (human radiobiology facility), Argonne National Laboratory, Illinois, $2,000,000.

(b) Public Law 92-314 is amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

Project 73-1-i, radioactive solid waste reduction facility, Los Alamos Scientific Laboratory, New Mexico, $750,000.

Approved July 6, 1973.

Public Law 93-61

AN ACT

July 6, 1973
[S. 1808]

To apportion funds for the National System of Interstate and Defense Highways and to authorize funds in accordance with title 23, United States Code, for fiscal year 1974, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That

Interstate and Federal-aid highway systems. Funds, apportionment.

SECTION 1. The Secretary of Transportation shall apportion $1,000,000,000 of the sums authorized to be apportioned for fiscal year 1974 for immediate expenditure on the National System of Interstate and Defense Highways, using the apportionment factors contained in revised table 5, House Report Numbered 92-1443.

Appropriation. 23 USC 101 *et seq.*

SEC. 2. For the purpose of carrying out the provisions of title 23, United States Code, there are hereby authorized to be appropriated, out of the Highway Trust Fund, $500,000,000 for the Federal-aid primary system, the Federal-aid secondary system, and for their extensions within urban areas for the fiscal year ending June 30, 1974. The

sums authorized in this section shall be available for expenditure as follows:

(a) 45 per centum for projects on the Federal-aid primary highway system;

(b) 30 per centum for projects on the Federal-aid secondary highway system; and

(c) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

Time requirements.
84 Stat. 1714.

SEC. 3. The time requirements in section 104(b) of title 23, United States Code, shall not be applicable to the apportionment of sums authorized by this Act for the fiscal year ending June 30, 1974, and the Secretary shall apportion such sums for such fiscal year as soon as practicable after the date of enactment of this Act.

Approved July 6, 1973.

Public Law 93-62

July 6, 1973
[H. R. 5857]

AN ACT

To amend the National Visitor Center Facilities Act of 1968, and for other purposes.

National Visitor Center Facilities Act of 1968, amendment.
40 USC 802.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Visitor Center Facilities Act of 1968 (82 Stat. 43), is amended by inserting after subsection (b) in section 102 the following new subsection:

"(c) In addition to the alterations and construction by the company pursuant to subsection (a) of this section, the Secretary is authorized to undertake, directly by competitive bidding or, if he deems it to be in the best interest of the United States, by negotiated contract with the company, its successors, agents, and assigns, such alterations and construction, with regard to the Union Station Building and the adjacent parking facility, as he deems necessary to supplement the activities of the company in providing adequate facilities for visitors under the agreements and leases referred to in subsection (a). The Secretary may exercise the authority under this subsection without regard to whether or not title to the Union Station Building or the airspace adjacent thereto is in the United States: *Provided*, That he shall have entered into an agreement for a lease (but such lease need not have commenced) with the company incorporating the provisions of paragraph (5) of subsection (a) prior to the exercise of the authority under this subsection: *And provided further*, That not to exceed $8,680,000 of the funds authorized to be appropriated in section 109 shall be available for the Secretary to carry out the provisions of this subsection."

Limitation.

40 USC 807.

Interpretive transportation services, Federal areas.
40 USC 804 note.

SEC. 2. The National Visitor Center Facilities Act of 1968 (82 Stat. 43) is amended by revising section 104 to read as follows:

"SEC. 104. The Secretary is directed to utilize the authority under the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), to provide interpretive transportation services between or in Federal areas within the District of Columbia and environs, including, but not limited to, transportation of visitors on, among, and between the Mall, the Ellipse, the National Visitor Center, John F. Kennedy Center for the Performing Arts, and East

and West Potomac Park, and such other visitor facilities as may be established pursuant to this Act, and, with the concurrence of the Architect of the Capitol, to provide such services on, among, and between such areas and the United States Capitol Grounds. The Secretary shall determine that such services are desirable to facilitate visitation and to insure proper management and protection of such areas. Such interpretive transportation services shall, notwithstanding any other provision of law to the contrary, be deemed transportation by the United States and shall be under the sole and exclusive charge and control of the Secretary."

Approved July 6, 1973.

Public Law 93-63

JOINT RESOLUTION

July 6, 1973
[S. J. Res. 128]

To provide for an extension of certain laws relating to the payment of interest on time and savings deposits.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of September 21, 1966 (Public Law 89–597; 80 Stat. 823), is amended by striking out "June 1, 1973" and inserting in lieu thereof "August 1, 1973".

85 Stat. 38.
12 USC 461 note.

Approved July 6, 1973.

Public Law 93-64

AN ACT

July 9, 1973
[H. R. 8537]

To amend titles 10 and 37, United States Code, to make permanent certain provisions of the Dependents Assistance Act of 1950, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Armed Forces.
Dependents, allowances.

TITLE I—AMENDMENTS TO MAKE PERMANENT CERTAIN PROVISIONS OF THE DEPENDENTS ASSISTANCE ACT OF 1950, AS AMENDED

SEC. 101. Sections 10, 11, and 12 of the Dependents Assistance Act of 1950 (50 App. U.S.C. 2210, 2211, and 2212) are repealed.

Repeal.
64 Stat. 796.

SEC. 102. Chapter 59 of title 10, United States Code, is amended by adding after section 1172 the following new section and inserting a corresponding item in the analysis:

70A Stat. 89;
81 Stat. 757.
10 USC 1161.

"§ 1173. **Enlisted members: discharge for hardship**

"Under regulations prescribed by the Secretary concerned, a regular enlisted member of an armed force who has dependents may be discharged for hardship."

76 Stat. 469.

SEC. 103. Section 401 of title 37, United States Code, is amended by—

(1) amending clause (2) to read as follows:

"(2) his unmarried child (including any of the following categories of children if such child is in fact dependent on the member: a stepchild; an adopted child; or an illegitimate child whose alleged member-father has been judicially decreed to be the father of the child or judicially ordered to contribute to the child's support, or whose parentage has been admitted in writing by the member) who either—

"(A) is under 21 years of age; or

"(B) is incapable of self-support because of a mental or physical incapacity, and in fact dependent on the member for over one-half of his support; and"; and

(2) striking out the first sentence after clause (3).

SEC. 104. Section 401(3) of title 37, United States Code, is amended to read as follows:

"(3) his parent (including a stepparent or parent by adoption, and any person, including a former stepparent, who has stood in loco parentis to the member at any time for a continuous period of at least five years before the member became 21 years of age) who is in fact dependent on the member for over one-half of his support; however, the dependency of such a parent is determined on the basis of an affidavit submitted by the parent, and any other evidence required under regulations prescribed by the Secretary concerned, and he is not considered a dependent of the member claiming the dependence unless—

"(A) the member has provided over one-half of his support for the period prescribed by the Secretary concerned; or

"(B) due to changed circumstances arising after the member enters on active duty, he becomes in fact dependent on the member for over one-half of his support."

Quarters, basic allowance.
76 Stat. 470; 77 Stat. 216; 85 Stat. 358.

SEC. 105. Section 403 of title 37 is amended—

(1) by striking out that part of the table in subsection (a) which prescribes monthly basic allowances for quarters for enlisted members in pay grades E–1, E–2, E–3, E–4 (four years' or less service), and E–4 (over four years' service) and inserting in place thereof the following:

"E–4	$81.60	$121.50
E–3	72.30	105.00
E–2	63.90	105.00
E–1	60.00	105.00";

(2) by striking out the last sentence in subsection (a);

(3) by striking out "subsection (g)" in the second sentence of subsection (b), and inserting in place thereof "subsection (j)"; 77 Stat. 216.

(4) by inserting the following new subsections after subsection (f): 81 Stat. 651.

"(g) An aviation cadet of the Navy, Air Force, Marine Corps, or Coast Guard is entitled to the same basic allowance for quarters as a member of the uniformed services in pay grade E–4.

"(h) The Secretary concerned, or his designee, may make any determination necessary to administer this section with regard to enlisted members, including determinations of dependency and relationship, and may, when warranted by the circumstances, reconsider and change or modify any such determination. This authority may be redelegated by the Secretary concerned or his designee. Any determination made under this section with regard to enlisted members is final and is not subject to review by any accounting officer of the United States or a court, unless there is fraud or gross negligence.

"(i) Notwithstanding any other provision of law, the basic allowance for quarters to which an enlisted member may be entitled as a member with dependents shall not, for such period as the Secretary concerned may prescribe, be contingent on the right of such member to receive pay."; and

(5) by redesignating subsection (g) as subsection (j). 76 Stat. 470.

TITLE II—MISCELLANEOUS PROVISIONS

SEC. 201. Section 302 of title 37, United States Code, is amended by striking out "July 1, 1973" wherever it appears therein and inserting in place thereof "July 1, 1975". 85 Stat. 355.

SEC. 202. Section 302a of title 37, United States Code, is amended by striking out "July 1, 1973" wherever it appears therein and inserting in place thereof "July 1, 1975". 85 Stat. 357.

SEC. 203. Section 303 of title 37, United States Code, is amended by striking out "July 1, 1973" wherever it appears therein and inserting in place thereof "July 1, 1975".

SEC. 204. Section 308a of title 37, United States Code, is amended by— 85 Stat. 358.

(1) striking out the phrases "any combat element of an armed force" and "a combat element of an armed force" in the first sentence of subsection (a) and inserting in place thereof the phrases "the career field of Infantry, Armor, or Field Artillery Cannon in the Army, or the career field of Infantry, Field Artillery, or Tank and Amphibian Tractor in the Marine Corps" and "such a career field", respectively; and

(2) striking out in subsection (c) "June 30, 1973" and inserting in place thereof "June 30, 1974".

SEC. 205. Section 207 of the Career Compensation Act of 1949, as amended (70 Stat. 338), is repealed. Repeal. 63 Stat. 811.

SEC. 206. This Act shall become effective July 1, 1973. Effective date.

Approved July 9, 1973.

Public Law 93-65

July 9, 1973
[H. R. 5383]

AN ACT

To authorize appropriations for the Coast Guard for the procurement of vessels and aircraft and construction of shore and offshore establishments, to authorize for bridge alterations, to authorize for the Coast Guard an end-year strength for active duty personnel, to authorize for the Coast Guard average military student loads, and for other purposes.

Coast Guard. Appropriation authorization; personnel strength.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That funds are hereby authorized to be appropriated for fiscal year 1974 for the use of the Coast Guard as follows:

VESSELS

For procurement and increasing the capability vessels, $23,979,000.

A. Procurement:
(1) 75-foot inland construction tenders.
(2) small boat replacement program.
(3) design of vessels.

B. Renovation and increasing capability:
(1) renovate and improve buoy tenders.
(2) reengine and renovate coastal buoy tenders.
(3) abate pollution by oily waste from Coast Guard vessels.
(4) abate pollution by nonoily waste from Coast Guard vessels.

AIRCRAFT

For procurement of a long range search and rescue helicopter, $3,000,000.

CONSTRUCTION

For establishment or development of installations and facilities by acquisition, construction, conversion, extension, or installation of permanent or temporary public works, including the preparation of sites and furnishing of appurtenances, utilities, and equipment for the following, $75,260,000.

(1) Portsmouth, Virginia: Construct new Coast Guard base, phase IIa.

(2) Portsmouth, Virginia: Construct new communications station.

(3) Monterey and Santa Cruz, California: Rebuild Monterey station, construct Santa Cruz unmanned moorings.

(4) Montauk Point, New York: Control erosion at Montauk Point Light Station.

(5) Cape May, New Jersey: Construct dining hall at recruit training center.

(6) Brooklyn, New York, and Wildwood, New Jersey: Expand interim centralized electronic systems maintenance facilities.

(7) Carolina Beach, North Carolina: Construct barracks at Loran–C Station.

(8) Fort Lauderdale, Florida: Increase capability of Fort Lauderdale Station.

(9) New Orleans, Louisiana: Expand New Orleans Air Station.

(10) San Diego, California: Control erosion at Light Station Point Loma.

(11) San Diego, California: Improve San Diego Air Station.

(12) Astoria, Oregon: Expand Astoria Air Station.

(13) Attu Island, Alaska: Rebuild airstrip bridge.
(14) Kodiak, Alaska: Renovate and consolidate Kodiak Base.
(15) Cheboygan, Michigan: Construct moorings for Coast Guard Cutter Mackinaw.
(16) Loran-C: Expansion project—Phase I, United States West Coast.
(17) Loran-C: Equipment Replacement.
(18) Various locations: Waterways aids to navigation projects.
(19) Various locations: Abate pollution at Coast Guard shore stations.
(20) Various locations: Lighthouse automation and modernization program.
(21) Various locations: Large navigational buoys to replace lightships.
(22) New York Harbor and Long Island Sound, New York: Establish Vessel Traffic System, Phase I.
(23) Puget Sound, Washington: Vessel Traffic System Part 1 of Phase III.
(24) New Orleans, Louisiana: Establish Vessel Traffic System, Phase I.
(25) Various locations: Public family quarters.
(26) Various locations: Advance planning, survey, design, and architectural services; project administration costs; acquire sites in connection with projects not otherwise authorized by law.
(27) At a location between San Francisco, California, and Astoria, Oregon: Establish helicopter search and rescue station.

SEC. 2. For fiscal year 1974 the Coast Guard is authorized an end strength for active duty personnel of 37,607; except that the ceiling shall not include members of the Ready Reserve called to active duty under the provisions of Public Law 92-479. Active duty personnel strength. 86 Stat. 794. 14 USC 764.

SEC. 3. For fiscal year 1974 military training student loads for the Coast Guard are authorized as follows:
(1) recruit and special training, 4,006 man-years.
(2) flight training, 86 man-years.
(3) professional training in military and civilian institutions, 231 man-years.
(4) officer acquisition training, 1,208 man-years.

SEC. 4. For use of the Coast Guard for payment to bridge owners for the cost of alterations of railroad bridges and public highway bridges to permit free navigation of navigable waters of the United States, $7,000,000 is hereby authorized. Bridge owners, payments.

SEC. 5. Section 475 of title 14, United States Code, is amended by amending subsection (e) thereof to read as follows: 86 Stat. 451. 14 USC 475.

"(e) The authority provided in subsections (b) and (c) of this section shall expire on June 30, 1976."

SEC. 6. (a) Section 1 of the Act of June 20, 1936 (49 Stat. 1544, 46 U.S.C. 367), as amended, is further amended by deleting the entire third sentence and substituting in lieu thereof the following sentence: "The exemption in the preceding sentence for cannery tender or fishery tender vessels shall continue in force for five years from July 11, 1973." 82 Stat. 341.

(b) Section 4426 of the Revised Statutes of the United States (46 U.S.C. 404), as amended, is further amended by deleting the entire last sentence and substituting in lieu thereof the following sentence: "The exemption in the preceding sentence for cannery tender and fishery tender vessels shall continue in force for five years from July 11, 1973."

Approved July 9, 1973.

Public Law 93-66

July 9, 1973
[H. R. 7445]

AN ACT

To extend the Renegotiation Act of 1951 for one year, and for other purposes.

Renegotiation Act of 1951, and Social Security Act, amendments.
70 Stat. 786; 85 Stat. 97.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 102 (c)(1) of the Renegotiation Act of 1951 (50 U.S.C. App., sec. 1212 (c)(1)) is amended by striking out "June 30, 1973" and inserting in lieu thereof "June 30, 1974".

TITLE II—PROVISIONS RELATING TO THE SOCIAL SECURITY ACT

PART A—INCREASE IN SOCIAL SECURITY BENEFITS

COST-OF-LIVING INCREASE IN SOCIAL SECURITY BENEFITS

SEC. 201. (a)(1) The Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the "Secretary") shall, in accordance with the provisions of this section, increase the monthly benefits and lump-sum death payments payable under title II of the Social Security Act by the percentage by which the Consumer Price Index prepared by the Department of Labor for the month of June 1973 exceeds such index for the month of June 1972.

42 USC 401.

Effective date.

(2) The provisions of this section (and the increase in benefits made hereunder) shall be effective, in the case of monthly benefits under title II of the Social Security Act, only for months after May 1974 and prior to January 1975, and, in the case of lump-sum death payments under such title, only with respect to deaths which occur after May 1974 and prior to January 1975.

(b) The increase in social security benefits authorized under this section shall be provided, and any determinations by the Secretary in connection with the provision of such increase in benefits shall be made, in the manner prescribed in section 215(i) of the Social Security Act for the implementation of cost-of-living increases authorized under title II of such Act, except that the amount of such increase shall be based on the increase in the Consumer Price Index described in subsection (a).

86 Stat. 412, 1334.
42 USC 415.

(c) The increase in social security benefits provided by this section shall—

(1) not be considered to be an increase in benefits made under or pursuant to section 215(i) of the Social Security Act, and

(2) not (except for purposes of section 203(a)(2) of such Act, as in effect after May 1974) be considered to be a "general benefit increase under this title" (as such term is defined in section 215(i)(3) of such Act);

86 Stat. 415.
42 USC 403.

and nothing in this section shall be construed as authorizing any increase in the "contribution and benefit base" (as that term is employed in section 230 of such Act), or any increase in the "exempt amount" (as such term is used in section 203(f)(8) of such Act).

86 Stat. 416, 1370.
42 USC 430.
86 Stat. 1341.

(d) Nothing in this section shall be construed to authorize (directly or indirectly) any increase in monthly benefits under title II of the Social Security Act for any month after December 1974, or any increase in lump-sum death payments payable under such title in the case of deaths occurring after December 1974. The recognition of the existence of the increase in benefits authorized by the preceding subsections of this section (during the period it was in effect) in the application, after December 1974, of the provisions of sections 202

(q) and 203(a) of such Act shall not, for purposes of the preceding sentence, be considered to be an increase in a monthly benefit for a month after December 1974. 86 Stat. 1336. 72 Stat. 1017; 86 Stat. 1334. 42 USC 402, 403.

SEC. 202. (a) Paragraphs (1) and (4)(B) of section 203(f) of the Social Security Act are each amended by striking out "$175" and inserting in lieu thereof "$200". 86 Stat. 1341.

(b) The first sentence of paragraph (3) of section 203(f) of such Act is amended by striking out "$175" and inserting in lieu thereof "$200".

(c) Paragraph (1)(A) of section 203(h) of such Act is amended by striking out "$175" and inserting in lieu thereof "$200".

(d) The amendments made by this section shall be effective with respect to taxable years beginning after December 31, 1973. Effective date.

SEC. 203. (a)(1) Section 209(a)(8) of the Social Security Act is amended by striking out "$12,000" and inserting in lieu thereof "$12,600". 86 Stat. 418. 42 USC 409.

(2) Section 211(b)(1)(H) of such Act is amended by striking out "$12,000" and inserting in lieu thereof "$12,600". 42 USC 411.

(3) Sections 213(a)(2)(ii) and 213(a)(2)(iii) of such Act are each amended by striking out "$12,000" and inserting in lieu thereof "$12,600". 42 USC 413.

(4) Section 215(e)(1) of such Act is amended by striking out "$12,000" and inserting in lieu thereof "$12,600". 42 USC 415.

(b)(1) Section 1402(h)(1)(H) of the Internal Revenue Code of 1954 (relating to definition of self-employment income) is amended by striking out "$12,000" and inserting in lieu thereof "$12,600". 86 Stat. 419. 26 USC 1402.

(2) Effective with respect to remuneration paid after 1973, section 3121(a)(1) of such Code is amended by striking out the dollar amount each place it appears therein and inserting in lieu thereof "$12,600". Effective date.

(3) Effective with respect to remuneration paid after 1973, the second sentence of section 3122 of such Code is amended by striking out the dollar amount and inserting in lieu thereof "$12,600".

(4) Effective with respect to remuneration paid after 1973, section 3125 of such Code is amended by striking out the dollar amount each place it appears in subsections (a), (b), and (c) and inserting in lieu thereof "$12,600".

(5) Section 6413(c)(1) of such Code (relating to special refunds of employment taxes) is amended by striking out "$12,000" each place it appears and inserting in lieu thereof "$12,600".

(6) Section 6413(c)(2)(A) of such Code (relating to refunds of employment taxes in the case of Federal employees) is amended by striking out "$12,000" and inserting in lieu thereof "$12,600".

(7) Effective with respect to taxable years beginning after 1973, section 6654(d)(2)(B)(ii) of such Code (relating to failure by individual to pay estimated income tax) is amended by striking out the dollar amount and inserting in lieu thereof "$12,600".

(c) Section 230(c) of the Social Security Act is amended by striking out "$12,000" and inserting in lieu thereof "$12,600". 86 Stat. 417. 42 USC 430.

(d) Paragraphs (2)(C), (3)(C), (4)(C), and (7)(C) of section 203(b) of Public Law 92-336 are each amended by striking out "$12,000" and inserting in lieu thereof "$12,600". 86 Stat. 419. 26 USC 3121, 3122, 3125, 6654.

(e) The amendments made by this section, except subsection (a)(4), shall apply only with respect to remuneration paid after, and taxable years beginning after, 1973. The amendments made by subsection (a)(4) shall apply with respect to calendar years after 1973. Effective date.

(f) Effective June 1, 1974, the Secretary of Health, Education, and Welfare, shall prescribe and publish in the Federal Register such Publication in Federal Register.

86 Stat. 406, 1369.
42 USC 415.
86 Stat. 414.

modifications and extensions in the table contained in section 215(a) of the Social Security Act (which shall be determined in the same manner as the revisions in such table provided for under section 215(i)(2)(D) of such Act) as may be necessary to reflect the amendments made by this section; and such modified and extended table shall be deemed to be the table appearing in such section 215(a).

PART B—PROVISIONS RELATING TO FEDERAL PROGRAM OF SUPPLEMENTAL SECURITY INCOME

INCREASE IN SUPPLEMENTAL SECURITY INCOME BENEFITS

SEC. 210. (a) Section 1611(a)(1)(A) and section 1611(b)(1) of the Social Security Act (as enacted by section 301 of the Social Security Amendments of 1972) are each amended by striking out "$1,560" and inserting in lieu thereof "$1,680".

86 Stat. 1466.
42 USC 1382.

(b) Section 1611(a)(2)(A) and section 1611(b)(2) of such Act (as so enacted) are each amended by striking out "$2,340" and inserting in lieu thereof "$2,520".

Effective date.

(c) The amendments made by this section shall apply with respect to payments for months after June 1974.

SUPPLEMENTAL SECURITY INCOME BENEFITS FOR ESSENTIAL PERSONS

86 Stat. 1465.
42 USC 1381.

SEC. 211. (a)(1) In determining (for purposes of title XVI of the Social Security Act, as in effect after December 1973) the eligibility for and the amount of the supplemental security income benefit payable to any qualified individual (as defined in subsection (b)), with respect to any period for which such individual has in his home an essential person (as defined in subsection (c))—

(A) the dollar amounts specified in subsection (a)(1)(A) and (2)(A), and subsection (b)(1) and (2), of section 1611 of such Act, shall each be increased by $840 ($780 in the case of any period prior to July 1974) for each such essential person, and

(B) the income and resources of such individual shall (for purposes of such title XVI) be deemed to include the income and resources of such essential person;

except that the provisions of this subsection shall not, in the case of any individual, be applicable for any period which begins in or after the first month that such individual—

(C) does not but would (except for the provisions of subparagraph (B)) meet—

(i) the criteria established with respect to income in section 1611(a) of such Act, or

(ii) the criteria established with respect to resources by such section 1611(a) (or, if applicable, by section 1611(g) of such Act).

(2) The provisions of section 1611(g) of the Social Security Act (as in effect after December 1973) shall, in the case of any qualified individual (as defined in subsection (b)), be applied so as to include, in the resources of such individual, the resources of any person (described in subsection (b)(2)) whose needs were taken into account in determining the need of such individual for the aid or assistance referred to in subsection (b)(1).

(b) For purposes of this section, an individual shall be a "qualified individual" only if—

(1) for the month of December 1973 such individual was a recipient of aid or assistance under a State plan approved under title I, X, XIV, or XVI of the Social Security Act, and

86 Stat. 1484.
42 USC 301, 1201, 1351.

(2) in determining the need of such individual for such aid or assistance for such month under such State plan, there were taken into account the needs of a person (other than such individual) who—

(A) was living in the home of such individual, and

(B) was not eligible (in his or her own right) for aid or assistance under such State plan for such month.

(c) The term "essential person", when used in connection with any qualified individual, means a person who— "Essential person."

(1) for the month of December 1973 was a person (described in subsection (b)(2)) whose needs were taken into account in determining the need of such individual for aid or assistance under a State plan referred to in subsection (b)(1) as such State plan was in effect for June 1973,

(2) lives in the home of such individual,

(3) is not eligible (in his or her own right) for supplemental security income benefits under title XVI of the Social Security Act (as in effect after December 1973), and 86 Stat. 1465. 42 USC 1381.

(4) is not the eligible spouse (as that term is used in such title XVI) of such individual or any other individual.

If for any month after December 1973 any person fails to meet the criteria specified in paragraph (2), (3), or (4) of the preceding sentence, such person shall not, for such month or any month thereafter be considered to be an essential person.

MANDATORY MINIMUM STATE SUPPLEMENTATION OF SSI BENEFITS PROGRAM

SEC. 212. (a)(1) In order for any State (other than the Commonwealth of Puerto Rico, Guam, or the Virgin Islands) to be eligible for payments pursuant to title XIX, with respect to expenditures for any quarter beginning after December 1973, such State must have in effect an agreement with the Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the "Secretary") whereby the State will provide to individuals residing in the State supplementary payments as required under paragraph (2). 79 Stat. 343; 86 Stat. 1426. 42 USC 1396.

(2) Any agreement entered into by a State pursuant to paragraph (1) shall provide that each individual who—

(A) is an aged, blind, or disabled individual (within the meaning of section 1614(a) of the Social Security Act, as enacted by section 301 of the Social Security Amendments of 1972), and 86 Stat. 1471. 42 USC 1382c.

(B) for the month of December 1973 was a recipient of (and was eligible to receive) aid or assistance (in the form of money payments) under a State plan of such State (approved under title I, X, XIV, or XVI, of the Social Security Act) 86 Stat. 1484. 42 USC 301, 1201, 1351.

shall be entitled to receive, from the State, the supplementary payment described in paragraph (3) for each month, beginning with January 1974, and ending with whichever of the following first occurs:

(C) the month in which such individual dies, or

(D) the first month in which such individual ceases to meet the condition specified in subparagraph (A);

except that no individual shall be entitled to receive such supplementary payment for any month, if, for such month, such individual was ineligible to receive supplemental income benefits under title XVI of the Social Security Act by reason of the provisions of section 1611(e)(1)(A), (2), or (3), 1611(f), or 1615(c) of such Act. 86 Stat. 1467. 42 USC 1382, 1382d.

(3)(A) The supplementary payment referred to in paragraph (2) which shall be paid for any month to any individual who is entitled thereto under an agreement entered into pursuant to this subsection

shall (except as provided in subparagraph (D)) be an amount equal to (i) the amount by which such individual's "December 1973 income" (as determined under subparagraph (B)) exceeds the amount of such individual's "title XVI benefit plus other income" (as determined under subparagraph (C)) for such month, or (ii) if greater, such amount as the State may specify.

(B) For purposes of subparagraph (A), an individual's "December 1973 income" means an amount equal to the aggregate of—

(i) the amount of the aid or assistance (in the form of money payments) which such individual would have received (including any part of such amount which is attributable to meeting the needs of any other person whose presence in such individual's home is essential to such individual's well-being) for the month of December 1973 under a plan (approved under title I, X, XIV, or XVI, of the Social Security Act) of the State entering into an agreement under this subsection, if the terms and conditions of such plan (relating to eligibility for and amount of such aid or assistance payable thereunder) were, for the month of December 1973, the same as those in effect, under such plan, for the month of June 1973, and

86 Stat. 1484, 1465.
42 USC 301, 1201, 1351, 1381.

(ii) the amount of the income of such individual (other than the aid or assistance described in clause (i)) received by such individual in December 1973, minus any such income which did not result, but which if properly reported would have resulted in a reduction in the amount of such aid or assistance.

(C) For purposes of subparagraph (A), the amount of an individual's "title XVI benefit plus other income" for any month means an amount equal to the aggregate of—

(i) the amount (if any) of the supplemental security income benefit to which such individual is entitled for such month under title XVI of the Social Security Act, and

(ii) the amount of any income of such individual for such month (other than income in the form of a benefit described in clause (i)).

(D) If the amount determined under subparagraph (B)(i) includes, in the case of any individual, an amount which was payable to such individual solely because of—

(i) a special need of such individual (including any special allowance for housing, or the rental value of housing furnished in kind to such individual in lieu of a rental allowance) which existed in December 1973, or

(ii) any special circumstance (such as the recognition of the needs of a person whose presence in such individual's home, in December 1973, was essential to such individual's well-being),

and, if for any month after December 1973 there is a change with respect to such special need or circumstance which, if such change had existed in December 1973, the amount described in subparagraph (B)(i) with respect to such individual would have been reduced on account of such change, then, for such month and for each month thereafter the amount of the supplementary payment payable under the agreement entered into under this subsection to such individual shall (unless the State, at its option, otherwise specifies) be reduced by an amount equal to the amount by which the amount (described in subparagraph (B)(i)) would have been so reduced.

(b)(1) Any State having an agreement with the Secretary under subsection (a) may enter into an administration agreement with the Secretary whereby the Secretary will, on behalf of such State, make the supplementary payments required under the agreement entered into under subsection (a).

(2) Any such administration agreement between the Secretary and a State entered into under this subsection shall provide that the State will (A) certify to the Secretary the names of each individual who, for December 1973, was a recipient of aid or assistance (in the form of money payments) under a plan of such State approved under title I, X, XIV, or XVI of the Social Security Act, together with the amount of such assistance payable to each such individual and the amount of such individual's December 1973 income (as defined in subsection (a)(3)(B)), and (B) provide the Secretary with such additional data at such times as the Secretary may reasonably require in order properly, economically, and efficiently to carry out such administration agreement. 86 Stat. 1484, 1465. 42 USC 301, 1201, 1351, 1381.

(3) Any State which has entered into an administration agreement under this subsection shall, at such times and in such installments as may be agreed upon between the Secretary and the State, pay to the Secretary an amount equal to the expenditures made by the Secretary as supplementary payments to individuals entitled thereto under the agreement entered into with such State under subsection (a).

(c)(1) Supplementary payments made pursuant to an agreement entered into under subsection (a) shall be excluded under section 1612(b)(6) of the Social Security Act (as in effect after December 1973) in determining income of individuals for purposes of title XVI of such Act (as so in effect). 42 USC 1382a.

(2) Supplementary payments made by the Secretary (pursuant to an administration agreement entered into under subsection (b)) shall, for purposes of section 401 of the Social Security Amendments of 1972, be considered to be payments made under an agreement entered into under section 1616 of the Social Security Act (as enacted by section 301 of the Social Security Amendments of 1972); except that nothing in this paragraph shall be construed to waive, with respect to the payments so made by the Secretary, the provisions of subsection (b) of such section 401. 86 Stat. 1485. 42 USC 1382e note. 42 USC 1382e.

(d) For purposes of subsection (a)(1), a State shall be deemed to have entered into an agreement under subsection (a) of this section if such State has entered into an agreement with the Secretary under section 1616 of the Social Security Act under which—

(1) individuals, other than individuals described in subsection (a)(2)(A) and (B), are entitled to receive supplementary payments, and

(2) supplementary benefits are payable, to individuals described in subsection (a)(2)(A) and (B) at a level and under terms and conditions which meet the minimum requirements specified in subsection (a).

(e) Except as the Secretary may by regulations otherwise provide, the provisions of title XVI of the Social Security Act (as enacted by section 301 of the Social Security Amendments of 1972), including the provisions of part B of such title, relating to the terms and conditions under which the benefits authorized by such title are payable shall, where not inconsistent with the purposes of this section, be applicable to the payments made under an agreement under subsection (b) of this section; and the authority conferred upon the Secretary by such title may, where appropriate, be exercised by him in the administration of this section.

(f) The provisions of subsection (a)(1) shall not be applicable in the case of any State—

(1) the Constitution of which contains provisions which make it impossible for such State to enter into and commence carrying out (on January 1, 1974) an agreement referred to in subsection (a), and

(2) the Attorney General (or other appropriate State official) of which has, prior to July 1, 1973, made a finding that the State

Constitution of such State contains limitations which prevent such State from making supplemental payments of the type described in section 1616 of the Social Security Act.

86 Stat. 1474.
42 USC 1382e.

PREFERENCE FOR PRESENT STATE AND LOCAL EMPLOYEES

SEC. 213. The Secretary of Health, Education, and Welfare, in the recruitment and selection for employment of personnel whose services will be utilized in the administration of the Federal program of supplemental security income for the aged, blind, and disabled (established by title XVI of the Social Security Act), shall give a preference, as among applicants whose qualifications are reasonably equal (subject to any preferences conferred by law or regulation on individuals who have been Federal employees and have been displaced from such employment), to applicants for employment who are or were employed in the administration of any State program approved under title I, X, XIV, or XVI of such Act and are or were involuntarily displaced from their employment as a result of the displacement of such State program by such Federal program.

42 USC 1381.

86 Stat. 1484.
42 USC 301, 1201, 1351.

DETERMINATION OF BLINDNESS UNDER SUPPLEMENTAL SECURITY INCOME PROGRAM

SEC. 214. Section 1633 of the Social Security Act (as enacted by section 301 of the Social Security Amendments of 1972) is amended—

86 Stat. 1478.
42 USC 1383b.

(1) by inserting "(a)" immediately after "SEC. 1633.",

(2) by striking out "The Secretary" and inserting in lieu thereof "Subject to subsection (b), the Secretary", and

(3) by adding at the end thereof the following new subsection:

"(b) In determining, for purposes of this title, whether an individual is blind, there shall be an examination of such individual by a physician skilled in the diseases of the eye or by an optometrist, whichever the individual may select."

PART C—SOCIAL SERVICES

SOCIAL SERVICES REGULATIONS POSTPONED

SEC. 220. (a) Subject to subsection (b), no regulation and no modification of any regulation, promulgated by the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") after January 1, 1973, shall be effective for any period which begins prior to November 1, 1973, if (and insofar as) such regulation or modification of a regulation pertains (directly or indirectly) to the provisions of law contained in section 3(a)(4)(A), 402(a)(19)(G), 403(a)(3)(A), 603(a)(1)(A), 1003(a)(3)(A), 1403(a)(3)(A), or 1603(a)(4)(A), of the Social Security Act, unless such regulation or modification has been approved, prior to its being proposed, by the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

42 USC 303, 602, 603, 803, 1203, 1353, 1383.

(b)(1) The provisions of subsection (a) shall not be applicable to any regulation relating to "scope of programs", if such regulation is identical (except as provided in the succeeding sentence) to the provisions of section 221.0 of the regulations (relating to social services) proposed by the Secretary and published in the Federal Register on May 1, 1973. There shall be deleted from the first sentence of subsection (b) of such section 221.0 the phrase "meets all the applicable requirements of this part and".

(2) The provisions of subsection (a) shall not be applicable to any regulation relating to "limitations on total amount of Federal funds payable to States for services", if such regulation is identical (except

as provided in the succeeding sentence) to the provisions of section 221.55 of the regulations so proposed and published on May 1, 1973. There shall be deleted from subsection (d)(1) of such section 221.55 the phrase "(as defined under day care services for children)"; and, in lieu of the sentence contained in subsection (d)(5) of such section 221.55, there shall be inserted the following: "Services provided to a child who is under foster care in a foster family home (as defined in section 408 of the Social Security Act) or in a child-care institution (as defined in such section), or while awaiting placement in such a home or institution, but only if such services are needed by such child because he is under foster care.".

(3) The provisions of subsection (a) shall not be applicable to any regulation relating to "rates and amounts of Federal financial participation for Puerto Rico, the Virgin Islands, and Guam", if such regulation is identical to the provisions of section 221.56 of the regulations so proposed and published on May 1, 1973.

(c) Notwithstanding the provisions of section 553(d) of title 5, United States Code, any regulation described in subsection (b) may become effective upon the date of its publication in the Federal Register. 80 Stat. 383.

SEC. 221. Section 1130(a)(2) of the Social Security Act is amended— 86 Stat. 945. 42 USC 1320b.

(1) by striking out "of the amounts paid (under all of such sections)" and inserting in lieu thereof "of the amounts paid under such section 403(a)(3)"; and 42 USC 603.

(2) by striking out "under State plans approved under titles I, X, XIV, XVI, or part A of title IV" and inserting in lieu thereof "under the State plan approved under part A of title IV". 42 USC 601.

PART D—PROVISIONS RELATING TO MEDICAID

COVERAGE OF ESSENTIAL PERSONS UNDER MEDICAID

SEC. 230. In the case of any State plan (approved under title XIX of the Social Security Act) which for December 1973 provided medical assistance to persons described in section 1905(a)(vi) of such Act, there is hereby imposed the requirement (and such State plan shall be deemed to require) that medical assistance under such plan be provided to each such person (who for December 1973 was eligible for medical assistance under such plan) for each month (after December 1973) that— 79 Stat. 343; 86 Stat. 1426. 42 USC 1396. 79 Stat. 351. 42 USC 1396d.

(1) the individual (referred to in the last sentence of section 1905(a) of such Act) with whom such person is living continues to meet the criteria (as in effect for December 1973) for aid or assistance under a State plan (referred to in such sentence), and

(2) such person continues to have the relationship with such individual described in such sentence and meets the other criteria (referred to in such sentence) with respect to a State plan (so referred to) as such plan was in effect for December 1973.

Federal matching under title XIX of the Social Security Act shall be available for the medical assistance furnished to individuals eligible for such assistance under this section.

PERSONS IN MEDICAL INSTITUTIONS

SEC. 231. For purposes of section 1902(a)(10) of the Social Security Act, any individual who, for all (or any part of) the month of December 1973— 42 USC 1396a.

(1) was an inpatient in an institution qualified for reimbursement under title XIX of the Social Security Act, and

(2) (A) would (except for his being an inpatient in such institution) have been eligible to receive aid or assistance under a State plan approved under title I, X, XIV, or XVI of such Act, or

86 Stat. 1484, 1465.
42 USC 301, 1201, 1351, 1382.

(B) was, on the basis of his need for care in such institution, considered to be eligible for aid or assistance under a State plan (referred to in subparagraph (A)) for purposes of determining his eligibility for medical assistance under a State plan approved under title XIX of such Act (whether or not such individual actually received aid or assistance under a State plan referred to in subparagraph (A)),

79 Stat. 343; 86 Stat. 1426.
42 USC 1396.

shall be deemed to be receiving such aid or assistance for such month and for each succeeding month in a continuous period of months if, for each month in such period—

(3) such individual continues to be (for all of such month) an inpatient in such an institution and would (except for his being an inpatient in such institution) continue to meet the conditions of eligibility to receive aid or assistance under such plan (as such plan was in effect for December 1973), and

(4) such individual is determined (under the utilization review and other professional audit procedures applicable to State plans approved under title XIX of the Social Security Act) to be in need of care in such an institution.

Federal matching under title XIX of the Social Security Act shall be available for the medical assistance furnished to individuals eligible for such assistance under this section.

BLIND AND DISABLED MEDICALLY INDIGENT PERSONS

42 USC 1396a.

SEC. 232. For purposes of section 1902(a)(10) of the Social Security Act, any individual who, for the month of December 1973 was eligible (under the provisions of subparagraph (B) of such section) for medical assistance by reason of his having been determined to meet the criteria for blindness or disability (established by a State plan approved under title I, X, XIV, or XVI of such Act), shall be deemed to be a person described as being a person who "would, if needy, be eligible for aid or assistance under any such State plan" in subparagraph (B)(i) of such section for each month in a continuous period of months (beginning with the month of January 1974), if, for each month in such period, such individual continues to meet the criteria for blindness or disability so established by such a State plan (as it was in effect for December 1973). Federal matching under title XIX of the Social Security Act shall be available for the medical assistance furnished to individuals eligible for such assistance under this section.

EXTENSION OF SECTION 249E OF SOCIAL SECURITY AMENDMENTS OF 1972

86 Stat. 1429.
42 USC 1396a note.

SEC. 233. Section 249E of the Social Security Amendments of 1972 is amended by striking out "October 1974" and inserting in lieu thereof "July 1975".

REPEAL OF SECTION 225 OF SOCIAL SECURITY AMENDMENTS OF 1972

SEC. 234. (a) Section 1903 of the Social Security Act is amended by striking out subsection (j) thereof (as added by section 225 of Public Law 92-603).

86 Stat. 1396.
42 USC 1396b.

(b) The amendment made by subsection (a) shall be applicable in the case of expenditures for skilled nursing services and for intermediate care facility services furnished in calendar quarters which begin after December 31, 1972.

Effective date.

PART E—PROVISIONS RELATING TO CHILD'S SOCIAL SECURITY INSURANCE BENEFITS

BENEFITS FOR ADOPTED CHILDREN

SEC. 240. (a) Section 202(d)(8)(D)(ii) of the Social Security Act is amended by striking out "and" at the end thereof and inserting in lieu thereof "or (III) if he is an individual referred to in either subparagraph (A) or subparagraph (B) and the child is the grandchild of such individual or his or her spouse, for the year immediately before the month in which such child files his or her application for child's insurance benefits, and". 86 Stat. 1346. 42 USC 402.

(b) The amendment made by subsection (a) shall apply with respect to monthly benefits payable under title II of the Social Security Act for months after the month in which this Act is enacted on the basis of applications for such benefits filed in or after the month in which this Act is enacted. Effective date. 42 USC 401.

Approved July 9, 1973.

Public Law 93-67

AN ACT

July 10, 1973 [S. 1759]

Authorizing further appropriations to the Secretary of the Interior for services necessary to the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of subsection (e) of section 6 of the John F. Kennedy Center Act (72 Stat. 1698), as amended, is amended to read as follows: "There are hereby authorized to be appropriated for the purpose of carrying out this subsection, not to exceed $2,400,000 for the fiscal year ending June 30, 1974, and $2,500,000 for the fiscal year ending June 30, 1975." John F. Kennedy Center for the Performing Arts. 86 Stat. 222.

Approved July 10, 1973.

Public Law 93-68

AN ACT

July 10, 1973 [S. 1938]

To extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 336 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following: "Notwithstanding any other provision hereof the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1974, may be conducted not later than the earlier of the following: (1) thirty days after adjournment sine die of the first session of the Ninety-third Congress; or (2) October 15, 1973.". Wheat. Marketing quota referendum. 84 Stat. 969. 7 USC 1336.

Approved July 10, 1973.

Public Law 93-69

July 10, 1973
[H. R. 7200]

AN ACT

To amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to revise certain eligibility conditions for annuities; to change the railroad retirement tax rates; and to amend the Interstate Commerce Act in order to improve the procedures pertaining to certain rate adjustments for carriers subject to part I of the Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Railroads.
Retirement annuities and tax rates.
Interstate and intrastate rate adjustments.
60 Stat. 727; 75 Stat. 585.
45 USC 228b.

TITLE I—RAILROAD RETIREMENT ACT AMENDMENTS

SEC. 101. Section 2(a) of the Railroad Retirement Act of 1937 is amended—

(1) by striking out "Women" in paragraph 2 and inserting in lieu thereof "Individuals";

(2) by striking out "Men who will have attained the age of sixty and will have completed thirty years of service, or individuals" in paragraph 3 and inserting in lieu thereof "Individuals"; and

(3) by striking out "such men or" in paragraph 3 thereof.

Employee retirement tax rates, reduction.
73 Stat. 28; 80 Stat. 1078.
26 USC 3201.

SEC. 102. (a) Section 3201 of the Internal Revenue Code of 1954 (relating to the rate of tax on employees under the Railroad Retirement Tax Act) is amended by striking out all that appears therein and inserting in lieu thereof the following:

"In addition to other taxes, there is hereby imposed on the income of every employee a tax equal to the rate of the tax imposed with respect to wages by section 3101(a) of the Internal Revenue Code of 1954 plus the rate imposed by section 3101(b) of such Code of so much of the compensation paid to such employee for services rendered by him after September 30, 1973, as is not in excess of an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954 for any month after September 30, 1973."

86 Stat. 1362, 1363.

68A Stat. 417; 86 Stat. 419, 1365.

80 Stat. 1088.

(b) Section 3202(a) of such Code is amended—

(1) by striking out "1965" wherever it appears in the second sentence thereof and inserting in lieu thereof "1973";

(2) by striking out "(i) $450, or (ii)" wherever it appears in the second sentence thereof; and

(3) by striking out ", whichever is greater," wherever it appears in the second sentence thereof.

Employee representatives, tax.
73 Stat. 29; 80 Stat. 1078, 1088.

(c) Section 3211(a) of such Code (relating to the rate of tax on employee representatives under the Railroad Retirement Tax Act) is amended by striking out all that appears therein and inserting in lieu thereof the following:

"(a) In addition to other taxes, there is hereby imposed on the income of each employee representative a tax equal to 9.5 percent plus the sum of the rates of tax imposed with respect to wages by sections 3101(a), 3101(b), 3111(a), 3111(b) of the Internal Revenue Code of 1954 of so much of the compensation paid to such employee representative for services rendered by him after September 30, 1973, as is not in excess of an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954 for any month after September 30, 1973."

Employers, excise tax.

(d) Section 3221(a) of such Code (relating to the rate of tax on employers under the Railroad Retirement Tax Act) is amended by striking out "In addition to other taxes" and all that follows to "except that" and inserting in lieu thereof the following:

"In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to 9.5 percent of so much of the compensation paid by such employer for services rendered to him after September 30, 1973, as is, with respect to any employee for any calendar month, not in excess of an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954 for any month after September 30, 1973;". 68A Stat. 417; 86 Stat. 419, 1365.

(e) Section 3221(a) of such Code, as amended by section 102(d) of this Act, is further amended— 26 USC 3121.

(1) by striking out "1965" wherever it appears in the first sentence thereof and inserting in lieu thereof "1973";

(2) by striking out "(i) $450, or (ii)" wherever it appears in the first sentence thereof; and

(3) by striking out ", whichever is greater," wherever it appears in the first sentence thereof.

(f) Section 3221(b) of such Code is amended by striking out all that appears therein and inserting in lieu thereof the following: 73 Stat. 29.

"(b) The rate of tax imposed by subsection (a) shall be increased, with respect to compensation paid for services rendered after September 30, 1973, by the rate of tax imposed with respect to wages by section 3111(a) of the Internal Revenue Code of 1954 plus the rate imposed by section 3111(b) of such Code." 79 Stat. 396; 86 Stat. 1364.

SEC. 103. (a) Section 6 of Public Law 91-377, as amended by section 8(c) of Public Law 92-46, is further amended by striking out "June 30, 1973" each time that date appears and inserting in lieu thereof "December 31, 1974". Annuity increase, termination date, extension. 84 Stat. 792; 85 Stat. 102.

(b) Section 8(b) of Public Law 92-46 is amended by striking out "June 30, 1973" each time that date appears and inserting in lieu thereof "December 31, 1974". 45 USC 228c note.

(c) Section 5(b) of Public Law 92-460 is amended by striking out "June 30, 1973" each time that date appears and inserting in lieu thereof "December 31, 1974". 86 Stat. 767. 45 USC 228c note.

SEC. 104. (a) Section 3(a) of the Railroad Retirement Act of 1937 is amended by inserting at the end thereof the following new paragraph: 82 Stat. 17; 86 Stat. 765. 45 USC 228c.

"(6) If title II of the Social Security Act is amended to provide an increase in benefits payable thereunder at any time during the period July 1, 1973, through December 31, 1974, the individual's annuity computed under the preceding provisions of this subsection and that part of subsection (e) of this section which precedes the first proviso shall be increased in an amount equal to the difference between (i) the amount (before any reduction on account of age) which would be payable to such individual under the then current law if his or her annuity were computed under the first proviso of section 3(e) of this Act, without regard to the words 'plus 10 per centum of such amount' contained therein; and (ii) the amount (before any reduction on account of age) which would have been payable to such individual under the law as in effect prior to July 1, 1973, if his or her annuity had been computed under such first proviso of section 3(e) of this Act, without regard to the words 'plus 10 per centum of such total amount' contained therein (assuming for this purpose that the eligibility conditions and the proportions of the primary insurance amounts payable under the then current Social Security Act had been in effect prior to July 1, 1973): *Provided, however*, That, in computing such amount, only the social security benefits which would have been payable to the individual whose annuity is being computed under this Act shall be taken into account: *Provided further*, That if an annuity accrues to an individual for a part of a month the added Annuity computation. 42 USC 401. 42 USC 1305.

amount payable for such part of a month under this section shall be one-thirtieth of the added amount payable under this section for an entire month, multiplied by the number of days in such part of a month. If wages or compensation prior to 1951 are used in making any computation required by this paragraph, the Railroad Retirement Board shall have the authority to approximate the primary insurance amount to be utilized in making such computation. In making any computation required by this paragraph, any benefit to which an individual may be entitled under title II of the Social Security Act shall be disregarded. For purposes of this paragraph, individuals entitled to an annuity under section 2(a)(2) of this Act shall be deemed to be age 65, and individuals entitled to an annuity under section 2(a)(3) of this Act who have not attained age 62 shall be deemed to be age 62. Individuals entitled to annuities under section 2(a)(4) or 2(a)(5) of this Act for whom no disability freeze has been granted shall be treated in the same manner for purposes of this paragraph as individuals entitled to annuities under section 2(a)(4) or 2(a)(5) for whom a disability freeze has been granted. In the case of an individual who is entitled to an annuity under this Act but whose annuity is based on insufficient quarters of coverage to have a benefit computed, either actually or potentially, under the first proviso of section 3(e) of this Act, the average monthly wage to be used in determining the amount to be added to the annuity of such individual shall be equal to the average monthly compensation or the average monthly earnings, whichever is applicable, used to enter the table in section 3(a)(2) of such Act for purposes of computing other portions of such individual's annuity."

42 USC 401.

45 USC 228b.

Spouse's annuity.
86 Stat. 765.
45 USC 228b.

(b) Section 2(e) of the Railroad Retirement Act of 1937 is amended—

(1) by striking out "section 3(a), (3), (4), or (5) of this Act" and inserting in lieu thereof "section 3(a), (3), (4), (5), or (6) of this Act";

(2) by striking out the second sentence of the last paragraph; and

(3) by adding at the end thereof the following new paragraph:

"The spouse's annuity computed under the other provisions of this section shall (before any reduction on account of age) be increased in an amount determined by the method of computing increases set forth in subsection (a)(6) of section 3. The preceding sentence and the other provisions of this subsection shall not operate to increase the annuity of a spouse (before any reduction on account of age) to an amount in excess of the maximum amount of a spouse's annuity as provided in the first sentence of this subsection. This paragraph shall be disregarded in the application of the preceding three paragraphs."

Ante, p. 163.

45 USC 228b.

(c) Section 2(i) of the Railroad Retirement Act of 1937 is amended by striking out "the last paragraph plus the two preceding paragraphs" and inserting in lieu thereof "the last paragraph plus the three preceding paragraphs".

Survivor's annuities.
86 Stat. 766.
45 USC 228e.

(d) Section 5 of the Railroad Retirement Act of 1937 is amended by inserting at the end thereof the following new subsection:

"(q) A survivor's annuity computed under the preceding provisions of this section shall be increased in an amount determined by the method of computing increases set forth in subsection (a)(6) of section 3: *Provided, however*, That in computing such an amount for an individual entitled to an annuity under subsection 5(a)(2), the 90.75 per centum figure appearing in the third paragraph of section 3(e) of this Act shall be deemed to be 82.5 per centum."

82 Stat. 19.
45 USC 228c.

Benefit increases.

SEC. 105. If title II of the Social Security Act is amended to provide an increase in benefits payable thereunder at any time during the period July 1, 1973, through December 31, 1974, the pension of each

individual under section 6 of the Railroad Retirement Act of 1937 and the annuity of each individual under the Railroad Retirement Act of 1935 shall be increased in an amount determined by the method of computing increases set forth in subsection (a) of section 104 of this Act, deeming for this purpose the average monthly earnings (in the case of a pension) or the average monthly compensation (in the case of an annuity under the Railroad Retirement Act of 1935) which would be used to compute the basic amount if the individual were to die to be the average monthly wage.

50 Stat. 312. 45 USC 228f.

49 Stat. 967. 45 USC 215 note.

Ante, p. 163.

SEC. 106. All recertifications required by reason of the amendments made by sections 104 and 105 of this Act shall be made by the Railroad Retirement Board without application therefor.

SEC. 107. (a) For the purpose of preparing and submitting the report provided for in subsection (c), it shall be the duty and responsibility of representatives of employees to designate (within the thirty-day period commencing on the date of enactment of this Act) and notify the Senate Committee on Labor and Public Welfare and the House Committee on Interstate and Foreign Commerce of the identity (by name and position) of the labor members, and of representatives of carriers to designate (within such thirty-day period) and notify such committees of the identity (by name and position) of the management members, who shall compose the group authorized to prepare in their behalf, the report provided for in subsection (c).

Labor-management group, report; notice to congressional committees.

(b) The group so authorized to prepare the report provided for in subsection (c) shall—

(1) hold such meetings (which shall not be less often than once each month) as may be necessary to assure that such report will be submitted within the time provided, and contain the material prescribed, under subsection (c); and

(2) submit to such committees on September 1, 1973, November 1, 1973, and January 1, 1974, interim reports as to the progress being made toward completion of the report provided for in subsection (c); except that no such interim report shall be submitted after the submission of the report provided for in subsection (c).

Progress reports.

(c)(1) Not later than April 1, 1974, representatives of employees and representatives of carriers, acting through the group designated by them pursuant to subsection (a), shall submit to such committees a report containing their joint recommendations for restructuring the railroad retirement system in a manner which will assure the long-term actuarial soundness of such system, which recommendations shall take into account the specific recommendations of the Commission on Railroad Retirement.

Report to congressional committees.

(2) The joint recommendations contained in such report shall be specific and shall be presented in the form of a draft bill.

SEC. 108. The Congress hereby declares its intent to enact legislation in 1974, effective not later than January 1, 1975, which will assure the long-term actuarial soundness of the railroad retirement system.

SEC. 109. (a) The amendments made by section 101 of this Act shall become effective on July 1, 1974: *Provided, however*, That those amendments shall not apply to individuals whose annuities began to accrue prior to that date.

Effective dates.

(b) The amendments made by section 102 of this Act shall become effective on October 1, 1973, and shall apply only with respect to compensation paid for services rendered on or after that date: *Provided, however*, That such amendments shall not be applicable to any dock company, common carrier railroad, or railway labor organization described in section 1(a) of the Railroad Retirement Act of 1937, with respect to those of its employees covered as of October 1, 1973, by a private supplemental pension plan established through collective bargaining, where a moratorium in an agreement made on or before

50 Stat. 307. 45 USC 228a.

March 8, 1973, is applicable to changes in rates of pay contained in the current collective-bargaining agreement covering such employees, until the earlier of (1) the date as of which such moratorium expires, or (2) the date as of which such dock company, common carrier railroad, or railway labor organization agrees through collective bargaining to make the provisions of such amendments applicable.

Effective date.
Ante, p. 163.

(c) The amendments made by sections 103 and 104 of this Act shall be effective on the enactment date of this Act: *Provided, however*, That any increases in annuities or pensions resulting from the provisions of sections 104 and 105 of this Act shall be effective on the same date or dates as the benefit increases under title II of the Social Security Act which gave rise to such annuity or pension increases are effective.

42 USC 401.

Citation of title.

SEC. 110. This title may be cited as the "Railroad Retirement Amendments of 1973".

TITLE II—INTERSTATE COMMERCE ACT AMENDMENTS

Rate increase petitions.
41 Stat. 488; 72 Stat. 572.

SEC. 201. Section 15a of the Interstate Commerce Act (49 U.S.C. 15a) is amended by adding at the end thereof the following new paragraph:

"(4) (a) The Commission shall by rule, on or before August 1, 1973, establish requirements for petitions for adjustment of interstate rates of common carriers subject to this part based upon increases in expenses of such carriers resulting from any increases in taxes under the Railroad Retirement Tax Act, as amended, occurring on or before January 1, 1975, or as a result of the enactment of the Railroad Retirement Amendments of 1973. Such requirements, established pursuant to section 553 of title 5 of the United States Code (with time for comment limited so as to meet the required date for establishment and subject to future amendment or revocation), shall be designed to facilitate fair and expeditious action on any such petition as required in subparagraph (b) of this paragraph by disclosing such information as the amount needed in rate increases to offset such increases in expenses and the availability of means other than a rate increase by which the carrier might absorb or offset such increases in expenses.

Ante, p. 162.
26 USC 3201.

Supra.

80 Stat. 383.

Interim rates.

"(b) Notwithstanding any other provision of law, the Commission shall, within thirty days of the filing of a verified petition in accordance with rules promulgated under subparagraph (a) of this paragraph, by any carrier or group of carriers subject to this part, permit the establishment of increases in the general level of the interstate rates of said carrier or carriers in an amount approximating that needed to offset increases in expenses theretofore experienced or demonstrably certain to occur commencing on or before the effective date of the increased rates, as a result of any increases in taxes under the Railroad Retirement Tax Act, as amended, occurring on or before January 1, 1975, or as a result of the enactment of the Railroad Retirement Amendments of 1973. Such increases in rates may be made effective on not more than thirty nor less than ten days' notice to the public, notwithstanding any outstanding orders of the Commission. To the extent necessary to effectuate their establishment, rates so increased shall be relieved from the provisions of section 4 of this part and may be published in tariff supplements of the kind ordinarily authorized in general increase proceedings.

Public notice requirement.

Final rate determination, hearings.

"(c) The Commission shall within sixty days from the date of establishment of interim rates under paragraph (4) (b) of this section commence hearings for the purpose of making the final rate determination. The Commission shall then proceed to make such final rate determination with the carrier having the burden of proof. In making such

determination, the Commission may take into account all factors appropriate to ratemaking generally under part I of this Act and shall determine such final rates under the standards and limitations applicable to ratemaking generally under part I of this Act. If the increases in rates finally authorized by the Commission are less than the increases in rates initially made effective, the carrier or carriers shall, subject to such tariff provisions as the Commission shall deem sufficient, make such refunds (in the amount by which the initially increased rate collected exceeds the finally authorized increased rate) as may be ordered by the Commission, plus a reasonable rate of interest as determined by the Commission. Nothing contained in this paragraph shall limit or otherwise affect the authority of the Commission to authorize or to permit to become effective any increase in rates other than the increases herein specified.

49 USC 1.

"(d)(A) The State authority having jurisdiction over petitions for intrastate rate increases by any carrier or group of carriers subject to part I of this Act shall, within 60 days of the filing of a verified petition for such increases based upon increases in expenses of such carriers as a result of any increases in taxes under the Railroad Retirement Tax Act, as amended, occurring on or before January 1, 1975, or as a result of the enactment of the Railroad Retirement Amendments of 1973, act upon said petition. Such State authority may grant an interim rate increase or a final rate increase. If such State authority grants any interim rate increases, it shall thereafter investigate and determine the reasonableness of such increases and modify them to the extent required by applicable law. To the extent that any such interim increases are reduced as a result of the action of a State authority, the carrier or carriers shall make such refunds (in the amount by which the initially increased rate collected exceeds the finally authorized increased rate) as may be ordered by such State authority, plus a reasonable rate of interest as determined by the State authority.

Intrastate rate increase, State authority.

Ante, p. 162.
26 USC 3201.

Ante, p. 166.

"(B) If a State authority denies in toto such a petition filed with it by such carrier or group of carriers seeking relief regarding such intrastate rate increases or does not act finally on such petition within 60 days from the presentation thereof, the Commission shall, within 30 days of the filing of a verified petition by such carrier or group of carriers relating to such intrastate rates, act upon such petition by applying the ratemaking criteria of subparagraph (4)(c) of this paragraph. If the Commission grants, in whole or in part, such petition by any carrier or group of carriers, the increase authorized shall be considered as an interim rate increase as provided in subparagraph (A) above and shall be subject to final determination by the State authority in accordance with the procedures prescribed for interim intrastate rate increases as provided above, including the ordering of refunds by such State authority.

"(C) If a State authority denies in part such a petition filed with it by such carrier or group of carriers, within 60 days from the presentation thereof, the Commission shall, within 30 days of the filing of a verified petition by such carrier or group of carriers relating to the intrastate rates involved, act upon such petition by applying the criteria of section 13(4) of this part.

72 Stat. 570.
49 USC 13.

"(D) Nothing in subparagraph (A) or (B) shall be construed to abrogate the authority of the Commission under section 13(4) of this part and in the event a carrier or group of carriers subject to a refund requirement under subparagraph (A) or (B) files a petition under section 13(3), the refund requirement shall be stayed pending final order of the Commission under section 13(4) of this part.

"(e) Any increased freight rates authorized shall not exceed a reasonable level by types of traffic, commodities, or commodity groups and

shall preserve existing market patterns and relationships and present port relationships by increase limitations within and between the major districts to the extent possible without authorizing unreasonable increases in any district."

Citation of title.

SEC. 202. This title may be cited as the "Railroad Rate Adjustment Act of 1973".

TITLE III—SEPARABILITY

SEC. 301. If any provision of this Act or the application thereof to any person or circumstances should be held invalid, the remainder of such Act or the application of such provision to other persons or circumstances shall not be affected thereby.

Approved July 10, 1973.

Public Law 93-70

July 10, 1973
[H. R. 7670]

AN ACT

To authorize appropriations for the fiscal year 1974 for certain maritime programs of the Department of Commerce.

Commerce Department maritime programs. Appropriation authorization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That funds are hereby authorized to be appropriated without fiscal year limitation as the appropriation Act may provide for the use of the Department of Commerce, for the fiscal year 1974, as follows:

(a) acquisition, construction, or reconstruction of vessels and construction-differential subsidy and cost of national defense features incident to the construction, reconstruction, or reconditioning of ships, $275,000,000: *Provided*, That the appropriation Act may provide that unobligated balances previously appropriated for purchase of modern or reconstructed United States-flag vessels for layup in the National Defense Reserve Fleet, may also be used for construction-differential subsidy;

(b) payment of obligations incurred for ship operation subsidies, $221,515,000;

(c) expenses necessary for research and development activities (including reimbursement of the vessel operations revolving fund for losses resulting from expenses of experimental ship operations), $20,000,000;

(d) reserve fleet expenses, $3,773,000;

(e) maritime training at the Merchant Marine Academy at Kings Point, New York, $8,600,000; and

(f) financial assistance to State marine schools, $2,427,000.

Additional appropriation.

SEC. 2. In addition to the amounts authorized by section 1 of this Act, there are authorized to be appropriated for fiscal year 1974 such additional supplemental amounts for the activities for which appropriations are authorized under section 1 of this Act as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law.

86 Stat. 910.

SEC. 3. Section 1103(f) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1273(f)), is amended by striking the figure "$3,000,000,000", and inserting in lieu thereof the figure "$5,000,000,000".

Approved July 10, 1973.

Public Law 93-71

AN ACT

To amend section 502(a) of the Merchant Marine Act, 1936.

July 10, 1973
[H. R. 6187]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of section 502(a) of the Merchant Marine Act, 1936 (46 U.S.C. 1152(a)), is amended as follows:

Merchant Marine Act, 1936, amendment.
Vessel construction subsidy awards.
84 Stat. 1019.

(1) By striking out "June 30, 1973" and inserting in lieu thereof "June 30, 1976".

(2) By striking out the words "and 41 per centum in fiscal 1973" and inserting in lieu thereof the words "41 per centum in fiscal 1973, 39 per centum in fiscal 1974, 37 per centum in fiscal 1975, and 35 per centum in fiscal 1976".

Approved July 10, 1973.

Public Law 93-72

AN ACT

To amend section 8 of the Public Buildings Act of 1959, relating to the District of Columbia.

July 10, 1973
[H. R. 6330]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Public Buildings Act of 1959 (40 U.S.C. 607) is amended by adding at the end thereof the following new subsection:

Public Buildings Act of 1959, amendment.
73 Stat. 481; 76 Stat. 92.

"(d)(1) Notwithstanding the District of Columbia Stadium Act of 1957 or any other provision of law, the Armory Board (hereafter in this subsection referred to as the 'Board'), created by the Act of June 4, 1948 (D.C. Code, sec. 2–1702), is hereby authorized to enter into contracts for the conduct in the Robert F. Kennedy Stadium authorized by such Act of 1957 of major league football, baseball, and softball, and motorcycle races, rodeos, musical concerts, and other events, and to increase the seating capacity of such stadium by an additional number of seats, not to exceed eight thousand, and at a cost not to exceed $1,500,000. Notwithstanding such Act of 1957, or any other provision of law, the Board is further authorized to borrow such sums as may be necessary to provide for the additional seating authorized by this subsection in accordance with the following terms and conditions, which terms and conditions shall be effective during the period that any of such sums so borrowed remain unpaid:

71 Stat. 619.
D.C. Code 2-1720 note.
62 Stat. 339.

R.F.K. Stadium, seating capacity increase.

"(A) 50 per centum of all revenues from professional football derived from such additional seats shall be used solely for the purpose of repaying the sums borrowed for such seats;

"(B) 44 per centum of such revenues shall be paid to the team operating under the trade name of the Washington Redskins, or its successors; and

"(C) 6 per centum of such revenues shall be subject to the provisions of section 6 of such Act of 1957.

"(2) In no case shall the National Football League or any team within such league (other than the aforementioned Redskins team or its successors), during the period within which any part of such sums so borrowed pursuant to paragraph (1) of this subsection remains unpaid, be considered as being entitled to, or as acquiring any right in connection with, any part of the revenues attributable to the additional seats authorized by this subsection.".

Restriction.

Approved July 10, 1973.

Public Law 93-73

July 10, 1973
[H. R. 5452]

AN ACT

To extend and make technical corrections to the National Sea Grant College and Program Act of 1966, as amended.

National Sea Grant College and Program Act of 1966, amendments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Sea Grant College and Program Act of 1966 (80 Stat. 998), as amended (33 U.S.C. 1121–1124), is further amended as follows:

84 Stat. 448.
33 USC 1122.

(1) In section 203(b)(1), after "the sum of $25,000,000", delete the word "and", and insert, after "for the fiscal year ending June 30, 1973, not to exceed the sum of $30,000,000," the following: "for the fiscal year ending June 30, 1974, not to exceed the sum of $30,000,000, for the fiscal year ending June 30, 1975, not to exceed the sum of $40,000,000, for the fiscal year ending June 30, 1976, not to exceed the sum of $50,000,000,".

80 Stat. 999.
33 USC 1123.

(2) In section 204(a), delete subscript "(1)", and delete all after "in any such fields", substituting a period therefor.

(3) In section 204(d)(1), after the first sentence, insert the following: "The Secretary may grant total payments that exceed such per centum with respect to those programs or portions of programs requested by the Secretary on his own initiative, upon his determination that the requirement for payments of 33⅓ per centum of the cost thereof by the participant would be inequitable relative to the benefits which the participant would receive therefrom. The total amount of payments to be made by the Federal Government under all programs and portions of programs as to which the Secretary shall in any fiscal year exercise his authority under the preceding sentence to reduce or eliminate matching payments by the participant shall not exceed 1 per centum of the funds appropriated under this title for such fiscal year.".

(4) In section 204(d)(2), delete the period after "vessel", substituting a colon therefor, and add the following after the colon: "*Provided*, That the prohibitions of this paragraph shall not apply to non-self-propelled habitats, buoys, platforms, or other similar devices or structures, used principally for research purposes.".

(5) Except in section 204(g) and in section 205, delete "National Science Foundation" and "Foundation" wherever they appear in this title, substituting "Secretary of Commerce" and "Secretary", respectively; and make conforming changes by deleting "its" and substituting "his" wherever appropriate.

(6) Amend section 204(g) to read as follows:

"(g) Except as otherwise provided in this title, the Secretary, in carrying out his functions under this title, has the same powers and authority as has the National Science Foundation under the National Science Foundation Act of 1950, as amended, to carry out its functions under that Act."

64 Stat. 149.
42 USC 1861 note.

(7) In section 204(i)(3), after "marine resources", insert "and which is so designated by the Secretary".

42 USC 1124.

(8) Amend section 205 to read as follows:

"STUDY OF INTERNATIONAL MARINE TECHNOLOGY TRANSFER

"SEC. 205. (a) The Secretary of Commerce is authorized and directed to undertake, through the National Sea Grant College Program, a study of the means of sharing, through cooperative programs with

other nations, the results of marine research useful in the exploration, development, conservation, and management of marine resources.

"(b) In carrying out the study required by subsection (a), the Secretary is authorized, without regard for paragraphs (1) and (3) of section 204(d), to enter into contracts with, and make grants to, institutions, agencies, and organizations described in section 204(c).

Contract authority.

33 USC 1123.

"(c) The Secretary shall submit to the President and to the Congress the results and findings of such study, including specific recommendations, not later than September 30, 1974.

Report to President and Congress.

"(d) For the purpose of carrying out this section there is authorized to be appropriated not to exceed the sum of $200,000.".

Appropriation.

Approved July 10, 1973.

Public Law 93-74

AN ACT

July 23, 1973
[H. R. 7528]

To authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration:

National Aeronautics and Space Administration Authorization Act, 1974.

(a) For "Research and development," for the following programs:

Research and development.

(1) Space flight operations, $555,500,000;

(2) Space Shuttle, $475,000,000;

(3) Advanced missions, $1,500,000;

(4) Physics and astronomy, $63,600,000;

(5) Lunar and planetary exploration, $311,000,000;

(6) Launch vehicle procurement, $177,400,000;

(7) Space applications, $161,000,000;

(8) Aeronautical research and technology, $180,000,000; of this amount $14,000,000 is reserved for the JT-3D Refan Retrofit Research Program;

(9) Space and nuclear research and technology, $72,000,000;

(10) Tracking and data acquisition, $244,000,000;

(11) Technology utilization, $4,500,000.

(b) For "Construction of facilities," including land acquisition, as follows:

Construction of facilities.

(1) Replacement of transportation facility, Goddard Space Flight Center, $660,000;

(2) Rehabilitation of vibration laboratory, Goddard Space Flight Center, $710,000;

(3) Modifications of and addition to 25-foot space simulator building, Jet Propulsion Laboratory, $740,000;

(4) Modification of planetary mission support facilities, Jet Propulsion Laboratory, $580,000;

(5) Rehabilitation and modification of 600 pounds per square inch air supply system, Langley Research Center, $2,410,000;

(6) Construction of systems engineering building, Langley Research Center, $1,620,000;

(7) Rehabilitation of airfield pavement, Wallops Station, $570,000;

(8) Rehabilitation of communication system, Wallops Station, $575,000;

(9) Modification for fire protection improvements at various tracking and data stations, $1,885,000;

(10) Modification of space launch complex 2 West, Vandenberg Air Force Base, $980,000;

(11) Modification of power system, Slidell Computer Complex, $1,085,000;

(12) Space Shuttle facilities at various locations, as follows:

(A) Modifications for auxiliary propulsion and power systems test facilities, White Sands Test Facility, $1,290,000;

(B) Modifications for shuttle avionics integration laboratory, Lyndon B. Johnson Space Center, $1,240,000;

(C) Modifications for radiant heating verification facility, Lyndon B. Johnson Space Center, $1,260,000;

(D) Modifications for the Orbiter propulsion system test facilities, Mississippi Test Facility, $11,300,000;

(E) Modifications for external tank structural test facilities, Marshall Space Flight Center, $4,400,000;

(F) Modification of manufacturing and subassembly facilities for the Orbiter, NASA Industrial Plant, Downey, California, $2,650,000;

(G) Modification of and addition to final assembly and checkout facilities for the Orbiter, Air Force Plant Number 42, Palmdale, California, $7,350,000;

(H) Modification of manufacturing and final assembly facilities for external tanks, Michoud Assembly Facility, $9,510,000;

(I) Construction of Orbiter landing facilities, John F. Kennedy Space Center, $28,200,000;

(13) Rehabilitation and modification of facilities at various locations, not in excess of $500,000 per project, $14,785,000;

(14) Minor construction of new facilities and additions to existing facilities at various locations, not in excess of $250,000 per project, $4,600,000;

(15) Facility planning and design not otherwise provided for, $13,600,000.

Research and program management.

(c) For "Research and program management," $707,000,000, and such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law of which not more than $549,020,000 and such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law, shall be available for personnel and related costs.

Construction at other research facilities.

(d) Notwithstanding the provisions of subsection 1(g), appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be acquired at locations other than installations of the Administration for the performance of research and development contracts, and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used in accordance with this subsection for the construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee

Limitation; notice to congressional committees.

has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Research and program management" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

Scientific consultations.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

Limitations.

(g) Of the funds appropriated pursuant to subsections 1(a) and 1(c), not in excess of $10,000 for each project, including collateral equipment, may be used for construction of new facilities and additions to existing facilities, and not in excess of $25,000 for each project, including collateral equipment, may be used for rehabilitation or modification of facilities: *Provided*, That of the funds appropriated pursuant to subsection 1(a), not in excess of $250,000 for each project, including collateral equipment, may be used for any of the foregoing for unforeseen programmatic needs.

Campuses barring military recruiters, grants prohibition.

(h) No part of the funds appropriated pursuant to subsection (a) of this section may be used for grants to any nonprofit institution of higher learning unless the Administrator or his designee determines at the time of the grant that recruiting personnel of any of the Armed Forces of the United States are not being barred from the premises or property of such institution except that this subsection shall not apply if the Administrator or his designee determines that the grant is a continuation or renewal of a previous grant to such institution which is likely to make a significant contribution to the aeronautical and space activities of the United States. The Secretary of Defense shall furnish to the Administrator or his designee within sixty days after the date of enactment of this Act and each January 30 and June 30 thereafter the names of any nonprofit institutions of higher learning which the Secretary of Defense determines on the date of each such report are barring such recruiting personnel from premises or property of any such institution.

Report from Secretary of Defense to Administrator.

Cost variations, authority of Administrator.

SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1) through (14), inclusive, of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

Unforeseen program changes, transfer of research funds to construction.

SEC. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with $10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (15) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines

that deferral of such action until the enactment of the next Authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Report to Speaker of the House, President of the Senate, and congressional committees.

Prohibitions.

SEC. 4. (a) Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

(b) Nothing in this section shall be construed to authorize the expenditure of amounts for personnel and related costs pursuant to section 1(c) to exceed amounts authorized for such costs.

Geographical distribution of research funds.

SEC. 5. It is the sense of the Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

72 Stat. 429; 78 Stat. 495.

SEC. 6. Section 203(b) of the National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2473(b)), is amended by inserting immediately after paragraph (10) the following new paragraph:

NASA installations, visitor facilities, concessions.

"(11) to provide by concession, without regard to section 321 of the Act of June 30, 1932 (47 Stat. 412; 40 U.S.C. 303b), on such terms as the Administrator may deem to be appropriate and to be necessary to protect the concessioner against loss of his investment in property (but not anticipated profits) resulting from the Administration's discretionary acts and decisions, for the con-

struction, maintenance, and operation of all manner of facilities and equipment for visitors to the several installations of the Administration and, in connection therewith, to provide services incident to the dissemination of information concerning its activities to such visitors, without charge or with a reasonable charge therefor (with this authority being in addition to any other authority which the Administration may have to provide facilities, equipment, and services for visitors to its installations). A concession agreement under this paragraph may be negotiated with any qualified proposer following due consideration of all proposals received after reasonable public notice of the intention to contract. The concessioner shall be afforded a reasonable opportunity to make a profit commensurate with the capital invested and the obligations assumed, and the consideration paid by him for the concession shall be based on the probable value of such opportunity and not on maximizing revenue to the United States. Each concession agreement shall specify the manner in which the concessioner's records are to be maintained, and shall provide for access to any such records by the Administration and the Comptroller General of the United States for a period of five years after the close of the business year to which such records relate. A concessioner may be accorded a possessory interest, consisting of all incidents of ownership except legal title (which shall vest in the United States), in any structure, fixture, or improvement he constructs or locates upon land owned by the United States; and, with the approval of the Administration, such possessory interest may be assigned, transferred, encumbered, or relinquished by him, and, unless otherwise provided by contract, shall not be extinguished by the expiration or other termination of the concession and may not be taken for public use without just compensation;".

Concessioner's records, accessibility; possessory interest.

SEC. 7. Title II of the National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2471 et seq.), is amended by adding at the end thereof the following new section:

72 Stat. 427; 85 Stat. 177.

"DISPOSAL OF EXCESS LAND

"SEC. 207. Notwithstanding the provisions of this or any other law, the Administration may not report to a disposal agency as excess to the needs of the Administration any land having an estimated value in excess of $50,000 which is owned by the United States and under the jurisdiction and control of the Administration, unless (A) a period of thirty days has passed after the receipt by the Speaker and the Committee on Science and Astronautics of the House of Representatives and the President and the Committee on Aeronautical and Space Sciences of the Senate of a report by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action."

Report.

Approval.

SEC. 8. Section 5316, title 5, United States Code, is amended by deleting paragraphs (15), (16), and (17) and by substituting therefor a new paragraph (15) to read as follows:

Associate Administrators, NASA.
80 Stat. 463.

"(15) Associate Administrators, National Aeronautics and Space Administration (6)."

SEC. 9. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1974".

Short title.

Approved July 23, 1973.

Public Law 93-75

July 26, 1973
[H. R. 8949]

AN ACT

To amend title 38 of the United States Code relating to basic provisions of the loan guaranty program for veterans.

Veterans.
Loan guaranty program.
72 Stat. 1205; 80 Stat. 26.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1803 (c)(1) of title 38, United States Code, is amended by striking out the semicolon and all that follows thereafter and inserting in lieu thereof the following: ", except that in establishing the rate of interest that shall be applicable to such loans, the Administrator shall consult with the Secretary of Housing and Urban Development regarding the rate of interest the Secretary considers necessary to meet the mortgage market for home loans insured under section 203(b) of the National Housing Act, and, to the maximum extent practicable, carry out a coordinated policy on interest rates on loans insured under such section 203(b) and on loans guaranteed or insured under this chapter."

12 USC 1709.

Approved July 26, 1973.

Public Law 93-76

July 30, 1973
[S. 1413]

AN ACT

To increase the authorization for fiscal year 1974 for the Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 25, 1938 (52 Stat. 1196), as amended by Public Law 92–28, dated June 23, 1971 (85 Stat. 77), is hereby amended as follows:

41 USC 46.
41 USC 48c.

By striking out in section 6 the words "and the next two succeeding fiscal years" and inserting in lieu thereof "and the next succeeding fiscal year, and $240,000 for the fiscal year ending June 30, 1974".

Approved July 30, 1973.

Public Law 93-77

July 30, 1973
[H. R. 2323]

AN ACT

To continue until the close of June 30, 1974, the suspension of duties on certain forms of copper.

Copper.
Duty suspension, extension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) items 911.10 (relating to copper waste and scrap), 911.11 (relating to articles of copper), 911.13 (relating to copper bearing ores and materials), 911.14 (relating to cement copper and copper precipitates), 911.15 (relating to black copper, blister copper, and anode copper), and 911.16 (relating to other unwrought copper) of the Tariff Schedules of the United States (19 U.S.C. 1202) are each amended by striking out "6/30/72" and inserting in lieu thereof "6/30/74".

84 Stat. 367.

(b) Headnote 3 of subpart B of part 1 of the appendix to such schedules is amended by striking out "36" each place it appears therein and inserting in lieu thereof "51".

82 Stat. 1211.

Effective date.

SEC. 2. The amendments made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after July 1, 1973.

Approved July 30, 1973.

Public Law 93-78

AN ACT

July 30, 1973
[H. R. 2324]

To continue until the close of June 30, 1975, the existing suspension of duties for metal scrap.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 911.12 (relating to articles other than copper waste and scrap and articles of copper) of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "6/30/73" and inserting in lieu thereof "6/30/75".

Metal scrap.
Duty suspension, extension.
85 Stat. 100.

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after June 30, 1973.

Effective date.

Approved July 30, 1973.

Public Law 93-79

AN ACT

July 30, 1973
[H. R. 6394]

To suspend the duty on caprolactam monomer in water solution until the close of December 31, 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the appendix of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately after item 905.31 the following new item:

Caprolactam monomer.
Duty suspension, extension.
77A Stat. 432; 86 Stat. 1296.

"	907.50	Caprolactam monomer in water solution (provided for in item 403.70, part 1B, schedule 4)	Free	No change	On or before 12/31/73	".

SEC. 2. (a) The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

Effective date.

(b) Upon request therefor filed with the customs officer concerned on or before the ninetieth day after the date of the enactment of this Act, the entry or withdrawal of any article—

(1) which was made after December 31, 1972 and before the date of the enactment of this Act, and

(2) with respect to which there would have been no duty if the amendement made by the first section of this Act applied to such entry or withdrawal,

shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry or withdrawal had been made on the date of the enactment of this Act.

84 Stat. 284.
19 USC 1514.

Approved July 30, 1973.

Public Law 93-80

August 1, 1973
[H. R. 9172]

AN ACT

To provide for emergency allotment lease and transfer of tobacco allotments or quotas for 1973 in certain disaster areas in Georgia and South Carolina.

Tobacco.
Acreage allotments or quotas, Ga.-S.C., lease and transfer.
75 Stat. 469; 86 Stat. 215.
7 USC 1314b.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 316 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following new subsection (g): "(g) Notwithstanding any provision of this section, when as a result of flood, hail, wind, tornado, or other natural disaster the Secretary determines (1) that one of the counties hereinafter listed has suffered a loss of 10 per centum or more in the number of acres of tobacco planted and (2) that a lease of such tobacco allotment or quota will not impair the effective operation of the tobacco marketing quota or price support program, he may permit the owner and operator of any farm within Atkinson, Bacon, Berrien, Clinch, Cook, Lanier, Lowndes, or Ware Counties, Georgia, or Clarendon, Lee, Sumter, or Williamsburg Counties, South Carolina, which has suffered a loss of 30 per centum or more in the number of acres of tobacco planted of such crop to lease all or any part of such allotment or quota to any other owners or operators in the same county, or nearby counties within the same State, for use in such counties for the year 1973 on a farm or farms having a current tobacco allotment or quota of the same kind. In the case of a lease and transfer to an owner or operator in another country pursuant to this subsection, the lease and transfer shall not be effective until a copy of the lease is filed with and determined by the county committee of the county to which the transfer is made to be in compliance with the provisions of this subsection.".

Approved August 1, 1973.

Public Law 93-81

August 1, 1973
[H. R. 6717]

AN ACT

To amend certain provisions of the Land and Water Conservation Fund Act of 1965 relating to the collection of fees in connection with the use of Federal areas for outdoor recreation purposes.

Federal recreation areas.
Fees.
86 Stat. 459.
16 USC 460*l*-6a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 4(b) of the Land and Water Conservation Fund Act of 1965, as amended (78 Stat. 897; 16 U.S.C. 460l–5), is amended to read as follows:

"(b) SPECIAL RECREATION USE FEES.—Each Federal agency developing, administering, or providing specialized sites, facilities, equipment, or services related to outdoor recreation shall provide for the collection of special recreation use fees for the use of sites, facilities, equipment, or services furnished at Federal expense: *Provided*, That in no event shall there be a charge for the day use or recreational use of those facilities or combination of those facilities or areas which virtually all visitors might reasonably be expected to utilize, such as, but not limited to, picnic areas, boat ramps where no mechanical or hydraulic equipment is provided, drinking water, wayside exhibits, roads, trails, overlook sites, visitors' centers, scenic drives, and toilet facilities. No fee may be charged for access to or use of any campground not having the following—flush restrooms, showers reasonably available, access and circulatory roads, sanitary disposal stations reasonably available, visitor protection control, designated tent or trailer spaces, refuse containers and potable water."

SEC. 2. Section 4(a)(2) of the Land and Water Conservation Fund Act of 1965, as amended (78 Stat. 879; 16 U.S.C. 460l–5), is amended to read as follows:

86 Stat. 459.
16 USC 460*l*-6a.

"Reasonable admission fees for a single visit at any designated area shall be established by the administering Secretary for persons who choose not to purchase the annual permit or who enter such an area by means other than by private, noncommercial vehicle. A 'single visit' means that length of time a visitor remains within the exterior boundary of a designated fee area beginning from the day he first enters the area until he leaves, except that on the same day such admission fee is paid, the visitor may leave and reenter without the payment of an additional admission fee to the same area."

"Single visit."

Approved August 1, 1973.

Public Law 93-82

AN ACT

August 2, 1973
[S. 59]

To amend title 38 of the United States Code to provide improved and expanded medical and nursing home care to veterans; to provide hospital and medical care to certain dependents and survivors of veterans; to provide for improved structural safety of Veterans' Administration facilities; to improve recruitment and retention of career personnel in the Department of Medicine and Surgery; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Veterans Health Care Expansion Act of 1973".

Veterans Health Care Expansion Act of 1973.

TITLE I—HOSPITAL, DOMICILIARY, AND MEDICAL CARE BENEFITS

SEC. 101. (a) Subparagraph (C) of section 601(4) of title 38, United States Code, is amended to read as follows:

72 Stat. 1141; 82 Stat. 1202.
Definitions.

"(C) private facilities for which the Administrator contracts in order to provide (i) hospital care or medical services for persons suffering from service-connected disabilities or from disabilities for which such persons were discharged or released from the active military, naval, or air service; (ii) hospital care for women veterans; or (iii) hospital care for veterans in a State, territory, Commonwealth, or possession of the United States not contiguous to the forty-eight contiguous States, except that the annually determined average hospital patient load per thousand veteran population hospitalized at Veterans' Administration expense in Government and private facilities in each such noncontiguous State may not exceed the average patient load per thousand veteran population hospitalized by the Veterans' Administration within the forty-eight contiguous States; but authority under this clause (iii) shall expire on December 31, 1978.

(b) Section 601(5) of such title is amended to read as follows:

72 Stat. 1141.
38 USC 601.

"(5) The term 'hospital care' includes—

"(A)(i) medical services rendered in the course of the hospitalization of any veteran, and (ii) transportation and incidental expenses for any veteran who is in need of treatment for a service-connected disability or is unable to defray the expense of transportation;

"(B) such mental health services, consultation, professional counseling, and training (including (i) necessary expenses for

transportation if unable to defray such expenses; or (ii) necessary expenses of transportation and subsistence in the case of a veteran who is receiving care for a service-connected disability, or in the case of a dependent or survivor of a veteran receiving care under the last sentence of section 613(b) of this title, under the terms and conditions set forth in section 111 of this title) of the members of the immediate family (including legal guardians) of a veteran or such a dependent or survivor of a veteran, or, in the case of a veteran or such dependent or survivor of a veteran who has no immediate family members (or legal guardian), the person in whose household such veteran, or such a dependent or survivor certifies his intention to live, as may be necessary or appropriate to the effective treatment and rehabilitation of a veteran or such a dependent or a survivor of a veteran; and

Post, p. 181.

72 Stat. 1113; 80 Stat. 208. 38 USC 111.

"(C)(i) medical services rendered in the course of the hospitalization of a dependent or survivor of a veteran receiving care under the last sentence of section 613(b) of this title, and (ii) transportation and incidental expenses for such dependent or survivor of a veteran who is in need of treatment for any injury, disease, or disability and is unable to defray the expense of transportation.".

Post, p. 181.

72 Stat. 1141; 74 Stat. 472. 38 USC 601.

(c) Section 601(6) of such title is amended by inserting immediately after "treatment," the following: "such home health services as the Administrator determines to be necessary or appropriate for the effective and economical treatment of a disability of a veteran or a dependent or survivor of a veteran receiving care under the last sentence of section 613(b) of this title".

Hospital care and medical services. 76 Stat. 381; 80 Stat. 27, 1377.

SEC. 102. Section 610 of title 38, United States Code, is amended by—

(1) inserting in subsection (a) "or nursing home care" immediately after "hospital care" where it first appears;

(2) striking out clause (1)(B) of subsection (a) and inserting in lieu thereof the following:

"(B) any veteran for a non-service-connected disability if he is unable to defray the expenses of necessary hospital care;";

(3) amending subsection (c) to read as follows:

"(c) While any veteran is receiving hospital care or nursing home care in any Veterans' Administration facility, the Administrator may, within the limits of Veterans' Administration facilities, furnish medical services to correct or treat any non-service-connected disability of such veteran, in addition to treatment incident to the disability for which he is hospitalized, if the veteran is willing, and the Administrator finds such services to be reasonably necessary to protect the health of such veteran."; and

(4) adding at the end thereof the following new subsection:

"(d) In no case may nursing home care be furnished in a hospital not under the direct and exclusive jurisdiction of the Administrator except as provided in section 620 of this title.".

Post, p. 182.

Outpatient care. 74 Stat. 472; 83 Stat. 168.

SEC. 103. (a) Subsection (f) of section 612 of title 38, United States Code, is amended to read as follows:

"(f) The Administrator may also furnish medical services for any disability on an outpatient or ambulatory basis—

"(1) to any veteran eligible for hospital care under section 610 of this title (A) where such services are reasonably necessary in preparation for, or to obviate the need of, hospital admission, or (B) where such a veteran has been granted hospital care and such medical services are reasonably necessary to complete treatment incident to such hospital care; and

"(2) to any veteran who has a service-connected disability rated at 80 per centum or more.".

Ante, p. 180.

(b) Strike out sections 613 and 614 in their entirety and insert in lieu thereof:

72 Stat. 1143. 38 USC 613, 614.

"§ 613. Medical care for survivors and dependents of certain veterans

"(a) The Administrator is authorized to provide medical care, in accordance with the provisions of subsection (b) of this section, for—

"(1) the wife or child of a veteran who has a total disability, permanent in nature, resulting from a service-connected disability, and

"(2) the widow or child of a veteran who died as a result of a service-connected disability

who are not otherwise eligible for medical care under chapter 55 of title 10 (CHAMPUS).

72 Stat. 1445; 84 Stat. 1081. 10 USC 1071.

"(b) In order to accomplish the purposes of subsection (a) of this section, the Administrator shall provide for medical care in the same or similar manner and subject to the same or similar limitations as medical care is furnished to certain dependents and survivors of active duty and retired members of the Armed Forces under chapter 55 of title 10 (CHAMPUS), by—

"(1) entering into an agreement with the Secretary of Defense under which the Secretary shall include coverage for such medical care under the contract, or contracts, he enters into to carry out such chapter 55, and under which the Administrator shall fully reimburse the Secretary for all costs and expenditures made for the purposes of affording the medical care authorized pursuant to this section; or

"(2) contracting in accordance with such regulations as he shall prescribe for such insurance, medical service, or health plans as he deems appropriate.

In cases in which Veterans' Administration medical facilities are particularly equipped to provide the most effective care and treatment, the Administrator is also authorized to carry out such purposes through the use of such facilities not being utilized for the care of eligible veterans.

"§ 614. Fitting and training in use of prosthetic appliances; seeing-eye dogs

"(a) Any veteran who is entitled to a prosthetic appliance shall be furnished such fitting and training, including institutional training, in the use of such appliance as may be necessary, whether in a Veterans' Administration facility or other training institution, or by outpatient treatment, including such service under contract, and including

necessary travel expenses to and from his home to such hospital or training institution.

"(b) The Administrator may provide seeing-eye or guide dogs trained for the aid of the blind to veterans who are entitled to disability compensation, and he may pay all necessary travel expenses to and from their homes and incurred in becoming adjusted to such seeing-eye or guide dogs. The Administrator may also provide such veterans with mechanical or electronic equipment for aiding them in overcoming the handicap of blindness.".

(c) The table of sections at the beginning of chapter 17 of such title is amended by striking out

"613. Fitting and training in use of prosthetic appliances.
"614. Seeing-eye dogs."

and inserting

"613. Medical care for survivors and dependents of certain veterans.
"614. Fitting and training in use of prosthetic appliances; seeing-eye dogs.".

Nursing home care.
78 Stat. 500; 83 Stat. 167.

SEC. 104. (a) The first sentence of subsection (a) of section 620 of title 38, United States Code, is amended by redesignating clauses (1) and (2) as clauses (i) and (ii), respectively; and by amending that portion preceding such clauses to read as follows:

"(a) Subject to subsection (b) of this section, the Administrator may transfer—

"(1) any veteran who has been furnished care by the Administrator in a hospital under the direct and exclusive jurisdiction of the Administrator, and

"(2) any person (A) who has been furnished care in any hospital of any of the Armed Forces, (B) who the appropriate Secretary concerned has determined has received maximum hospital benefits but requires a protracted period of nursing home care, and (C) who upon discharge therefrom will become a veteran to any public or private institution not under the jurisdiction of the Administrator which furnishes nursing home care, for care at the expense of the United States, only if the Administrator determines that—".

(b) The second sentence of section 620(a) of such title is amended by striking out the designations (A) and (B) and inserting in lieu thereof (I) and (II).

(c) Section 620(b) of such title is amended (1) by adding "or admitted" after "transferred" and (2) by adding at the end thereof the following: "The standards prescribed and any report of inspection of institutions furnishing care to veterans under this section made by or for the Administrator shall, to the extent possible, be made available to all Federal, State, and local agencies charged with the responsibility of licensing or otherwise regulating or inspecting such institutions.".

(d) Section 620 of such title is further amended by adding at the end thereof the following new subsection (d):

"(d) Subject to subsection (b) of this section, the Administrator may authorize for any veteran requiring nursing home care for a service-connected disability direct admission for such care at the expense

of the United States to any public or private institution not under the jurisdiction of the Administrator which furnishes nursing home care. Such admission may be authorized upon determination of need therefor by a physician employed by the Veterans' Administration or, in areas where no such physician is available, carrying out such function under contract or fee arrangement based on an examination by such physician. The amount which may be paid for such care and the length of care available under this subsection shall be the same as authorized under subsection (a) of this section.".

SEC. 105. (a) Section 626 of title 38, United States Code, is amended by striking out "fire" and inserting in lieu thereof "fire, earthquake, or other natural disaster". 72 Stat. 1144.

(b) The catchline at the beginning of section 626 of such title is amended to read as follows:

"§ 626. Reimbursement for loss of personal effects by natural disaster".

SEC. 106. (a) Subchapter III of chapter 17 of title 38, United States Code, is amended by adding at the end thereof the following new section: 72 Stat. 1143. 38 USC 621.

"§ 628. Reimbursement of certain medical expenses

"(a) The Administrator may, under such regulations as he shall prescribe, reimburse veterans entitled to hospital care or medical services under this chapter for the reasonable value of such care or services (including necessary travel), for which such veterans have made payment, from sources other than the Veterans' Administration, where—

"(1) such care or services were rendered in a medical emergency of such nature that they would have been hazardous to life or health;

"(2) such care or services were rendered to a veteran in need thereof (A) for an adjudicated service-connected disability, (B) for a non-service-connected disability associated with and held to be aggravating a service-connected disability, (C) for any disability of a veteran who has a total disability permanent in nature from a service-connected disability, or (D) for any illness, injury, or dental condition in the case of a veteran who is found to be (i) in need of vocational rehabilitation under chapter 31 of this title and for whom an objective had been selected or (ii) pursuing a course of vocational rehabilitation training and is medically determined to have been in need of care or treatment to make possible his entrance into a course of training, or prevent interruption of a course of training, or hasten the return to a course of training which was interrupted because of such illness, injury, or dental condition; and 72 Stat. 1171; 79 Stat. 577. 38 USC 1501.

"(3) Veterans' Administration or other Federal facilities were not feasibly available, and an attempt to use them beforehand would not have been reasonable, sound, wise, or practical.

"(b) In any case where reimbursement would be in order under subsection (a) of this section, the Administrator may, in lieu of reimbursing such veteran, make payment of the reasonable value of care or services directly—

"(1) to the hospital or other health facility furnishing the care or services; or

"(2) to the person or organization making such expenditure on behalf of such veteran.".

(b) The table of sections at the beginning of such chapter is amended by deleting

"626. Reimbursement for loss of personal effects by fire.
"627. Persons eligible under prior law."

and inserting in lieu thereof

"626. Reimbursement for loss of personal effects by natural disaster.
"627. Persons eligible under prior law.
"628. Reimbursement of certain medical expenses.".

72 Stat. 1145; 80 Stat. 859. 38 USC 631, 632.

SEC. 107. (a) Chapter 17 of title 38, United States Code, is amended by striking out sections 631 and 632 in their entirety and inserting in lieu thereof the following:

"§ 631. Assistance to the Republic of the Philippines

"The President is authorized to assist the Republic of the Philippines in providing medical care and treatment for Commonwealth Army veterans and new Philippine Scouts in need of such care and treatment for service-connected disabilities and non-service-connected disabilities under certain conditions.

"§ 632. Contracts and grants to provide hospital care, medical services and nursing home care

"(a) The President, with the concurrence of the Republic of the Philippines, may authorize the Administrator to enter into a contract with the Veterans Memorial Hospital, with the approval of the appropriate department of the Government of the Republic of the Philippines, covering the period beginning on July 1, 1973, and ending on June 30, 1978, under which the United States—

"(1) will pay for hospital care in the Republic of the Philippines, or for medical services which shall be provided either in the Veterans Memorial Hospital, or by contract, or otherwise by the Administrator in accordance with the conditions and limitations applicable generally to beneficiaries under section 612 of this title, for Commonwealth Army veterans and new Philippine Scouts determined by the Administrator to be in need of such hospital care or medical services for service-connected disabilities;

Ante, p. 180.

"(2) will pay for hospital care at the Veterans Memorial Hospital for Commonwealth Army veterans, and for new Philippine Scouts if they enlisted before July 4, 1946, determined by the Administrator to need such care for non-service-connected disabilities if they are unable to defray the expenses of necessary hospital care;

"(3) may provide for the payment of travel expenses pursuant to section 111 of this title for Commonwealth Army veterans and new Philippine Scouts in connection with hospital care or medical services furnished them;

72 Stat. 1113; 80 Stat. 208. 38 USC 111.

"(4) may provide for payments for nursing home care, on the same terms and conditions as set forth in section 620(a) of this title, for any Commonwealth Army veteran or new Philippine Scout determined to need such care at a per diem rate not to exceed 50 per centum of the hospital per diem rate established pursuant to clause (6) of this subsection;

Ante, p. 182.

"(5) may provide that payments for hospital care and for medical services provided to Commonwealth Army veterans and new Philippine Scouts or to United States veterans may consist in whole or in part of available medicines, medical supplies, and equipment furnished by the Administrator to the Veterans Memorial Hospital at valuations therefor as determined by the Administrator, who may furnish through the revolving supply fund, pursuant to section 5011 of this title, such medicines, medical supplies, and equipment as necessary for this purpose and to use therefore, as applicable, appropriations available for such payments; 72 Stat. 1253; 75 Stat. 675. 38 USC 5011.

"(6) will provide for payments for such hospital care at a per diem rate to be jointly determined for each fiscal year by the two Governments to be fair and reasonable; and

"(7) may stop payments under any such contract upon reasonable notice as stipulated by the contract if the Republic of the Philippines and the Veterans Memorial Hospital fail to maintain such hospital in a well-equipped and effective operating condition, as determined by the Administrator.

"(b) The total of the payments authorized by subsection (a) of this section shall not exceed $2,000,000 for any one fiscal year ending before July 1, 1978, which shall include an amount not to exceed $250,000 for any one such fiscal year for the purposes of clause (4) of such subsection. Payments, limitation.

"(c) The contract authorized by subsection (a) of this section may provide for the use by the Republic of the Philippines of beds, equipment, and other facilities of the Veterans Memorial Hospital at Manila, not required for hospital care of Commonwealth Army veterans or new Philippine Scouts for service-connected disabilities, for hospital care of other persons in the discretion of the Republic of the Philippines except that (1) priority of admission and retention in such hospital shall be accorded Commonwealth Army veterans and new Philippine Scouts needing hospital care for service-connected disabilities, and (2) such use shall not preclude the use of available facilities in such hospital on a contract basis for hospital care or medical services for persons eligible therefor from the Veterans' Administration.

"(d) To further assure the effective care and treatment of patients in the Veterans Memorial Hospital, there is authorized to be appropriated for each fiscal year during the five years beginning July 1, 1973, and ending June 30, 1978— Appropriation.

"(1) the sum of $50,000 to be used by the Administrator for making grants to the Veterans Memorial Hospital for the purpose of education and training of health service personnel who are assigned to such hospital; and Grants.

"(2) the sum of $50,000 to be used by the Administrator for making grants to the Veterans Memorial Hospital for the purpose of assisting the Republic of the Philippines in the replacement and upgrading of equipment and in rehabilitating the physical plant and facilities of such hospital.

Terms and conditions.

Such grants shall be made on such terms and conditions as prescribed by the Administrator, including approval by him of all education and training programs conducted by the hospital under such grants. Any appropriation made for carrying out the purposes of clause (2) of this subsection shall remain available until expended.".

(b) The table of sections at the beginning of such chapter 17 is amended by striking out

"631. Grants to the Republic of the Philippines.
"632. Modification of agreement with the Republic of the Philippines effectuating the Act of July 1, 1948."

and inserting in lieu thereof

"631. Assistance to the Republic of the Philippines.
"632. Contracts and grants to provide hospital care, medical services and nursing home care.".

(c) Nothing in subsection (a) of this section shall be deemed to affect in any manner any right, cause, obligation, contract (specifically including that contract executed April 25, 1967, between the Government of the Republic of the Philippines and the Government of the United States resulting from Public Law 89–612, which shall remain in force and effect until modified or superseded by an agreement executed under authority of this Act), authorization of appropriation, grant, function, power, or duty vested by law or otherwise under the provisions of section 632 of title 38, United States Code, in effect on the day before the date of enactment of this section.

80 Stat. 859. 38 USC 622, 632, 634.

Ante, p. 184.

Nursing home care abroad. 72 Stat. 1144.

SEC. 108. (a) Section 624 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) The Administrator may furnish nursing home care, on the same terms and conditions set forth in section 620(a) of this title and at the same rate as specified in section 632(a)(4) of this title, to any veteran who has been furnished hospital care in the Philippines pursuant to this section, but who requires a protracted period of nursing home care.".

Ante, p. 182.

Ante, p. 184.

(b) The catchline at the beginning of section 624 of such title is amended to read as follows:

"§ 624. Hospital care, medical services and nursing home care abroad".

72 Stat. 1141. 38 USC 601.

SEC. 109. (a) Chapter 17 of title 38, United States Code, is further amended by adding at the end thereof the following new subchapter:

"Subchapter VI—Sickle Cell Anemia

"§ 651. Screening, counseling, and medical treatment

"The Administrator is authorized to carry out a comprehensive program of providing sickle cell anemia screening, counseling, treatment, and information under the provisions of this chapter.

"§ 652. Research

"The Administrator is authorized to carry out research and research training in the diagnosis, treatment, and control of sickle cell anemia

based upon the screening examinations and treatment provided under this subchapter.

"§ 653. Voluntary participation; confidentiality

"(a) The participation by any person in any program or portion thereof under this subchapter shall be wholly voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from, or to participation in, any other program under this title.

"(b) The Administrator shall promulgate rules and regulations to insure that all information and patient records prepared or obtained under this subchapter shall be held confidential except for (1) such information as the patient (or his guardian) requests in writing to be released or (2) statistical data compiled without reference to patient names or other identifying characteristics. Rules and regulations.

"§ 654. Reports

"The Administrator shall include in the annual report to the Congress required by section 214 of this title a comprehensive report on the administration of this subchapter, including such recommendations for additional legislation as the Administrator deems necessary.". Report to Congress. 72 Stat. 1115. 38 USC 214.

(b) The analysis at the beginning of such chapter is amended by adding at the end thereof:

"SUBCHAPTER VI—SICKLE CELL ANEMIA

"651. Screening, counseling, and medical treatment.
"652. Research.
"653. Voluntary participation; confidentiality.
"654. Reports.".

TITLE II—AMENDMENTS TO CHAPTER 73 OF TITLE 38, UNITED STATES CODE, RELATING TO THE DEPARTMENT OF MEDICINE AND SURGERY

SEC. 201. Section 4101 of title 38, United States Code, is amended by amending subsection (b) to read as follows: 72 Stat. 1243; 80 Stat. 1368.

"(b) In order to carry out more effectively the primary function of the Department of Medicine and Surgery to provide a complete medical and hospital service for the medical care and treatment of veterans and in order to assist in providing an adequate supply of health manpower to the Nation, the Administrator shall, to the extent feasible without interfering with the medical care and treatment of veterans, develop and carry out a program of education and training of such health manpower (including the developing and evaluating of new health careers, interdisciplinary approaches and career advancement opportunities), and shall carry out a major program for the recruitment, training, and employment of veterans with medical military occupation specialties as physicians' assistants, dentists' assistants, and other medical technicians (including advising all such qualified veterans and servicemen about to be discharged or released from active duty of such employment opportunities), acting in cooperation with such schools of medicine, osteopathy, dentistry, nursing, pharmacy, optometry, podiatry, public health, or allied health professions; other institutions of higher learning; medical centers; academic health centers; hospitals; and such other public or nonprofit agencies, institutions, or organizations as the Administrator deems appropriate. Health service personnel, education program.

"(c)(1) Within ninety days after enactment of this subsection, the Administrator, in consultation with the Chief Medical Director, is Review agreement.

directed to conclude negotiations for an agreement with the National Academy of Sciences under which such Academy (utilizing its full resources and expertise) will conduct an extensive review and appraisal of personnel and other resource requirements in Veterans' Administration hospitals, clinics, and other medical facilities to determine a basis for the optimum numbers and categories of such personnel and other resources needed to insure the provision to eligible veterans of high quality care in all hospital, medical, domiciliary, and nursing home facilities. Such agreement shall provide that (A) at the earliest feasible date interim reports and the final report will be submitted by the National Academy of Sciences to the Administrator, the President of the Senate, and the Speaker of the House of Representatives, and (B) the final report will be submitted no later than twenty-four months after the date of the agreement except that the Administrator, in consultation with the Chief Medical Director and after consultation with the House and Senate Committees on Veterans' Affairs, may permit an extension up to twelve additional months.

Reports to Administrator and Congress.

"(2) Within ninety days after the submission of the final report described in subsection (a) of this section, the Administrator shall submit to the Senate and House Committees on Veterans' Affairs a detailed report of his views on the National Academy of Sciences' findings and recommendations submitted in such report, including (A) the steps and timetable therefor (to be carried out in not less than three years) he proposes to take to implement such findings and recommendations and (B) any disagreements, and the reasons therefor, with respect to such findings and recommendations.

Report to congressional committees.

"(3) The Administrator shall cooperate fully with the National Academy of Sciences, and make available to the Academy all such staff, information, records, and other assistance, and shall set aside for such purposes such sums, as are necessary to insure the success of the study.".

National Academy of Sciences, cooperation.

SEC. 202. Section 4103(a) of title 38, United States Code, is amended—

78 Stat. 409; 80 Stat. 1368.

(1) by amending paragraph (4) to read as follows:

"(4) Not to exceed eight Assistant Chief Medical Directors, who shall be appointed by the Administrator upon the recommendations of the Chief Medical Director. Not more than two Assistant Chief Medical Directors may be individuals qualified in the administration of health services who are not doctors of medicine, dental surgery, or dental medicine. One Assistant Chief Medical Director shall be a qualified doctor of dental surgery or dental medicine who shall be directly responsible to the Chief Medical Director for the operation of the Dental Service."; and

(2) by amending paragraph (7) to read as follows:

"(7) A Director of Pharmacy Service, a Director of Dietetic Service, and a Director of Optometry, appointed by the Administrator.".

81 Stat. 631; 84 Stat. 1092.

SEC. 203. Section 4107 of title 38, United States Code, is amended by—

(1) amending subsections (a) and (b) to read as follows:

Supra.

"(a) The per annum full-pay scale or ranges for positions provided in section 4103 of this title, other than Chief Medical Director and Deputy Chief Medical Director, shall be as follows:

"Section 4103 Schedule

"Associate Deputy Chief Medical Director, at the annual rate provided in section 5316 of title 5 for positions in level V of the Executive Schedule.

83 Stat. 864.

"Assistant Chief Medical Director, $41,734.
"Medical Director, $36,103 minimum to $40,915 maximum.
"Director of Nursing Service, $36,103 minimum to $40,915 maximum.
"Director of Chaplain Service, $31,203 minimum to $39,523 maximum.
"Director of Pharmacy Service, $31,203 minimum to $39,523 maximum.
"Director of Dietetic Service, $31,203 minimum to $39,523 maximum.
"Director of Optometry, $31,203 minimum to $39,523 maximum.
"(b)(1) The grades and per annum full-pay ranges for positions provided for in paragraph (1) of section 4104 of this title shall be as follows: 72 Stat. 1244. 38 USC 4104.

"Physician and Dentist Schedule

"Director grade, $31,203 minimum to $39,523 maximum.
"Executive grade, $28,996 minimum to $37,699 maximum.
"Chief grade, $26,898 minimum to $34,971 maximum.
"Senior grade, $23,088 minimum to $30,018 maximum.
"Intermediate grade, $19,700 minimum to $25,613 maximum.
"Full grade, $16,682 minimum to $21,686 maximum.
"Associate grade, $13,996 minimum to $18,190 maximum.

"Nurse Schedule

"Director grade, $26,898 minimum to $34,971 maximum.
"Assistant Director grade, $23,088 minimum to $30,018 maximum.
"Chief grade, $19,700 minimum to $25,613 maximum.
"Senior grade, $16,682 minimum to $21,686 maximum.
"Intermediate grade, $13,996 minimum to $18,190 maximum.
"Full grade, $11,614 minimum to $15,097 maximum.
"Associate grade, $10,012 minimum to $13,018 maximum.
"Junior grade, $8,572 minimum to $11,146 maximum.
"(2) No person may hold the director grade in the 'Physician and Dentist Schedule' unless he is serving as a director of a hospital, domiciliary, center, or outpatient clinic (independent). No person may hold the executive grade unless he holds the position of chief of staff at a hospital, center, or outpatient clinic (independent), or comparable position."; and

(2) adding at the end thereof the following new subsections:

"(d) The limitations in section 5308 of title 5 shall apply to pay under this section. Pay limitation. 84 Stat. 1951.

"(e)(1) In addition to the basic compensation provided for nurses in subsection (b)(1) of this section, a nurse shall receive additional compensation as provided by paragraphs (2) through (8) of this subsection. Additional compensation.

"(2) A nurse performing service on a tour of duty, any part of which is within the period commencing at 6 postmeridian and ending at 6 antemeridian, shall receive additional compensation for each hour of service on such tour at a rate equal to 10 per centum of the employee's basic hourly rate, if at least four hours of such tour fall between 6 postmeridian and 6 antemeridian. When less than four hours of such tour fall between 6 postmeridian and 6 antemeridian, the nurse shall be paid the differential for each hour of work performed between those hours.

"(3) A nurse performing service on a tour of duty, any part of which is within the period commencing at midnight Saturday and ending at midnight Sunday, shall receive additional compensation for

each hour of service on such tour at a rate equal to 25 per centum of such nurse's basic hourly rate.

"(4) A nurse performing service on a holiday designated by Federal statute or Executive order shall receive such nurse's regular rate of basic pay, plus additional pay at a rate equal to such regular rate of basic pay, for that holiday work, including overtime work. Any service required to be performed by a nurse on such a designated holiday shall be deemed to be a minimum of two hours in duration.

"(5) A nurse performing officially ordered or approved hours of service in excess of forty hours in an administrative workweek, or in excess of eight hours in a day, shall receive overtime pay for each hour of such additional service; the overtime rates shall be one and one-half times such nurse's basic hourly rate, not to exceed one and one-half times the basic hourly rate for the minimum rate of Intermediate grade of the Nurse Schedule. For the purposes of this paragraph, overtime must be of at least fifteen minutes duration in a day to be creditable for overtime pay. Compensatory time off in lieu of pay for service performed under the provisions of this paragraph shall not be permitted. Any excess service performed under this paragraph on a day when service was not scheduled for such nurse, or for which such nurse is required to return to her place of employment, shall be deemed to be a minimum of two hours in duration.

Computation of additional pay.

"(6) For the purpose of computing the additional compensation provided by paragraph (2), (3), (4), or (5) of this subsection, a nurse's basic hourly rate shall be derived by dividing such nurse's annual rate of basic compensation by two thousand and eighty.

"(7) When a nurse is entitled to two or more forms of additional pay under paragraph (2), (3), (4), or (5) for the same period of duty, the amounts of such additional pay shall be computed separately on the basis of such nurse's basic hourly rate of pay, except that no overtime pay as provided in paragraph (5) shall be payable for overtime service performed on a holiday designated by Federal statute or Executive order in addition to pay received under paragraph (4) for such service.

"(8) A nurse who is officially scheduled to be on call outside such nurse's regular hours shall be compensated for each hour of such on-call duty, except for such time as such nurse may be called back to work, at a rate equal to 10 per centum of the hourly rate for excess service as provided in paragraph (5) of this subsection.

"(9) Any additional compensation paid pursuant to this subsection shall not be considered as basic compensation for the purposes of subchapter VI and section 5595 of subchapter IX of chapter 55, chapter 81, 83, or 87 of title 5, or other benefits based on basic compensation.".

5 USC 5551, 5595, 8101, 8301, 8701.

SEC. 204. (a) Section 4108 of title 38, United States Code, is amended to read as follows:

76 Stat. 860.

"§ 4108. Personnel administration

"(a) Notwithstanding any law, Executive order, or regulation, the Administrator shall prescribe by regulation the hours and conditions of employment and leaves of absence of physicians, dentists, and nurses appointed to the Department of Medicine and Surgery, except that the hours of employment in carrying out responsibilities under this title of any physician, dentist (other than an intern or resident appointed pursuant to section 4114 of this title), or nurse appointed on a full-time basis who accepts responsibilities for carrying out professional services for remuneration other than those assigned under this title, shall consist of not less than eighty hours in a biweekly pay period (as that term is used in section 5504 of title 5), and no such person may—

Post, p. 192.

80 Stat. 475.

"(1) assume responsibility for the medical care of any patient other than a patient admitted for treatment at a Veterans' Administration facility, except in those cases where the individual, upon request and with the approval of the Chief Medical Director, assumes such responsibilities to assist communities or medical practice groups to meet medical needs which would not otherwise be available for a period not to exceed one hundred and eighty calendar days, which may be extended by the Chief Medical Director for additional periods not to exceed one hundred and eighty calendar days each; VA physicians, dentists, and nurses, prohibitions.

"(2) teach or provide consultative services at any affiliated institution if such teaching or consultation will, because of its nature or duration, conflict with his responsibilities under this title;

"(3) accept payment under any insurance or assistance program established under subchapter XVIII, or XIX of chapter 7 of title 42, or under chapter 55 of title 10 for professional services rendered by him while carrying out his responsibilities under this title; 42 USC 1395, 1396. 10 USC 1071.

"(4) accept from any source, with respect to any travel performed by him in the course of carrying out his responsibilities under this title, any payment or per diem for such travel, other than as provided for in section 4111 of title 5; 80 Stat. 437.

"(5) request or permit any individual or organization to pay, on his behalf, for insurance insuring him against malpractice claims arising in the course of carrying out his responsibilities under this title or for his dues or similar fees for membership in medical or dental societies or related professional associations, except where such payments constitute a part of his remuneration for the performance of professional responsibilities permitted under this section, other than those carried out under this title; and

"(6) perform, in the course of carrying out his responsibilities under this title, professional services for the purpose of generating money for any fund or account which is maintained by an affiliated institution for the benefit of such institution, or for his personal benefit, or both, and in the case of any such fund or account established before the effective date of this subsection— Fund raising for affiliated institutions, prohibition.

"(A) the affiliated institution shall submit semiannually an accounting to the Administrator and to the Comptroller General of the United States with respect to such fund or account, and thereafter shall maintain such fund or account subject to full public disclosure and audit by the Administrator and the Comptroller General for a period of three years or for such longer period as the Administrator shall prescribe, and Fund, audit, public disclosure.

"(B) no physician, dentist, or nurse may receive, after the effective date of this subsection, any cash from amounts deposited in such fund or account derived from services performed prior to the effective date of this subsection.

"(b) As used in this section, the term 'affiliated institution' means any medical school or other institution of higher learning with which the Administrator has a contract or agreement pursuant to section 4112(b) of this title for the training or education of health manpower. "Affiliated institution."

"(c) As used in this section, the term 'remuneration' means the receipt of any amount of monetary benefit from any non-Veterans' Administration source in payment for carrying out any professional responsibilities.". "Remuneration."

(b) The table of sections at the beginning of chapter 73 of such title is amended by striking out

"4108. Administration."

and inserting in lieu thereof

"4108. Personnel administration.".

72 Stat. 1246.

SEC. 205. (a) Section 4109 of title 38, United States Code, is amended by striking out "the Civil Service Retirement Act" and inserting in lieu thereof "chapter 83 of title 5".

80 Stat. 1370.

(b) Subsection (b) of section 4112 of such title 38, is amended by striking out "service personnel" in the first sentence immediately after "health" and by inserting in lieu thereof "manpower".

72 Stat. 1247; 76 Stat. 309.

SEC. 206. Section 4114 of title 38, United States Code, is amended as follows:

(1) by striking out the words "ninety days" in the last sentence of paragraph (3)(A) of subsection (a) and inserting in lieu thereof "one year";

(2) by inserting "(1)" immediately after "(b)" at the beginning of subsection (b) of such section and by adding at the end of such subsection the following new paragraphs:

"Intern."

"(2) For the purposes of this title, the term 'intern' shall include an internship or the equivalency thereof, as determined in accordance with regulations which the Administrator shall prescribe.

Internships, centralized administration.

"(3) In order to carry out more efficiently the provisions of paragraph (1) of this subsection, the Administrator may contract with one or more hospitals, medical schools, or medical installations having hospital facilities and participating with the Veterans' Administration in the training of interns or residents to provide for the central administration of stipend payments, provision of fringe benefits, and maintenance of records for such interns and residents by the designation of one such institution to serve as a central administrative agency for this purpose. The Administrator may pay to such designated agency, without regard to any other law or regulation governing the expenditure of Government moneys either in advance or in arrears, an amount to cover the cost for the period such intern or resident serves in a Veterans' Administration hospital of (A) stipends fixed by the Administrator pursuant to paragraph (1) of this subsection, (B) hospitalization, medical care, and life insurance, and any other employee benefits as are agreed upon by the participating institutions for the period that such intern or resident serves in a Veterans' Administration hospital, (C) tax on employers pursuant to chapter 21 of the Internal Revenue Code of 1954, where applicable, and in addition, (D) an amount to cover a pro rata share of the cost of expense of such central administrative agency. Any amounts paid by the Administrator to such central administrative agency to cover the cost of hospitalization, medical care, or life insurance or other employee benefits shall be in lieu of any benefits of like nature to which such intern or resident may be entitled under the provisions of title 5, and the acceptance of stipends and employee benefits from the designated central administrative agency shall constitute a waiver by the recipient of any claim he might have to any payment of stipends or employee benefits to which he may be entitled under this title or title 5. Notwithstanding the foregoing, any period of service of any such intern or resident in a Veterans' Administration hospital shall be deemed creditable service for the purposes of section 8332 of title 5. The agreement may further provide that the designated central administrative agency shall make all appropriate deductions from the stipend of each intern and resident for local, State, and Federal taxes, maintain all records

26 USC 3101.

5 USC 101 *et seq.*

80 Stat. 567.

pertinent thereto and make proper deposits thereof, and shall maintain all records pertinent to the leave accrued by such intern and resident for the period during which he serves in a participating hospital, including a Veterans' Administration hospital. Such leave may be pooled, and the intern or resident may be afforded leave by the hospital in which he is serving at the time the leave is to be used to the extent of his total accumulated leave, whether or not earned at the hospital in which he is serving at the time the leave is to be afforded."; and

(3) by adding at the end thereof the following new subsection:

"(e) The program of training prescribed by the Administrator in order to qualify a person for the position of full-time physician's assistant or dentist's assistant shall be considered a full-time institutional program for purposes of chapter 34 of this title. The Administrator may consider training for such a position to be on a less than full-time basis for purposes of such chapter when the combined classroom (and other formal instruction) portion of the program and the on-the-job training portion of the program total less than 30 hours per week.". 80 Stat. 12; 86 Stat. 1082. 38 USC 1651.

SEC. 207. Section 4116 of title 38, United States Code, is amended— Malpractice and negligence suits. 80 Stat. 307.

(1) by amending subsection (a) to read as follows:

"(a) The remedy—

"(1) against the United States provided by sections 1346(b) and 2672 of title 28, or 62 Stat. 933. 80 Stat. 308.

"(2) through proceedings for compensation or other benefits from the United States as provided by any other law, where the availability of such benefits precludes a remedy under section 1346(b) or 2672 of title 28,

for damages for personal injury, including death, allegedly arising from malpractice or negligence of a physician, dentist, nurse, physicians' assistant, dentists' assistant, pharmacist, or paramedical (for example, medical and dental technicians, nursing assistants, and therapists) or other supporting personnel in furnishing medical care or treatment while in the exercise of his duties in or for the Department of Medicine and Surgery shall hereafter be exclusive of any other civil action or proceeding by reason of the same subject matter against such physician, dentist, nurse, physicians' assistant, dentists' assistant, pharmacist, or paramedical or other supporting personnel (or his estate) whose act or omission gave rise to such claim.";

(2) by striking out the last sentence in subsection (c) and inserting in lieu thereof the following: "After removal the United States shall have available all defenses to which it would have been entitled if the action had originally been commenced against the United States. Should a United States district court determine on a hearing on a motion to remand held before a trial on the merits that the employee whose act or omission gave rise to the suit was not acting within the scope of his office or employment, the case shall be remanded to the State court."; and 79 Stat. 1156.

(3) by adding at the end thereof the following new subsection: Liability insurance.

"(e) The Administrator may, to the extent he deems appropriate, hold harmless or provide liability insurance for any person to whom the immunity provisions of this section apply (as described in subsection (a) of this section), for damage for personal injury or death, or for property damage, negligently caused by such person while furnishing medical care or treatment (including the conduct of clinical studies or investigations) in the exercise of his duties in or for the Department of Medicine and Surgery, if such person is assigned to a foreign country, detailed to State or political division thereof, or is

acting under any other circumstances which would preclude the remedies of an injured third person against the United States, provided by sections 1346(b) and 2672 of title 28, for such damage or injury.".

62 Stat. 933.
80 Stat. 308.

Scarce medical services, contracts.
80 Stat. 1372.

SEC. 208. Section 4117 of title 38, United States Code, is amended to read as follows:

"The Administrator may enter into contracts with medical schools, clinics, and any other group or individual capable of furnishing such services to provide scarce medical specialist services at Veterans' Administration facilities (including, but not limited to, services of physicians, dentists, nurses, physicians' assistants, dentists' assistants, technicians, and other medical support personnel).".

TITLE III—AMENDMENTS TO CHAPTER 81 OF TITLE 38, UNITED STATES CODE—ACQUISITION AND OPERATION OF HOSPITAL AND DOMICILIARY FACILITIES; PROCUREMENT AND SUPPLY

72 Stat. 1251; 79 Stat. 1157.

SEC. 301. (a) Subsection (a) of section 5001 of title 38, United States Code, is amended by—

(1) striking out the period at the end of paragraph (2) and inserting in lieu thereof a comma and the following: "and the Administrator shall staff and maintain, in such a manner as to insure the immediate acceptance and timely and complete care of patients, sufficient beds and other treatment capacities to accommodate, and provide such care to, eligible veterans applying for admission and found to be in need of hospital care or medical services. The Administrator shall maintain the bed and treatment capacities of all Veterans' Administration medical facilities so as to insure the accessibility and availability of such beds and treatment capacities to eligible veterans in all States and to minimize delays in admissions and in the provision of such care and of services pursuant to section 612 of this title. The Chief Medical Director shall periodically analyze agencywide admission policies and the records of those eligible veterans who apply for hospital care and medical services but are rejected or not immediately admitted or provided such care or services, and the Administrator shall annually advise the House and Senate Committees on Veterans' Affairs of the results of such analysis and the number of any additional beds and treatment capacities and the appropriate staffing and funds therefor found necessary to meet the needs of such veterans for such necessary care and services."; and

(2) striking out in the first sentence of paragraph (3) "is authorized to" and inserting in lieu thereof "shall", and by striking out "four thousand beds" and inserting in lieu thereof "eight thousand beds in the fiscal year ending June 30, 1974, and in each fiscal year thereafter".

(b) Subsection (b) of section 5001 of such title is amended to read as follows:

"(b) Hospitals, domiciliaries, and other medical facilities provided by the Administrator (including nursing home facilities for which the Administrator contracts under section 620 of this title) shall be of fire, earthquake, and other natural disaster resistant construction in accordance with standards which the Administrator shall prescribe on a State or regional basis after surveying appropriate State and local laws, ordinances, and building codes and climatic and seismic conditions pertinent to each such facility. When an existing plant is purchased, it shall be remodeled to comply with the requirements stated in the first

Ante, p. 182.

sentence of this subsection. In order to carry out this subsection, the Administrator shall appoint an Advisory Committee on Structural Safety of Veterans' Administration Facilities, on which shall serve at least one architect and one structural engineer expert in fire, earthquake, and other natural disaster resistance who shall not be employees of the Federal Government, to advise him on all matters of structural safety in the construction and remodeling of Veterans' Administration facilities in accordance with the requirement of this subsection, and which shall approve regulations prescribed thereunder. The Associate Deputy Administrator, the Chief Medical Director, or his designee, and the Veterans' Administration official charged with the responsibility for construction shall be ex officio members of such committee.".

(c) Section 5001 of such title is further amended by adding the following new subsection: 72 Stat. 1251; 79 Stat. 1157. 38 USC 5001.

"(g) The Administrator may make contributions to local authorities toward, or for, the construction of traffic controls, road improvements, or other devices adjacent to Veterans' Administration medical facilities when deemed necessary for safe ingress or egress.".

SEC. 302. Chapter 81 of title 38, United States Code, is amended— 72 Stat. 1251; 80 Stat. 1373.

(1) by adding at the end of subchapter I the following new section:

"§ 5007. Partial relinquishment of legislative jurisdiction

"The Administrator, on behalf of the United States, may relinquish to the State in which any lands or interests therein under his supervision or control are situated, such measure of legislative jurisdiction over such lands or interests as is necessary to establish concurrent jurisdiction between the Federal Government and the State concerned. Such partial relinquishment of legislative jurisdiction shall be initiated by filing a notice thereof with the Governor of the State concerned, or in such other manner as may be prescribed by the laws of such State, and shall take effect upon acceptance by such State.";

(2) by inserting immediately after the first sentence in subsection (a) of section 5012 thereof the following: "Any lease made pursuant to this subsection to any public or nonprofit organization may be made without regard to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5). Notwithstanding section 321 of the Act entitled 'An Act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1933, and for other purposes,' approved June 30, 1932 (40 U.S.C. 303b), or any other provision of law, a lease made pursuant to this subsection to any public or nonprofit organization may provide for the maintenance, protection, or restoration, by the lessee, of the property leased, as a part or all of the consideration for the lease. Prior to the execution of any such lease, the Administrator shall give appropriate public notice of his intention to do so in the newspaper of the community in which the lands or buildings to be leased are located."; and 47 Stat. 412.

(3) by inserting in the table of sections at the beginning of such chapter

"5007. Partial relinquishment of legislative jurisdiction."

immediately after

"5006. Property formerly owned by the National Home for Disabled Volunteer Soldiers.".

SEC. 303. Section 5053(a) of title 38, United States Code, is amended by striking out "or medical schools" at the beginning of the material contained in parentheses, and by inserting immediately after the close parenthesis the words "or medical schools or clinics". 80 Stat. 1374.

TITLE IV—MISCELLANEOUS AMENDMENTS TO TITLE 38, UNITED STATES CODE

Republic of the Philippines, regional office, time extension.
84 Stat. 437.

SEC. 401. Section 230(b) of title 38, United States Code, is amended by striking out "July 3, 1974" and inserting in lieu thereof "June 30, 1978".

Telephone service.
72 Stat. 1117.

SEC. 402. (a) Section 234 of title 38, United States Code, is amended by inserting immediately after the words "telephones for" the following: "nonmedical directors of centers, hospitals, independent clinics, domiciliaries, and".

(b) The table of sections at the beginning of chapter 3 of such title is amended by striking out

"234. Telephone service for medical officers."

and inserting in lieu thereof

"234. Telephone service for medical officers and facility directors.".

(c) The catchline at the beginning of section 234 of such title is amended by inserting immediately after the word "officers" the words "and facility directors".

State home facilities.
83 Stat. 836.

SEC. 403. (a) Section 641 of title 38, United States Code, is amended by—

(1) striking out in clause (1) "$3.50" and inserting in lieu thereof "$4.50";

(2) striking out in clause (2) "$5" and inserting in lieu thereof "$6";

(3) striking out in clause (3) "$7.50" and inserting in lieu thereof "$10"; and

(4) inserting immediately after the words "veteran of any war" the following: "or of service after January 31, 1955".

38 USC 644.

(b) Section 644(b) of such title is amended by striking out "50 per centum" and inserting in lieu thereof "65 per centum".

82 Stat. 448.

(c) Section 5033(a) of title 38, United States Code, is amended by striking out "nine" and inserting in lieu thereof "fourteen".

79 Stat. 1157.

(d) Paragraph (1) of section 5034 of title 38, United States Code, is amended by striking out "one and one-half beds" and inserting in lieu thereof "two and one-half beds".

78 Stat. 502.
38 USC 5035.

(e) Subsections (a)(1), (b)(2), and (d) of section 5035 of such title are amended by striking out "50 per centum" wherever it appears therein and inserting in lieu thereof "65 per centum".

38 USC 5036.

(f) Section 5036 of such title is amended by striking out "50 per centum" and inserting in lieu thereof "65 per centum".

TITLE V—EFFECTIVE DATES

SEC. 501. The provisions of this Act shall become effective the first day of the first calendar month following the date of enactment, except that sections 105 and 106 shall be effective on January 1, 1971; section 107 shall be effective July 1, 1973; and section 203 shall become effective beginning the first pay period following thirty days after the date of enactment of this Act.

Ante, p. 183.
Ante, p. 184.
Ante, p. 188.

Approved August 2, 1973.

Public Law 93-83

AN ACT

August 6, 1973
[H. R. 8152]

To amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to improve law enforcement and criminal justice, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Crime Control Act of 1973".

Crime Control Act of 1973.

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

82 Stat. 197; 84 Stat. 1881. 42 USC 3701.

"TITLE I—LAW ENFORCEMENT ASSISTANCE

"DECLARATION AND PURPOSE

"Congress finds that the high incidence of crime in the United States threatens the peace, security, and general welfare of the Nation and its citizens. To reduce and prevent crime and juvenile delinquency, and to insure the greater safety of the people, law enforcement and criminal justice efforts must be better coordinated, intensified, and made more effective at all levels of government.

"Congress finds further that crime is essentially a local problem that must be dealt with by State and local governments if it is to be controlled effectively.

"It is therefore the declared policy of the Congress to assist State and local governments in strengthening and improving law enforcement and criminal justice at every level by national assistance. It is the purpose of this title to (1) encourage States and units of general local government to develop and adopt comprehensive plans based upon their evaluation of State and local problems of law enforcement and criminal justice; (2) authorize grants to States and units of local government in order to improve and strengthen law enforcement and criminal justice; and (3) encourage research and development directed toward the improvement of law enforcement and criminal justice and the development of new methods for the prevention and reduction of crime and the detection, apprehension, and rehabilitation of criminals.

"PART A—LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

"SEC. 101. (a) There is hereby established within the Department of Justice, under the general authority of the Attorney General, a Law Enforcement Assistance Administration (hereinafter referred to in this title as 'Administration') composed of an Administrator of Law Enforcement Assistance and two Deputy Administrators of Law Enforcement Assistance, who shall be appointed by the President, by and with the advice and consent of the Senate.

"(b) The Administrator shall be the head of the agency. One Deputy Administrator shall be designated the Deputy Administrator for Policy Development. The second Deputy Administrator shall be designated the Deputy Administrator for Administration.

"PART B—PLANNING GRANTS

"SEC. 201. It is the purpose of this part to encourage States and units of general local government to develop and adopt comprehensive law enforcement and criminal justice plans based on their evaluation of State and local problems of law enforcement and criminal justice.

State planning agencies.

"SEC. 202. The Administration shall make grants to the States for the establishment and operation of State law enforcement and criminal justice planning agencies (hereinafter referred to in this title as 'State planning agencies') for the preparation, development, and revision of the State plan required under section 303 of this title. Any State may make application to the Administration for such grants within six months of the date of enactment of this Act.

"SEC. 203. (a) A grant made under this part to a State shall be utilized by the State to establish and maintain a State planning agency. Such agency shall be created or designated by the chief executive of the State and shall be subject to his jurisdiction. The State planning agency and any regional planning units within the State shall, within their respective jurisdictions, be representative of the law enforcement and criminal justice agencies, units of general local government, and public agencies maintaining programs to reduce and control crime and may include representatives of citizen, professional, and community organizations. The regional planning units within the State shall be comprised of a majority of local elected officials.

Functions.

"(b) The State planning agency shall—

"(1) develop, in accordance with part C, a comprehensive statewide plan for the improvement of law enforcement and criminal justice throughout the State;

"(2) define, develop, and correlate programs and projects for the State and the units of general local government in the State or combinations of States or units for improvement in law enforcement and criminal justice; and

"(3) establish priorities for the improvement in law enforcement and criminal justice throughout the State.

Funds, availability.

"(c) The State planning agency shall make such arrangements as such agency deems necessary to provide that at least 40 per centum of all Federal funds granted to such agency under this part for any fiscal year will be available to units of general local government or combinations of such units to enable such units and combinations of such units to participate in the formulation of the comprehensive State plan required under this part. The Administration may waive this requirement, in whole or in part, upon a finding that the requirement is inappropriate in view of the respective law enforcement and criminal justice planning responsibilities exercised by the State and its units of general local government and that adherence to the requirement would not contribute to the efficient development of the State plan required under this part. In allocating funds under this subsection, the State planning agency shall assure that major cities and counties within the State receive planning funds to develop comprehensive plans and coordinate functions at the local level. Any portion of such 40 per centum in any State for any fiscal year not required for the purpose set forth in this subsection shall be available for expenditure by such State agency from time to time on dates during such year as the Administration may fix, for the development by it of the State plan required under this part.

Meetings.

"(d) The State planning agency and any other planning organization for the purposes of the title shall hold each meeting open to the public, giving public notice of the time and place of such meeting, and the nature of the business to be transacted, if final action is taken at that meeting on (A) the State plan, or (B) any application for funds under this title. The State planning agency and any other planning organization for the purposes of the title shall provide for public access to all records relating to its functions under this Act, except

Records, accessability.

such records as are required to be kept confidential by any other provisions of local, State, or Federal law.

"SEC. 204. A Federal grant authorized under this part shall not exceed 90 per centum of the expenses incurred by the State and units of general local government under this part, and may be up to 100 per centum of the expenses incurred by regional planning units under this part. The non-Federal funding of such expenses, shall be of money appropriated in the aggregate by the State or units of general local government, except that the State shall provide in the aggregate not less than one-half of the non-Federal funding required of units of general local government under this part. Limitation.

"SEC. 205. Funds appropriated to make grants under this part for a fiscal year shall be allocated by the Administration among the States for use therein by the State planning agency or units of general local government, as the case may be. The Administration shall allocate $200,000 to each of the States; and it shall then allocate the remainder of such funds available among the States according to their relative populations. Funds, allocation.

"PART C—GRANTS FOR LAW ENFORCEMENT PURPOSES

"SEC. 301. (a) It is the purpose of this part to encourage States and units of general local government to carry out programs and projects to improve and strengthen law enforcement and criminal justice.

"(b) The Administration is authorized to make grants to States having comprehensive State plans approved by it under this part, for:

"(1) Public protection, including the development, demonstration, evaluation, implementation, and purchase of methods, devices, facilities, and equipment designed to improve and strengthen law enforcement and criminal justice and reduce crime in public and private places.

"(2) The recruiting of law enforcement and criminal justice personnel and the training of personnel in law enforcement and criminal justice.

"(3) Public education relating to crime prevention and encouraging respect for law and order, including education programs in schools and programs to improve public understanding of and cooperation with law enforcement and criminal justice agencies.

"(4) Constructing buildings or other physical facilities which would fulfill or implement the purpose of this section, including local correctional facilities, centers for the treatment of narcotic addicts, and temporary courtroom facilities in areas of high crime incidence.

"(5) The organization, education, and training of special law enforcement and criminal justice units to combat organized crime, including the establishment and development of State organized crime prevention councils, the recruiting and training of special investigative and prosecuting personnel, and the development of systems for collecting, storing, and disseminating information relating to the control of organized crime.

"(6) The organization, education, and training of regular law enforcement and criminal justice officers, special law enforcement and criminal justice units, and law enforcement reserve units for the prevention, detection, and control of riots and other violent civil disorders, including the acquisition of riot control equipment.

"(7) The recruiting, organization, training, and education of community service officers to serve with and assist local and State

law enforcement and criminal justice agencies in the discharge of their duties through such activities as recruiting; improvement of police-community relations and grievance resolution mechanisms; community patrol activities; encouragement of neighborhood participation in crime prevention and public safety efforts; and other activities designed to improve police capabilities, public safety and the objectives of this section: *Provided*, That in no case shall a grant be made under this subcategory without the approval of the local government or local law enforcement and criminal justice agency.

"(8) The establishment of a Criminal Justice Coordinating Council for any unit of general local government or any combination of such units within the State, having a population of two hundred and fifty thousand or more, to assure improved planning and coordination of all law enforcement and criminal justice activities.

"(9) The development and operation of community-based delinquent prevention and correctional programs, emphasizing halfway houses and other community-based rehabilitation centers for initial preconviction or post-conviction referral of offenders; expanded probationary programs, including paraprofessional and volunteer participation; and community service centers for the guidance and supervision of potential repeat youthful offenders.

"(10) The establishment of interstate metropolitan regional planning units to prepare and coordinate plans of State and local governments and agencies concerned with regional planning for metropolitan areas.

"(c) The portion of any Federal grant made under this section for the purposes of paragraph (4) of subsection (b) of this section may be up to 50 per centum of the cost of the program or project specified in the application for such grant. The portion of any Federal grant made under this section to be used for any other purpose set forth in this section may be up to 90 per centum of the cost of the program or project specified in the application for such grant. No part of any grant made under this section for the purpose of renting, leasing, or constructing buildings or other physical facilities shall be used for land acquisition. In the case of a grant under this section to an Indian tribe or other aboriginal group, if the Administration determines that the tribe or group does not have sufficient funds available to meet the local share of the cost of any program or project to be funded under the grant, the Administration may increase the Federal share of the cost thereof to the extent it deems necessary. The non-Federal funding of the cost of any program or project to be funded by a grant under this section shall be of money appropriated in the aggregate, by State or individual units of government, for the purpose of the shared funding of such programs or projects.

Prohibition.

Limitation.

"(d) Not more than one-third of any grant made under this section may be expended for the compensation of police and other regular law enforcement and criminal justice personnel. The amount of any such grant expended for the compensation of such personnel shall not exceed the amount of State or local funds made available to increase such compensation. The limitations contained in this subsection shall not apply to the compensation of personnel for time engaged in conducting or undergoing training programs or to the compensation of personnel engaged in research, development, demonstration or other short-term programs.

"SEC. 302. Any State desiring to participate in the grant program under this part shall establish a State planning agency as described in part B of this title and shall within six months after approval of a planning grant under part B submit to the Administration through such State planning agency a comprehensive State plan developed pursuant to part B of this title. State participation.

"SEC. 303. (a) The Administration shall make grants under this title to a State planning agency if such agency has on file with the Administration an approved comprehensive State plan (not more than one year in age) which conforms with the purposes and requirements of this title. No state plan shall be approved as comprehensive unless the Administration finds that the plan provides for the allocation of adequate assistance to deal with law enforcement and criminal justice problems in areas characterized by both high crime incidence and high law enforcement and criminal justice activity. No State plan shall be approved as comprehensive, unless it includes a comprehensive program, whether or not funded under this title, for the improvement of juvenile justice. Each such plan shall— Comprehensive State plans, requirements.

"(1) provide for the administration of such grants by the State planning agency;

"(2) provide that at least the per centum of Federal assistance granted to the State planning agency under this part for any fiscal year which corresponds to the per centum of the State and local law enforcement expenditures funded and expended in the immediately preceding fiscal year by units of general local government will be made available to such units or combinations of such units in the immediately following fiscal year for the development and implementation of programs and projects for the improvement of law enforcement and criminal justice, and that with respect to such programs or projects the State will provide in the aggregate not less than one-half of the non-Federal funding. Per centum determinations under this paragraph for law enforcement funding and expenditures for such immediately preceeding fiscal year shall be based upon the most accurate and complete data available for such fiscal year or for the last fiscal year for which such data are available. The Administration shall have the authority to approve such determinations and to review the accuracy and completeness of such data;

"(3) adequately take into account the needs and requests of the units of general local government in the State and encourage local initiative in the development of programs and projects for improvements in law enforcement and criminal justice, and provide for an appropriately balanced allocation of funds between the State and the units of general local government in the State and among such units;

"(4) provide for procedures under which plans may be submitted to the State planning agency for approval or disapproval, in whole or in part, annually from units of general local government or combinations thereof having a population of at least two hundred and fifty thousand persons to use funds received under this part to carry out a comprehensive plan consistent with the State comprehensive plan for the improvement of law enforcement and criminal justice in the jurisdiction covered by the plan;

"(5) incorporate innovations and advanced techniques and contain a comprehensive outline of priorities for the improvement and coordination of all aspects of law enforcement and criminal justice, dealt with in the plan, including descriptions of: (A)

general needs and problems; (B) existing systems; (C) available resources; (D) organizational systems and administrative machinery for implementing the plan; (E) the direction, scope, and general types of improvements to be made in the future; and (F) to the extent appropriate, the relationship of the plan to other relevant State or local law enforcement and criminal justice, plans and systems;

"(6) provide for effective utilization of existing facilities and permit and encourage units of general local government to combine or provide for cooperative arrangements with respect to services, facilities, and equipment;

"(7) provide for research and development;

"(8) provide for appropriate review of procedures of actions taken by the State planning agency disapproving an application for which funds are available or terminating or refusing to continue financial assistance to units of general local government or combinations of such units;

"(9) demonstrate the willingness of the State and units of general local government to assume the costs of improvements funded under this part after a reasonable period of Federal assistance;

"(10) demonstrate the willingness of the State to contribute technical assistance or services for programs and projects contemplated by the statewide comprehensive plan and the programs and projects contemplated by units of general local government or combinations of such units;

"(11) set forth policies and procedures designed to assure that Federal funds made available under this title will be so used as not to supplant State or local funds, but to increase the amounts of such funds that would in the absence of such Federal funds be made available for law enforcement and criminal justice;

"(12) provide for such fund accounting, audit, monitoring, and evaluation procedures as may be necessary to assure fiscal control, proper management, and disbursement of funds received under this title;

"(13) provide for the maintenance of such data and information, and for the submission of such reports in such form, at such times, and containing such data and information as the National Institute for Law Enforcement and Criminal Justice may reasonably require to evaluate pursuant to section 402(c) programs and projects carried out under this title and as the Administration may reasonably require to administer other provisions of this title;

"(14) provide funding incentives to those units of general local government that coordinate or combine law enforcement and criminal justice functions or activities with other such units within the State for the purpose of improving law enforcement and criminal justice; and

"(15) provide for procedures that will insure that (A) all applications by units of general local government or combinations thereof to the State planning agency for assistance shall be approved or disapproved, in whole or in part, no later than ninety days after receipt by the State planning agency, (B) if not disapproved (and returned with the reasons for such disapproval, including the reasons for the disapproval of each fairly severable part of such application which is disapproved) within ninety days of such application, any part of such application which is not so disapproved shall be deemed approved for the purposes

of this title, and the State planning agency shall disburse the approved funds to the applicant in accordance with procedures established by the Administration, (C) the reasons for disapproval of such application or any part thereof, in order to be effective for the purposes of this section, shall contain a detailed explanation of the reasons for which such application or any part thereof was disapproved, or an explanation of what supporting material is necessary for the State planning agency to evaluate such application, and (D) disapproval of any application or part thereof shall not preclude the resubmission of such application or part thereof to the State planning agency at a later date.

Funds, availability.

Any portion of the per centum to be made available pursuant to paragraph (2) of this section in any State in any fiscal year not required for the purposes set forth in such paragraph (2) shall be available for expenditure by such State agency from time to time on dates during such year as the Administration may fix, for the development and implementation of programs and projects for the improvement of law enforcement and criminal justice and in conformity with the State plan.

"(b) No approval shall be given to any State plan unless and until the Administration finds that such plan reflects a determined effort to improve the quality of law enforcement and criminal justice throughout the State. No award of funds which are allocated to the States under this title on the basis of population shall be made with respect to a program or project other than a program or project contained in an approved plan.

"(c) No plan shall be approved as comprehensive unless it establishes statewide priorities for the improvement and coordination of all aspects of law enforcement and criminal justice, and considers the relationships of activities carried out under this title to related activities being carried out under other Federal programs, the general types of improvements to be made in the future, the effective utilization of existing facilities, the encouragement of cooperative arrangements between units of general local government, innovations and advanced techniques in the design of institutions and facilities, and advanced practices in the recruitment, organization, training, and education of law enforcement and criminal justice personnel. It shall thoroughly address improved court and correctional programs and practices throughout the State.

"SEC. 304. State planning agencies shall receive applications for financial assistance from units of general local government and combinations of such units. When a State planning agency determines that such an application is in accordance with the purposes stated in section 301 and is in conformance with any existing statewide comprehensive law enforcement plan, the State planning agency is authorized to disburse funds to the applicant.

Funds, reallocation.

"SEC. 305. Where a State has failed to have a comprehensive State plan approved under this title within the period specified by the Administration for such purpose, the funds allocated for such State under paragraph (1) of section 306(a) of this title shall be available for reallocation by the Administration under paragraph (2) of section 306(a).

Funds, allocation.

"SEC. 306. (a) The funds appropriated each fiscal year to make grants under this part shall be allocated by the Administration as follows:

"(1) Eighty-five per centum of such funds shall be allocated among the States according to their respective populations for grants to State planning agencies.

"(2) Fifteen per centum of such funds, plus any additional amounts made available by virtue of the application of the provisions of sections 305 and 509 of this title to the grant of any State, may, in the discretion of the Administration, be allocated among the States for grants to State planning agencies, units of general local government, combinations of such units, or private nonprofit organizations, according to the criteria and on the terms and conditions the Administration determines consistent with this title.

Any grant made from funds available under paragraph (2) of this subsection may be up to 90 per centum of the cost of the program or project for which such grant is made. No part of any grant under such paragraph for the purpose of renting, leasing, or constructing buildings or other physical facilities shall be used for land acquisition. In the case of a grant under such paragraph to an Indian tribe or other aboriginal group, if the Administration determines that the tribe or group does not have sufficient funds available to meet the local share of the costs of any program or project to be funded under the grant, the Administration may increase the Federal share of the cost thereof to the extent it deems necessary. The limitations on the expenditure of portions of grants for the compensation of personnel in subsection (d) of section 301 of this title shall apply to a grant under such paragraph. The non-Federal share of the cost of any program or project to be funded under this section shall be of money appropriated in the aggregate by the State or units of general local government, or provided in the aggregate by a private nonprofit organization. The Administration shall make grants in its discretion under paragraph (2) of this subsection in such a manner as to accord funding incentives to those States or units of general local government that coordinate law enforcement and criminal justice functions and activities with other such States or units of general local government thereof for the purpose of improving law enforcement and criminal justice.

Prohibition.

Funds, reallocation.

"(b) If the Administration determines, on the basis of information available to it during any fiscal year, that a portion of the funds allocated to a State for that fiscal year for grants to the State planning agency of the State will not be required by the State, or that the State will be unable to qualify to receive any portion of the funds under the requirements of this part, that portion shall be available for reallocation to other States under paragraph (1) of subsection (a) of this section.

"SEC. 307. In making grants under this part, the Administration and each State planning agency, as the case may be, shall give special emphasis, where appropriate or feasible, to programs and projects dealing with the prevention, detection, and control of organized crime and of riots and other violent civil disorders.

"SEC. 308. Each State plan submitted to the Administration for approval under section 302 shall be either approved or disapproved, in whole or in part, by the Administration no later than ninety days after the date of submission. If not disapproved (and returned with the reasons for such disapproval) within such ninety days of such application, such plan shall be deemed approved for the purposes of this title. The reasons for disapproval of such plan, in order to be effective for the purposes of this section, shall contain an explanation of which requirements enumerated in section 302(b) such plan fails to comply with, or an explanation of what supporting material is necessary for the Administration to evaluate such plan. For the purposes of this section, the term 'date of submission' means the date on which a State plan which the State has designated as the 'final State plan application' for the appropriate fiscal year is delivered to the Administration.

"Date of submission."

"PART D—TRAINING, EDUCATION, RESEARCH, DEMONSTRATION, AND SPECIAL GRANTS

"SEC. 401. It is the purpose of this part to provide for and encourage training, education, research, and development for the purpose of improving law enforcement and criminal justice, and developing new methods for the prevention and reduction of crime, and the detection and apprehension of criminals.

National Institute of Law Enforcement and Criminal Justice.

"SEC. 402. (a) There is established within the Department of Justice a National Institute of Law Enforcement and Criminal Justice (hereafter referred to in this part as 'Institute'). The Institute shall be under the general authority of the Administration. The chief administrative officer of the Institute shall be a Director appointed by the Administrator. It shall be the purpose of the Institute to encourage research and development to improve and strengthen law enforcement and criminal justice, to disseminate the results of such efforts to State and local governments, and to assist in the development and support of programs for the training of law enforcement and criminal justice personnel.

Functions.

"(b) The Institute is authorized—

"(1) to make grants to, or enter into contracts with, public agencies, institutions of higher education, or private organizations to conduct research, demonstrations, or special projects pertaining to the purposes described in this title, including the development of new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen law enforcement and criminal justice;

"(2) to make continuing studies and undertake programs of research to develop new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen law enforcement and criminal justice, including, but not limited to, the effectiveness of projects or programs carried out under this title;

"(3) to carry out programs of behavioral research designed to provide more accurate information on the causes of crime and the effectiveness of various means of preventing crime, and to evaluate the success of correctional procedures;

"(4) to make recommendations for action which can be taken by Federal, State, and local governments and by private persons and organizations to improve and strengthen law enforcement and criminal justice;

"(5) to carry out programs of instructional assistance consisting of research fellowships for the programs provided under this section, and special workshops for the presentation and dissemination of information resulting from research, demonstrations, and special projects authorized by this title;

"(6) to assist in conducting, at the request of a State or a unit of general local government or a combination thereof, local or regional training programs for the training of State and local law enforcement and criminal justice personnel, including but not limited to those engaged in the investigation of crime and apprehension of criminals, community relations, the prosecution or defense of those charged with crime, corrections, rehabilitation, probation and parole of offenders. Such training activities shall be designed to supplement and improve rather than supplant the training activities of the State and units of general local government and shall not duplicate the training activities of the Federal Bureau of Investigation under section 404 of this title. While participating in the training program or traveling in connection with

participation in the training program, State and local personnel shall be allowed travel expenses and a per diem allowance in the same manner as prescribed under section 5703(b) of title 5, United States Code, for persons employed intermittently in the Government service;

80 Stat. 499.

"(7) to carry out a program of collection and dissemination of information obtained by the Institute or other Federal agencies, public agencies, institutions of higher education, or private organizations engaged in projects under this title, including information relating to new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen law enforcement; and

"(8) to establish a research center to carry out the programs described in this section.

"(c) The Institute shall serve as a national and international clearinghouse for the exchange of information with respect to the improvement of law enforcement and criminal justice, including but not limited to police, courts, prosecutors, public defenders, and corrections.

"The Institute shall undertake, where possible, to evaluate the various programs and projects carried out under this title to determine their impact upon the quality of law enforcement and criminal justice and the extent to which they have met or failed to meet the purposes and policies of this title, and shall disseminate such information to State planning agencies and, upon request, to units of general local government.

Survey.

"The Institute shall, before the end of the fiscal year ending June 30, 1976, survey existing and future personnel needs of the Nation in the field of law enforcement and criminal justice and the adequacy of Federal, State and local programs to meet such needs. Such survey shall specifically determine the effectiveness and sufficiency of the training and academic assistance programs carried out under this title and relate such programs to actual manpower and training requirements in the law enforcement and criminal justice field. In carrying out the provisions of this section, the Director of the Institute shall consult with and make maximum use of statistical and other related information of the Department of Labor, Department of Health, Education, and Welfare, Federal, State and local criminal justice agencies and other appropriate public and private agencies. The Administration shall thereafter, within a reasonable time develop and issue guidelines, based upon the need priorities established by the survey, pursuant to which project grants for training and academic assistance programs shall be made.

Guidelines.

Report to President, Congress, and non-Federal agencies.

"The Institute shall report annually to the President, the Congress, the State planning agencies, and, upon request, to units of general local government, on the research and development activities undertaken pursuant to paragraphs (1), (2), and (3) of subsection (b), and shall describe in such report the potential benefits of such activities of law enforcement and criminal justice and the results of the evaluations made pursuant to the second paragraph of this subsection. Such report shall also describe the programs of instructional assistance, the special workshops, and the training programs undertaken pursuant to paragraphs (5) and (6) of subsection (b).

Grants, amounts.

"SEC. 403. A grant authorized under this part may be up to 100 per centum of the total cost of each project for which such grant is made. The Administration or the Institute shall require, whenever feasible, as a condition of approval of a grant under this part, that the recipient contribute money, facilities, or services to carry out the purposes for which the grant is sought.

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

"(1) establish and conduct training programs at the Federal Bureau of Investigation National Academy at Quantico, Virginia, to provide, at the request of a State or unit of local government, training for State and local law enforcement and criminal justice personnel;

"(2) develop new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen law enforcement and criminal justice;

"(3) assist in conducting, at the request of a State or unit of local government, local and regional training programs for the training of State and local law enforcement and criminal justice personnel engaged in the investigation of crime and the apprehension of criminals. Such training shall be provided only for persons actually employed as State police or highway patrol, police of a unit of local government, sheriffs and their deputies, and other persons as the State or unit may nominate for police training while such persons are actually employed as officers of such State or unit; and

"(4) cooperate with the Institute in the exercise of its responsibilities under section 402(b)(6) of this title.

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

"SEC. 405. (a) Subject to the provisions of this section, the Law Enforcement Assistance Act of 1965 (79 Stat. 828) is repealed: *Provided*, That— 18 USC prec. 3001 note.

"(1) The Administration, or the Attorney General until such time as the members of the Administration are appointed, is authorized to obligate funds for the continuation of projects approved under the Law Enforcement Assistance Act of 1965 prior to the date of enactment of this Act to the extent that such approval provided for continuation.

"(2) Any funds obligated under subsection (1) of this section and all activities necessary or appropriate for the review under subsection (3) of this section may be carried out with funds previously appropriated and funds appropriated pursuant to this title.

"(3) Immediately upon establishment of the Administration, it shall be its duty to study, review, and evaluate projects and programs funded under the Law Enforcement Assistance Act of 1965. Continuation of projects and programs under subsections (1) and (2) of this section shall be in the discretion of the Administration.

"SEC. 406. (a) Pursuant to the provisions of subsections (b) and (c) of this section, the Administration is authorized, after appropriate consultation with the Commissioner of Education, to carry out programs of academic educational assistance to improve and strengthen law enforcement and criminal justice. Educational assistance programs.

"(b) The Administration is authorized to enter into contracts to make, and make payments to institutions of higher education for loans, not exceeding $2,200 per academic year to any person, to persons enrolled on a full-time basis in undergraduate or graduate programs approved by the Administration and leading to degrees or certificates in areas directly related to law enforcement and criminal justice or suitable for persons employed in law enforcement and criminal justice, with special consideration to police or correctional personnel of States or units of general local government on academic Contract authority.

leave to earn such degrees or certificates. Loans to persons assisted under this subsection shall be made on such terms and conditions as the Administration and the institution offering such programs may determine, except that the total amount of any such loan, plus interest, shall be canceled for service as a full-time officer or employee of a law enforcement and criminal justice agency at the rate of 25 per centum of the total amount of such loans plus interest for each complete year of such service or its equivalent of such service, as determined under regulations of the Administration.

Tuition and fees.

"(c) The Administration is authorized to enter into contracts to make, and make, payments to institutions of higher education for tuition, books and fees, not exceeding $250 per academic quarter or $400 per semester for any person, for officers of any publicly funded law enforcement agency enrolled on a full-time or part-time basis in courses included in an undergraduate or graduate program which is approved by the Administration and which leads to a degree or certificate in an area related to law enforcement and criminal justice or an area suitable for persons employed in law enforcement and criminal justice. Assistance under this subsection may be granted only on behalf of an applicant who enters into an agreement to remain in the service of a law enforcement and criminal justice agency employing such applicant for a period of two years following completion of any course for which payments are provided under this subsection, and in the event such service is not completed, to repay the full amount of such payments on such terms and in such manner as the Administration may prescribe.

Service agreements.

"(d) Full-time teachers or persons preparing for careers as full-time teachers of courses related to law enforcement and criminal justice or suitable for persons employed in law enforcement, in institutions of higher education which are eligible to receive funds under this section, shall be eligible to receive assistance under subsections (b) and (c) of this section as determined under regulations of the Administration.

Grants.

"(e) The Administration is authorized to make grants to or enter into contracts with institutions of higher education, or combinations of such institutions, to assist them in planning, developing, strengthening, improving, or carrying out programs or projects for the development or demonstration of improved methods of law enforcement and criminal justice education, including—

"(1) planning for the development or expansion of undergraduate or graduate programs in law enforcement and criminal justice;

"(2) education and training of faculty members;

"(3) strengthening the law enforcement and criminal justice aspects of courses leading to an undergraduate, graduate, or professional degree; and

"(4) research into, and development of, methods of educating students or faculty, including the preparation of teaching materials and the planning of curriculums.

The amount of a grant or contract may be up to 75 per centum of the total cost of programs and projects for which a grant or contract is made.

Contract authority.

"(f) The Administration is authorized to enter into contracts to make, and make, payments to institutions of higher education for grants not exceeding $65 per week to persons enrolled on a full-time basis in undergraduate or graduate degree programs who are accepted for and serve in full-time internships in law enforcement and criminal justice agencies for not less than eight weeks during any summer

recess or for any entire quarter or semester on leave from the degree program.

Prosecuting attorneys, training program.

"SEC. 407. (a) The Administration is authorized to establish and support a training program for prosecuting attorneys from State and local officers engaged in the prosecution of organized crime. The program shall be designed to develop new or improved approaches, techniques, systems, manuals, and devices to strengthen prosecutive capabilities against organized crime.

Travel expenses; per diem allowance.

"(b) While participating in the training program or traveling in connection with participation in the training program, State and local personnel shall be allowed travel expenses and a per diem allowance in the same manner as prescribed under section 5703(b) of title 5, United States Code, for persons employed intermittently in the Government service.

80 Stat. 499.

"(c) The cost of training State and local personnel under this section shall be provided out of funds appropriated to the Administration for the purpose of such training.

"PART E—GRANTS FOR CORRECTIONAL INSTITUTIONS AND FACILITIES

"SEC. 451. It is the purpose of this part to encourage States and units of general local government to develop and implement programs and projects for the construction, acquisition, and renovation of correctional institutions and facilities, and for the improvement of correctional programs and practices.

"SEC. 452. A State desiring to receive a grant under this part for any fiscal year shall, consistent with the basic criteria which the Administration establishes under section 454 of this title, incorporate its application for such grant in the comprehensive State plan submitted to the Administration for that fiscal year in accordance with section 302 of this title.

Conditions.

"SEC. 453. The Administration is authorized to make a grant under this part to a State planning agency if the application incorporated in the comprehensive State plan—

"(1) sets forth a comprehensive statewide program for the construction, acquisition, or renovation of correctional institutions and facilities in the State and the improvement of correctional programs and practices throughout the State;

"(2) provides satisfactory assurances that the control of the funds and title to property derived therefrom shall be in a public agency for the uses and purposes provided in this part and that a public agency will administer those funds and that property;

"(3) provides satisfactory assurances that the availability of funds under this part shall not reduce the amount of funds under part C of this title which a State would, in the absence of funds under this part, allocate for purposes of this part;

"(4) provides satisfactory emphasis on the development and operation of community-based correctional facilities and programs, including diagnostic services, halfway houses, probation, and other supervisory release programs for preadjudication and postadjudication referral of delinquents, youthful offenders, and first offenders, and community-oriented programs for the supervision of parolees;

"(5) provides for advanced techniques in the design of institutions and facilities;

"(6) provides, where feasible and desirable, for the sharing of correctional institutions and facilities on a regional basis;

"(7) provides satisfactory assurances that the personnel standards and programs of the institutions and facilities will reflect advanced practices;

"(8) provides satisfactory assurances that the State is engaging in projects and programs to improve the recruiting, organization, training, and education of personnel employed in correctional activities, including those of probation, parole, and rehabilitation;

"(9) provides necessary arrangements for the development and operation of narcotic and alcoholism treatment programs in correctional institutions and facilities and in connection with probation or other supervisory release programs for all persons, incarcerated or on parole, who are drug addicts, drug abusers, alcoholics, or alcohol abusers;

"(10) complies with the same requirements established for comprehensive State plans under paragraphs (1), (3), (5), (6), (8), (9), (10), (11), (12), (13), (14), and (15) of section 303(a) of this title;

"(11) provides for accurate and complete monitoring of the progress and improvement of the correctional system. Such monitoring shall include rate of prisoner rehabilitation and rates of recidivism in comparison with previous performance of the State or local correctional systems and current performance of other State and local prison systems not included in this program; and

"(12) provides that State and local governments shall submit such annual reports as the Administrator may require.

"SEC. 454. The Administration shall, after consultation with the Federal Bureau of Prisons, by regulation prescribe basic criteria for applicants and grantees under this part.

Guidelines.

"In addition, the Administration shall issue guidelines for drug treatment programs in State and local prisons and for those to which persons on parole are assigned. The Administrator shall coordinate or assure coordination of the development of such guidelines with the Special Action Office For Drug Abuse Prevention.

Funds, allocation.

"SEC. 455. (a) The funds appropriated each fiscal year to make grants under this part shall be allocated by the Administration as follows:

"(1) Fifty per centum of the funds shall be available for grants to State planning agencies.

"(2) The remaining 50 per centum of the funds may be made available, as the Administration may determine, to State planning agencies, units of general local government, or combinations of such units, according to the criteria and on the terms and conditions the Administration determines consistent with this part. Any grant made from funds available under this part may be up to 90 per centum of the cost of the program or project for which such grant is made. The non-Federal funding of the cost of any program or project to be funded by a grant under this section shall be of money appropriated in the aggregate by the State or units of general local government. No funds awarded under this part may be used for land acquisition.

Prohibition.

Funds, availability for reallocation.

"(b) If the Administration determines, on the basis of information available to it during any fiscal year, that a portion of the funds granted to an applicant for that fiscal year will not be required by the applicant or will become available by virtue of the application of the provisions of section 509 of this title, that portion shall be available for reallocation under paragraph (2) of subsection (a) of this section.

"PART F—ADMINISTRATIVE PROVISIONS

Rules and regulations.

"SEC. 501. The Administration is authorized, after appropriate consultation with representatives of States and units of general local government, to establish such rules, regulations, and procedures as are necessary to the exercise of its functions, and are consistent with the stated purpose of this title.

"SEC. 502. The Administration may delegate to any officer or official of the Administration, or, with the approval of the Attorney General, to any officer of the Department of Justice such functions as it deems appropriate.

"SEC. 503. The functions, powers, and duties specified in this title to be carried out by the Administration shall not be transferred elsewhere in the Department of Justice unless specifically hereafter authorized by the Congress.

Subpena power.

"SEC. 504. In carrying out its functions, the Administration, or upon authorization of the Administration, any member thereof or any hearing examiner assigned to or employed by the Administration, shall have the power to hold hearings, sign and issue subpenas, administer oaths, examine witnesses, and receive evidence at any place in the United States it may designate.

80 Stat. 460; 86 Stat. 1211.

"SEC. 505. Section 5314 of title 5, United States Code, is amended by adding at the end thereof—

"'(55) Administrator of Law Enforcement Assistance.'

"SEC. 506. Title 5, United States Code, is amended as follows:

82 Stat. 205; 84 Stat. 1887.

"(a) Section 5315(90) is amended by deleting 'Associate Administrator of Law Enforcement Assistance (2)' and inserting in lieu thereof 'Deputy Administrator for Policy Development of the Law Enforcement Assistance Administration'.

Ante, p. 78.

"(b) Section 5316 of title 5, United States Code, is amended by adding at the end thereof the following:

"'(133) Deputy Administrator for Administration of the Law Enforcement Assistance Administration.'.

84 Stat. 1889.

"(c) Section 5108(c)(10) is amended by deleting the word 'twenty' and inserting in lieu thereof the word 'twenty-two'.

Officers and employees.

"SEC. 507. Subject to the civil service and classification laws, the Administration is authorized to select, appoint, employ, and fix compensation of such officers and employees, including hearing examiners, as shall be necessary to carry out its powers and duties under this title.

Federal agencies, cooperation.

"SEC. 508. The Administration is authorized, on a reimbursable basis when appropriate, to use the available services, equipment, personnel, and facilities of the Department of Justice and of other civilian or military agencies and instrumentalities of the Federal Government (not including the Central Intelligence Agency), and to cooperate with the Department of Justice and such other agencies and instrumentalities in the establishment and use of services, equipment, personnel, and facilities of the Administration. The Administration is further authorized to confer with and avail itself of the cooperation, services, records, and facilities of State, municipal, or other local agencies, and to receive and utilize, for the purposes of this title, property donated or transferred for the purposes of testing by any other Federal agencies, States, units of general local government, public or private agencies or organizations, institutions of higher education, or individuals.

Non-Federal offices, utilization.

Noncompliance, withholding of payments.

"SEC. 509. Whenever the Administration, after reasonable notice and opportunity for hearing to an applicant or a grantee under this title, finds that, with respect to any payments made or to be made under this title, there is a substantial failure to comply with—

"(a) the provisions of this title;

"(b) regulations promulgated by the Administration under this title; or

"(c) a plan or application submitted in accordance with the provisions of this title;

the Administration shall notify such applicant or grantee that further payments shall not be made (or in its discretion that further payments shall not be made for activities in which there is such failure), until there is no longer such failure.

"SEC. 510. (a) In carrying out the functions vested by this title in the Administration, the determinations, findings, and conclusions of the Administration shall be final and conclusive upon all applicants, except as hereafter provided.

Notice and hearing.

"(b) If the application has been rejected or an applicant has been denied a grant or has had a grant, or any portion of a grant, discontinued, or has been given a grant in a lesser amount than such applicant believes appropriate under the provisions of this title, the Administration shall notify the applicant or grantee of its action and set forth the reason for the action taken. Whenever an applicant or grantee requests a hearing on action taken by the Administration on an application or a grant, the Administration, or any authorized officer thereof, is authorized and directed to hold such hearings or investigations at such times and places as the Administration deems necessary, following appropriate and adequate notice to such applicant; and the findings of fact and determinations made by the Administration with respect thereto shall be final and conclusive, except as otherwise provided herein.

Request for rehearing.

"(c) If such applicant is still dissatisfied with the findings and determinations of the Administration, following the notice and hearing provided for in subsection (b) of this section, a request may be made for rehearing, under such regulations and procedures as the Administration may establish, and such applicant shall be afforded an opportunity to present such additional information as may be deemed appropriate and pertinent to the matter involved. The findings and determinations of the Administration, following such rehearing, shall be final and conclusive upon all parties concerned, except as hereafter provided.

Review.

"SEC. 511. (a) If any applicant or grantee is dissatisfied with the Administration's final action with respect to the approval of its application or plan submitted under this title, or any applicant or grantee is dissatisfied with the Administration's final action under section 509 or section 510, such applicant or grantee may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such applicant or grantee is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Administration. The Administration shall thereupon file in the court the record of the proceedings on which the action of the Administration was based, as provided in section 2112 of title 28, United States Code.

72 Stat. 941; 80 Stat. 1323.

"(b) The determinations and the findings of fact by the Administration, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Administration to take further evidence. The Administration may thereupon make new or modified findings of fact and may modify its previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact or determinations shall likewise be conclusive if supported by substantial evidence.

"(c) Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Administration or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

62 Stat. 928.

"SEC. 512. Unless otherwise specified in this title, the Administration shall carry out the programs provided for in this title during the fiscal year ending June 30, 1974, and the two succeeding fiscal years.

Programs, duration.

"SEC. 513. To insure that all Federal assistance to State and local programs under this title is carried out in a coordinated manner, the Administration is authorized to request any Federal department or agency to supply such statistics, data, program reports, and other material as the Administration deems necessary to carry out its functions under this title. Each such department or agency is authorized to cooperate with the Administration and, to the extent permitted by law, to furnish such materials to the Administration. Any Federal department or agency engaged in administering programs related to this title shall, to the maximum extent practicable consult with and seek advice from the Administration to insure fully coordinated efforts, and the Administration shall undertake to coordinate such efforts.

Federal agencies, cooperation.

"SEC. 514. The Administration may arrange with and reimburse the heads of other Federal departments and agencies for the performance of any of its functions under this title.

"SEC. 515. The Administration is authorized—

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

"(b) to collect, evaluate, publish, and disseminate statistics and other information on the condition and progress of law enforcement within and without the United States; and

"(c) to cooperate with and render technical assistance to States, units of general local government, combinations of such States or units, or other public or private agencies, organizations, institutions, or international agencies in matters relating to law enforcement and criminal justice.

Funds appropriated for the purposes of this section may be expended by grant or contract, as the Administration may determine to be appropriate.

"SEC. 516. (a) Payments under this title may be made in installments, and in advance or by way of reimbursement, as may be determined by the Administration, and may be used to pay the transportation and subsistence expenses of persons attending conferences or other assemblages notwithstanding the provisions of the joint resolution entitled 'Joint resolution to prohibit expenditure of any moneys for housing, feeding, or transporting conventions or meetings', approved February 2, 1935 (31 U.S.C. sec. 551).

49 Stat. 19.

"(b) Not more than 12 per centum of the sums appropriated for any fiscal year to carry out the provisions of this title may be used within any one State except that this limitation shall not apply to grants made pursuant to part D.

Restriction.

Ante, p. 205.

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

Experts and consultants.

80 Stat. 416.

5 USC 5332 note.

"(b) The Administration is authorized to appoint, without regard to the civil service laws, technical or other advisory committees to advise the Administration with respect to the administration of this title as it deems necessary. Members of those committees not otherwise

in the employ of the United States, while engaged in advising the Administration or attending meetings of the committees, shall be compensated at rates to be fixed by the Administration but not to exceed the daily equivalent of the rate authorized for GS–18 by section 5332 of title 5 of the United States Code and while away from home or regular place of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of such title 5 for persons in the Government service employed intermittently.

5 USC 5332 note.

80 Stat. 499; 83 Stat. 190.

"SEC. 518. (a) Nothing contained in this title or any other Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over any police force or any other law enforcement and criminal justice agency of any State or any political subdivision thereof.

"(b) Notwithstanding any other provision of law nothing contained in this title shall be construed to authorize the Administration (1) to require, or condition the availability or amount of a grant upon, the adoption by an applicant or grantee under this title of a percentage ratio, quota system, or other program to achieve racial balance or to eliminate racial imbalance in any law enforcement agency, or (2) to deny or discontinue a grant because of the refusal of an applicant or grantee under this title to adopt such a ratio, system, or other program.

Discrimination prohibition.

"(c)(1) No person in any State shall on the ground of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title.

Noncompliance.

"(2) Whenever the Administration determines that a State government or any unit of general local government has failed to comply with subsection (c)(1) or an applicable regulation, it shall notify the chief executive of the State of the noncompliance and shall request the chief executive to secure compliance. If within a reasonable time after such notification the chief executive fails or refuses to secure compliance, the Administration shall exercise the powers and functions provided in section 509 of this title, and is authorized concurrently with such exercise—

"(A) to institute an appropriate civil action;

"(B) to exercise the powers and functions pursuant to title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d); or

78 Stat. 252.

"(C) to take such other action as may be provided by law.

"(3) Whenever the Attorney General has reason to believe that a State government or unit of local government is engaged in a pattern or practice in violation of the provisions of this section, the Attorney General may bring a civil action in any appropriate United States district court for such relief as may be appropriate, including injunctive relief.

Report to President and Congress.

"SEC. 519. On or before December 31 of each year, the Administration shall report to the President and to the Congress on activities pursuant to the provisions of this title during the preceding fiscal year.

Appropriation.

"SEC. 520. There are authorized to be appropriated such sums as are necessary for the purposes of each part of this title, but such sums in the aggregate shall not exceed $1,000,000,000 for the fiscal year ending June 30, 1974, $1,000,000,000 for the fiscal year ending June 30, 1975, and $1,250,000,000 for the fiscal year ending June 30, 1976. Funds appropriated for any fiscal year may remain available for obligation until expended. Beginning in the fiscal year ending June 30,

1972, and in each fiscal year thereafter there shall be allocated for the purposes of part E an amount equal to not less than 20 per centum of the amount allocated for the purposes of part C.

Ante, p. 209.

"SEC. 521. (a) Each recipient of assistance under this Act shall keep such records as the Administration shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

Ante, p. 199.

Recordkeeping requirements.

"(b) The Administration or any of its duly authorized representatives, shall have access for purpose of audit and examinations to any books, documents, papers, and records of the recipients that are pertinent to the grants received under this title.

"(c) The Comptroller General of the United States, or any of his duly authorized representatives, shall, until the expiration of three years after the completion of the program or project with which the assistance is used, have access for the purpose of audit and examination to any books, documents, papers and records of recipients of Federal assistance under this title which in the opinion of the Comptroller General may be related or pertinent to the grants, contracts, subcontracts, subgrants, or other arrangements referred to under this title.

GAO audit.

"(d) The provisions of this section shall apply to all recipients of assistance under this Act, whether by direct grant or contract from the Administration or by subgrant or subcontract from primary grantees or contractors of the Administration.

"SEC. 522. Section 204(a) of the Demonstration Cities and Metropolitan Development Act of 1966 is amended by inserting 'law enforcement facilities,' immediately after 'transportation facilities,'.

80 Stat. 1262; 82 Stat. 208. 42 USC 3334.

"SEC. 523. Any funds made available under parts B, C, and E prior to July 1, 1973, which are not obligated by a State or unit of general local government may be used to provide up to 90 percent of the cost of any program or project. The non-Federal share of the cost of any such program or project shall be of money appropriated in the aggregate by the State or units of general local government.

Ante, pp. 197, 209.

"SEC. 524. (a) Except as provided by Federal law other than this title, no officer or employee of the Federal Government, nor any recipient of assistance under the provisions of this title shall use or reveal any research or statistical information furnished under this title by any person and identifiable to any specific private person for any purpose other than the purpose for which it was obtained in accordance with this title. Copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceedings.

Research and statistical information, prohibition.

"(b) All criminal history information collected, stored, or disseminated through support under this title shall contain, to the maximum extent feasible, disposition as well as arrest data where arrest data is included therein. The collection, storage, and dissemination of such information shall take place under procedures reasonably designed to insure that all such information is kept current therein; the Administration shall assure that the security and privacy of all information is adequately provided for and that information shall only be used for law enforcement and criminal justice and other lawful purposes. In addition, an individual who believes that criminal history information concerning him contained in an automated system is inaccurate,

Criminal history information, maintenance and dissemination.

incomplete, or maintained in violation of this title, shall, upon satisfactory verification of his identity, be entitled to review such information and to obtain a copy of it for the purpose of challenge or correction.

Penalty.

"(c) Any person violating the provisions of this section, or of any rule, regulation, or order issued thereunder, shall be fined not to exceed $10,000, in addition to any other penalty imposed by law.

Surplus property, cooperative agreements.
75 Stat. 213.
40 USC 484.

"SEC. 525. The last two sentences of section 203(n) of the Federal Property and Administrative Services Act of 1949 are amended to read as follows: 'In addition, under such cooperative agreements and subject to such other conditions as may be imposed by the Secretary of Health, Education, and Welfare, or the Director, Office of Civil and Defense Mobilization, or the Administrator, Law Enforcement Assistance Administration, surplus property which the Administrator may approve for donation for use in any State for purposes of law enforcement programs, education, public health, or civil defense, or for research for any such purposes, pursuant to subsection (j)(3) or (j)(4), may with the approval of the Administrator be made available to the State agency after a determination by the Secretary or the Director or the Administrator, Law Enforcement Assistance Administration that such property is necessary to, or would facilitate, the effective operation of the State agency in performing its functions in connection with such program. Upon a determination by the Secretary or the Director or Administrator, Law Enforcement Assistance Administration, that such action is necessary to, or would facilitate, the effective use of such surplus property made available under the terms of a cooperative agreement, title thereto may with the approval of the Administrator be vested in the State agency.'

"PART G—DEFINITIONS

"SEC. 601. As used in this title—

"(a) 'Law enforcement and criminal justice' means any activity pertaining to crime prevention, control or reduction or the enforcement of the criminal law, including, but not limited to police efforts to prevent, control, or reduce crime or to apprehend criminals, activities of courts having criminal jurisdiction and related agencies (including prosecutorial and defender services), activities of corrections, probation, or parole authorities, and programs relating to the prevention, control, or reduction of juvenile delinquency or narcotic addiction.

"(b) 'Organized crime' means the unlawful activities of the members of a highly organized, disciplined association engaged in supplying illegal goods and services, including but not limited to gambling, prostitution, loan sharking, narcotics, labor racketeering, and other unlawful activities of members of such organizations.

"(c) 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

"(d) 'Unit of general local government' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, an Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior, or, for the purpose of assistance eligibility, any agency of the District of Columbia government or the United States Government performing law enforcement functions in and for the District of Columbia and funds appropriated by the Congress for the activities of such agencies may be used to provide the non-Federal share of the cost of programs or projects funded under this title: *Provided, however*, that

such assistance eligibility of any agency of the United States Government shall be for the sole purpose of facilitating the transfer of criminal jurisdiction from the United States District Court for the District of Columbia to the Superior Court of the District of Columbia pursuant to the District of Columbia Court Reform and Criminal Procedure Act of 1970.

D.C. Code prec. 11-101 note.

"(e) 'Combination' as applied to States or units of general local government means any grouping or joining together of such States or units for the purpose of preparing, developing, or implementing a law enforcement plan.

"(f) 'Construction' means the erection, acquisition, expansion, or repair (but not including minor remodeling or minor repairs) of new or existing buildings or other physical facilities, and the acquisition or installation of initial equipment therefor.

"(g) 'State organized crime prevention council' means a council composed of not more than seven persons established pursuant to State law or established by the chief executive of the State for the purpose of this title, or an existing agency so designated, which council shall be broadly representative of law enforcement officials within such State and whose members by virtue of their training or experience shall be knowledgeable in the prevention and control of organized crime.

"(h) 'Metropolitan area' means a standard metropolitan statistical area as established by the Bureau of the Budget, subject, however, to such modifications and extensions as the Administration may determine to be appropriate.

"(i) 'Public agency' means any State, unit of local government, combination of such States or units, or any department, agency, or instrumentality of any of the foregoing.

"(j) 'Institution of higher education' means any such institution as defined by section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)), subject, however, to such modifications and extensions as the Administration may determine to be appropriate.

79 Stat. 1269; 82 Stat. 1042, 1050.

"(k) 'Community service officer' means any citizen with the capacity, motivation, integrity, and stability to assist in or perform police work but who may not meet ordinary standards for employment as a regular police officer selected from the immediate locality of the police department of which he is to be a part and meeting such other qualifications promulgated in regulations pursuant to section 501 as the Administration may determine to be appropriate to further the purposes of section 301(b)(7) and this Act.

"(l) The term 'correctional institution or facility' means any place for the confinement or rehabilitation of juvenile offenders or individuals charged with or convicted of criminal offenses.

"(m) The term 'comprehensive' means that the plan must be a total and integrated analysis of the problems regarding the law enforcement and criminal justice system within the State; goals, priorities, and standards must be established in the plan and the plan must address methods, organization, and operation performance, physical and human resources necessary to accomplish crime prevention, identification detection, and apprehension of suspects; adjudication; custodial treatment of suspects and offenders, and institutional and noninstitutional rehabilitative measures.

"(n) The term 'treatment' includes but is not limited to, medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict or other user by eliminating his dependence on addicting or other drugs or by controlling his dependence, and his susceptibility to addiction or use.

"(o) 'Criminal history information' includes records and related data, contained in an automated criminal justice informational system, compiled by law enforcement agencies for purposes of identifying criminal offenders and alleged offenders and maintaining as to such persons summaries of arrests, the nature and disposition of criminal charges, sentencing, confinement, rehabilitation and release.

"PART H—CRIMINAL PENALTIES

"SEC. 651. Whoever embezzles, willfully misapplies, steals, or obtains by fraud or endeavors to embezzle, willfully misapply, steal or obtain by fraud any funds, assets, or property which are the subject of a grant or contract or other form of assistance pursuant to this title, whether received directly or indirectly from the Administration, or whoever receives, conceals, or retains such funds, assets, or property with intent to convert such funds, assets, or property to his use or gain, knowing such funds, assets, or property have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be fined not more than $10,000 or imprisoned for not more than five years, or both.

"SEC. 652. Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to this title or in any records required to be maintained pursuant to this title shall be subject to prosecution under the provisions of section 1001 of title 18, United States Code.

62 Stat. 749.

"SEC. 653. Any law enforcement and criminal justice program or project underwritten, in whole or in part, by any grant, or contract or other form of assistance pursuant to this title, whether received directly or indirectly from the Administration, shall be subject to the provisions of section 371 of title 18, United States Code.

62 Stat. 701.

"PART I—ATTORNEY GENERAL'S BIENNIAL REPORT OF FEDERAL LAW ENFORCEMENT AND CRIMINAL JUSTICE ACTIVITIES

"SEC. 670. The Attorney General, in consultation with the appropriate officials in the agencies involved, within 90 days of the end of each second fiscal year shall submit to the President and to the Congress a Report of Federal Law Enforcement and Criminal Justice Assistance Activities setting forth the programs conducted, expenditures made, results achieved, plans developed, and problems discovered in the operations and coordination of the various Federal assistance programs relating to crime prevention and control, including, but not limited to, the Juvenile Delinquency Prevention and Control Act of 1968, the Narcotics Addict Rehabilitation Act 1968, the Gun Control Act 1968, the Criminal Justice Act of 1964, title XI of the Organized Crime Control Act of 1970 (relating to the regulation of explosives), and title III of the Omnibus Crime Control and Safe Streets Act of 1968 (relating to wiretapping and electronic surveillance)."

Report to President and Congress.

42 USC 3801 note.
18 USC 921 note, 3006A note, 841, 2510 note.

Effective dates.

SEC. 3. The amendments made by this Act shall take effect on and after July 1, 1973, except that the offices and salaries modified under sections 101, 505, and 506 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 as amended by this Act shall be modified prospectively only, effective on and after the date of the enactment of this Act.

Approved August 6, 1973.

Public Law 93-84

AN ACT

August 6, 1973
[S. 1090]

To amend the Communications Act of 1934, to extend certain authorizations for the Corporation for Public Broadcasting and for certain construction grants for noncommercial educational television and radio broadcasting facilities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 396(k)(1) of the Communications Act of 1934 is amended to read as follows:

Corporation for Public Broadcasting.
Appropriation authorization.
86 Stat. 643.
47 USC 396.

"(k)(1) There is authorized to be appropriated for expenses of the Corporation $50,000,000 for the fiscal year ending June 30, 1974, and $60,000,000 for the fiscal year ending June 30, 1975."

(b) Section 396(k)(2) of such Act is amended by striking out "1973" and inserting in lieu thereof "1975".

(c) Section 391 of such Act is amended to read as follows:

47 USC 391.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 391. There are authorized to be appropriated for the fiscal year ending June 30, 1974, and for the succeeding fiscal year such sums not to exceed $25,000,000 for the fiscal year ending June 30, 1974, and $30,000,000 for the succeeding fiscal year, as may be necessary to carry out the purposes of section 390. Sums appropriated under this section for any fiscal year shall remain available for payment of grants for projects for which applications approved under section 392, have been submitted under such section prior to the end of the succeeding fiscal year."

Recording of certain programs.
81 Stat. 368.
47 USC 399.

SEC. 2. (a) Section 399 of the Communications Act of 1934 is amended by inserting "(a)" after "SEC. 399." and by inserting at the end thereof the following new subsection:

"(b)(1) Except as provided in paragraph (2), each licensee which receives assistance under this part after the date of the enactment of this subsection shall retain an audio recording of each of its broadcasts of any program in which any issue of public importance is discussed. Each such recording shall be retained for the sixty-day period beginning on the date on which the licensee broadcasts such program.

"(2) The requirements of paragraph (1) shall not apply with respect to a licensee's broadcast of a program if an entity designated by the licensee retains an audio recording of each of the licensee's broadcasts of such a program for the period prescribed by paragraph (1).

"(3) Each licensee and entity designated by a licensee under paragraph (2) which retains a recording under paragraph (1) or (2) shall, in the period during which such recording is required under such paragraph to be retained, make a copy of such recording available—

"(A) to the Commission upon its request, and

"(B) to any other person upon payment to the licensee or designated entity (as the case may be) of its reasonable cost of making such copy.

"(4) The Commission shall by rule prescribe—

"(A) the manner in which recordings required by this subsection shall be kept, and

"(B) the conditions under which they shall be available to persons other than the Commission,

giving due regard to the goals of eliminating unnecessary expense and effort and minimizing administrative burdens."

(b) The section heading for such section 399 is amended by inserting at the end "; RECORDINGS OF CERTAIN PROGRAMS".

Approved August 6, 1973.

Public Law 93-85

August 10, 1973
[S. J. Res. 144]

JOINT RESOLUTION

To provide for a temporary extension of the authority of the Secretary of Housing and Urban Development with respect to the insurance of loans and mortgages, and for other purposes.

Housing.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

EXTENSION OF FHA INSURANCE PROGRAMS

86 Stat. 906.
12 USC 1703.

SECTION 1. (a) Section 2(a) of the National Housing Act is amended by striking out "June 30, 1973" in the first sentence and inserting in lieu thereof "October 1, 1973".

12 USC 1715h.

(b) Section 217 of such Act is amended by striking out "June 30, 1973" and inserting in lieu thereof "October 1, 1973".

12 USC 1715*l*.

(c) Section 221(f) of such Act is amended by striking out "June 30, 1973" in the fifth sentence and inserting in lieu thereof "October 1, 1973".

12 USC 1715z.

(d) Section 235(m) of such Act is amended by striking out "June 30, 1973" and inserting in lieu thereof "October 1, 1973".

12 USC 1715z-1.

(e) Section 236(n) of such Act is amended by striking out "June 30, 1973" and inserting in lieu thereof "October 1, 1973".

12 USC 1748h-1.

(f) Section 809(f) of such Act is amended by striking out "June 30, 1973" in the second sentence and inserting in lieu thereof "October 1, 1973".

12 USC 1748h-2.

(g) Section 810(k) of such Act is amended by striking out "June 30, 1973" in the second sentence and inserting in lieu thereof "October 1, 1973".

12 USC 1749bb.

(h) Section 1002(a) of such Act is amended by striking out "June 30, 1973" in the second sentence and inserting in lieu thereof "October 1, 1973".

12 USC 1749aaa.

(i) Section 1101(a) of such Act is amended by striking out "June 30, 1973" in the second sentence and inserting in lieu thereof "October 1, 1973".

FLEXIBLE INTEREST RATE AUTHORITY

SEC. 2. Section 3(a) of the Act entitled "An Act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes," is amended by striking out "June 30, 1973" and inserting in lieu thereof "October 1, 1973".

86 Stat. 405.
12 USC 1709-1.

TEMPORARY WAIVER OF CERTAIN LIMITATIONS APPLICABLE TO GNMA

SEC. 3. Section 3 of the joint resolution entitled "Joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to interest rates on insured mortgages, to extend and modify certain provisions of the National Flood Insurance Act of 1968, and for other purposes," approved December 22, 1971, as amended, is amended by striking out "June 30, 1973" and inserting in lieu thereof "October 1, 1973". 86 Stat. 906. 12 USC 1717 note.

REHABILITATION LOAN AUTHORIZATION

SEC. 4. Section 312(h) of Housing Act of 1964 is amended by striking out "June 30, 1973" and inserting in lieu thereof "October 1, 1973". 82 Stat. 523. 42 USC 1452b.

Approved August 10, 1973.

Public Law 93-86

AN ACT

August 10, 1973
[S. 1888]

To extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Act of 1970 is amended as follows:

Agriculture and Consumer Protection Act of 1973. 84 Stat. 1358. 7 USC 1305 note.

(1) Title I is amended to read as follows:

"TITLE I—PAYMENT LIMITATION

"SEC. 101. Notwithstanding any other provision of law—

"(1) The total amount of payments which a person shall be entitled to receive under one or more of the annual programs established by titles IV, V, and VI of this Act for the 1974 through 1977 crops of the commodities shall not exceed $20,000.

"(2) The term 'payments' as used in this section shall not include loans or purchases, or any part of any payment which is determined by the Secretary to represent compensation for resource adjustment or public access for recreation. "Payments."

"(3) If the Secretary determines that the total amount of payments which will be earned by any person under the program in effect for any crop will be reduced under this section, the set-aside acreage for the farm or farms on which such person will be sharing in payments earned under such program shall be reduced to such extent and in such manner as the Secretary determines will be fair and reasonable in relation to the amount of the payment reduction. Set-aside acreage, reduction.

"(4) The Secretary shall issue regulations defining the term 'person' and prescribing such rules as he determines necessary to assure a fair and reasonable application of such limitation: *Provided*, That the Regulations.

provisions of this Act which limit payments to any person shall not be applicable to lands owned by States, political subdivisions, or agencies thereof, so long as such lands are farmed primarily in the direct furtherance of a public function, as determined by the Secretary. The rules for determining whether corporations and their stockholders may be considered as separate persons shall be in accordance with the regulations issued by the Secretary on December 18, 1970."

DAIRY PROGRAM

MILK MARKETING ORDERS

84 Stat. 1359. 7 USC 608c note.

(2) Section 201 is amended by—

(A) amending section 201(e) by striking out "1973" and inserting "1977", and by striking out "1976" and inserting "1980", and

(B) adding at the end thereof the following:

"(f) The Agricultural Adjustment Act as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended by:

49 Stat. 761. 7 USC 608c.

"(1) striking the period at the end of subsection 8c(17) and adding in lieu thereof the following: ': *Provided further*, That if one-third or more of the producers as defined in a milk order apply in writing for a hearing on a proposed amendment of such order, the Secretary shall call such a hearing if the proposed amendment is one that may legally be made to such order. Subsection (12) of this section shall not be construed to permit any cooperative to act for its members in an application for a hearing under the foregoing proviso and nothing in such proviso shall be construed to preclude the Secretary from calling an amendment hearing as provided in subsection (3) of this section. The Secretary shall not be required to call a hearing on any proposed amendment to an order in response to an application for a hearing on such proposed amendment if the application requesting the hearing is received by the Secretary within ninety days after the date on which the Secretary has announced his decision on a previously proposed amendment to such order and the two proposed amendments are essentially the same.'

50 Stat. 247.

"(2) inserting after the phrase 'pure and wholesome milk' in section 8c(18) the phrase 'to meet current needs and further to assure a level of farm income adequate to maintain productive capacity sufficient to meet anticipated future needs'."

MILK PRICE SUPPORT, BUTTERFAT PRICE SUPPORT SUSPENSION

84 Stat. 1361. 7 USC 1446 and note.

(3) Section 202 is amended by—

(A) striking the introductory clause which precedes subsection (a);

(B) effective April 1, 1974, inserting in subsection (b) before the period at the end of the first sentence in the quotation the following: "of pure and wholesome milk to meet current needs, reflect

changes in the cost of production, and assure a level of farm income adequate to maintain productive capacity sufficient to meet anticipated future needs"; and

(C) inserting in subsection (b) after the first sentence in the quotation the following: "Notwithstanding the foregoing, effective for the period beginning with the date of enactment of the Agriculture and Consumer Protection Act of 1973 and ending on March 31, 1975, the price of milk shall be supported at not less than 80 per centum of the parity price therefor."

TRANSFER OF DAIRY PRODUCTS TO THE MILITARY AND TO VETERANS HOSPITALS

(4) Section 203 is amended by striking out "1973" and inserting "1977". 84 Stat. 1361. 7 USC 1446a.

DAIRY INDEMNITY PROGRAM

(5) Section 204 is amended by—

(A) striking out "1973" and inserting "1977"; and 7 USC 450*l*.

(B) striking subsection (b) and substituting therefor the following: Milk removal. 84 Stat. 1362. 7 USC 450j.

"(b) Section 1 of said Act is amended to read as follows:

"'SECTION 1. The Secretary of Agriculture is authorized to make indemnity payments for milk or cows producing such milk at a fair market value, to dairy farmers who have been directed since January 1, 1964 (but only since the date of enactment of the Agriculture and Consumer Protection Act of 1973 in the case of indemnity payments not authorized prior to such date of enactment), to remove their milk, and to make indemnity payments for dairy products at fair market value to manufacturers of dairy products who have been directed since the date of enactment of the Agricultural Act of 1970 to remove their dairy products from commercial markets because of residues of chemicals registered and approved for use by the Federal Government at the time of such use. Any indemnity payment to any farmer shall continue until he has been reinstated and is again allowed to dispose of his milk on commercial markets.'" 84 Stat. 1358. 7 USC 1305 note.

DAIRY IMPORT STUDY

(6) Title II is amended by adding at the end thereof the following: 84 Stat. 1359.

"SEC. 205. The Secretary of Agriculture is authorized and directed to carry out a comprehensive study to determine the effect upon domestic diary producers, handlers, and processors and upon consumers of increases in the level of imports, if any, of dairy products and report his findings, together with any recommendations he may have with respect to import quotas or other matters, to the Congress of the United States no later than January 1, 1975. For the purposes of this section dairy products include (1) all forms of milk and dairy products, butterfat, milk solids-not-fat, and any combination or mixture Report to Congress.

thereof; (2) any article, compound, or mixture containing 5 per centum or more of butterfat, or milk solids-not-fat, or any combinations of the two; and (3) lactose, and other derivatives of milk, butterfat, or milk solids-not-fat, if imported commercially for any food use. Dairy products do not include (1) casein, caseinates, industrial casein, industrial caseinates, or any other industrial products, not to be used in any form for any food use, or an ingredient of food; or (2) articles not normally considered to be dairy products, such as candy, bakery goods, and other similar articles."

"PRODUCER HANDLERS

"SEC. 206. The legal status of producer handlers of milk under the provisions of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, shall be the same subsequent to the adoption of the amendments made by the Agriculture Act of 1973 as it was prior thereto."

48 Stat. 31; 50 Stat. 246. 7 USC 601 note.

WOOL PROGRAM

Price supports.

(7) Section 301 is amended by—

(A) striking out "1973" each place it occurs and inserting "1977", and by striking out the word "three" each place it occurs; and

84 Stat. 1362. 7 USC 1782.

(B) adding at the end thereof the following:

"(6) Strike out the first sentence of section 708 and insert the following: 'The Secretary of Agriculture is authorized to enter into agreements with, or to approve agreements entered into between, marketing cooperatives, trade associations, or others engaged or whose members are engaged in the handling of wool, mohair, sheep, or goats or the products thereof for the purpose of developing and conducting on a national, State, or regional basis advertising and sales promotion programs and programs for the development and dissemination of information on product quality, production management, and marketing improvement, for wool, mohair, sheep, or goats or the products thereof. Advertising and sales promotion programs may be conducted outside of the United States for the purpose of maintaining and expanding foreign markets and uses for mohair or goats or the products thereof produced in the United States.'."

68 Stat. 912. 7 USC 1787.

WHEAT PROGRAM

WHEAT PRODUCTION INCENTIVES

(8) Effective beginning with the 1974 crop section 401 is amended by striking out "1971, 1972, and 1973" and inserting "1971 through 1977" and section 107 of the Agricultural Act of 1949, as it appears therein is amended by—

84 Stat. 1362. 7 USC 1445a and note.

(A) amending section 107(a) to read as follows:

Loans and purchases, availability.
84 Stat. 1362.
7 USC 1445a.

"(a) Loans and purchases on each crop of wheat shall be made available at such level as the Secretary determines appropriate, taking into consideration competitive world prices of wheat, the feeding value of wheat in relation to feed grains, and the level at which price support is made available for feed grains: *Provided*, That in no event shall such level be in excess of the parity price for wheat or less than $1.37 per bushel."

(B) substituting the word "payments" for the word "certificates" in section 107(b);

(C) striking the quotation mark at the end of section 107(b); and

(D) adding at the end of the section the following:

"(c) Payments shall be made for each crop of wheat to the producers on each farm in an amount determined by multiplying (i) the amount by which the higher of—

"(1) the national weighted average market price received by farmers during the first five months of the marketing year for such crop, as determined by the Secretary, or

"(2) the loan level determined under subsection (a) for such crop

is less than the established price of $2.05 per bushel in the case of the 1974 and 1975 crops, $2.05 per bushel adjusted to reflect any change during the calendar year 1975 in the index of prices paid by farmers for production items, interest, taxes, and wage rates in the case of the 1976 crop, and the established price for the 1976 crop adjusted to reflect any change during the calendar year 1976 in such index in the case of the 1977 crop, times in each case (ii) the allotment for the farm for such crop, times (iii) the projected yield established for the farm with such adjustments as the Secretary determines necessary to provide a fair and equitable yield: *Provided*, That any increase that would otherwise be made in the established price to reflect a change in the index of prices paid by farmers shall be adjusted to reflect any change in (i) the national average yield per acre of wheat for the three calendar years preceding the year for which the determination is made, over (ii) the national average yield per acre of wheat for the three calendar years preceding the year previous to the one for which the determination is made. If the Secretary determines that the producers are prevented from planting, any portion of the farm acreage allotment to wheat or other nonconserving crop, because of drought, flood, or other natural disaster or condition beyond the control of the producer, the rate of payment on such portion shall be the larger of (A) the foregoing rate, or (B) one-third of the established price. If the Secretary determines that, because of such a disaster or condition, the total quantity of wheat (or other nonconserving crop planted instead of wheat) which the producers are able to harvest on any farm is less than 66⅔ percent of the farm acreage allotment times the projected yield of wheat (or other nonconserving crop planted instead of wheat) for the farm, the rate of payment for the deficiency in production below 100 percent shall be the larger of (A) the foregoing rate, or (B) one-third of the established price. The Secretary shall provide for the sharing of payments made under this subsection for any farm among the producers on the farm on a fair and equitable basis."

TERMINATION OF WHEAT CERTIFICATE PROGRAM, FARM ACREAGE ALLOTMENTS

7 USC 1379b and note, 1379c and note.

(9) Section 402 is amended by inserting "(a)" after the section designation and adding the following at the end of the section:

84 Stat. 1362.
7 USC 1379b.

"(b)(A) Section 379b of the Agricultural Adjustment Act of 1938 (which provides for a wheat marketing certificate program) shall not be applicable to the 1974 through 1977 crops of wheat, except as provided in paragraphs (B) and (C) of this subsection.

"(B) Section 379b(c) of the Agricultural Adjustment Act of 1938, as amended by subsection (a) of this section (which provides for a set-aside program), shall be effective with respect to the 1974 through 1977 crops of wheat with the following changes:

"(i) The phrase 'payments authorized by section 107(c) of the Agricultural Act of 1949' shall be substituted for the word 'certificates' and the phrases 'certificates authorized in subsection (b)' and 'marketing certificates' each place they occur.

Ante, p. 225.

"(ii) The word 'domestic' shall be stricken each place it occurs.

Set-aside acreage.

"(iii) The second sentence of section 379b(c)(1) is amended to read as follows: 'If a set-aside of cropland is in effect under this subsection (c), then as a condition of eligibility for loans, purchases, and payments authorized by section 107(c) of the Agricultural Act of 1949, the producers on a farm must set aside and devote to approved conservation uses an acreage of cropland equal to (i) such percentage of the wheat allotment for the farm as may be specified by the Secretary and will be estimated by the Secretary to result in a set-aside not in excess of thirteen and three-tenths million acres in the case of the 1971 crop; plus, if required by the Secretary, (ii) the acreage of cropland on the farm devoted in preceding years to soil conserving uses, as determined by the Secretary.'

Acreage limitation.

"(iv) The third sentence in 379b(c)(1) is amended to read as follows: 'The Secretary is authorized for the 1974 through 1977 crops to limit the acreage planted to wheat on the farm to a percentage of the acreage allotment.'

"(v) '1971 through 1977' shall be substituted for '1971, 1972, and 1973' each place it occurs other than in the third sentence of section 379b(c)(1).

Grazing and planting, limitations.

"(vi) The last sentence of section 379b(c)(1) is amended to read as follows: 'The Secretary shall permit producers to plant and graze on set-aside acreage sweet sorghum, and the Secretary may permit, subject to such terms and conditions as he may prescribe, all or any of the set-aside acreage to be devoted to hay and grazing or the production of guar, sesame, safflower, sunflower, castor beans, mustard seed, crambe, plantago ovato, flaxseed, triticale, oats, rye, or other commodity, if he determines that such production is needed to provide an adequate supply, is not likely to increase the cost of the price-support program, and will not adversely affect farm income.'

"(vii) After the second sentence of section 379b(c)(3) the following shall be inserted: 'The Secretary may, in the case of programs for the 1974 through 1977 crops, pay an appropriate share of the cost of practices designed to carry out the purposes of the foregoing sentences.'

84 Stat. 1364.

"(C) Sections 379b (d), (e), (g), and (i) of the Agricultural Adjustment Act of 1938, as amended by subsection (a) of this section, shall be effective for the 1974 through 1977 crops amended to read as follows:

Payment sharing.

"'(d) The Secretary shall provide for the sharing of payments made under this section for any farm among producers on the farm on a fair and equitable basis.

Noncompliance.

"'(e) In any case in which the failure of a producer to comply fully with the terms and conditions of the program formulated under this section precludes the making of loans, purchases, and payments, the

Secretary may, nevertheless, make such loans, purchases, and payments in such amounts as he determines to be equitable in relation to the seriousness of the default.

Regulations.

"'(g) The Secretary is authorized to issue such regulations as he determines necessary to carry out the provisions of this title.

"'(i) The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.'

84 Stat. 1364.
7 USC 1379c.

"(D) Section 379c of the Agricultural Adjustment Act of 1938, effective only with respect to the 1974 through 1977 crops of wheat is amended to read as follows:

Farm acreage allotment.

"'SEC. 379c. (a) (1) The farm acreage allotment for each crop of wheat shall be determined as provided in this section. The Secretary shall proclaim the national acreage allotment not later than April 15 of each calendar year for the crop harvested in the next succeeding calendar year. Such national allotment shall be the number of acres he determines on the basis of the estimated national average yield for the crop for which the determination is being made will produce the quantity (less imports) that he estimates will be utilized domestically and for export during the marketing year for such crop. If the Secretary determines that carryover stocks are excessive or an increase in stocks is needed to assure a desirable carryover, he may adjust the allotment by the amount he determines will accomplish the desired decrease or increase in carryover stocks. The national acreage allotment for any crop of wheat shall be apportioned by the Secretary among the States on the basis of the apportionment to each State of the national acreage allotment for the preceding crop (1973 national domestic allotment in the case of apportionment of the 1974 national acreage allotment) adjusted to the extent deemed necessary by the Secretary to establish a fair and equitable apportionment base for each State, taking into consideration established crop rotation practices, the estimated decrease in farm acreage allotments, and other relevant factors.

County apportionment.

"'(2) The State acreage allotment for wheat, less a reserve of not to exceed 1 per centum thereof for apportionment as provided in this subsection, shall be apportioned by the Secretary among the counties in the State, on the basis of the apportionment to each such county of the wheat allotment for the preceding crop, adjusted to the extent deemed necessary by the Secretary in order to establish a fair and equitable apportionment base for each county taking into consideration established crop-rotation practices, the estimated decrease in farm allotments, and other relevant factors.

Factors determining allotment.

"'(3) The farm allotment for each crop of wheat shall be determined by apportioning the county wheat allotment among farms in the county which had a wheat allotment for the preceding crop on the basis of such allotment, adjusted to reflect established crop-rotation practices and such other factors as the Secretary determines should be considered for the purpose of establishing a fair and equitable allotment. Notwithstanding any other provision of this subsection, the farm allotment shall be adjusted downward to the extent required by subsection (b).

"'(4) Not to exceed 1 per centum of the State allotment for any crop may be apportioned to farms for which there was no allotment for the preceding crop on the basis of the following factors: suitability of the land for production of wheat, the past experience of the farm operator in the production of wheat, the extent to which the farm operator is dependent on income from farming for his livelihood, the production of wheat on other farms owned, operated, or controlled by the farm operator, and such other factors as the Secretary determines should be considered for the purpose of establishing fair and equitable farm allotments. No part of such reserve shall be apportioned to a farm to

reflect new cropland brought into production after the date of enactment of the set-aside program for wheat.

"'(5) The planting on a farm of wheat of any crop for which no farm allotment was established shall not make the farm eligible for an allotment under subsection (a)(3) nor shall such farm by reason of such planting be considered ineligible for an allotment under subsection (a)(4).

Acreage adjustments.

"'(6) The Secretary may make such adjustments in acreage under this Act as he determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop rotation practices, types of soil, soil and water conservation measures, and topography, and in addition, in the case of conserving use acreages to such other factors as he deems necessary in order to establish a fair and equitable conserving use acreage for the farm.

Allotment reduction, conditions.

"'(b)(1) If for any crop the total acreage of wheat planted on a farm is less than the farm allotment, the farm allotment used as a base for the succeeding crop shall be reduced by the percentage by which such planted acreage was less than such farm allotment, but such reduction shall not exceed 20 per centum of the farm allotment for the preceding crop. If no acreage has been planted to wheat for three consecutive crop years on any farm which has an allotment, such farm shall lose its allotment. Producers on any farm who have planted to wheat not less than 90 per centum of the allotment for the farm shall be considered to have planted an acreage equal to 100 per centum of such allotment. An acreage on the farm which the Secretary determines was not planted to wheat because of drought, flood, or other natural disaster or condition beyond the control of the producer shall be considered to be an acreage of wheat planted for harvest. For the purpose of this subsection, the Secretary may permit producers of wheat to have acreage devoted to soybeans, feed grains for which there is a set-aside program in effect, guar, castor beans, cotton, triticale, oats, rye, or such other crops as the Secretary may deem appropriate considered as devoted to the production of wheat to such extent and subject to such terms and conditions as the Secretary determines will not impair the effective operation of the program.

"'(2) Notwithstanding the provisions of subsection (b)(1), no farm allotment shall be reduced or lost through failure to plant the farm allotment, if the producer elects not to receive payments for the portion of the farm allotment not planted, to which he would otherwise be entitled under the provisions of section 107(c) of the Agricultural Act of 1949.'"

Ante, p. 225.

REPEAL OF PROCESSOR CERTIFICATE REQUIREMENT

84 Stat. 1366.

(10) Section 403 is amended by inserting "(a)" after the section designation and by inserting at the end thereof the following:

7 USC 1379d and note, 1379e and note.

"(b) Sections 379d, 379e, 379f, 379g, 379h, 379i, and 379j of the Agricultural Adjustment Act of 1938 (which deal with marketing certificate requirements for processors and exporters) shall not be applicable to wheat processed or exported during the period July 1, 1973 through June 30, 1978; and section 379g is amended by adding the following new subsection (c):

7 USC 1379f-1379j.

76 Stat. 629; 79 Stat. 1203.

"(c) The Secretary is authorized to take such action as he determines to be necessary to facilitate the transition from the certificate program provided for under section 379d to a program under which no certificates are required. Notwithstanding any other provision of law, such authority shall include, but shall not be limited to the authority to exempt all or a portion of wheat or food products made

78 Stat. 181; 84 Stat. 1366.

therefrom in the channels of trade on July 1, 1973, from the marketing restrictions in subsection (b) of section 379d, or to sell certificates to persons owning such wheat or food products made therefrom at such price and under such terms and conditions as the Secretary may determine. Any such certificate shall be issued by the Commodity Credit Corporation. Nothing herein shall authorize the Secretary to require certificates on wheat processed after June 30, 1973." 78 Stat. 181; 84 Stat. 1366. 7 USC 1379d.

SUSPENSION OF WHEAT MARKETING QUOTAS

(11) Section 404 is amended by striking "1971, 1972, and 1973" wherever it appears and inserting "1971 through 1977", and by striking "1972 and 1973" and inserting "1972 through 1977". 84 Stat. 1366. 7 USC 1331-1339, 1378, 1379, 1385 and notes.

STATE AGENCY ALLOTMENTS, YIELD CALCULATIONS

(12)(a) Section 405 is amended by striking out "1971, 1972, and 1973" and inserting "1971 through 1977"; and by repealing paragraph (2) effective with the 1974 crop; by inserting "(a)" after the section designation; by changing the period and quotation mark at the end of the section to a semicolon; and by adding at the end of the section the following: 79 Stat. 1210; 84 Stat. 1366. 7 USC 1305 and note.

"(b) Effective with respect to the 1974 through 1977 crops, section 301(b)(13)(K) of the Agricultural Adjustment Act of 1938 is amended by adding after 'three calendar years' the following: '(five calendar years in the case of wheat)', and section 708 of Public Law 89-321 is amended by inserting in the second sentence after 'determining the projected yield' the following '(except that in the case of wheat, if the yield is abnormally low in any one of the calendar years of the base period because of drought, flood, or other natural disaster, the Secretary shall take into account the actual yield proved by the producer in the other four years of such base period)'." 79 Stat. 1205. 7 USC 1301. 79 Stat. 1211. 7 USC 1306.

SUSPENSION OF QUOTA PROVISIONS

(13) Section 406 is amended by striking out "1971, 1972, and 1973" and inserting "1971 through 1977". 84 Stat. 1367. 7 USC 1330 note, 1340 note.

REDUCTION IN WHEAT STORED TO AVOID PENALTY

(14) Section 407 of the Agricultural Act of 1970 is amended by adding at the end thereof the following: "Notwithstanding the foregoing, the Secretary may authorize release of wheat stored by a producer under section 379c(b) of the Agricultural Adjustment Act of 1938, as amended, prior to the 1971 crop, whenever he determines such release will not significantly affect market prices for wheat. As a condition of release, the Secretary may require a refund of such portion of the value of certificates received in the crop year the excess wheat was produced as he deems appropriate considering the period of time the excess wheat has been in storage and the need to provide fair and equitable treatment among all wheat program participants.". 7 USC 1379c note. *Ante*, p. 227.

APPLICATION OF THE AGRICULTURAL ACT OF 1949

(15) Section 408 is amended by striking out "1971, 1972, and 1973" and inserting "1971 through 1977". 84 Stat. 1367. 7 USC 1428 and note.

COMMODITY CREDIT CORPORATION SALES PRICE RESTRICTIONS

84 Stat. 1367.
7 USC 1427 and note.

(16) Section 409 is amended by striking out "1971, 1972, and 1973" and inserting "1971 through 1977".

SET-ASIDE ON SUMMER FALLOW FARMS

7 USC 1334a-1.

(17) Section 410 is amended by striking out "1971, 1972, and 1973" and inserting "1971 through 1977".

FEED GRAIN PROGRAM

Loans and purchases.
84 Stat. 1368.
7 USC 1441 note.

(18) Effective only with respect to the 1974 through 1977 crops of feed grains, section 501 is amended by—

(A) striking out that portion through the first colon and section 105(a) of the Agriculture Act of 1949, as it appears therein, and inserting the following:

"SEC. 501. (a) Effective only with respect to the 1971 through 1977 crops of feed grains, section 105(a) of the Agricultural Act of 1949, as amended, is further amended to read as follows:

"'SEC. 105. Notwithstanding any other provision of law—

"'(a)(1) The Secretary shall make available to producers loans and purchases on each crop of corn at such level, not less than $1.10 per bushel nor in excess of 90 per centum of the parity price therefor, as the Secretary determines will encourage the exportation of feed grains and not result in excessive total stocks of feed grains in the United States.

"'(2) The Secretary shall make available to producers loans and purchases on each crop of barley, oats, and rye, respectively, at such level as the Secretary determines is fair and reasonable in relation to the level that loans and purchases are made available for corn, taking into consideration the feeding value of such commodity in relation to corn and other factors specified in section 401(b), and on each crop of grain sorghums at such level as the Secretary determines is fair and reasonable in relation to the level that loans and purchases are made available for corn, taking into consideration the feeding value and average transportation costs to market of grain sorghums in relation to corn.'."

63 Stat. 1054; 78 Stat. 175.
7 USC 1421.

(B) adding at the end thereof the following:

"(b) Effective only with respect to the 1974 through 1977 crops of feed grains, section 105(b) of the Agricultural Act of 1949, as amended, is further amended to read as follows:

Payments, computation.

"'(b)(1) In addition, the Secretary shall make available to producers payments for each crop of corn, grain sorghums, and, if designated by the Secretary, barley, computed by multiplying (1) the payment rate, times (2) the allotment for the farm for such crop, times (3) the yield established for the farm for the preceding crop with such adjustments as the Secretary determines necessary to provide a fair and equitable yield. The payment rate for corn shall be the amount by which the higher of—

"'(1) the national weighted average market price received by farmers during the first five months of the marketing year for such crop, as determined by the Secretary, or

"'(2) the loan level determined under subsection (a) for such crop

is less than the established price of $1.38 per bushel in the case of the 1974 and 1975 crops, $1.38 per bushel adjusted to reflect any change during the calendar year 1975 in the index of prices paid by farmers

for production items, interest, taxes, and wage rates in the case of the 1976 crop, and the established price for the 1976 crop adjusted to reflect any change during the calendar year 1976 in such index in the case of the 1977 crop: *Provided*, That any increase that would otherwise be made in the established price to reflect a change in the index of prices paid by farmers shall be adjusted to reflect any change in (i) the national average yield per acre of feed grains for the three calendar years preceding the year for which the determination is made, over (ii) the national average yield per acre of feed grains for the three calendar years preceding the year previous to the one for which the determination is made. The payment rate for grain sorghums and, if designated by the Secretary, barley, shall be such rate as the Secretary determines fair and reasonable in relation to the rate at which payments are made available for corn. If the Secretary determines that the producers on a farm are prevented from planting any portion of the farm acreage allotment to feed grains or other nonconserving crop, because of drought, flood, or other natural disaster or condition beyond the control of the producer, the rate of payment on such portion shall be the larger of (A) the foregoing rate, or (B) one-third of the established price. If the Secretary determines that, because of such a disaster or condition, the total quantity of feed grains (or other nonconserving crop planted instead of feed grains) which the producers are able to harvest on any farm is less than 66⅔ percent of the farm acreage allotment times the yield of feed grains (or other nonconserving crop planted instead of feed grains) established for the farm, the rate of payment for the deficiency in production below 100 percent shall be the larger of (A) the foregoing rate, or (B) one-third of the established price.

"'(2) The Secretary shall, prior to January 1 of each calendar year, determine and proclaim for the crop produced in such calendar year a national acreage allotment for feed grains, which shall be the number of acres he determines on the basis of the estimated national average yield of the feed grains included in the program for the crop for which the determination is being made will produce the quantity (less imports) of such feed grains that he estimates will be utilized domestically and for export during the marketing year for such crop. If the Secretary determines that carryover stocks of any of the feed grains are excessive or an increase in stocks is needed to assure a desirable carryover, he may adjust the feed grain allotment by the amount he determines will accomplish the desired decrease or increase in carryover stocks. State, county, and farm feed grain allotments shall be established on the basis of the feed grain allotments established for the preceding crop (for 1974 on the basis of the feed grain bases established for 1973), adjusted to the extent deemed necessary to establish a fair and equitable apportionment base for each State, county, and farm. Not to exceed 1 per centum of the State feed grain allotment may be reserved for apportionment to new feed grain farms on the basis of the following factors: suitability of the land for production of feed grains, the extent to which the farm operator is dependent on income from farming for his livelihood, the production of feed grains on other farms owned, operated, or controlled by the farm operator, and such other factors as the Secretary determines should be considered for the purpose of establishing fair and equitable feed grain allotments.

Feed grain allotment, reduction.

"'(3) If for any crop the total acreage on a farm planted to feed grains included in the program formulated under this subsection is less than the feed grain allotment for the farm, the feed grain allotment for the farm for the succeeding crops shall be reduced by the percentage by which the planted acreage is less than the feed grain allotment for the farm, but such reduction shall not exceed 20 per

centum of the feed grain allotment. If no acreage has been planted to such feed grains for three consecutive crop years on any farm which has a feed grain allotment, such farm shall lose its feed grain allotment: *Provided*, That no farm feed grain allotment shall be reduced or lost through failure to plant, if the producer elects not to receive payment for such portion of the farm feed grain allotment not planted, to which he would otherwise be entitled under the provisions of this Act. Any such acres eliminated from any farm shall be assigned to a national pool for the adjustment of feed grain allotments as provided for in subsection (e)(2). Producers on any farm who have planted to such feed grains not less than 90 per centum of the feed grain allotment shall be considered to have planted an acreage equal to 100 per centum of such allotment. An acreage on the farm which the Secretary determines was not planted to such feed grains because of drought, flood, or other natural disaster or condition beyond the control of the producer shall be considered to be an acreage of feed grains planted for harvest. For the purpose of this paragraph, the Secretary may permit producers of feed grains to have acreage devoted to soybeans, wheat, guar, castor beans, cotton, triticale, oats, rye, or such other crops as the Secretary may deem appropriate, considered as devoted to the production of such feed grains to such extent and subject to such terms and conditions as the Secretary determines will not impair the effective operation of the program.'.",

Cropland, set-aside.
84 Stat. 1369.
7 USC 1441 note.

(C) amending the last sentence of section 105(c)(1) to read as follows:

"The Secretary shall permit producers to plant and graze on set-aside acreage sweet sorghum, and the Secretary may permit, subject to such terms and conditions as he may prescribe, all or any of the set-aside acreage to be devoted to hay and grazing or the production of guar, sesame, safflower, sunflower, castor beans, mustard seed, crambe, plantago ovato, flaxseed, triticale, oats, rye, or other commodity, if he determines that such production is needed to provide an adequate supply, is not likely to increase the cost of the price-support program, and will not adversely affect farm income."

(C) striking out "1971, 1972, 1973" where it appears in that part which amends section 105(c)(1) of the Agricultural Act of 1949 and inserting "1971 through 1977", and by amending the second sentence of section 105(c)(1) to read as follows: "If a set-aside of cropland is in effect under this subsection (c), then as a condition of eligibility for loans, purchases, and payments on corn, grain sorghums, and, if designated by the Secretary, barley, respectively, the producers on a farm must set aside and devote to approved conservation uses an acreage of cropland equal to (i) such percentage of the feed grain allotment for the farm as may be specified by the Secretary, plus, if required by the Secretary (ii) the acreage of cropland on the farm devoted in preceding years to soil conserving uses, as determined by the Secretary."

(D) amending the third sentence of section 105(c)(1) to read as follows: "The Secretary is authorized for the 1974 through 1977 crops to limit the acreage planted to feed grains on the farm to a percentage of the farm acreage allotment.",

84 Stat. 1370.

(E) striking out paragraphs (1) and (3) of subsection (e), changing "bases" to "allotments" wherever it appears in paragraph (2) of subsection (e), and striking out all of subsection (g).

(F) inserting after the second sentence of section 105(c)(3) the following: "The Secretary may, in the case of programs for the 1974 through 1977 crops, pay an appropriate share of the cost of practices designed to carry out the purposes of the foregoing sentences."

COTTON PROGRAM

SUSPENSION OF MARKETING QUOTAS FOR COTTON, MINIMUM BASE ACREAGE ALLOTMENTS

(19) Section 601 is amended by— 84 Stat. 1371. 7 USC 1342a.

(A) striking out "1971, 1972, and 1973" wherever it appears therein and inserting "1971 through 1977",

(B) striking "1970, 1971, and 1972" from paragraph (2) and inserting "1970 through 1976",

(C) effective beginning with the 1974 crop, striking out the following from section 344a(a) in section 601 "for which a farm base acreage allotment is established (other than pursuant to section 350(e)(1)(A))", 84 Stat. 1372. 7 USC 1344b.

(D) striking "1974" from paragraph (3)(1) and inserting "1978", and by striking "1972 and 1973" from paragraph (4) and inserting "1972 through 1977",

(E) effective beginning with the 1974 crop, adding at the end of section 350(a) in paragraph (4) of section 601 the following: "The national base acreage allotment for the 1974 through 1977 crops shall not be less than eleven million acres.", 7 USC 1350. Minimum national base acreage allotment.

(F) effective beginning with the 1974 crop, striking "soybeans, wheat or feed grains" from the last sentence of section 350(e)(2) in paragraph (4) of section 601 and inserting "soybeans, wheat, feed grains, guar, castor beans, triticale, oats, rye or such other crops as the Secretary may deem appropriate",

(G) effective beginning with the 1974 crop, striking the words "an adjoining" in the first sentence of section 350(h) as found in paragraph (4) of section 601, and inserting in lieu thereof "any other nearby".

COTTON PRODUCTION INCENTIVES

(20) Section 602 is amended by— 84 Stat. 1374. 7 USC 1444.

(A) striking "1971, 1972, and 1973" wherever it appears therein and inserting "1971 through 1977", by striking "the 1972 or 1973 crop" where it appears in that part amending section 103(e)(1) of the Agricultural Act of 1949 and inserting "any of the 1972 through 1977 crops", and by striking out "acreage world price" in that part amending section 103(e)(1) of the Agricultural Act of 1949, and substituting "average price of American cotton in world markets";

(B) in that part amending section 103(e)(1) of the Agricultural Act of 1949 striking out "two-year period" wherever it appears therein and substituting "three-year period"; and by striking out that part beginning with "except that" in the first sentence and substituting "except that if the loan rate so calculated is higher than the then current level of average world prices for American cotton of such quality, the Secretary is authorized to adjust the current calculated loan rate for cotton to 90 per centum of the then current average world price.";

(C) effective, beginning with the 1974 crop, amending section 103(e)(2) of the Agricultural Act of 1949, as it appears in such section 602 to read as follows:

"(2) Payments shall be made for each crop of cotton to the producers on each farm at a rate equal to the amount by which the higher of— Payments.

"(1) the average market price received by farmers for upland cotton during the calendar year which includes the first five months of the marketing year for such crop, as determined by the Secretary, or

"(2) the loan level determined under paragraph (1) for such crop

is less than the established price of 38 cents per pound in the case of the 1974 and 1975 crops, 38 cents per pound adjusted to reflect any change during the calendar year 1975 in the index of prices paid by farmers for production items, interest, taxes, and wage rates in the case of the 1976 crop, and the established price for the 1976 crop adjusted to reflect any change during the calendar year 1976 in such index in the case of the 1977 crop: *Provided*, That any increase that would otherwise be made in the established price to reflect a change in the index of prices paid by farmers shall be adjusted to reflect any change in (i) the national average yield per acre of cotton for the three calendar years preceding the year for which the determination is made, over (ii) the national average yield per acre of cotton for the three calendar years preceding the year previous to the one for which the determination is made. If the Secretary determines that the producers on a farm are prevented from planting, any portion of the allotment to cotton because of drought, flood, or other natural disaster, or condition beyond the control of the producer, the rate of payment for such portion shall be the larger of (A) the foregoing rate, or (B) one-third of the established price. If the Secretary determines that, because of such a disaster or condition, the total quantity of cotton which the producers are able to harvest on any farm is less than 66⅔ percent of the farm base acreage allotment times the average yield established for the farm, the rate of payment for the deficiency in production below 100 percent shall be the larger of (A) the foregoing rate, or (B) one-third of the established price. The payment rate with respect to any producer who (i) is on a small farm (that is, a farm on which the base acreage allotment is ten acres or less, or on which the yield used in making payments times the farm base acreage allotment is five thousand pounds or less, and for which the base acreage allotment has not been reduced under section 350(f), (ii) resides on such farm, and (iii) derives his principal income from cotton produced on such farm, shall be increased by 30 per centum; but, notwithstanding paragraph (3), such increase shall be made only with respect to his share of cotton actually harvested on such farm within the quantity specified in paragraph (3)."

84 Stat. 1372.
7 USC 1350.

Set-aside cropland program.

(D) effective, beginning with the 1974 crop, amending the third sentence of section 103(e)(4)(A) of the Agricultural Act of 1949, as it appears in such section 602 to read as follows: "The Secretary is authorized for the 1974 through 1977 crops to limit the acreage planted to upland cotton on the farm in excess of the farm base acreage allotment to a percentage of the farm base acreage allotment.".

84 Stat. 1374.
7 USC 1444.

(E) the second sentence of section 103(e)(4)(A) is amended to read as follows: "If a set-aside of cropland is in effect under this paragraph (4), then as a condition of eligibility for loans and payments on upland cotton the producers on a farm must set aside and devote to approved conservation uses an acreage of cropland equal to (i) such percentage of the farm base acreage allotment for the farm as may be specified by the Secretary (not to exceed 28 per centum of the farm base acreage allotment), plus, if required by the Secretary, (ii) the acreage of cropland on the farm devoted in preceding years to soil conserving uses, as determined by the Secretary."

(F) the fourth sentence of section 103(e)(4)(A) of the Agricultural Act of 1949 as found in section 602 is amended to read as follows: "The Secretary shall permit producers to plant and graze on set-aside acreage sweet sorghum, and the Secretary may permit, subject to such terms and conditions as he may prescribe, all or

any of the set-aside acreage to be devoted to hay and grazing or the production of guar, seasame, safflower, sunflower, castor beans, mustard seed, crambe, plantago ovato, flaxseed, triticale, oats, rye, or other commodity, if he determines that such production is needed to provide an adequate supply, is not likely to increase the cost of the price-support program, and will not adversely affect farm income."

(G) inserting after the second sentence of section 103(e)(5) of the Agricultural Act of 1949 as it appears in such section 602 the following: "The Secretary may in the case of programs for the 1974 through 1977 crops, pay an appropriate share of the cost of practices designed to carry out the purposes of the foregoing sentences." 84 Stat. 1374. 7 USC 1444.

COMMODITY CREDIT CORPORATION SALES PRICE RESTRICTIONS FOR COTTON

(21) Section 603 is amended by striking out "1974" and inserting "1978". 84 Stat. 1377. 7 USC 1427 note.

MISCELLANEOUS COTTON PROVISIONS

(22) Sections 604, 605, 606, 607, and 608 are each amended by striking out "1971, 1972, and 1973" and inserting "1971 through 1977". 7 USC 1428, 1378 note, 1305 note, 1428 note, 1446d note.

COTTON MARKET DEVELOPMENT

(23) Section 610 is amended by inserting after the words "shall be" in the second sentence the following words "10 million dollars." and by striking the balance of said sentence, and further by striking out "1972 and 1973" and inserting "1972 through 1977" in the third sentence. 84 Stat. 1378. 7 USC 2119.

COTTON INSECT ERADICATION

(24) Title VI is amended by adding at the end thereof the following: 84 Stat. 1371.

"SEC. 611. Section 104 of the Agricultural Act of 1949, as amended, is amended by adding a new subsection (d) as follows: 72 Stat. 993; 78 Stat. 174. 7 USC 1441 note.

"'(d) In order to reduce cotton production costs, to prevent the movement of certain cotton plant insects to areas not now infested, and to enhance the quality of the environment, the Secretary is authorized and directed to carry out programs to destroy and eliminate cotton boll weevils in infested areas of the United States as provided herein and to carry out similar programs with respect to pink bollworms or any other major cotton insect if the Secretary determines that methods and systems have been developed to the point that success in eradication of such insects is assured. The Secretary shall carry out the eradication programs authorized by this subsection through the Commodity Credit Corporation. In carrying out insect eradication projects, the Secretary shall utilize the technical and related services of appropriate Federal, State, private agencies, and cotton organizations. Producers and landowners in an eradication zone, established by the Secretary, who are receiving benefits from any program administered by the United States Department of Agriculture, shall, as a condition of receiving or continuing any such benefits, participate in and cooperate with the eradication project, as specified in regulations of the Secretary.

"'The Secretary may issue such regulations as he deems necessary to enforce the provisions of this subsection with respect to achieving

Penalty.

the compliance of producers and landowners who are not receiving benefits from any program administered by the United States Department of Agriculture. Any person who knowingly violates any such regulation promulgated by the Secretary under this subsection may be assessed a civil penalty of not to exceed $5,000 for each offense. No civil penalty shall be assessed unless the person shall have been given notice and opportunity for a hearing on such charge in the county, parish, or incorporated city of the residence of the person charged. In determining the amount of the penalty the Secretary shall consider the appropriateness of such penalty to the size of the business of the person charged, the effect on the person's ability to continue in business, and the gravity of the violation. Where special measures deemed essential to achievement of the eradication objective are taken by the project and result in a loss of production and income to the producer, the Secretary shall provide reasonable and equitable indemnification from funds available for the project, and also provide for appropriate protection of the allotment, acreage history, and average yield for the farm. The cost of the program in each eradication zone shall be determined, and cotton producers in the zone shall be required to pay up to one-half thereof, with the exact share in each zone area to be specified by the Secretary upon his finding that such share is reasonable and equitable based on population levels of the target insect and the degree of control measures normally required. Each producer's pro rata share shall be deducted from his cotton payment under this Act or otherwise collected, as provided in regulations of the Secretary. Insofar as practicable, cotton producers and other persons engaged in cotton production in the eradication zone shall be employed to participate in the work of the project in such zone. Funding of the program shall be terminated at such time as the Secretary determines and reports to the Congress that complete eradication of the insects for which programs are undertaken pursuant to this subsection has been accomplished. Funds in custody of agencies carrying out the program shall, upon termination of such program, be accounted for to the Secretary for appropriate disposition.

Government of Mexico, cooperation.

" 'The Secretary is authorized to cooperate with the Government of Mexico in carrying out operations or measures in Mexico which he deems necessary and feasible to prevent the movement into the United States from Mexico of any insects eradicated under the provisions of this subsection. The measure and character of cooperation carried out under this subsection on the part of the United States and on the part of the Government of Mexico, including the expenditure or use of funds made available by the Secretary under this subsection, shall be such as may be prescribed by the Secretary. Arrangements for the cooperation authorized by this subsection shall be made through and in consultation with the Secretary of State. The Commodity Credit Corporation shall not make any expenditures for carrying out the purposes of this subsection unless the Corporation has received funds to cover such expenditures from appropriations made to carry out the purposes of this subsection. There are hereby authorized to be appropriated to the Commodity Credit Corporation such sums as the Congress may from time to time determine to be necessary to carry out the purposes of this subsection.'."

SKIPROW PRACTICES

Ante, p. 235.

(25) Title VI is further amended by adding the following new section:

79 Stat. 1210. 7 USC 1374.

"SEC. 612. Section 374(a) of the Agricultural Adjustment Act of 1938, as amended, is hereby amended by adding the following new sentence: 'Where cotton is planted in skiprow patterns, the same rules

that were in effect for the 1971 through 1973 crops for classifying the acreage planted to cotton and the area skipped shall also apply to the 1974 through 1977 crops.'."

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(26) Section 701 is amended by striking out "1973" and inserting "1977"; and title VII is further amended by adding at the end thereof the following:

84 Stat. 1379.
7 USC 1736c.

Section 103 of such Act is amended by inserting before the semicolon at the end of subsection (o) the following: "and that commercial supplies are available to meet demands developed through programs carried out under this Act."

80 Stat. 1526; 82 Stat. 450.
7 USC 1703.

"SEC. 704. Title IV of such Act is amended by adding at the end thereof the following:

80 Stat. 1535.
7 USC 1731.

" 'SEC. 411. No agricultural commodities shall be sold under title I or title III or donated under title II of this Act to North Vietnam, unless by an Act of Congress enacted subsequent to July 1, 1973, assistance to North Vietnam is specifically authorized.' "

7 USC 1701, 1692, 1724.

MISCELLANEOUS PROVISIONS

(27) Title VIII is amended as follows:

84 Stat. 1379.

BEEKEEPER INDEMNITIES

(A) Section 804 is amended by striking out "December 31, 1973" and inserting "December 31, 1977".

84 Stat. 1382.
7 USC 135b note.

(B) By adding at the end thereof the following:

FHA LOANS

"SEC. 807. The first sentence of section 305 of the Consolidated Farm and Rural Development Act is amended by striking out '$100,000' and inserting '$225,000'; and by striking out 'or (b)' and inserting '(b) the loans under such sections to any one borrower to exceed $100,000, or (c)'.

75 Stat. 308; 84 Stat. 1862.
7 USC 1925.

"COST OF PRODUCTION STUDY

"SEC. 808. The Secretary of Agriculture, in cooperation with the land grant colleges, commodity organizations, general farm organizations, and individual farmers, shall conduct a cost of production study of the wheat, feed grain, cotton, and dairy commodities under the various production practices and establish a current national weighted average cost of production. This study shall be updated annually and shall include all typical variable costs, a return on fixed costs equal to the existing interest rates charged by the Federal Land Bank, and return for management comparable to the normal management fees charged by other comparable industries. These studies shall be based upon the size unit that requires one man to farm on a full-time basis.

"LIVESTOCK STUDY

"SEC. 809. (a) The Secretary of Agriculture is authorized and directed to carry out a comprehensive study and investigation to determine the reasons for the extensive loss of livestock sustained each year, through injury and disease, while such livestock is being transported

in interstate commerce for commercial purposes. The Secretary is also authorized and directed to conduct, in connection with such study and investigation, an intensive research program for the purpose of developing measures that can be taken to reduce materially the number of animals lost, through injury and disease during transportation for commercial purposes.

Reports to Congress.

"(b) The Secretary of Agriculture shall submit to the Congress not more than four years after the date of enactment of this section a final report on the results of his study and investigation and research together with such recommendations for administrative and legislative action as he deems appropriate. He shall submit such interim reports to the Congress as he deems advisable, but at least one at the end of each twelve month period following the date of enactment of this section.

Appropriation.

"(c) There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, but not more than $500,000 in any fiscal year.

"WHEAT AND FEED GRAINS RESEARCH

"SEC. 810. In order to reduce fertilizer and herbicide usage in excess of production needs, to develop wheat and feed grain varieties more susceptible to complete fertilizer utilization, to improve the resistance of wheat and feed grain plants to disease and to enhance their conservation and environmental qualities, the Secretary of Agriculture is authorized and directed to carry out regional and national research programs.

"In carrying out such research, the Secretary shall utilize the technical and related services of the appropriate Federal, State, and private agencies.

Appropriation.

"There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, but not more than $1,000,000 in any fiscal year.

"TECHNICAL SUPPORT

"SEC. 811. The Department of Agriculture shall provide technical support to exporters and importers of United States agricultural products when so requested. Such support shall include, but not be limited to, a review of the feasibility of the export proposal, adequacy of sources of supply, compliance with trade regulations of the United States and the importing country and such other information or guidance as may be needed to expand and expedite United States agricultural exports by private trading interests.

"EXPORT SALES REPORTING

"SEC. 812. All exporters of wheat and wheat flour, feed grains, oil seeds, cotton and products thereof, and other commodities the Secretary may designate produced in the United States shall report to the Secretary of Agriculture, on a weekly basis, the following information regarding any contract for export sales entered into or subsequently modified in any manner during the reporting period: (a) type, class, and quantity of the commodity sought to be exported, (b) the marketing year of shipment, (c) destination, if known. Individual reports shall remain confidential but shall be compiled by the Secretary and published in compilation form each week following the week of

reporting. All exporters of agricultural commodities produced in the United States shall upon request of the Secretary of Agriculture immediately report to the Secretary any information with respect to export sales of agricultural commodities and at such times as he may request. Any person (or corporation) who knowingly fails to report export sales pursuant to the requirements of this section shall be fined not more than $25,000 or imprisoned not more than one year, or both. The Secretary may, with respect to any commodity or type or class thereof during any period in which he determines that there is a domestic supply of such commodity substantially in excess of the quantity needed to meet domestic requirements, and that total supplies of such commodity in the exporting countries are estimated to be in surplus, and that anticipated exports will not result in excessive drain on domestic supplies, and that to require the reports to be made will unduly hamper export sales, provide for such reports by exporters and publishing of such data to be on a monthly basis rather than on a weekly basis."

Penalty.

"DISASTER RESERVE

"SEC. 813. (a) Notwithstanding any other provision of law, the Secretary of Agriculture shall under the provisions of this Act establish, maintain, and dispose of a separate reserve of inventories of not to exceed 75 million bushels of wheat, feed grains, and soybeans for the purpose of alleviating distress caused by a natural disaster.

"Such reserve inventories shall include such quantities of grain that the Secretary deems needed to provide for the alleviation of distress as the result of a natural disaster.

"(b) The Secretary shall acquire such commodities through the price support program.

"(c) Except when a state of emergency has been proclaimed by the President or by concurrent resolution of Congress declaring that such reserves should be disposed of, the Secretary shall not offer any commodity in the reserve for sale or disposition.

"(d) The Secretary is also authorized to dispose of such commodities only for (1) use in relieving distress (a) in any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands and (b) in connection with any major disaster determined by the President to warrant assistance by the Federal Government under Public Law 875, Eighty-first Congress, as amended (42 U.S.C. 1855 et seq.), or (2) for use in connection with a state of civil defense emergency as proclaimed by the President or by concurrent resolution of the Congress in accordance with the provisions of the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2251–2297).

64 Stat. 1109.
42 USC 1855.

64 Stat. 1246.

"(e) The Secretary may sell at an equivalent price, allowing for the customary location and grade price differentials, substantially equivalent quantities in different locations or warehouses to the extent needed to properly handle, rotate, distribute, and locate such reserve.

"(f) The Secretary may use the Commodity Credit Corporation to the extent feasible to fulfill the purposes of this section; and to the maximum extent practicable consistent with the fulfillment of the purposes of this section and the effective and efficient administration of this section shall utilize the usual and customary channels, facilities, and arrangements of trade and commerce.

"(g) The Secretary may issue such rules and regulations as may be necessary to carry out the provisions of this section.

Rules and regulations.

"(h) There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.

"IMPORTED COMMODITIES

"SEC. 814. Notwithstanding any other provisions of this Act, the Secretary shall encourage the production of any crop of which the United States is a net importer and for which a price support program is not in effect by permitting the planting of such crop on set-aside acreage and with no reduction in the rate of payment for the commodity.

"EMERGENCY SUPPLY OF AGRICULTURAL PRODUCTS

"SEC. 815. (a) Notwithstanding any other provision of law, the Secretary of Agriculture shall assist farmers, processors, and distributors in obtaining such prices for agricultural products that an orderly, adequate and steady supply of such products will exist for the consumers of this nation.

"(b) The President shall make appropriate adjustments in the maximum price which may be charged under the provisions of Executive Order 11723 (dated June 13, 1973) or any subsequent Executive Order for any agricultural products (at any point in the distribution chain) as to which the Secretary of Agriculture certifies to the President that the supply of the product will be reduced to unacceptably low levels as a result of any price control or freeze order or regulation and that alternative means for increasing the supply are not available.

"Agricultural products."

"(c) Under this section, the term 'agricultural products' shall include meat, poultry, vegetables, fruits and all other agricultural commodities in raw or processed form, except forestry products or fish or fishery products.

"(d) The Secretary of Agriculture is directed to implement policies under this Act which are designed to encourage American farmers to produce to their full capabilities during periods of short supply to assure American consumers with an adequate supply of food and fiber at fair and reasonable prices.

"RURAL DEVELOPMENT

"SEC. 816. (a) Section 401 of the Rural Development Act of 1972 (86 Stat. 670) is amended by substituting the words 'fire' and 'fires' for the words 'wildfire' and 'wildfires', respectively, wherever such words appear.

7 USC 2651.

"(b) Section 404 of the Rural Development Act of 1972 (86 Stat. 671) is amended to read as follows:

7 USC 2654.

"'SEC. 404. APPROPRIATIONS.—There is authorized to be appropriated to carry out the provisions of this title $7,000,000 for each of three consecutive fiscal years beginning with the fiscal year for which funds are first appropriated and obligated by the Secretary of Agriculture carrying out this title.'

"(c) Section 306(a) of the Consolidated Farm and Rural Development Act is amended by adding at the end thereof the following:

86 Stat. 659.
7 USC 1926.

"'(13)(A) The Secretary, under such reasonable rules and conditions as he shall establish, shall make grants to eligible volunteer fire departments for up to 50 per centum of the cost of firefighting equipment needed by such departments but which such departments are unable to purchase through the resources otherwise available to them, and for the cost of the training necessary to enable such departments to use such equipment efficiently.

"'(B) For the purposes of this subsection, the term "eligible volunteer fire department" means any established volunteer fire department in a rural town, village, or unincorporated area where the population

is less than two thousand but greater than two hundred, as reasonably determined by the Secretary.'

"SEC. 817. Section 310B(d) of subtitle A of the Consolidated Farm and Rural Development Act is amended by adding at the end thereof the following: 86 Stat. 663. 7 USC 1932.

"'(4) No grant or loan authorized to be made under this Act shall require or be subject to the prior approval of any officer, employee, or agency of any State.

"'(5) No loan commitment issued under this section, section 304, or section 312 shall be conditioned upon the applicant investing in excess of 10 per centum in the business or industrial enterprise for which purpose the loan is to be made unless the Secretary determines there are special circumstances which necessitate an equity investment by the applicant greater than 10 per centum. 75 Stat. 308; 86 Stat. 657, 665. 7 USC 1924, 1942.

"'(6) No provision of law shall prohibit issuance by the Secretary of certificates evidencing beneficial ownership in a block of notes insured or guaranteed under this Act or Title V of the Housing Act of 1949; any sale by the Secretary of such certificates shall be treated as a sale of assets for the purposes of the Budget and Accounting Act of 1921. Any security representing beneficial ownership in a block of notes guaranteed or insured under this Act or Title V of the Housing Act of 1949 issued by a private entity shall be exempt from laws administered by the Securities and Exchange Commission, except sections 17, 22, and 24 of the Securities Act of 1933, as amended; however, the Secretary shall require (i) that the issuer place such notes in the custody of an institution chartered by a Federal or State agency to act as trustee and (ii) that the issuer provide such periodic reports of sales as the Secretary deems necessary.' 63 Stat. 432; 83 Stat. 399. 42 USC 1471. 42 Stat. 20. 31 USC 2 note. 48 Stat. 84. 15 USC 77q, 77v, 77x.

"AGRICULTURAL CENSUS

"SEC. 818. Notwithstanding any other provision of law, the Secretary of Commerce shall conduct a census of agriculture in 1974 as required by section 142 of title 13, United States Code, and shall submit to the Congress, within thirty days after the date of enactment of the Agriculture and Consumer Protection Act of 1973, an estimate of the funds needed to conduct such census." 71 Stat. 483. Funds, estimate, submittal to Congress.

(28) By adding at the end thereof the following new title X:

"TITLE X—RURAL ENVIRONMENTAL CONSERVATION PROGRAM

"SEC. 1001. Notwithstanding any other provision of law the Secretary shall carry out the purposes specified in clauses (1), (2), (3), (4), and (6) of section 7(a) of the Soil Conservation and Domestic Allotment Act, as amended, section 16(b) of such Act, and in the Water Bank Act (16 U.S.C. 1301 et seq.) by entering into contracts of three, five, ten, or twenty-five years with, and at the option of, eligible owners and operators of land as determined by the Secretary and having such control as the Secretary determines to be needed on the farms, ranches, wetlands, forests, or other lands covered thereby. In addition, the Secretary is hereby authorized to purchase perpetual easements to promote said purposes of this Title, including the sound use and management of flood plains, shore lands, and aquatic areas of the Nation. Such contracts shall be designed to assist farm, ranch, wetland, and nonindustrial private forest owners and operators, or other owners or operators, to make, in orderly progression over a period of 49 Stat. 163; 86 Stat. 676. 16 USC 590g, 590p. 84 Stat. 1468.

49 Stat. 163; 86 Stat. 676. 16 USC 590g, 590p. 84 Stat. 1468.

years, such changes, if any, as are needed to effectuate any of the purposes specified in clauses (1), (2), (3), (4), and (6) of section 7(a) of the Soil Conservation and Domestic Allotment Act, as amended; section 16(b) of such Act; the Water Bank Act (16 U.S.C. 1301 et seq.); in enlarging fish and wildlife and recreation sources; in improving the level of management of nonindustrial private forest lands; and in providing long-term wildlife and upland game cover. In carrying out the provisions of this title, due regard shall be given to the maintenance of a continuing and stable supply of agricultural commodities and forest products adequate to meet consumer demand at prices fair to both producers and consumers.

"(1) to effectuate the plan for his farm, ranch, forest, wetland, or other land substantially in accordance with the schedule outlined therein;

"(2) to forfeit all rights to further payments or grants under the contract and refund to the United States all payments or grants received thereunder upon his violation of the contract at any stage during the time he has control of the land if the Secretary, after considering the recommendations of the Soil and Water Conservation District Board, or the State forester or other appropriate official in a contract entered into under the provisions of section 1009 of this title, determines that such violation is of such a nature as to warrant termination of the contract, or to make refunds or accept such payment adjustments as the Secretary may deem appropriate if he determines that the violation by the owner or operator does not warrant termination of the contract;

"(3) upon transfer of his right and interest in the farm, ranch, forest, wetland, or other land during the contract period to forfeit all rights to further payments or grants under the contract and refund to the United States all payments or grants received thereunder unless the transferee of any such land agrees with the Secretary to assume all obligations of the contract;

"(4) not to adopt any practice specified by the Secretary in the contract as a practice which would tend to defeat the purposes of the contract;

Farming operation or land use plans.

"SEC. 1002. Eligible landowners and operators for contracts under this title shall furnish to the Secretary a plan of farming operations or land use which incorporates such practices and principles as may be determined by him to be practicable and which outlines a schedule of proposed changes, if any, in cropping systems or land use and of the conservation measures which are to be carried out on the farm, ranch, wetland, forests, or other land during the contract period to protect the farm, ranch, wetland, forests or other land and surrounding areas, its wildlife, and nearby populace and communities from erosion, deterioration, pollution by natural and manmade causes or to insure an adequate supply of timber and related forest products. Said plans may also, in important migratory waterfowl nesting and breeding areas which are identified in a conservation plan developed in cooperation with a soil and water conservation district in which the lands are located, and under such rules and regulations as the Secretary may provide, include a schedule of proposed changes, if any, to conserve surface waters and preserve and improve habitat for migratory waterfowl and other wildlife resources and improve subsurface moisture, including, subject to the provisions of section 1001 of this title, the reduction of areas of new land coming into production, the enhancement of the natural beauty of the landscape, and the promotion of comprehensive and total water management study.

"SEC. 1003. (a) Approved conservation plans of eligible landowners and operators developed in cooperation with the soil and water con-

servation district or the State forester or other appropriate State official in which their lands are situated shall form a basis for contracts under this title. Under the contract the landowner or operator shall agree—

"(5) to comply with all applicable Federal, State, or local laws, and regulations, including those governing environmental protection and noxious weed abatement; and

"(6) to such additional provisions as the Secretary determines are desirable and includes in the contract to effectuate the purposes of the program or to facilitate the practical administration of the program: *Provided*, That all contracts entered into to effectuate the purposes of the Water Bank Act for wetlands shall contain the further agreement of the owner or operator that he shall not drain, burn, fill, or otherwise destroy the wetland character of such areas, nor use such areas for agricultural purposes: *And provided further*, That contracts entered into for the protection of wetlands to effectuate the purposes of the Water Bank Act may include wetlands covered by Federal or State government easement which permits agricultural use, together with such adjacent areas as determined desirable by the Secretary.

84 Stat. 1468.
16 USC 1301 note.

"(b) In return for such agreement by the landowner or operator the Secretary shall agree to make payments in appropriate circumstances for the use of land maintained for conservation purposes as set forth in this title, and share the cost of carrying out those conservation practices and measures set forth in the contract for which he determines that cost-sharing is appropriate and in the public interest. The portion of such cost (including labor) to be shared shall be that part which the Secretary determines is necessary and appropriate to effectuate the physical installation of the conservation practices and measures under the contract, but, in the case of a contract not entered into under an advertising and bid procedure under the provisions of section 1009(d) of this title, not less than 50 per centum or more than 75 per centum of the actual costs incurred by the owner or operator.

Land conservation, payments.

"(c) The Secretary may terminate any contract with a landowner or operator by mutual agreement with the owner or operator if the Secretary determines that such termination would be in the public interest, and may agree to such modification of contracts previously entered into as he may determine to be desirable to carry out the purposes of the program or facilitate the practical administration thereof or to accomplish equitable treatment with respect to other similiar conservation, land use, or commodity programs administered by the Secretary.

"SEC. 1004. The Secretary is authorized to make available to eligible owners and operators conservation materials including seeds, seed inoculants, soil conditioning materials, trees, plants, and, if he determines it is appropriate to the purposes of this title, fertilizer and liming materials.

Conservation materials, availability.

"SEC. 1005. (a) Notwithstanding the provisions of any other title, the Secretary may establish multiyear set-aside contracts for a period not to extend beyond the 1977 crop. Such contracts may be entered into only as a part of the programs in effect for wheat, feed grains, and cotton for the years 1974 through 1978, and only producers participating in one or more of such programs shall be eligible to contract with the Secretary under this section. Producers agreeing to a multiyear set-aside agreement shall be required to devote this acreage to vegetative cover capable of maintaining itself throughout such period to provide soil protection, water quality enhancement, wildlife production, and natural beauty. Grazing of livestock under this section shall be prohibited. Producers entering into agreements under this section shall

Multiyear set-aside contracts.

also agree to comply with all applicable State and local law and regulation governing noxious weed control.

Cost-sharing incentives.

"(b) The Secretary shall provide cost-sharing incentives to farm operators for such cover establishment, whenever a multiyear contract is entered into on all or a portion of the set-aside acreage.

Regulations.

"SEC. 1006. The Secretary shall issue such regulations as he determines necessary to carry out the provisions of this title. The total acreage placed under agreements which result in their retirement from production in any county or local community shall in addition to the limitations elsewhere in this title be limited to a percentage of the total eligible acreage in such county or local community which the Secretary determines would not adversely affect the economy of the county or local community. In determining such percentage the Secretary shall give appropriate consideration to the productivity of the acreage being retired, if any, as compared to the average productivity of eligible acreage in such county or local community which the Secretary determines would not adversely affect the economy of the county or local community.

Advisory board, appointment.

"SEC. 1007. (a) The Secretary of Agriculture shall appoint an advisory board in each State to advise the State committee of that State (established under section 8(b) of the Soil Conservation and Domestic Allotment Act) regarding the types of conservation measures that should be approved to effectuate the purposes of this title. The Secretary shall appoint at least six individuals to the advisory board of each State who are especially qualified by reason of education, training, and experience in the fields of agriculture, soil, water, wildlife, fish, and forest management. The advisory board appointed for any State shall meet at least once each calendar year. Said appointed members shall include, but not be limited to, the State soil conservationist, the State forester, the State administrator of the water quality programs, and the State wildlife administrator or their designees: *Provided*, That such board shall limit its advice to the State committees to the types of conservation measures that should be approved affecting the water bank program; the authorization to purchase perpetual easements to promote the purposes of this title, as described in section 1001 of this title; the providing of long-term upland game cover; and the esablishment and management of approved practices on multiyear set-aside contracts as provided in section 1005 of this title:

52 Stat. 31; 86 Stat. 676. 16 USC 590h.

Members.

Meetings.

National advisory board.

"(b) The Secretary of Agriculture, through the establishment of a national advisory board to be named in consultation with the Secretary of the Interior, shall seek the advice and assistance of the appropriate officials of the several States in developing the programs under this title, especially in developing guidelines for (1) providing technical assistance for wildlife habitat improvement practices, (2) evaluating effects on surrounding areas, (3) considering aesthetic values, (4) checking compliance by cooperators, and (5) carrying out programs of wildlife management authorized under this title: *Provided*, That such board shall limit its advice to subjects which cover the types of conservation measures that should be approved regarding the water bank program; the authorization to purchase perpetual easements to promote the purposes of this Act, as described in section 1001 of this title; the providing of long-term upland game cover; and the establishment and management of approved practices on multiyear set-aside contracts as provided in section 1005 of this title.

"SEC. 1008. In carrying out the programs authorized under sections 1001 through 1006 of this title, the Secretary shall, in addition to appropriate coordination with other interested Federal, State, and local agencies, utilize the services of local, county, and State committees established under section 8 of the Soil Conservation and Domestic

Allotment Act, as amended. The Secretary is also authorized to utilize the facilities and services of the Commodity Credit Corporation in discharging his functions and responsibilities under this program. The Secretary shall also utilize the technical services of the Soil Conservation Service, the Forest Service, State forestry organizations, soil and water conservation districts, and other State, and Federal agencies, as appropriate, in development and installation of approved conservation plans under this title.

49 Stat. 163; 86 Stat. 676. 16 USC 590h.

"SEC. 1009. (a) In furtherance of the purposes of this title, the Secretary of Agriculture is authorized and directed to develop and carry out a forestry incentives program to encourage the development, management, and protection of nonindustrial private forest lands. The purposes of such a program shall be to encourage landowners to apply practices which will provide for the afforestation of suitable open lands and reforestation of cutover and other nonstocked and understocked forest lands and intensive multiple-purpose management and protection of forest resources so as to provide for production of timber and related benefits.

Forestry incentives program.

"(b) For the purposes of this section, the term 'non-industrial private forest lands' means lands capable of producing crops of industrial wood and owned by any private individual, group, association, corporation, or other legal entity. Such term does not include private entities which regularly engage in the business of manufacturing forest products or providing public utilities services of any type, or the subsidiaries of such entities.

"Non-industrial private forest lands."

"(c) The Secretary shall consult with the State forester or other appropriate official of the respective States in the conduct of the forestry incentives program under this section, and Federal assistance shall be extended in accordance with section 1003(b) of this title. The Secretary shall for the purposes of this section distribute funds available for cost sharing among and within the States only after assessing the public benefit incident thereto, and after giving appropriate consideration to the number and acreage of commercial forest lands, number of eligible ownerships in the State, and counties to be served by such cost sharing; the potential productivity of such lands; and the need for reforestation, timber stand improvement, or other forestry investments on such land. No forest incentives contract shall be approved under this section on a tract greater than five hundred acres, unless the Secretary finds that significant public benefit will be incident to such approval.

Federal assistance.

Acreage limitation.

"(d) The Secretary may, if he determines that such action will contribute to the effective and equitable administration of the program established by this section, use an advertising and bid procedure in determining the lands in any area to be covered by agreements.

"(e) In implementing the program under this section, the Secretary will cause it to be coordinated with other related programs in such a manner as to encourage the utilization of private agencies, firms, and individuals furnishing services and materials needed in the application of practices included in the forestry incentives improvement program. The Secretary shall periodically report to the appropriate congressional committees of the progress and conduct of the program established under this section.

Report to congressional committees.

"SEC. 1010. There are hereby authorized to be appropriated annually such sums as may be necessary to carry out the provisions of this title. The programs, contracts, and authority authorized under this title shall be in addition to, and not in substitution for, other programs in such areas authorized by this or any other title or Act, and shall not

Appropriation.

expire with the termination of any other title or Act: *Provided*, That not more than $25,000,000 annually shall be authorized to be appropriated for the programs authorized under section 1009 of this Act."

ADVISORY COMMITTEE REPEAL

SEC. 2. Section 301 of the Act of August 14, 1946 (Public Law 79–733) as amended (7 U.S.C. 1628), is hereby repealed.

60 Stat. 1091; 81 Stat. 752.

FOOD STAMPS

SEC. 3. The Food Stamp Act of 1964, as amended, is amended as follows:

(a) The second sentence of section 3(e) of the Food Stamp Act of 1964 (7 U.S.C. 2012(e)) is amended—

84 Stat. 2048; 86 Stat. 1491.

(1) by striking out "or"; and

(2) by inserting before the period at the end thereof the following: ", or (3) any narcotics addict or alcoholic who lives under the supervision of a private nonprofit organization or institution for the purpose of regular participation in a drug or alcoholic treatment and rehabilitation program."

(b) Section 3(e) of the Food Stamp Act of 1964 is amended by striking out the last sentence therein and inserting in lieu thereof the following sentence: "No individual who receives supplemental security income benefits under title XVI of the Social Security Act shall be considered to be a member of a household or an elderly person for any purpose of this Act for any month if such person receives for such month, as part of his supplemental security income benefits or payments described in section 1616(a) of the Social Security Act (if any), an amount equal to the bonus value of food stamps (according to the Food Stamp Schedule effective for July 1973) in addition to the amount of assistance such individual would be entitled to receive for such month under the provisions of the plan of the State approved under title I, X, XIV, or XVI, as appropriate, in effect for December 1973, assuming such plan were in effect for such month and such individual were aged, blind, or disabled, as the case may be, under the provisions of such State plan or under Public Law 92–603 as amended. The Secretary of Health, Education, and Welfare shall issue regulations for the implementation of the foregoing sentence after consultation with the Secretary of Agriculture."

86 Stat. 1465. 42 USC 1381.

42 USC 1382e.

86 Stat. 1484. 42 USC 301, 1201, 1351.

86 Stat. 1329. 42 USC 401 note.

(c) Section 3 of the Food Stamp Act of 1964 (7 U.S.C. 2012) is amended by adding at the end thereof the following new subsection:

Definition. 78 Stat. 703; 84 Stat. 2049.

"(n) The term 'drug addiction or alcoholic treatment and rehabilitation program' means any drug addiction or alcoholic treatment and rehabilitation program conducted by a private nonprofit organization or institution which is certified by the State agency or agencies designated by the Governor as responsible for the administration of the State's programs for alcoholics and drug addicts pursuant to Public Law 91–616 'Comprehensive Alcohol Abuse and Alcohol Prevention, Treatment, and Rehabilitation Act' and Public Law 92–255 'Drug Abuse Office and Treatment Act of 1972' as providing treatment that can lead to the rehabilitation of drug addicts or alcoholics."

42 USC 4551 note. 21 USC 1101 note.

(d) Section 5 of the Food Stamp Act of 1964 (7 U.S.C. 2014) is amended by adding at the end thereof the following new subsection:

Eligibility standards. 84 Stat. 2049.

"(d) The Secretary shall establish uniform national standards of eligibility for households described in section 3(e)(3) of this Act."

Supra.

(e) Section 5(c) of the Food Stamp Act of 1964 (7 U.S.C. 2014(c)) is amended by adding at the end thereof the following: "For the purposes of this section, the term 'able-bodied adult person' shall not include any narcotics addict or alcoholic who regularly participates, as a resident or nonresident, in any drug addiction or alcoholic treatment and rehabilitation program." 84 Stat. 2050.

(f) Section 10 of the Food Stamp Act of 1964 (7 U.S.C. 2019) is amended by inserting at the end thereof the following new subsection: Narcotics addicts or alcoholics, meal purchases. 78 Stat. 706; 84 Stat. 2051.

"(i) Subject to such terms and conditions as may be prescribed by the Secretary in the regulations pursuant to this Act, members of an eligible household who are narcotics addicts or alcoholics and regularly participate in a drug addiction or alcoholic treatment and rehabilitation program may use coupons issued to them to purchase food prepared for or served to them during the course of such program by a private nonprofit organization or institution which meets requirements (1), (2), and (3) of subsection (h) above. Meals served pursuant to this subsection shall be deemed 'food' for the purposes of this Act."

(g) Section 5(b) is amended by inserting the following before the period at the end of the second sentence: ": *Provided*, That such standards shall take into account payments in kind received from an employer by members of a household, if such payments are in lieu of or supplemental to household income: *Provided further*, That such payments in kind shall be limited only to housing provided by such employer to such employee and shall be the actual value of such housing but in no event shall such value be considered to be in excess of the sum of $25.00 per month". 84 Stat. 2049.

(h) The fourth sentence of section 5(b) is amended to read as follows: Temporary emergency eligibility standards.

"The Secretary may also establish temporary emergency standards of eligibility for the duration of the emergency, without regard to income and other financial resources, for households that are the victims of a mechanical disaster which disrupts the distribution of coupons, and for households that are victims of a disaster which disrupted commercial channels of food distribution when he determines that such households are in need of temporary food assistance, and that commercial channels of food distribution have again become available to meet the temporary food needs of such households: *Provided*, That the Secretary shall in the case of Puerto Rico, Guam, and the Virgin Islands, establish special standards of eligibility and coupon allotment schedules which reflect the average per capita income and cost of obtaining a nutritionally adequate diet in Puerto Rico and the respective territories; except that in no event shall the standards of eligibility or coupon allotment schedules so used exceed those in the fifty States."

(i) Section 10(e) is amended by striking out "and (6)" and inserting in lieu thereof the following: "(6) issuance of coupon allotments no less often than two times per month; (7) notwithstanding any other provision of law, the institution of procedures under which any household participating in the program shall be entitled, if it so elects, to have the charges, if any, for its coupon allotment deducted from any grant or payment such household may be entitled to receive under title IV of the Social Security Act and have its coupon allotment distributed to it with such grant or payment; and (8)"; and (2) by adding at the end thereof the following: "The State agency is required to submit, prior to January 1, 1974, for approval, a plan of 84 Stat. 2051. 49 Stat. 627; 81 Stat. 884. 42 USC 601.

operation specifying the manner in which such State agency intends to conduct the program in every political subdivision in the State, unless such State agency can demonstrate that for any political subdivision it is impossible or impracticable to extend the program to such subdivision. The Secretary shall make a determination of approval or disapproval of a plan of operation submitted by a State agency in sufficient time to permit institution of such plan by no later than June 30, 1974."

Appropriation.
84 Stat. 2052.
7 USC 2025.

(j) Section 16(a) is amended by striking out in the first sentence "June 30, 1972, and June 30, 1973" and substituting "June 30, 1972, through June 30, 1977", and by inserting at the end of the first sentence of subsection (a) the following new sentence: "Sums appropriated under the provisions of this Act shall, notwithstanding the provisions of any other law, continue to remain available until expended."

Elderly persons, meal purchases.
84 Stat. 2051.
7 USC 2019.

(k) Section 10(h) is amended by adding at the end thereof the following: "Subject to such terms and conditions as may be prescribed by the Secretary, in the regulations issued pursuant to this Act, members of an eligible household who are sixty years of age or over or elderly persons and their spouses may also use coupons issued to them to purchase meals prepared by senior citizens' centers, apartment buildings occupied primarily by elderly persons, any public or nonprofit private school which prepares meals especially for elderly persons, any public or nonprofit private eating establishment which prepares meals especially for elderly persons during special hours, and any other public or nonprofit private establishment approved for such purpose by the Secretary. When an appropriate State or local agency contracts with a private establishment to offer, at concessional prices, meals prepared especially for elderly persons during regular or special hours, the Secretary shall permit eligible households who are sixty years of age or over or elderly persons and their spouses to use coupons issued to them to purchase such meals."

"Food."
78 Stat. 703.

(l) Section 3(b) of the Food Stamp Act of 1964 (7 U.S.C. 2012(b)) is amended to read as follows: "The term 'food' means any food or food product for home consumption except alcoholic beverages and tobacco and shall also include seeds and plants for use in gardens to produce food for the personal consumption of the eligible household."

Coupon allotment face value, charges.
84 Stat. 2050.

(m) Section 7(a) of the Food Stamp Act of 1964 (7 U.S.C. 2016(a)) is amended to read as follows:

"(a) The face value of the coupon allotment which State agencies shall be authorized to issue to any households certified as eligible to participate in the food stamp program shall be in such amount as the Secretary determines to be the cost of a nutritionally adequate diet, adjusted semiannually by the nearest dollar increment that is a multiple of two to reflect changes in the prices of food published by the Bureau of Labor Statistics in the Department of Labor to be implemented commencing with the allotments of January 1, 1974, incorporating the changes in the prices of food through August 31, 1973, but in no event shall such adjustments be made for value of the coupon allotment for such households, as calculated above, is a minimum of $2.00."

Alaskans, hunting and fishing equipment, purchase.

(n) The following new section is added at the end of such Act:

"SEC. 17. Notwithstanding any other provision of this Act, members of eligible households living in the State of Alaska shall be permitted in accordance with such rules and regulations as the Secretary may prescribe, to purchase hunting and fishing equipment for the purpose of procuring food for the household except firearms, ammunition,

and other explosives, with coupons issued under this Act if the Secretary determines that (1) such households are located in an area of the State which makes it extremely difficult for members of such households to reach retail food stores, and (2) such households depend to a substantial extent on hunting and fishing for subsistence purposes."

(o) Section 3(f) of the Food Stamp Act of 1964 (7 U.S.C. 2012(f)) is amended by striking the second sentence and inserting in lieu thereof the following new sentence: "It shall also mean a political subdivision or a private nonprofit organization or institution that meets the requirements of section 10(h) or 10(i) of this Act." 78 Stat. 703; 84 Stat. 2048. *Ante*, pp. 248, 247.

(p) Section 3(e) is amended by adding at the end thereof the following new sentence: "Residents of federally subsidized housing for the elderly, built under either section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), or section 236 of the National Housing Act (12 U.S.C. 1715z–1) shall not be considered residents of an institution or boarding house for purposes of eligibility for food stamps under this Act." 84 Stat. 2048; 86 Stat. 1491. 73 Stat. 667; 83 Stat. 390. 82 Stat. 498; 84 Stat. 1776.

COMMODITY DISTRIBUTION PROGRAM

SEC. 4. (a) Notwithstanding any other provision of law, the Secretary of Agriculture is hereby authorized until July 1, 1974 (1) to use funds available to carry out the provisions of section 32 of Public Law No. 320, Seventy-fourth Congress, as amended (7 U.S.C. 612c), and not expended or needed for such purpose to purchase, without regard to the provisions of existing law governing the expenditure of public funds, agricultural commodities and their products of the types customarily purchased under section 32 for donation to maintain the annually programmed level of assistance for schools, domestic relief distribution, and such other domestic food assistance programs as are authorized by law, and (2) if stocks of the Commodity Credit Corporation are not available, to use the funds of the Corporation to purchase agricultural commodities and the products thereof of the types customarily available under section 416 of the Agricultural Act of 1949 to meet such requirements. 49 Stat. 774. 68 Stat. 458; 86 Stat. 1492.

(b) The Secretary is prohibited from furnishing commodities to summer camps as authorized under section 416 of the Agricultural Act of 1949, section 32 of Public Law 74–320, and section 709 of the Food and Agriculture Act of 1965 if the number of adults participating in the activities of such camp is in excess of one for each five children under 18 years of age participating in such activities. 7 USC 1431. 79 Stat. 1212. 7 USC 1446a-1.

(c) No individual who receives supplemental security income benefits under title XVI of the Social Security Act shall be considered to be a member of a household for any purpose of the Food Distribution Program for families under section 32 of Public Law 74–320, section 416 of the Agricultural Act of 1949, or other law for any month if such person receives for such month, as part of his supplemental security income benefits or payments described in section 1616(a) of the Social Security Act (if any), an amount equal to the bonus value of food stamps (according to the Food Stamp Schedule effective for July 1973) in addition to the amount of assistance such individual would be entitled to receive for such month under the provisions of the plan of the State approved under title I, X, XIV, or XVI, as appropriate, in effect for December 1973, assuming such plan were in effect for such month and such individual were aged, blind, or disabled, as the case may be, under the provisions of such State plan or under 86 Stat. 1465. 42 USC 1381. 86 Stat. 1474. 42 USC 1382e. 42 USC 301, 1201, 1351, 1381.

86 Stat. 1329. 42 USC 401 note.

Public Law 92–603 as amended. The Secretary of Health, Education, and Welfare shall issue regulations for the implementation of the foregoing sentence after consultation with the Secretary of Agriculture.

SHORT TITLE

SEC. 5. This Act may be cited as the "Agriculture and Consumer Protection Act of 1973".

Approved August 10, 1973.

Public Law 93-87

August 13, 1973
[S. 502]

AN ACT

To authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

Highway construction and safety.
Appropriation authorization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SHORT TITLE

SEC. 101. This title may be cited as the "Federal-Aid Highway Act of 1973".

REVISION OF AUTHORIZATION FOR APPROPRIATIONS FOR THE INTERSTATE SYSTEM

82 Stat. 815; 84 Stat. 1714. 23 USC 101 note.

SEC. 102. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, as amended, is amended by striking out "the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1974, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1975, and the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1976", and by inserting in lieu thereof the following: "the additional sum of $2,600,000,000 for the fiscal year ending June 30, 1974, the additional sum of $3,000,000,000 for the fiscal year ending June 30, 1975, the additional sum of $3,000,000,000 for the fiscal year ending June 30, 1976, the additional sum of $3,250,000,000 for the fiscal year ending June 30, 1977, the additional sum of $3,250,000,000 for the fiscal year ending June 30, 1978, and the additional sum of $3,250,000,000 for the fiscal year ending June 30, 1979."

AUTHORIZATION OF USE OF COST ESTIMATES FOR APPORTIONMENT OF INTERSTATE FUNDS

SEC. 103. The Secretary of Transportation shall apportion for the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, the sums authorized to be appropriated for such years for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in table 5, of House Public Works Committee Print Numbered 92–29, as revised in House Report Numbered 92–1443.

HIGHWAY AUTHORIZATIONS

SEC. 104. (a) For the purpose of carrying out the provisions of title 23, United States Code, the following sums are hereby authorized to be appropriated: 72 Stat. 885. 23 USC 101 *et seq.*

(1) For the Federal-aid primary system in rural areas, out of the Highway Trust Fund, $680,000,000 for the fiscal year ending June 30, 1974, $700,000,000 for the fiscal year ending June 30, 1975, and $700,000,000 for the fiscal year ending June 30, 1976. For the Federal-aid secondary system in rural areas, out of Highway Trust Fund, $390,000,000 for the fiscal year ending June 30, 1974, $400,000,000 for the fiscal year ending June 30, 1975, and $400,000,000 for the fiscal year ending June 30, 1976.

(2) For the Federal-aid urban system, out of the Highway Trust Fund, $780,000,000 for the fiscal year ending June 30, 1974, $800,000,000 for the fiscal year ending June 30, 1975, and $800,000,000 for the fiscal year ending June 30, 1976. For the extensions of the Federal-aid primary and secondary systems in urban areas, out of the Highway Trust Fund $290,000,000 for the fiscal year ending June 30, 1974, $300,000,000 for the fiscal year ending June 30, 1975, and $300,000,000 for the fiscal year ending June 30, 1976.

(3) For forest highways, out of the Highway Trust Fund $33,000,000 for the fiscal year ending June 30, 1974, $33,000,000 for the fiscal year ending June 30, 1975, and $33,000,000 for the fiscal year ending June 30, 1976.

(4) For public lands highways, out of the Highway Trust Fund, $16,000,000 for the fiscal year ending June 30, 1974, $16,000,000 for the fiscal year ending June 30, 1975, and $16,000,000 for the fiscal year ending June 30, 1976.

(5) For forest development roads and trails, $140,000,000 for the fiscal year ending June 30, 1974, $140,000,000 for the fiscal year ending June 30, 1975, and $140,000,000 for the fiscal year ending June 30, 1976.

(6) For public lands development roads and trails, $10,000,000 for the fiscal year ending June 30, 1974, $10,000,000 for the fiscal year ending June 30, 1975, and $10,000,000 for the fiscal year ending June 30, 1976.

(7) For park roads and trails, $30,000,000 for the fiscal year ending June 30, 1974, $30,000,000 for the fiscal year ending June 30, 1975, and $30,000,000 for the fiscal year ending June 30, 1976.

(8) For parkways, $60,000,000 for the fiscal year ending June 30, 1974, $75,000,000 for the fiscal year ending June 30, 1975, and $75,000,000 for the fiscal year ending June 30, 1976, except that the entire cost of any parkway project on any Federal-aid system paid under the authorization contained in this paragraph shall be paid from the Highway Trust Fund.

(9) For Indian reservation roads and bridges, $75,000,000 for the fiscal year ending June 30, 1974, $75,000,000 for the fiscal year ending June 30, 1975, and $75,000,000 for the fiscal year ending June 30, 1976.

(10) For economic growth center development highways under section 143 of title 23, United States Code, out of the Highway Trust Fund, $50,000,000 for the fiscal year ending June 30, 1974, $75,000,000 for the fiscal year ending June 30, 1975, and $100,000,000 for the fiscal year ending June 30, 1976.

Post, p. 261.

(11) For necessary administrative expenses in carrying out section 131, section 136, and section 319(b) of title 23, United States Code, $1,500,000 for the fiscal year ending June 30, 1974, $1,500,000 for the fiscal year ending June 30, 1975, and $1,500,000 for the fiscal year ending June 30, 1976.

79 Stat. 1028, 1030, 1032; 82 Stat. 817, 818.

(12) For carrying out section 215(a) of title 23, United States Code—

84 Stat. 1720.

(A) for the Virgin Islands, not to exceed $5,000,000 for the fiscal year ending June 30, 1974, not to exceed $5,000,000 for the fiscal year ending June 30, 1975, and not to exceed $5,000,000 for the fiscal year ending June 30, 1976.

(B) for Guam not to exceed $2,000,000 for the fiscal year ending June 30, 1974, not to exceed $2,000,000 for the fiscal year ending June 30, 1975, and not to exceed $2,000,000 for the fiscal year ending June 30, 1976.

(C) for American Samoa not to exceed $1,000,000 for the fiscal year ending June 30, 1974, not to exceed $1,000,000 for the fiscal year ending June 30, 1975, and not to exceed $1,000,000 for the fiscal year ending June 30, 1976.

Sums authorized by this paragraph shall be available for obligation at the beginning of the fiscal year for which authorized in the same manner and to the same extent as if such sums were apportioned under chapter 1 of title 23, United States Code.

72 Stat. 885. 23 USC 101.

(13) Nothing in the first ten paragraphs or in paragraph (12) of this section shall be construed to authorize the appropriation of any sums to carry out section 131, 136, 319(b), or chapter 4 of title 23, United States Code.

80 Stat. 731. 23 USC 401.

(b) For each of the fiscal years 1974, 1975, and 1976, no State shall receive less than one-half of 1 per centum of the total apportionment for the Interstate System under paragraph (5) of subsection (b) of section 104 of title 23, United States Code. Whenever such amounts made available for the Interstate System in any State exceed the cost of completing that State's portion of the Interstate System, the excess amount shall be transferred to and added to the amounts apportioned to such State under paragraphs (1), (2), (3), and (6) of subsection (b) of section 104 of title 23, United States Code, in the ratio which these respective amounts bear to each other in that State. For the purpose of carrying out this subsection, there are authorized to be appropriated out of the Highway Trust Fund not to exceed $50,000,000 for the fiscal year ending June 30, 1974, $50,000,000 for the fiscal year ending June 30, 1975, and $50,000,000 for the fiscal year ending June 30, 1976. It is the sense of the Congress that this subsection is an interim provision to be reconsidered at the expiration of this authorization.

Post, p. 254.

Post, p. 256.

DEFINITIONS

SEC. 105. Subsection (a) of section 101 of title 23 of the United States Code is amended as follows: 72 Stat. 885; 84 Stat. 1716.

(1) The definition of the term "construction" is amended to read as follows:

"The term 'construction' means the supervising, inspecting, actual building, and all expenses incidental to the construction or reconstruction of a highway, including locating, surveying, and mapping (including the establishment of temporary and permanent geodetic markers in accordance with specifications of the National Oceanic and Atmospheric Administration in the Department of Commerce), acquisition of rights-of-way, relocation assistance, elimination of hazards of railway grade crossings, acquisition of replacement housing sites, acquisition and rehabilitation, relocation, and construction of replacement housing, and improvements which directly facilitate and control traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, traffic control systems, and passenger loading and unloading areas."

(2) The definition of the term "urban area" is amended to read as follows:

"The term 'urban area' means an urbanized area or, in the case of an urbanized area encompassing more than one State, that part of the urbanized area in each such State, or an urban place as designated by the Bureau of the Census having a population of five thousand or more and not within any urbanized area, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary. Such boundaries shall, as a minimum, encompass the entire urban place designated by the Bureau of the Census."

(3) The definition of the term "Indian reservation roads and bridges" is amended to read as follows:

"The term 'Indian reservation roads and bridges' means roads and bridges that are located within or provide access to an Indian reservation or Indian trust land or restricted Indian land which is not subject to fee title alienation without the approval of the Federal Government, or Indian and Alaska Native villages, groups, or communities in which Indians and Alaskan Natives reside, whom the Secretary of the Interior has determined are eligible for services generally available to Indians under Federal laws specifically applicable to Indians."

(4) The definition of "urbanized area" is amended to read as follows:

"The term 'urbanized area' means an area so designated by the Bureau of the Census, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary. Such boundaries shall, as a minimum, encompass the entire urbanized area within a State as designated by the Bureau of the Census."

EXTENSION OF TIME FOR COMPLETION OF SYSTEM

84 Stat. 1714.

SEC. 106. (a) The second paragraph of section 101(b) of title 23, United States Code, is amended by striking out "twenty years" and inserting in lieu thereof "twenty-three years" and by striking out "June 30, 1976", and inserting in lieu thereof "June 30, 1979".

(b) (1) The introductory phrase and the second and third sentences of section 104(b)(5) of title 23, United States Code, are amended by striking out "1976" each place it appears and inserting in lieu thereof at each such place "1979".

72 Stat. 889; 84 Stat. 1714.

(2) The last four sentences of such section 104(b)(5) are amended to read as follows: "Upon the approval by Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1975. Upon the approval by Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1977, and June 30, 1978. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1977. Upon the approval by Congress, the Secretary shall use the Federal share of such approved estimates in making apportionments for the fiscal year ending June 30, 1979. Whenever the Secretary, pursuant to this subsection, requests and receives estimates of cost from the State highway departments, he shall furnish copies of such estimates at the same time to the Senate and the House of Representatives."

Cost estimates, transmittal to Congress.

DECLARATION OF POLICY

72 Stat. 885.

SEC. 107. Subsection (b) of section 101 of title 23, United States Code, is amended by adding at the end thereof the following new paragraph:

"It is further declared that since the Interstate System is now in the final phase of completion it shall be the national policy that increased emphasis be placed on the construction and reconstruction of the other Federal-aid systems in accordance with the first paragraph of this subsection, in order to bring all of the Federal-aid systems up to standards and to increase the safety of these systems to the maximum extent."

MINIMIZATION OF REDTAPE

SEC. 108. Section 101 of title 23 of the United States Code is amended by adding at the end thereof the following new subsection: 72 Stat. 885; 84 Stat. 1718.

"(e) It is the national policy that to the maximum extent possible the procedures to be utilized by the Secretary and all other affected heads of Federal departments, agencies, and instrumentalities for carrying out this title and any other provision of law relating to the Federal highway programs shall encourage the substantial minimization of paperwork and interagency decision procedures and the best use of available manpower and funds so as to prevent needless duplication and unnecessary delays at all levels of government."

FEDERAL-AID URBAN SYSTEM

SEC. 109. (a) Subsection (d) of section 103 of title 23, United States Code, is amended by striking the first, second, third, fourth, and fifth sentences and inserting in lieu thereof the following: "The Federal-aid urban system shall be established in each urbanized area, and in such other urban areas as the State highway department may designate. The system shall be so located as to serve the major centers of activity, and shall include high traffic volume arterial and collector routes, including access roads to airports and other transportation terminals. No route on the Federal-aid urban system shall also be a route on any other Federal-aid system. Each route of the system to the extent feasible shall connect with another route on a Federal-aid system. Routes on the Federal-aid urban system shall be selected by the appropriate local officials so as to serve the goals and objectives of the community, with the concurrence of the State highway departments, and, in urbanized areas, also in accordance with the planning process under section 134 of this title. Designation of the Federal-aid urban system shall be subject to the approval of the Secretary as provided in subsection (f) of this section." 84 Stat. 1716; *Post*, p. 274. 76 Stat. 1148; 84 Stat. 1737.

(b) Subsection (d) of section 105 of title 23, United States Code, is amended to read as follows: 84 Stat. 1717.

"(d) In approving programs for projects on the Federal-aid urban system, the Secretary shall require that such projects be selected by the appropriate local officials with the concurrence of the State highway department of each State and, in urbanized areas, also in accordance with the planning process required pursuant to section 134 of this title."

REMOVAL OF DESIGNATED SEGMENTS OF THE INTERSTATE SYSTEM

SEC. 110. (a) Section 103(g) of title 23, United States Code, is amended to read as follows: 84 Stat. 1729.

"(g) The Secretary, on July 1, 1974, shall remove from designation as a part of the Interstate System each segment of such system for which a State has not notified the Secretary that such State intends to construct such segment, and which the Secretary finds is not essential to completion of a unified and connected Interstate System. Any segment of the Interstate System, with respect to which a State has not submitted by July 1, 1975, a schedule for the expenditure of funds for completion of construction of such segment or alternative segment within the period of availability of funds authorized to be appropriated for completion of the Interstate System, and with respect to which the State has not provided the Secretary with assurances satisfactory to him that such schedule will be met, shall be removed from designation as a part of the Interstate System. No segment of the Interstate System removed under the authority of the preceding sentence shall

thereafter be designated as a part of the Interstate System except as the Secretary finds necessary in the interest of national defense or for other reasons of national interest. This subsection shall not be applicable to any segment of the Interstate System referred to in section 23(a) of the Federal-Aid Highway Act of 1968."

82 Stat. 827.
D.C. Code 7-135 note.

(b) Section 103 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

72 Stat. 887; *Ante*, p. 255.

"(h) Notwithstanding subsections (e)(2) and (g) of this section, in any case where a segment of the Interstate System was a designated part of such System on June 1, 1973, and is entirely within the boundaries of an incorporated city and such city enters into an agreement with the Secretary to pay all non-Federal costs of construction of such segment, such segment shall be constructed."

Effective date.

(c) The amendments made by subsections (a) and (b) of this section shall take effect June 30, 1973.

APPORTIONMENT

72 Stat. 889.

SEC. 111. (a) Section 104 of title 23, United States Code, is amended as follows:

(1) Paragraphs (1) and (2) of subsection (b) are amended by striking the words "star routes" each time they appear and inserting in lieu thereof "intercity mail routes where service is performed by motor vehicles".

(2) Paragraph (1) of subsection (b) is amended by striking out "one-third in the ratio which the population of each State bears to the total population of all the States" and inserting in lieu thereof the following: "one-third in the ratio which the population of rural areas of each State bears to the total population of rural areas of all the States". The last sentence of such paragraph is amended by inserting "(other than the District of Columbia)" immediately after "No State".

(3) Paragraph (2) of subsection (b) is amended by striking out "one-third in the ratio which the rural population of each State bears to the total rural population of all the States" and inserting in lieu thereof the following: "one-third in the ratio which the population of rural areas of each State bears to the total population of rural areas of all of the States". The last sentence of such paragraph is amended by inserting "(other than the District of Columbia)" immediately after "No State".

84 Stat. 1717.

(4) Paragraph (6) of subsection (b) is amended by striking the word "urbanized" wherever it appears and inserting in lieu thereof "urban", and by adding at the end thereof the following: "No State shall receive less than one-half of 1 per centum of each year's apportionment."

72 Stat. 891.

(5) Subsection (c) is amended by striking out "20 per centum" in each of the two places it appears and inserting in lieu thereof in each such place the following: "40 per centum" and by striking out "paragraph (1), (2), or (3)" and inserting in lieu thereof "paragraph (1) or (2)".

Transfer of apportionment.

(6) Subsection (d) is amended to read as follows:

"(d) Not more than 40 per centum of the amount apportioned in any fiscal year to each State in accordance with paragraph (3) or (6) of subsection (b) of this section may be transferred from the apportionment under one paragraph to the apportionment under the other paragraph if such transfer is requested by the State highway department and is approved by the Governor of such State and the Secretary as being in the public interest. Funds apportioned in accordance with paragraph (6) of subsection (b) of this section shall not be transferred from their allocation to any urbanized area of 200,000 population or more under section 150 of this title, without the approval of the

local officials of such urbanized area. The total of such transfers shall not increase the original apportionment under either of such paragraphs by more than 40 per centum."

(7) The last sentence of subsection (c) is hereby repealed. Repeal. 72 Stat. 891. 23 USC 104.

(b) Notwithstanding the amendments made by subsection (a) of this section, no State (other than the District of Columbia) shall receive an apportionment for the primary system which is less than the apportionment which such State received for such system for the fiscal year ending June 30, 1973. In order to carry out this subsection, there is authorized to be appropriated out of the Highway Trust Fund for the Federal-aid primary system, an additional $17,000,000 for the fiscal year ending June 30, 1974, and $15,000,000 per fiscal year for the fiscal years ending June 30, 1975, and June 30, 1976. Additional appropriations.

APPORTIONMENT OF PLANNING FUNDS

SEC. 112. Subsection (f) of section 104 of title 23, United States Code, is amended to read as follows: 84 Stat. 1717.

"(f) (1) On or before January 1 next preceding the commencement of each fiscal year, the Secretary, after making the deduction authorized by subsection (a) of this section, shall set aside not to exceed one-half per centum of the remaining funds authorized to be appropriated for expenditure upon the Federal-aid systems, for the purpose of carrying out the requirements of section 134 of this title. 76 Stat. 1148; 84 Stat. 1737.

"(2) These funds shall be apportioned to the States in the ratio which the population in urbanized areas or parts thereof, in each State bears to the total population in such urbanized areas in all the States as shown by the latest available census, except that no State shall receive less than one-half per centum of the amount apportioned. 23 USC 134.

"(3) The funds apportioned to any State under paragraph (2) of this subsection shall be made available by the State to the metropolitan planning organizations designated by the State as being responsible for carrying out the provisions of section 134 of this title. These funds shall be matched in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching. 72 Stat. 898. 23 USC 120.

"(4) The distribution within any State of the planning funds made available to agencies under paragraph (3) of this subsection shall be in accordance with a formula developed by each State and approved by the Secretary which shall consider but not necessarily be limited to, population, status of planning, and metropolitan area transportation needs."

ADVANCE ACQUISITION OF RIGHTS-OF-WAY

SEC. 113. (a) The last sentence of subsection (a) of section 108 of title 23, United States Code, is amended by striking out "seven years" and inserting in lieu thereof "ten years". 73 Stat. 62.

(b) The first sentence of paragraph (3) of subsection (c) of section 108 of title 23, United States Code, is amended by striking out "seven years" and inserting in lieu thereof "ten years". 82 Stat. 818.

NOISE LEVEL STANDARDS

SEC. 114. Subsection (i) of section 109 of title 23, United States Code, is amended by adding at the end thereof the following: "The Secretary, after consultation with the Administrator of the Environmental Protection Agency and appropriate Federal, State, and local officials, may promulgate standards for the control of highway noise levels for highways on any Federal-aid system for which project approval has been secured prior to July 1, 1972. The Secretary may 84 Stat. 1735.

approve any project on a Federal-aid system to which noise-level standards are made applicable under the preceding sentence for the purpose of carrying out such standards. Such project may include, but is not limited to, the acquisition of additional rights-of-way, the construction of physical barriers, and landscaping. Sums apportioned for the Federal-aid system on which such project will be located shall be available to finance the Federal share of such project. Such project shall be deemed a highway project for all purposes of this title."

SIGNS ON PROJECT SITE

SEC. 115. The last sentence of subsection (a) of section 114 of title 23, United States Code, is amended to read as follows: "After July 1, 1973, the State highway department shall not erect on any project where actual construction is in progress and visible to highway users any informational signs other than official traffic control devices conforming with standards developed by the Secretary of Transportation."

74 Stat. 525.

CERTIFICATION ACCEPTANCE

72 Stat. 897.

SEC. 116. (a) Section 117 of title 23 of the United States Code is amended to read as follows:

"§ 117. Certification acceptance

"(a) The Secretary may discharge any of his responsibilities under this title relative to projects on Federal-aid systems, except the Interstate System, upon the request of any State, by accepting a certification by the State highway department, or that department, commission, board, or official of any State charged by its laws with the responsibility for highway construction, of its performance of such responsibilities, if he finds such projects will be carried out in accordance with State laws, regulations, directives, and standards establishing requirements at least equivalent to those contained in, or issued pursuant to, this title.

"(b) The Secretary shall make a final inspection of each such project upon its completion and shall require an adequate report of the estimated, and actual, cost of construction as well as such other information as he determines necessary.

"(c) The procedure authorized by this section shall be an alternative to that otherwise prescribed in this title. The Secretary shall promulgate such guidelines and regulations as may be necessary to carry out this section.

"(d) Acceptance by the Secretary of a State's certification under this section may be rescinded by the Secretary at any time if, in his opinion, it is necessary to do.

"(e) Nothing in this section shall affect or discharge any responsibility or obligation of the Secretary under any Federal law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321, et seq.), section 4(f) of the Department of Transportation Act (49 U.S.C. 1653(f)), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000(d), et seq.), title VIII of the Act of April 11, 1968 (Public Law 90–284, 42 U.S.C. 3601 et seq.), and the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970 (42 U.S.C. 4601, et seq.), other than this title."

83 Stat. 852.
82 Stat. 824.
78 Stat. 252.
42 USC 2000d.
82 Stat. 81.
84 Stat. 1894.

(b) The analysis of chapter 1, of title 23, United States Code, is amended by striking out

"117. Secondary road responsibilities."

and inserting in lieu thereof the following:

"117. Certification acceptance.".

MATERIALS AT OFF-SITE LOCATIONS

SEC. 117. Section 121(a) of title 23 of the United States Code is amended by inserting after the period at the end thereof the following: "Such payments may also be made in the case of any such materials not in the vicinity of such construction if the Secretary determines that because of required fabrication at an off-site location the materials cannot be stockpiled in such vicinity." 72 Stat. 899.

TOLL ROADS, BRIDGES, TUNNELS, AND FERRIES

SEC. 118. (a) After the second sentence of section 129(b) of title 23, United States Code, insert the following: "When any such toll road which the Secretary has approved as a part of the Interstate System is made a toll-free facility, Federal-aid highway funds apportioned under section 104(b)(5) of this title may be expended for the construction, reconstruction, or improvement of that road to meet the standards adopted for the improvement of projects located on the Interstate System." 72 Stat. 902; 82 Stat. 829. *Ante*, p. 254.

(b) The first sentence of subsection (e) of section 129, title 23, United States Code, is amended by striking out "on the date of enactment of this subsection". The third sentence of subsection (e) of section 129 of title 23, United States Code, is amended by striking out "1968" and inserting in lieu thereof "1973". 84 Stat. 1732.

URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS

SEC. 119. Subsection (c) of section 135 of title 23, United States Code, is hereby repealed and existing subsection (d) is relettered as subsection (c), including any references thereto. Repeal. 82 Stat. 820.

TRAINING PROGRAMS

SEC. 120. Subsection (b) of section 140 of title 23, United States Code, is amended by striking out in the second sentence "and 1973," and inserting in lieu thereof ", 1973, 1974, 1975, and 1976," and by striking out "$5,000,000 per fiscal year" and inserting in lieu thereof "$5,000,000 per fiscal year for the fiscal years 1972 and 1973, and $10,000,000 per fiscal year for the fiscal years 1974, 1975, and 1976,". 84 Stat. 1719.

PUBLIC TRANSPORTATION

SEC. 121. (a) Section 142 of title 23, United States Code, is amended to read as follows: 84 Stat. 1719.

"§ 142. Public Transportation

"(a)(1) To encourage the development, improvement, and use of public mass transportation systems operating motor vehicles (other than on rail) on Federal-aid highways for the transportation of passengers (hereafter in this section referred to as 'buses'), so as to increase the traffic capacity of the Federal-aid systems for the movement of persons, the Secretary may approve as a project on any Federal-aid system the construction of exclusive or preferential bus lanes, highway traffic control devices, bus passenger loading areas and facilities (including shelters), and fringe and transportation corridor parking facilities to serve bus and other public mass transportation passengers, and sums apportioned under section 104(b) of this title shall be available to finance the cost of projects under this paragraph. *Ante*, p. 256.

"(2) In addition to the projects under paragraph (1), the Secretary may, beginning with the fiscal year ending June 30, 1975, approve as a project on the Federal-aid urban system, for payment from sums

84 Stat. 1717; *Ante*, p. 256. 23 USC 104.

apportioned under section 104(b)(6) of this title, the purchase of buses, and, beginning with the fiscal year ending June 30, 1976, approve as a project on the Federal-aid urban system, for payment from sums apportioned under section 104(b)(6) of this title, the construction, reconstruction, and improvement of fixed rail facilities, including the purchase of rolling stock for fixed rail, except that not more than $200,000,000 of all sums apportioned for the fiscal year ending June 30, 1975, under section 104(b)(6) shall be available for the payment of the Federal share of projects for the purchase of buses.

Ante, p. 254.

"(b) Sums apportioned in accordance with paragraph (5) of subsection (b) of section 104 of this title shall be available to finance the Federal share of projects for exclusive or preferential bus, truck, and emergency vehicle routes or lanes. Routes constructed under this subsection shall not be subject to the third sentence of section 109(b) of this title.

77 Stat. 277. 23 USC 109.

"(c) Whenever responsible local officials of an urbanized area notify the State highway department that, in lieu of a highway project the Federal share of which is to be paid from funds apportioned under section 104(b)(6) of this title for the fiscal years ending June 30, 1974, and June 30, 1975, their needs require a nonhighway public mass transit project involving the construction of fixed rail facilities, or the purchase of passenger equipment, including rolling stock for any mode of mass transit, or both, and the State highway department determines that such public mass transit project is in accordance with the planning process under section 134 of this title and is entitled to priority under such planning process, such public mass transit project shall be submitted for approval to the Secretary. Approval of the plans, specifications, and estimates for such project by the Secretary shall be deemed a contractual obligation of the United States for payment out of the general funds of its proportional share of the cost of such project in an amount equal to the Federal share which would have been paid if such project were a highway project under section 120(a) of this title. Funds previously apportioned to such State under section 104(b)(6) of this title shall be reduced by an amount equal to such Federal share.

76 Stat. 1148; 84 Stat. 1737, 1738. 23 USC 134.

82 Stat. 835; 84 Stat. 1718. 23 USC 120.

"(d) The establishment of routes and schedules of such public mass transportation systems in urbanized areas shall be based upon a continuing comprehensive transportation planning process carried on in accordance with section 134 of this title.

Ante, p. 259.

"(e)(1) For all purposes of this title, a project authorized by subsection (a)(1) of this section shall be deemed to be a highway project.

Highway Trust Fund. 70 Stat. 397. 23 USC 120 note.

"(2) Notwithstanding section 209(f)(1) of the Highway Revenue Act of 1956, the Highway Trust Fund shall be available for making expenditures to meet obligations resulting from projects authorized by subsection (a)(2) of this section and such projects shall be subject to, and governed in accordance with, all provisions of this title applicable to projects on the Federal-aid urban system, except to the extent determined inconsistent by the Secretary.

"(3) The Federal share payable on account of projects authorized by subsection (a) of this section shall be that provided in section 120 of this section.

"(f) No project authorized by this section shall be approved unless the Secretary of Transportation has received assurances satisfactory to him from the State that public mass transportation systems will fully utilize the proposed project.

"(g) In any case where sufficient land exists within the publicly acquired rights-of-way of any Federal-aid highway to accommodate needed rail or nonhighway public mass transit facilities and where this can be accomplished without impairing automotive safety or

future highway improvements, the Administrator may authorize a State to make such lands and rights-of-way available without charge to a publicly owned mass transit authority for such purposes wherever he may deem that the public interest will be served thereby.

"(h) The provision of assistance under subsection (a) (2) or subsection (c) of this section shall not be construed as bringing within the application of chapter 15 of title 5, United States Code, any nonsupervisory employee of an urban mass transportation system (or of any other agency or entity performing related functions) to whom such chapter is otherwise inapplicable.

Ante, p. 259.

80 Stat. 403.
5 USC 1501.

"(i) Funds available for expenditure to carry out the purposes of subsection (a) (2) and subsection (c) of this section shall be supplementary to and not in substitution for funds authorized and available for obligation pursuant to the Urban Mass Transportation Act of 1964, as amended.

78 Stat. 302.
49 USC 1601 note.

"(j) The provisions of section 3(e)(4) of the Urban Mass Transportation Act of 1964, as amended, shall apply in carrying out subsection (a) (2) and subsection (c) of this section.

49 USC 1602.

"(k) The Secretary shall not approve any project under subsection (a) (2) of this section in any fiscal year when there has been enacted an Urban Transportation Trust Fund or similar assured funding for both highway and public transportation."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by striking out

"142. Urban highway public transportation."

and inserting in lieu thereof the following:

"142. Public transportation.".

ECONOMIC GROWTH CENTER DEVELOPMENT HIGHWAYS

84 Stat. 1729.

SEC. 122. (a) Section 143 of title 23, United States Code, is amended by striking out "demonstration projects" each place it appears and inserting in lieu thereof "projects", and by striking out "demonstration project" each place it appears and inserting in lieu thereof in each such place "project", by striking out "the Federal-aid primary system" in each place it appears and inserting in lieu thereof in each such place "a Federal-aid system (other than the Interstate System)", and in subsection (d) by striking out "Federal-aid primary highways" and inserting in lieu thereof "highways on the Federal-aid system on which such development highway is located".

(b) Section 143(e) of title 23, United States Code, is amended to read as follows:

"(e) Except as otherwise provided in subsection (c) of this section, the Federal share of the cost of any project for construction, reconstruction, or improvement of a development highway under this section shall be the same as that provided under this title for any other project on the Federal-aid system on which such development highway is located."

(c) Section 143(a) of title 23, United States Code, is amended by striking out "to demonstrate the role that highways can play".

FEDERAL-STATE RELATIONSHIP

72 Stat. 885; 84 Stat. 1741.
23 USC 101.

SEC. 123. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 145. Federal-State relationship

"The authorization of the appropriation of Federal funds or their availability for expenditure under this chapter shall in no way infringe on the sovereign rights of the States to determine which

projects shall be federally financed. The provisions of this chapter provide for a federally assisted State program."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"145. Federal-State relationship."

BICYCLE TRANSPORTATION AND PEDESTRIAN WALKWAYS

72 Stat. 906; 84 Stat. 1721. 23 USC 201.

SEC. 124. (a) Chapter 2 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 217. Bicycle transportation and pedestrian walkways

"(a) To encourage the multiple use of highway rights-of-way, including the development, improvement, and use of bicycle transportation and the development and improvement of pedestrian walkways on or in conjunction with highway rights-of-way, the States may, on Federal-aid highway projects, include to the extent practicable, suitable, and feasible, the construction of separate or preferential bicycle lanes or paths, bicycle traffic control devices, shelters and parking facilities to serve bicycles and persons using bicycles, and pedestrian walkways in conjunction or connection with Federal-aid highways. Sums apportioned in accordance with paragraphs (1), (2), (3), and (6) of section 104(b) of this title shall be available for bicycle projects and pedestrian walkways authorized under this section and such projects shall be located and designed pursuant to an overall plan which will provide due consideration for safety and contiguous routes.

Ante, p. 256; 77 Stat. 276.

"(b) For all purposes of this title, a bicycle or pedestrian walkway project authorized by subsection (a) of this section shall be deemed to be a highway project, and the Federal share payable on account of such bicycle project or pedestrian walkway shall be that provided in section 120 of this title.

72 Stat. 898. 23 USC 120.

"(c) Funds authorized for forest highways, forest development roads and trails, public lands development roads and trails, park roads and trails, parkways, Indian reservation roads, and public lands highways shall be available, at the discretion of the department charged with the administration of such funds, for the construction of bicycle and pedestrian routes in conjunction with such trails, roads, highways, and parkways.

"(d) No motorized vehicles shall be permitted on trails and walkways authorized under this section except for maintenance purposes and, when snow conditions and State or local regulations permit, snowmobiles.

"(e) Not more than $40,000,000 of funds authorized to be appropriated in any fiscal year may be obligated for projects authorized by subsections (a) and (c) of this section, and no State shall obligate more than $2,000,000 for such projects in any fiscal year."

Supra.

(b) The analysis of chapter 2, title 23, United States Code, is amended by inserting at the end thereof the following:

"217. Bicycle transportation and pedestrian walkways."

SPECIAL URBAN HIGH DENSITY TRAFFIC PROGRAM

Ante, p. 261.

SEC. 125. (a) Chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

"§ 146. Special urban high density traffic program

Appropriation.

"(a) There is hereby authorized to be appropriated out of the Highway Trust Fund $50,000,000 for the fiscal year ending June 30, 1974, $50,000,000 for the fiscal year ending June 30, 1975, and

$50,000,000 for the fiscal year ending June 30, 1976, for the construction of highways connected to the Interstate System in portions of urbanized areas with high traffic density. The Secretary shall develop guidelines and standards for the designation of routes and the allocation of funds for this purpose which include the following criteria:

Route designation and fund allocation, guidelines and standards.

"(1) Routes designated by the Secretary shall not be longer than ten miles.

"(2) Routes designated shall serve areas of concentrated population and heavy traffic congestion.

"(3) Routes designated shall serve the urgent needs of commercial, industrial, airport, or national defense installations.

"(4) Any routes shall connect with existing routes on the Interstate System.

"(5) Routes designated under this section shall have been approved through the planning process required under section 134 of this title and determined to be essential by responsible local officials.

76 Stat. 1148; 84 Stat. 1737. 23 USC 134.

"(6) A route shall be designated under this section only where the Secretary determines that no feasible or practicable alternative mode of transportation which could meet the needs of the area to be served is now available or could become available in the foreseeable future.

"(7) The designation of routes under this section shall comply with section 138 of this title, and no route shall be designated which substantially damages or infringes upon any residential area.

82 Stat. 823. 23 USC 138.

"(8) Routes shall be designated by the Secretary on the recommendation of the State and responsible local officials.

"(9) No more than one route in any one State shall be designated by the Secretary.

"(10) Any route designated by the Secretary under this section must be on a Federal-aid system.

"(b) The Federal share payable on account of any project authorized pursuant to this section shall not exceed 90 per centum of the cost of construction of such project."

(b) The table of contents of chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following:

"146. Special urban high density traffic program."

PRIORITY PRIMARY ROUTES

SEC. 126. (a) Chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

Ante, p. 262.

"§ 147. Priority primary routes

"(a) High traffic sections of highways on the Federal-aid primary system which connect to the Interstate System shall be selected by each State highway department, in consultation with appropriate local officials, subject to approval by the Secretary, for priority of improvement to supplement the service provided by the Interstate System by furnishing needed adequate traffic collector and distributor facilities. For the purpose of this section such highways shall hereafter in this section be referred to as 'priority primary routes'.

"(b) The Federal share of any project on a priority primary route shall be that provided in section 120(a) of this title. All provisions of this title applicable to the Federal-aid primary system shall be applicable to priority primary routes selected under this section except that one-half of such funds shall be apportioned among the States in accordance with section 104(b)(1) of this title, and one-half shall be

Federal share.

82 Stat. 835; 84 Stat. 1718. 23 USC 120.

Ante, p. 256.

77 Stat. 276.
23 USC 104.

apportioned among the States in accordance with section 104(b)(3) of this title. Funds authorized to carry out this section shall be deemed to be apportioned on January 1 next preceding the commencement of the fiscal year for which authorized.

Report to Congress.

"(c) The initial selection of the priority primary routes and the estimated cost of completing such routes shall be reported to Congress on or before July 1, 1974.

Appropriation.

"(d) There is authorized to be appropriated out of the Highway Trust Fund to carry out this section not to exceed $100,000,000 for the fiscal year ending June 30, 1974, $200,000,000 for the fiscal year ending June 30, 1975, and $300,000,000 for the fiscal year ending June 30, 1976."

(b) The table of contents of chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following:

"147. Priority primary routes.".

ALASKA HIGHWAY

Ante, p. 262.

SEC. 127. (a)(1) Chapter 2 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

"§ 218. Alaska Highway

"(a) Recognizing the benefits that will accrue to the State of Alaska and to the United States from the reconstruction of the Alaska Highway from the Alaskan border to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to the south Alaskan border, the Secretary is authorized out of the funds appropriated for the purpose of this section to provide for necessary reconstruction of such highway. Such appropriations shall remain available until expended. No expenditures shall be made for the construction of such highways until an agreement has been reached by the Government of Canada and the Government of the United States which shall provide, in part, that the Canadian Government—

Canada and U.S. agreement requirement.

"(1) will provide, without participation of funds authorized under this title all necessary right-of-way for the reconstruction of such highways, which right-of-way shall forever be held inviolate as a part of such highways for public use;

"(2) will not impose any highway toll, or permit any such toll to be charged for the use of such highways by vehicles or persons;

"(3) will not levy or assess, directly or indirectly, any fee, tax, or other charge for the use of such highways by vehicles or persons from the United States that does not apply equally to vehicles or persons of Canada;

"(4) will continue to grant reciprocal recognition of vehicle registration and drivers' licenses in accordance with agreements between the United States and Canada; and

"(5) will maintain such highways after their completion in proper condition adequately to serve the needs of present and future traffic.

"(b) The survey and construction work undertaken pursuant to this section shall be under the general supervision of the Secretary."

(2) The analysis of chapter 2 of title 23 of the United States Code is amended by adding at the end thereof the following:

"218. Alaska Highway."

Appropriation.

(b) For the purpose of completing necessary reconstruction of the Alaska Highway from the Alaskan border to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to the south Alaskan border there is authorized to be appropriated the sum of $58,670,000 to be expended in accordance with the provisions of section 218 of title 23 of the United States Code.

Supra.

BRIDGES ON FEDERAL DAMS

SEC. 128. (a) Section 320(d) of title 23, United States Code, is amended by striking out "$16,761,000" and inserting in lieu thereof "$25,261,000". 73 Stat. 613; 84 Stat. 1724. 23 USC 320.

(b) All sums appropriated under authority of the increased authorization of $8,500,000 established by the amendment made by subsection (a) of this section shall be available for expenditure only in connection with the construction of a bridge across lock and dam numbered 13 on the Arkansas River near Fort Smith, Arkansas, in the amount of $2,100,000 and in connection with reconstruction of a bridge across the Chickamauga Dam on the Tennessee River near Chattanooga, Tennessee, in the amount of $6,400,000. No such sums shall be appropriated until all applicable requirements of section 320 of title 23 of the United States Code have been complied with by the appropriate Federal agency, the Secretary of Transportation, and the State of Arkansas for the Fort Smith project, and the State of Tennessee for the Chattanooga project. Limitation.

GREAT RIVER ROAD

SEC. 129. (a) Section 14 of the Federal-Aid Highway Act of 1954, as amended (68 State. 70; Public Law 83–350), is amended by striking out "$500,000" and inserting in lieu thereof "$600,000". 78 Stat. 1092.

(b) Chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows: *Ante*, p. 263.

"§ 148. Development of a national scenic and recreational highway

"(a) As soon as possible after the date of enactment of this section, the Secretary shall establish criteria for the location and construction or reconstruction of the Great River Road by the ten States bordering the Mississippi River. Such criteria shall include requirements that— Great River Road.

"(1) priority be given in the location of the Great River Road near or easily accessible to the larger population centers of the State and further priority be given to the construction and improvement of the Great River Road in the proximity of the confluence of the Mississippi River and the Wisconsin River;

"(2) the Great River Road be connected with other Federal-aid highways and preferably with the Interstate System;

"(3) the Great River Road be marked with uniform identifying signs;

"(4) effective control, as defined in section 131 of this title, of signs, displays, and devices will be provided along the Great River Road; 79 Stat. 1028. 23 USC 131.

"(5) the provisions of section 129(a) of this title shall not apply to any bridge or tunnel on the Great River Road and no fees shall be charged for the use of any facility constructed with assistance under this section. 72 Stat. 902. 23 USC 129.

"(b) For the purpose of this section, the term 'construction' includes the acquisition of areas of historical, archeological, or scientific interest, necessary easements for scenic purposes, and the construction or reconstruction of roadside rest areas (including appropriate recreational facilities), scenic viewing areas, and other appropriate facilities as determined by the Secretary. "Construction."

"(c) Highways constructed or reconstructed pursuant to this section (except subsection (f)) shall be part of the Federal-aid system. *Post*, p. 266.

"(d) Funds appropriated for each fiscal year pursuant to subsection (g) shall be apportioned among the ten States bordering the Mississippi River on the basis of their relative needs as determined by the Secretary for payments to carry out this section. Apportionment.

Federal share.

"(e) The Federal share of the cost of any project for any construction or reconstruction pursuant to the preceding subsections of this section shall be that provided in section 120 of this title for the Federal-aid system on which such project is located, and if such project is not on such a system, such share shall be 70 per centum of such cost.

72 Stat. 898.
23 USC 120.

"(f) The Secretary is authorized to consult with the heads of other Federal departments and agencies having jurisdiction over Federal lands open to the public in order to enter into appropriate arrangements for necessary construction or reconstruction of highways on such lands to carry out this section. Highways constructed or reconstructed by a State pursuant to this section which are not on a Federal-aid system, and highways constructed or reconstructed under this subsection, shall be subject to the criteria applicable to highways constructed or reconstructed pursuant to subsection (c) of this section. Funds authorized pursuant to subsection (g) shall be used to pay the entire cost of construction or reconstruction pursuant to the first sentence of this subsection.

Appropriation.

"(g) There is authorized to be appropriated to carry out this section, out of the Highway Trust Fund, for construction or reconstruction of roads on a Federal-aid highway system, not to exceed $10,000,000 for the fiscal year ending June 30, 1974, $25,000,000 for the fiscal year ending June 30, 1975, and $25,000,000 for the fiscal year ending June 30, 1976, for allocations to the States pursuant to this section, and there is authorized to be appropriated to carry out this section out of any money in the Treasury not otherwise appropriated, not to exceed $10,000,000 for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, for construction and reconstruction of roads not on a Federal-aid highway system."

(c) The table of contents of chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof the following:

"148. Development of a national scenic and recreational highway.".

ALASKAN ASSISTANCE

SEC. 130. Subsection (b) of section 7 of the Federal-Aid Highway Act of 1966 is amended by striking out at the end of the last sentence "June 30, 1972 and June 30, 1973." and substituting "June 30, 1972, June 30, 1973, June 30, 1974, June 30, 1975, and June 30, 1976."

84 Stat. 1735.

ROUTE 101 IN NEW HAMPSHIRE

SEC. 131. (a) The amount of all Federal-aid highway funds paid on account of those sections of Route 101 in the State of New Hampshire referred to in subsection (c) of this section shall, prior to the collection of any tolls thereon, be repaid to the Treasurer of the United States on or before October 1, 1977. The amount so repaid shall be deposited to the credit of the appropriation for "Federal-Aid Highways (Trust Fund)". At the time of such repayment, the Federal-aid projects with respect to which such funds have been repaid and any other Federal-aid project located on said sections of such toll road and programed for expenditure on any such project, shall be credited to the unprogramed balance of Federal-aid highways funds of the same class last apportioned to the State of New Hampshire. The amount so credited shall be in addition to all other funds then apportioned to said State and shall be available for expenditure in accordance with the provisions of title 23, United States Code, as amended or supplemented.

72 Stat. 885.
23 USC 101 *et seq.*

(b) Upon the repayment of Federal-aid highway funds and the cancellation and withdrawal from the Federal-aid highway program of

the projects on said sections of Route 101 as provided in subsection (a) of this section, such sections of said route shall become and be free of any and all restrictions contained in title 23, United States Code, as amended or supplemented, or in any regulation thereunder, with respect to the imposition and collection of tolls or other charges thereon or for the use thereof.

72 Stat. 885.
23 USC 101 *et seq.*

(c) The provisions of this section shall apply to the following sections:

Applicability.

(1) That section of Route 101 from Route 125 in Epping to Brentwood Corners, a distance of approximately two and thirty one-hundredths centerline miles.

(2) That section of Route 101 in the vicinity of Sells Corner in Auburn, beginning approximately two and forty one-hundredths centerline miles east of the junction of Interstate Route 93 and running easterly approximately two miles.

FREEING INTERSTATE TOLL BRIDGES

SEC. 132. Section 129, title 23, United States Code, as amended by section 139 of this Act, is amended by adding at the end thereof the following new subsection:

Post, p. 270.

"(h) Notwithstanding the provisions of section 301 of this title, in the case of each State which, before January 1, 1975, shall have constructed or acquired any interstate toll bridge (including approaches thereto), which before January 1, 1975, caused such toll bridge to be made free, which bridge is owned and maintained by such State or by a political subdivision thereof, and which bridge is on the Federal-aid primary system (other than the Interstate System), sums apportioned to such State in accordance with paragraphs (1) and (3) of subsection (b) of section 104 of this title shall be available to pay the Federal share of a project under this subsection of (1) such amount as the Secretary determines to be the reasonable value of such bridge after deducting therefrom that portion of such value attributable to any grant or contribution previously paid by the United States in connection with the construction or acquisition of such bridge, and exclusive of rights-of-way, or (2) the amount by which the principal amount of the outstanding unpaid bonds or other obligations created and issued for the construction or acquisition of such bridge exceeds the amount of any funds accumulated or provided for their amortization, on the date such bridge is made free, whichever is the lesser amount."

72 Stat. 912.
23 USC 301.

Ante, p. 256; 77 Stat. 276.

STUDY OF TOLL BRIDGE AUTHORITY

SEC. 133. (a) The Secretary of Transportation is authorized and directed to undertake a full and complete investigation and study of existing Federal statutes and regulations governing toll bridges over the navigable waters of the United States for the purpose of determining what action can and should be taken to assure just and reasonable tolls nationwide. The Secretary shall submit a report of the findings of such study and investigation to the Congress not later than July 1, 1974, together with his recommendations for modifications or additions to existing laws, regulations, and policies, except that in the case of the toll bridge at Chester, Illinois, the Secretary shall submit a report to the Congress not later than December 31, 1973.

Federal statutes and regulations, investigation and study.

Report to Congress.

(b) The Secretary of Transportation shall promulgate regulations establishing guidelines governing any increase in tolls for use of any bridge constructed pursuant to either the General Bridge Act of 1906 or the General Bridge Act of 1946.

Regulations.

33 USC 491 note.
33 USC 525 note.

NATIONAL SCENIC HIGHWAY SYSTEM STUDY

SEC. 134. (a) The Secretary of Transportation shall make a full and complete investigation and study to determine the feasibility of establishing a national system of scenic highways to link together and make more accessible to the American people recreational, historical, scientific, and other similar areas of scenic interest and importance. In the conduct of such investigation and study, the Secretary shall cooperate and consult with other agencies of the Federal Government, the Commission on Highway Beautification, the States and their political subdivisions, and other interested private organizations, groups, and individuals. The Secretary shall report his findings and recommendations to the Congress not later than July 1, 1974, including an estimate of the cost of implementing such a program. There is authorized to be appropriated $250,000 from the Highway Trust Fund to carry out this subsection.

Report to Congress.

Appropriation.

Parks and recreation areas, user access study.

(b) The Secretary of Transportation shall make a full and complete investigation and study to examine problems of user access to parks, recreation areas (including public recreation areas on Federal lakes), historic sites and wildlife refuges. Such study and investigation shall include, but not be limited to, an analysis of the desirability and feasibility of a national scenic road and parkways system referred to in subsection (a) including benefits to the user if any and the total long range environmental impact of such system on the Nation's recreation resources; alternatives to private automobile access to parks and recreation resources, including mass transit; and special problems of safe access to urban and metropolitan parks and recreation resources. In the conduct of such investigations and study, the Secretary shall cooperate and consult with other agencies of the Federal Government, the States and their political subdivisions, and interested private organizations, groups and individuals. The Secretary shall report his findings and recommendations to the Congress not later than January 1, 1975, including an estimate of the cost of implementing any suggested programs.

Report to Congress.

DISTRICT OF COLUMBIA

Nonapplicability.

SEC. 135. None of the provisions of the Act entitled "An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities", approved March 2, 1893 (27 Stat. 532), as amended, shall apply to any segment of the Interstate System within the District of Columbia.

D.C. Code 7-108.

CORRIDOR HEARINGS

SEC. 136. (a) The Secretary of Transportation shall permit no further action on Interstate Route I–287 between Montville and Mahwah, New Jersey, until new corridor hearings are held.

(b) The Secretary of Transportation shall permit no further action on the Corporation Freeway, Winston-Salem, North Carolina, until new corridor hearings are held.

Reports.

(c) The new corridor hearings required by this section shall be held and the reports thereon shall be made no later than one year after the date of enactment of this section.

INTERSTATE SYSTEM

SEC. 137. (a) Paragraph (2) of subsection (e) of section 103 of title 23, United States Code, is amended as follows:

81 Stat. 772; 84 Stat. 1716.

(1) The first sentence is amended by striking out "additional mileage for the Interstate System of two hundred miles, to be used in making modifications" and inserting in lieu thereof "additional mileage for the Interstate System of five hundred miles, to be used in making modifications".

(2) The fourth sentence is amended by striking out "the 1968 Interstate System cost estimate set forth in House Document Numbered 199, Ninetieth Congress, as revised." and inserting in lieu thereof the following: "the 1972 Interstate System cost estimate set forth in House Public Works Committee Print Numbered 92–29, as revised in House Report Numbered 92–1443."

(3) The fifth sentence is amended by striking out "due regard" and inserting in lieu thereof the following: "preference, along with due regard for interstate highway type needs on a nationwide basis,".

(b) Subsection (e) of section 103 of title 23, United States Code, is amended by adding the following: *Ante*, p. 268.

"(4) Upon the joint request of a State Governor and the local governments concerned, the Secretary may withdraw his approval of any route or portion thereof on the Interstate System within any urbanized area in that State selected and approved in accordance with this title prior to the enactment of this paragraph, if he determines that such route or portion thereof is not essential to completion of a unified and connected Interstate System or will no longer be essential by reason of the application of this paragraph and will not be constructed as a part of the Interstate System, and if he receives assurances that the State does not intend to construct a toll road in the traffic corridor which would be served by such route or portion thereof. The mileage of the route or portion thereof approval of which is withdrawn under this paragraph shall be available for designation on the Interstate System in any other State in accordance with paragraph (1) of this subsection. After the Secretary has withdrawn his approval of any such route or portion thereof, whenever responsible local officials of such urbanized area notify the State highway department that, in lieu of a route or portion thereof approval for which is withdrawn under this paragraph, their needs require a nonhighway public mass transit project involving the construction of fixed rail facilities, or the purchase of passenger equipment, including rolling stock for any mode of mass transit, or both, and the State highway department determines that such public mass transit project is in accordance with the planning process under section 134 of this title and is entitled to priority under such planning process, such public mass transit project shall be submitted for approval to the Secretary. Approval of the plans, specifications, and estimates for such project by the Secretary shall be deemed a contractual obligation of the United States for payment out of the general funds in the Treasury of its proportional share of the cost of such project in an amount equal to the Federal share which would be paid for such a project under the Urban Mass Transportation Act of 1964, except that the total Federal cost of all such projects under this paragraph with respect to such route or portion thereof approval of which is withdrawn under this paragraph, shall not exceed the Federal share of the cost which would have been paid for such route or portion thereof, as such cost is included in the 1972 Interstate System cost estimate set forth in table 5 of House Public Works Committee Print Numbered 92–29, as revised in House Report Numbered 92–1443. Funds apportioned to such State for the Interstate System, which apportionment is based upon an Interstate System cost estimate that includes a route or portion thereof approval of which is withdrawn under this paragraph, shall be reduced by an amount equal to the Federal share of such project as such share

76 Stat. 1148; 84 Stat. 1737. 23 USC 134.

78 Stat. 302. 49 USC 1601 note.

becomes a contractual obligation of the United States. No general funds shall be obligated under authority of this paragraph after June 30, 1981. No nonhighway public mass transit project shall be approved under this paragraph unless the Secretary has received assurances satisfactory to him from the State that public mass transportation systems will fully utilize the proposed project. The provision of assistance under this paragraph shall not be construed as bringing within the application of chapter 15 of title 5, United States Code, any nonsupervisory employee of an urban mass transportation system (or of any other agency or entity performing related functions) to whom such chapter is otherwise inapplicable. Funds available for expenditure to carry out the purposes of this paragraph shall be supplementary to and not in substitution for funds authorized and available for obligation pursuant to the Urban Mass Transportation Act of 1964, as amended. The provisions of section 3(e)(4) of the Urban Mass Transportation Act of 1964, as amended, shall apply in carrying out this paragraph."

80 Stat. 403.
5 USC 1501.

78 Stat. 302.
49 USC 1601 note.
49 USC 1602.

PUBLIC MASS TRANSPORTATION STUDIES

Evaluation.

SEC. 138. (a) The Secretary shall, in cooperation with the Governor of each State and appropriate local officials, make an evaluation of that portion of the 1972 National Transportation Report, pertaining to public mass transportation. Such evaluation shall include all urban areas. The evaluation shall include but not be limited to the following:

(1) Refining the public mass transportation needs contained in such report.

(2) Developing a program to accomplish the needs of each urban area for public mass transportation.

(3) Analyzing the existing funding capabilities of Federal, State, and local governments for meeting such needs.

(4) Analyzing other funding capabilities of Federal, State, and local governments for meeting such needs.

(5) Determining the operating and maintenance costs relating to the public mass transportation system.

(6) Determining and comparing fare structures of all public mass transportation systems.

Report to Congress.

The Secretary shall, not later than July 1, 1974, report to Congress the results of this evaluation together with his recommendations for necessary legislation.

Tax revenues, study.

(b) The Secretary shall conduct a study of revenue mechanisms, including a tax on fuels used in the provision of urban mass transportation service, and an additional gasoline tax imposed in urban areas, which could be used now or in the future to finance transportation activities receiving financial assistance from the Highway Trust Fund. Such study shall include an analysis of the magnitude of the various potential sources of user tax revenues, the rates at which such taxes could be levied (including possible differential rates), the mechanisms for collection of such taxes, the incidence of such taxes, and the potential impact on transit usage caused by such taxes. The Secretary shall report to the Congress the findings of his study by no later than the 180th day after the date of enactment of this section.

Appropriation.

(c) There is hereby auhorized not to exceed $10,000,000 to carry out this section.

FERRY OPERATIONS

84 Stat. 1736.

SEC. 139. (a) The last subsection of section 129 of title 23, United States Code, is hereby redesignated as subsection (g).

(b) Paragraph (5) of subsection (g) of section 129 of title 23, United States Code, as redesignated in subsection (a) of this section, is amended to read as follows:

Ante, p. 270.

"(5) Such ferry may be operated only within the State (including the islands which comprise the State of Hawaii) or between adjoining States. Except with respect to operations between the islands which comprise the State of Hawaii and operations between the States of Alaska and Washington, or between any two points within the State of Alaska, no part of such a ferry operation shall be in any foreign or international waters."

METRO ACCESSIBILITY TO THE HANDICAPPED

Payments to the Washington Metropolitan Area Transit Authority.

SEC. 140. The Secretary of Transportation is authorized to make payments to the Washington Metropolitan Area Transit Authority in amounts sufficient to finance 80 per centum of the cost of providing such facilities for the subway and rapid rail transit system authorized in the National Capital Transportation Act of 1969 (83 Stat. 320) as may be necessary to make such subway and system accessible by the handicapped through implementation of Public Laws 90–480 and 91–205. There is authorized to be appropriated, to carry out this section, not to exceed $65,000,000.

D.C. Code 1-1441 note.

82 Stat. 718; 84 Stat. 49. 42 USC 4151.

ENVIRONMENTAL IMPACT STATEMENTS

SEC. 141. (a) The Secretary of Transportation shall, not later than forty-five days after the date of enactment of this section, complete all necessary action on (1) the environmental impact statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, and (2) the application for approval under the General Bridge Act of 1946, with respect to the proposal for construction by the Department of Transportation of the State of New Jersey of a bridge over the Raritan River in such State for the purpose of such State's Highway Route 18.

83 Stat. 853. 42 USC 4332. 60 Stat. 847. 33 USC 525 note.

(b) The Secretary of Transportation shall—

(1) by October 1, 1973—

(A) complete the draft environmental impact statement pursuant to section 102(2)(C) of the National Environmental Policy Act and his determination under section 4(f) of the Department of Transportation Act and section 138 of title 23 of the United States Code, on the project for Interstate Route Numbered 66 in the State of Virginia from the National Capital Beltway to the Potomac River, which project is described in the 1972 estimate of the cost of completing the National System of Interstate and Defense Highways as estimate section termini E 10.4.2 at the Beltway to E 10.11.1 in Rosslyn,

82 Stat. 824. 49 USC 1653. 82 Stat. 823.

(B) circulate such statement to all interested Federal, State, and local agencies and to the public for comment within forty-five days, and

(C) insure that notice of a public hearing on the design and location of such project is issued;

(2) insure that a public hearing is held within forty-five days after issuance of the notice pursuant to paragraph (1)(C) of this subsection; and

(3) not later than December 31, 1973, complete consideration of the information received at the hearing, review any comments on the statement received within the forty-five-day notice period referred to in paragraph (1)(B) of this subsection and any other

information received by the end of such forty-five-day period and file the final version of such statement on the basis of such comments and information, together with any other final determination which he is required by law to make in order to permit the construction of such project to proceed. The determination of the Secretary shall be conclusive with respect to all issues of fact.

TRUCK LANES

Ante, p. 265.

SEC. 142. (a) Chapter 1 of title 23, United States Code, is amended by adding to the end thereof the following new section:

"§ 149. Truck lanes

"The Secretary may approve as a project on any Federal-aid system the construction of exclusive or preferential truck lanes."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"149. Truck lanes.".

HIGHWAY STUDIES

Report to Congress.

SEC. 143. The Secretary of Transportation shall report to Congress by January 1, 1975, on the feasibility and necessity for constructing to appropriate standards proposed highways along the following routes:

(1) A route from Brunswick, Georgia, or its vicinity, to Kansas City, Missouri, or its vicinity, so aligned to serve the following intermediate locations, or vicinities thereof: Columbus, Georgia; Birmingham, Alabama; Tupelo, Mississippi; Memphis, Tennessee; Batesville or Jonesboro, Arkansas; and Springfield, Missouri.

(2) A route from Kansas City, Missouri, or its vicinity, to Chicago, Illinois, or its vicinity, so aligned as to cross the Mississippi River at a point between Nauvoo, Illinois, on the north, and Hannibal, Missouri, on the south.

(3) A route from Amarillo, Texas, or its vicinity to Las Cruces, New Mexico, or its vicinity, so aligned as to serve the following intermediate locations, or vicinities thereof: Hereford, Texas; Clovis, New Mexico; Portales, New Mexico; Roswell, New Mexico; Ruidoso, New Mexico; Tularosa, New Mexico; and Alamogordo, New Mexico together with a branch route from Alamogordo, New Mexico, or its vicinity, to El Paso, Texas, or its vicinity, to connect with Interstate Route No. 10 and the port of entry with Mexico.

(4) A route from the Port of Catoosa, Catoosa, Oklahoma, or its vicinity, to Interstate Route No. 35 to Ponca City, Oklahoma, or its vicinity.

(5) Extension of Interstate Highway 70 from Cove Fort, Utah, or its vicinity, in a westerly direction, so aligned to serve the intermediate locations of Ely and Carson City, Nevada, or their vicinities.

(6) A route from Kansas City, Missouri, or its vicinity, to Baton Rouge, Louisiana, or its vicinity, so aligned to serve one or both of the following intermediate locations or vicinities thereof: Fayetteville, Fort Smith, and Texarkana, Arkansas; or Little Rock, Arkansas, or any other route through the State of Arkansas determined feasible by such State and the Secretary.

(7) A route from Interstate Highway 380 from Waterloo, Iowa, via Dubuque, Iowa, to Interstate Highway 90 at Rockford, Illinois; and an extension of Interstate Highway 74 from the Davenport, Iowa-Moline, Illinois, area through Dubuque, Iowa, to Interstate 90 at LaCrosse, Wisconsin.

(8) Extension of Interstate Highway 27 from Lubbock, Texas, or its vicinity in a southerly direction to intersect with Interstate 20 and, proceeding further, to intersect with Interstate 10.

(9) A route from Salina, Kansas, or its vicinity, in a northerly direction to intersect with Interstate 80 in the vicinity of York, Nebraska, and, proceeding further, to Interstate 29 in the vicinity of Watertown, South Dakota.

(10) A route from Wichita, Kansas, or its vicinity to Tucumcari, New Mexico, or its vicinity, so aligned to serve the following intermediate locations or vicinities thereof: Pratt, Kansas; Meade, Kansas; Liberal, Kansas; Guymon, Oklahoma; Stafford, Texas; Dalhart, Texas; and Logan, New Mexico; or any other route through the State of Kansas determined feasible by such State and the Secretary.

INTER-AMERICAN HIGHWAY

SEC. 144. Section 4 of the Federal-Aid Highway Act of 1962 (Public Law 87-866; 76 Stat. 1145) is amended by striking out "$32,000,000" and inserting in lieu thereof "$42,000,000".

DONATIONS

SEC. 145. (a) Chapter 3 of title 23 of the United States Code is amended by adding at the end thereof the following: 72 Stat. 912; 84 Stat. 1742. 23 USC 301.

"§ 323. Donations

"Nothing in this title, or in any other provision of law, shall be construed to prevent a person whose real property is being acquired in connection with a project under this title, after he has been tendered the full amount of the estimated just compensation as established by an approved appraisal of the fair market value of the subject real property, from making a gift or donation of such property, or any part thereof, or of any of the compensation paid therefor, to a Federal agency, a State or a State agency, or a political subdivision of a State, as said person shall determine."

(b) The analysis of chapter 3 of title 23, United States Code, is amended by adding at the end thereof the following:

"323. Donations.".

HIGH-SPEED TRANSPORTATION DEMONSTRATION

SEC. 146. The Secretary is authorized to undertake a study and demonstration program for high-speed bus service from collection points in the Washington, District of Columbia area to Dulles International Airport, Virginia. Such study and demonstration shall utilize exclusive bus transportation lanes between points of origin and termination of such service, and include, where necessary, the construction of such exclusive bus transportation lanes as well as terminal and parking facilities. Such study and demonstration shall also include the purchase of high-speed buses. As necessary to implement this section, the Secretary shall undertake research into the development of buses designed to maintain high-speed, safe transportation. Not to exceed $10,000,000 of the amount authorized to be apportioned under section 104(b)(6) of title 23, United States Code, for the fiscal year ending June 30, 1975, shall be available to the Secretary to carry out this section and such sum shall be set aside for such purpose prior to the apportionment of such amount for such fiscal year. High-speed bus service, study. *Ante*, p. 256.

RURAL HIGHWAY PUBLIC TRANSPORTATION DEMONSTRATION PROGRAM

Appropriation.

SEC. 147. To encourage the development, improvement, and use of public mass transportation systems operating vehicles on highways for transportation of passengers within rural areas, in order to enhance access of rural populations to employment, health care, retail centers, education, and public services, there are authorized to be appropriated $30,000,000 for the two-fiscal-year period ending June 30, 1976, of which $20,000,000 shall be out of the Highway Trust Fund, to the Secretary of Transportation to carry out demonstration projects for public mass transportation on highways in rural areas. Projects eligible for Federal funds under this section shall include highway traffic control devices, the construction of passenger loading areas and facilities, including shelters, fringe and transportation corridor parking facilities to serve bus and other public mass transportation passengers, and the purchase of passenger equipment other than rolling stock for fixed rail.

FEDERAL-AID SYSTEMS REALIGNMENT

72 Stat. 887.

SEC. 148. (a) Section 103(b) of title 23, United States Code, is renumbered as section 103(b)(1) and a new section 103(b)(2) is added to read as follows:

"(2) After June 30, 1976, the Federal-aid primary system shall consist of an adequate system of connected main roads important to interstate, statewide, and regional travel, consisting of rural arterial routes and their extensions into or through urban areas. The Federal-aid primary system shall be designated by each State acting through its State highway department and where appropriate, shall be in accordance with the planning process pursuant to section 134 of this title, subject to the approval of the Secretary as provided by subsection (f) of this section."

72 Stat. 888; 76 Stat. 1147.

(b) Section 103(c) of title 23, United States Code, is renumbered as section 103(c)(1) and a new subsection 103(c)(2) is added to read as follows:

"(2) After June 30, 1976, the Federal-aid secondary system shall consist of rural major collector routes. The Federal-aid secondary system shall be designated by each State through its State highway department and appropriate local officials in cooperation with each other, subject to the approval of the Secretary as provided in subsection (f) of this section."

Ante, p. 255.

(c) Section 103(d) of title 23, United States Code, is renumbered as section 103(d)(1) and a new subsection 103(d)(2) is added to read as follows:

"(2) After June 30, 1976, the Federal-aid urban system shall be located in each urbanized area and such other urban areas as the State highway departments may designate and shall consist of arterial routes and collector routes, exclusive of urban extensions of the Federal-aid primary system. The routes on the Federal-aid urban system shall be designated by appropriate local officials, with the concurrence of the State highway departments, subject to the approval of the Secretary as provided in subsection (f) of this section, and in the case of urbanized areas shall also be in accordance with the planning process required pursuant to the provisions of section 134 of this title."

84 Stat. 1716.

76 Stat. 1148; 84 Stat. 1737. 23 USC 134.

(d) Federal-aid systems realignment shall be based upon anticipated functional usage in the year 1980 or a planned connected system.

Supra.

(e) In addition to the foregoing amendments, the second sentence of section 103(c)(1) of title 23, United States Code, is amended to insert, after the words "local rural roads," the phrase, "access roads to airports,".

TOLL ROAD REIMBURSEMENT PROGRAM

SEC. 149. (a) Whenever the State of Louisiana has received its final apportionment of sums authorized to be appropriated for expenditure on the Interstate System, or on or after July 1, 1977, whichever first occurs, the Secretary shall, notwithstanding the provisions of subsection (b) of section 129 of title 23 of the United States Code, reimburse the Federal share of the actual cost of construction of new toll highways or improvements to existing toll highways in that State, construction of which highways or improvement is begun after July 1, 1973, but not including the cost of toll collection and service facilities, on the same basis and in the same manner as in the construction of free highways under chapter 1 of title 23 of the United States Code upon compliance with the conditions contained in this section.

Ante, p. 259.

72 Stat. 885.
23 USC 101.

(b) The Secretary shall reimburse the Federal share of the costs of construction as applicable to a project under section 120(a) of title 23 of the United States Code from funds apportioned to such State pursuant to paragraph (1) of subsection (b) of section 104 of title 23 of the United States Code whenever the State enters into an agreement with the Secretary whereby it undertakes performance of the following obligations:

82 Stat. 835;
84 Stat. 1718.

Ante, p. 256.

(1) to provide for the construction of such highway in accordance with standards approved by the Secretary;

(2) all tolls received from the operation of such highway, less the actual cost of such operation and maintenance, shall be applied by the State to the repayment of the actual costs of construction, except for an amount equal to the Federal share payable of such actual costs of a project; and

(3) no tolls shall be charged for the use of such highway after the Federal share has been paid and the highway shall be maintained and operated as a free highway.

Upon the enactment of this section the Secretary shall, at the request of the State of Louisiana, enter into an agreement with that State if such agreement meets the requirements of this subsection. Reimbursements shall not be made until after the State receives its final apportionment of sums authorized to be appropriated for expenditure on the Interstate System or July 1, 1977, whichever first occurs.

(c) Such highway shall be designated as a part of the Federal-aid primary system, other than the Interstate System, before the payment of any Federal funds under this section, notwithstanding the mileage limitations in subsection (b) of section 103 of title 23 of the United States Code.

Ante, p. 274.

(d) The Federal share payable of such actual cost of the project shall be made in not more than fifteen equal annual installments, from the funds apportioned to the State pursuant to paragraph (1) of subsection (b) of section 104 of title 23 of the United States Code, with the first installment being made either (1) one year after the project agreement has been entered into between the Secretary and the State highway department or (2) either one year after the State receives its final apportionment of sums authorized to be appropriated for expenditure on the Interstate System, or July 1, 1977, whichever first occurs, whichever of such clause (1) or (2) is last to occur. Such payment shall be applied against the outstanding obligations of the project.

PARKWAYS

SEC. 150. (a) Subsection (a) of section 207 of title 23, United States Code, is amended to read as follows:

72 Stat. 908.

"(a) Funds available for parkways shall be used to pay for the cost of construction and improvement thereof, including the acquisition of rights-of-way and related scenic easements."

Ante, p. 275.

(b) Section 207 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) Any parkway project on a Federal-aid system shall be subject to all of the requirements of this title and of any other law applicable to highways on such system."

RESEARCH AND PLANNING

SEC. 151. Subsection (c)(1) of section 307 of title 23, United States Code, is amended to read as follows:

77 Stat. 277.

"(c)(1) Not to exceed 1½ per centum of the sums apportioned for each fiscal year beginning with fiscal year 1974 to any State under section 104 of this title shall be available for expenditure upon request of the State highway department, with the approval of the Secretary, with or without State funds, for engineering and economic surveys and investigations; for the planning of future highway programs and local public transportation systems and for planning for the financing thereof; for studies of the economy, safety, and convenience of highway usage and the desirable regulation and equitable taxation thereof; and for research and development, necessary in connection with the planning, design, construction, and maintenance of highways and highway systems, and the regulation and taxation of their use."

Ante, p. 256.

TECHNICAL AMENDMENTS

SEC. 152. Title 23, United States Code, is amended as follows:

72 Stat. 885.

(1) Section 101(a) is amended by striking out "Secretary of Commerce" and inserting in lieu thereof "Secretary of Transportation".

84 Stat. 1734.

(2) Section 109(g) is amended by striking out "Rct" and inserting in lieu thereof "Act".

72 Stat. 901, 914.

(3) Sections 126(a) and 310 are amended by striking out "Commerce" each place it appears and inserting in lieu thereof "Transportation".

(4) The heading of section 303 is amended to read:

"Administration organization."

(5) Sections 308(b), 309, 312, and 314 are amended by striking out "Bureau of Public Roads" each place it appears and inserting in lieu thereof "Federal Highway Administration".

(6) Sections 312 and 314 are amended by striking out "Commerce" each place it appears and inserting in lieu thereof "Transportation".

INCREASED FEDERAL SHARE—EFFECTIVE DATE

SEC. 153. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1970 is amended to read as follows:

84 Stat. 1718. 23 USC 120 note.

"(b) The amendments made by subsection (a) of this section shall take effect with respect to all obligations incurred after June 30, 1973."

TERMINATION OF FEDERAL-AID RELATIONSHIP

SEC. 154. (a) Notwithstanding any other provisions of Federal law or any court decision to the contrary, the contractual relationship between the Federal and State Governments shall be ended with respect to all portions of the San Antonio North Expressway between Interstate Highway 35 and Interstate Loop 410, and the expressway shall cease to be a Federal-aid project.

(b) The amount of all Federal-aid highway funds paid on account of sections of the San Antonio North Expressway in Bexar County, Texas (Federal-aid projects numbered U 244(7), U 244(10), UG 244(9), U 244(8), and U 244(11)), shall be repaid to the Treasurer of the United States and the amount so repaid shall be deposited to the credit of the appropriation for "Federal-Aid Highways (Trust Fund)". At the time of such repayment the Federal-aid projects with respect to which funds have been repaid and any other Federal-aid projects located on such expressway and programed for expenditure on such project, if any, shall be canceled and withdrawn from the Federal-aid highway program. Any amount so repaid, together with the unpaid balance of any amount programed for expenditure on any such project shall be credited to the unprogramed balance of Federal-aid highway funds of the same class last apportioned to the States, respectively. The amount so credited shall be available for expenditure in accordance with the provisions of title 23, United States Code, as amended.

72 Stat. 885.
23 USC 101 *et seq.*

HIGHWAY LITTER STUDY

SEC. 155. (a) The Secretary is directed to undertake a study of litter accumulation within the rights-of-way of the Federal-aid highway systems and recommend improved procedures to be used by the several States to prevent and clean up such highway litter on a regular basis. The Secretary shall report his findings and recommendations to the Congress by June 30, 1974.

Report to Congress.

(b) For the purposes of this section, the term "litter" means beverage and food containers, food wastes, paper products, smoking materials or packaging, and any other materials which the Secretary finds are commonly used and discarded by the traveling public and which, when discarded along highway rights-of-way, cause an unsightly appearance, a danger to public health or safety, or an unreasonable expenditure of public funds.

(c) Funds authorized to carry out section 307 of title 23, United States Code, are authorized to be used to carry out the investigation and study required by this section.

72 Stat. 913.

BRIDGE APPROACH STANDARDS

SEC. 156. Section 109 of title 23, United States Code, is amended by adding at the end thereof the following subsection:

84 Stat. 1734.

"(k) The Secretary shall not approve any project involving approaches to a bridge under this title, if such project and bridge will significantly affect the traffic volume and the highway system of a contiguous State without first taking into full consideration the views of that State."

ALLOCATION OF URBAN SYSTEM FUNDS

SEC. 157. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

Ante, p. 272.

"§ 150. Allocation of urban system funds

"The funds apportioned to any State under paragraph (6) of subsection (b) of section 104 of this title that are attributable to urbanized areas of 200,000 population or more shall be made available for expenditure in such urbanized areas for projects in programs approved under subsection (d) of section 105 of this title in accordance with a fair and equitable formula developed by the State which formula has been approved by the Secretary. Such formula shall provide for fair and equitable treatment of incorporated municipalities of 200,000 or more population. Whenever such a formula has not been developed and

84 Stat. 1717.
23 USC 104.

Ante, p. 255.

Ante, p. 256.

approved for a State, the funds apportioned to any State under paragraph (6) of subsection (b) of section 104 of this title which are attributable to urbanized areas having a population of 200,000 or more shall be allocated among such urbanized areas within such State for projects in programs approved under subsection (d) of section 105 of this title in the ratio that the population within each such urbanized area bears to the population of all such urbanized areas, or parts thereof, within such State. In the expenditure of funds allocated under the preceding sentence, fair and equitable treatment shall be accorded incorporated municipalities of 200,000 or more population."

(b) The table of contents of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"150. Allocation of urban system funds.".

FRANCONIA NOTCH, NEW HAMPSHIRE

77 Stat. 277; 80 Stat. 767.

SEC. 158. Notwithstanding section 109(b) of title 23 of the United States Code, the Secretary of Transportation is authorized, upon application of the Governor of the State, to approve construction of that section of Interstate Route 93 from B20.6 an interchange with State route 3A in North Woodstock, New Hampshire, to B22.1 an interchange with U.S. Route 3 in Franconia, New Hampshire, approximately twelve miles in length, as a parkway type highway to geometric and construction standards (whether or not in accordance with section 109(b)) which the Secretary determines are necessary for the safety of the traveling public, for the protection of the environment, and for the preservation of the park-like and historic character of the Franconia Notch area adjacent to the highway. The State of New Hampshire, with the concurrence of the Secretary, is authorized to permit the use of the above section of highway to specified types of vehicles during specified times of the day and of the year.

DWIGHT D. EISENHOWER HIGHWAY

SEC. 159. (a) The following segments of the National System of Interstate and Defense Highways which form a continuous interstate highway link from coast to coast are hereby designated as the "Dwight D. Eisenhower Highway":

(1) Interstate Route 70 between Washington, District of Columbia, and Denver, Colorado;

(2) Interstate Route 25 between Denver, Colorado, and Cheyenne, Wyoming; and

(3) Interstate Route 80 between Cheyenne, Wyoming, and San Francisco, California.

(b) Any law, regulation, map, document, record, or other paper of the United States in which such segments are designated or referred to shall be held to designate or refer to such segments as the "Dwight D. Eisenhower Highway".

CUMBERLAND GAP NATIONAL HISTORICAL PARK

72 Stat. 885.

SEC. 160. (a) Notwithstanding the definition of parkways in subsection (a) of section 101, funds available for parkways shall be available to finance the cost of reconstruction and relocation of Route 25E through the Cumberland Gap National Historical Park, including construction of a tunnel and the approaches thereto, so as to permit restoration of the Gap and provide adequate traffic capacity.

(b) Upon construction, such highway and tunnel and all associated lands and rights-of-way shall be transferred to the National Park Service and managed as part of the Cumberland Gap National Historical Park.

HIGHLAND SCENIC HIGHWAY

SEC. 161. (a) The Secretary of Agriculture (acting through the Forest Service) is authorized to develop and construct as a parkway the Highland Scenic Highway from West Virginia State Route 39 to U.S. 250 near Barton Knob. Notwithstanding subsection (c) of section 103 of title 23, United States Code, such parkway shall be a route on the Federal-aid secondary system. *Ante*, p. 274.

(b) The route from Richwood, West Virginia, to U.S. 250 near Barton Knob, via West Virginia State Route 39 and the parkway authorized by subsection (a) of this section shall be designated as the Highland Scenic Highway.

(c) The Secretary of Agriculture is authorized to acquire rights-of-way, land containing such rights-of-way, and interests in land, including scenic easements and mineral rights, necessary to carry out the purpose of a scenic highway. In addition to the acquisition of such lands and interests in lands, funds available for parkways shall be available for the reclamation of lands within the scenic corridor of the Highland Scenic Highway. Land acquisition.

(d) Funds available for parkways shall be available for signs on Interstate highways, Appalachian highways and other appropriate highways at natural points of access to such geographic area, indicating the direction and distance to the Highland Scenic Highway and to Richwood as "Gateway to the Highland Scenic Highway".

(e) Funds available for parkways shall be available for upgrading that portion of West Virginia State Route 39 designated as the Highland Scenic Highway to appropriate standards for a scenic and recreational highway, including the construction of vistas and other scenic improvements.

(f) The Highland Scenic Highway as authorized by subsection (a) of this section and all associated lands and rights-of-way shall be managed as part of the Monongahela National Forest, solely for scenic and recreational use and passenger car travel.

(g) The Highland Scenic Highway as authorized by subsection (a) of this section shall be designed and constructed in accordance with standards appropriate for a scenic highway, providing for moderate speeds and minimizing modification to topographic contours and natural drainage. Design and construction standards.

(h) Construction of the portion of the Highland Scenic Highway as authorized by subsection (a) of this section which is proposed to be constructed through the upper Shavers Fork watershed shall not be initiated until— Upper Shavers Fork watershed portion, construction conditions.

(1) the Forest Service has acquired sufficient lands and interests in land (including mineral rights) in such watershed to assure an adequate scenic corridor for the Highland Scenic Highway and the control of water quality in Shavers Fork; and

(2) the completion of a geological and soil survey of any proposed route, conducted in cooperation with the Division of Water Resources of the West Virginia Department of Natural Resources.

(i) Any parkway authorized in the future to proceed southward in such area shall begin in the immediate vicinity of Richwood, West Virginia.

(j) Any connection of the Highland Scenic Highway as authorized by subsection (a) of this section with Corridor H of the Appalachian Development Highway System or any more northerly segment of the Highland Scenic Highway shall utilize existing routes and not involve construction through the Monongahela National Forest between U.S. 250 and Cunningham Knob.

PROHIBITION OF DISCRIMINATION ON THE BASIS OF SEX

Ante, p. 273.

SEC. 162. (a) Chapter 3 of title 23, United States Code is amended by adding at the end thereof the following new section:

"§ 324. Prohibition of discrimination on the basis of sex

"No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this title or carried on under this title. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964. However, this remedy is not exclusive and will not prejudice or cut off any other legal remedies available to a discriminatee."

78 Stat. 252.
42 USC 2000d.

(b) The analysis of chapter 3, title 23, United States Code, is amended by adding at the end thereof the following:

"324. Prohibition of discrimination on the basis of sex.".

DEMONSTRATION PROJECT—RAILROAD-HIGHWAY CROSSINGS

SEC. 163. (a) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out demonstration projects in Lincoln, Nebraska, Wheeling, West Virginia, and Elko, Nevada, for the relocation of railroad lines from the central area of the cities in conformance with the methodology developed under proposals submitted to the Secretary by the respective cities. The cities shall (1) have a local agency with legal authority to relocate railroad facilities, levy taxes for such purpose, and a record of prior accomplishment; and (2) have a current relocation plan for such lines which has a favorable benefit-cost ratio involving and having the unanimous approval of three or more class 1 railroads in Lincoln, Nebraska, and the two class 1 railroads in Wheeling, West Virginia, and Elko, Nevada, and multicivic, local, and State agencies, and which provides for the elimination of a substantial number of the existing railway-road conflict points within the city.

(b) The Secretary of Transportation shall carry out a demonstration project for the elimination or protection of certain public ground-level rail-highway crossings in, or in the vicinity of, Springfield, Illinois.

(c) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out demonstration projects in Brownsville, Texas, and Matamoros, Mexico, for the relocation of railroad lines from the central area of the cities in conformance with the methodology developed under proposals submitted to the Secretary by the Brownsville Navigation District, providing for the construction of an international bridge and for the elimination of a substantial number of existing railway-road conflict points within the cities.

(d) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out a demonstration project in East Saint Louis, Illinois, for the relocation of rail lines between Thirteenth and Forty-third Streets, in accordance with methodology approved by the Secretary. The Secretary of Transportation shall carry out a demonstration project for the relocation of rail lines in the vicinity of Carbondale, Illinois.

(e) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out a demonstration project in New Albany, Indiana, for the elimination of the existing rail loop and relocation of rail lines to a location between Vincennes Street and East

Eighth Street, in accordance with methodology approved by the Secretary.

(f) The Secretary of Transportation shall carry out demonstration projects for the construction of an overpass at the rail-highway grade crossing on Cottage Grove Avenue between One Hundred Forty-second Street and One Hundred Thirty-eighth Street in the village of Dolton, Illinois, and the construction of an overpass at the rail-highway grade crossing at Vermont Street and the Rock Island Railroad tracks in the city of Blue Island, Illinois.

(g) The Secretary of Transportation shall carry out a demonstration project for the elimination of the ground level railroad highway crossing on United States Route 69 in Greenville, Texas.

(h) The Secretary of Transportation shall carry out a demonstration project in Anoka, Minnesota, for the construction of an underpass at the Seventh Avenue and County Road 7 railroad-highway grade crossing.

(i) The Federal share payable on account of such projects shall be that provided in section 120 of this title. 72 Stat. 898. 23 USC 120.

(j) The Secretary shall make annual reports and a final report to the President and the Congress with respect to his activities pursuant to this section. Reports to President and Congress.

(k) There is authorized to be appropriated to carry out this section (other than subsection (l)) not to exceed $15,000,000 for the fiscal year ending June 30, 1974, $25,000,000 for the fiscal year ending June 30, 1975, and $50,000,000 for the fiscal year ending June 30, 1976, except that two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust fund. Appropriation.

(l) The Secretary, in cooperation with State highway departments and local officials, shall conduct a full and complete investigation and study of the problem of providing increased highway safety by the relocation of railroad lines from the central area of cities on a nationwide basis, and report to the Congress his recommendations resulting from such investigation and study not later than July 1, 1975, including an estimate of the cost of such a program. Funds authorized to carry out section 307 of title 23, United States Code, are authorized to be used to carry out the investigation and study required by this subsection. Highway safety study. Report to Congress. 72 Stat. 913.

FINANCIAL ASSISTANCE AGREEMENTS

SEC. 164. (a) No Federal financial assistance shall be provided under (1) subsection (a) or (c) of section 142, title 23, United States Code, (2) paragraph (4) of subsection (e) of section 103, title 23, United States Code, or (3) the Urban Mass Transportation Act of 1964, for the purchase of buses to any applicant for such assistance unless such applicant and the Secretary of Transportation shall have first entered into an agreement that such applicant will not engage in charter bus operations in competition with private bus operators outside of the area within which such applicant provides regularly scheduled mass transportation service. A violation of such agreement shall bar such applicant from receiving any other Federal financial assistance under those provisions of law referred to in clauses (1), (2), and (3) of this subsection. *Ante*, p. 259. *Ante*, p. 269. 78 Stat. 302. 49 USC 1601 note.

(b) No Federal financial assistance shall be provided under (1) subsection (a) or (c) of section 142, title 23, United States Code, (2) paragraph (4) of subsection (e) of section 103, title 23, United States Code, or (3) the Urban Mass Transportation Act of 1964, for the purchase of buses to any applicant for such assistance unless such applicant and the Secretary of Transportation shall have first entered into

an agreement that such applicant will not engage in school bus operations, exclusively for the transportation of students and school personnel, in competition with private school bus operators. This subsection shall not apply to an applicant with respect to operation of a school bus program if the applicant operates a school system in the area to be served and operates a separate and exclusive school bus program for this school system. This subsection shall not apply unless private school bus operators are able to provide adequate transportation, at reasonable rates, and in conformance with applicable safety standards, and this subsection shall not apply with respect to any State or local public body or agency thereof if it (or a direct predecessor in interest from which it acquired the function of so transporting school children and personnel along with facilities to be used therefor) was so engaged in school bus operations any time during the twelve-month period immediately prior to the date of the enactment of this subsection. A violation of an agreement under this subsection shall bar such applicant from receiving any other Federal financial assistance under those provisions of law referred to in clauses (1), (2), and (3) of this subsection.

BUS AND OTHER PROJECT STANDARDS

SEC. 165. (a) The Secretary of Transportation shall require that buses acquired with Federal financial assistance under (1) subsection (a) or (c) of section 142 of title 23, United States Code, (2) paragraph (4) of subsection (e) of section 103, title 23, United States Code, or (3) section 147 of the Federal-aid Highway Act of 1973 meet the standards prescribed by the Administrator of the Environmental Protection Agency under section 202 of the Clean Air Act, and under section 6 of of the Noise Control Act of 1972, and shall authorize the acquisition, wherever practicable, of buses which meet the special criteria for low-emission vehicles set forth in section 212 of the Clean Air Act, and for low-noise-emission products set forth in section 15 of the noise Control Act of 1972.

Ante, p. 259.
Ante, p. 269.
Ante, p. 274.
84 Stat. 1690.
42 USC 1857f-1.
86 Stat. 1237.
42 USC 4905.
84 Stat. 1700.
42 USC 1857f-6e.

(b) The Secretary of Transportation shall assure that projects receiving Federal financial assistance under (1) subsection (a) or (c) of section 142 of title 23, United States Code, (2) paragraph (4) of subsection (e) of section 103, title 23, United States Code, or (3) section 147 of the Federal-aid Highway Act of 1973 shall be planned and designed so that mass transportation facilities and services can effectively be utilized by elderly and handicapped persons who, by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability are unable without special facilities or special planning or design to utilize such facilities and services as effectively as persons not so affected.

86 Stat. 1245.
42 USC 4914.

TITLE II

SHORT TITLE

SEC. 201. This title may be cited as the "Highway Safety Act of 1973".

HIGHWAY SAFETY

Appropriation.

SEC. 202. The following sums are hereby authorized to be appropriated:

Post, p. 290.

(1) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, $100,000,000 for the fiscal year ending June 30, 1974, $125,000,000 for

the fiscal year ending June 30, 1975, and $150,000,000 for the fiscal year ending June 30, 1976.

(2) For carrying out section 403 of title 23, United States Code (relating to highway safety research and development), by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, $42,500,000 for the fiscal year ending June 30, 1974, $55,000,000 for the fiscal year ending June 30, 1975, and $65,000,000 for the fiscal year ending June 30, 1976. *Post*, p. 286.

(3) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), by the Federal Highway Administration, out of the Highway Trust Fund, $25,000,000 for the fiscal year ending June 30, 1974, $30,000,000 for the fiscal year ending June 30, 1975, and $35,000,000 for the fiscal year ending June 30, 1976. *Post*, p. 290.

(4) For carrying out sections 307(a) and 403 of title 23, United States Code (relating to highway safety research and development), by the Federal Highway Administration, out of the Highway Trust Fund, for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, not to exceed $10,000,000 per fiscal year. 72 Stat. 913; 84 Stat. 1723.

RAIL-HIGHWAY CROSSINGS

SEC. 203. (a) Each State shall conduct and systematically maintain a survey of all highways to identify those railroad crossings which may require separation, relocation, or protective devices, and establish and implement a schedule of projects for this purpose. At a minimum, such a schedule shall provide signs for all railroad-highway crossings. State survey. Signs.

(b) In addition to funds which may be otherwise available to carry out section 130 of title 23, United States Code, there is authorized to be appropriated out of the Highway Trust Fund for projects for the elimination of hazards of railway-highway crossings $25,000,000 for the fiscal year ending June 30, 1974, $75,000,000 for the fiscal year ending June 30, 1975, and $75,000,000 for the fiscal year ending June 30, 1976. At least half of the funds authorized and expended under this section shall be available for the installation of protective devices at railway-highway crossings. Such sums shall be available for obligation in the same manner, and to the same extent as if such funds were apportioned under this chapter. Hazard elimination, additional appropriation. 72 Stat. 903. Protective devices.

(c) Funds authorized by this section shall be available solely for expenditure for projects on any Federal-aid system (other than the Interstate System). Funds, restriction.

(d) 50 percent of the funds made available in accordance with subsection (c) shall be apportioned to the States in the same manner as sums authorized to be appropriated under subsection (a)(1) of section 104 of the Federal-Aid Highway Act of 1973 and 50 percent of the funds made available in accordance with subsection (c) shall be apportioned to the States in the same manner as sums authorized to be appropriated under subsection (a)(2) of section 104 of the Federal-Aid Highway Act of 1973. The Federal share payable on account of any such project shall be 90 per centum of the cost thereof. State apportionment. *Ante*, p. 251.

(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made to implement the railroad-highway crossings program authorized by this section and the effectiveness of such improvements. Each State report shall contain an assessment of the costs of the various treatments employed and subsequent accident experience at improved locations. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1, of each year thereafter, Report to Secretary of Transportation. Report to Congress.

on the progress being made by the States in implementing projects to improve railroad-highway crossings. The report shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, road system, nature of treatment, and subsequent accident experience at improved locations. In addition, the Secretary's report shall analyze and evaluate each State program, identify any State found not to be in compliance with the schedule of improvements required by subsection (a), and include recommendation for future implementation of the railroad-highway crossings program.

Matching funds.

(f) Funds authorized by this section may be used to provide local government with funds to be used on a matching basis when State funds are available which may only be spent when local government produces matching funds for the improvement of railroad crossings.

BRIDGE RECONSTRUCTION AND REPLACEMENT

84 Stat. 1741.

SEC. 204. (a) Subsection (e) of section 144 of title 23, United States Code, is amended by striking out "1972; and" and inserting in lieu thereof "1972,"; by inserting immediately after "1973," the following: "$25,000,000 for the fiscal year ending June 30, 1974, $75,000,000 for the fiscal year ending June 30, 1975, and $75,000,000 for the fiscal year ending June 30, 1976".

Funds, restriction.

(b) Subsection (f) of section 144 of title 23, United States Code, is relettered as subsection (g) (including references thereto); and immediately after subsection (e) the following new subsection (f) is inserted:

"(f) Funds authorized by this section shall be available solely for expenditure for projects on any Federal-aid system."

(c) Existing subsection (g) of section 144 of title 23, United States Code, is relettered as subsection (h) (including references thereto).

PAVEMENT MARKING DEMONSTRATION PROGRAM

Ante, p. 277.

SEC. 205. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 151. Pavement marking demonstration program

"(a) Congress hereby finds and declares it to be in the vital interest of the Nation that a pavement marking demonstration program be established to enable the several States to improve the pavement marking of all highways to provide for greater vehicle and pedestrian safety.

72 Stat. 891.
23 USC 105.

"(b) Notwithstanding the provisions of the last sentence of subsection (a) of section 105 of this title, the Secretary may approve under this section such pavement marking projects on any highway whether or not on any Federal-aid system, but not included in the Interstate System, as he may find necessary to bring such highway to the pavement marking standards issued or endorsed by the Federal Highway Administrator.

"(c) In approving projects under this section, the Secretary shall give priority to those projects which are located in rural areas and which are either on the Federal-aid secondary system or are not included on any Federal-aid system.

"(d) The entire cost of projects approved under subsections (b) and (f) of this section shall be paid from sums authorized to carry out this section.

Appropriation.

"(e) For the purpose of carrying out the provisions of this section by the Federal Highway Administration, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1974, $25,000,000, and for each of the fiscal years ending June 30, 1975, and June 30,

1976, out of the Highway Trust Fund, the sum of $75,000,000. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

Released funds.

"(f) Funds not required for pavement-marking projects authorized by this section may be released by the Secretary for expenditure for projects to eliminate or reduce the hazards to safety at specific locations or sections of highways which are not located on any Federal-aid system and which have high accident experiences or high accident potentials. Funds may be released by the Secretary under this subsection only if the Secretary has received satisfactory assurances from the State highway department that all nonurban area highways within the State are marked in accordance with the pavement-marking standards issued or endorsed by the Federal Highway Administrator for carrying out this program.

Condition.

Report to Secretary of Transportation.

"(g) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made in implementing the program and the effectiveness of the improvements made under it. Each report shall include an analysis and evaluation of the number, rate, and severity of accidents at improved locations and the cost-benefit ratio of such improvements, comparing an adequate time period before and after treatment in order to properly assess the benefits occurring from such pavement markings. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made in implementing the program and the safety benefits achieved under it."

Report to Congress.

(b) The analysis of chapter 1 of title 23, United States Code is amended by adding at the end thereof the following:

"151. Pavement marking demonstration program.".

PAVEMENT MARKING RESEARCH AND DEMONSTRATION PROGRAMS

SEC. 206. (a) In addition to the research authorized by section 307(a) of title 23, United States Code, the Secretary of Transportation is authorized to conduct research and demonstration programs to improve the effectiveness and durability of various types of pavement markings and related delineators, to develop improved equipment and techniques for applying, erecting, and maintaining such markings and delineators, and to develop new traffic control materials, devices, and related delineators to assist the traveling public during adverse weather and nighttime driving conditions.

72 Stat. 913; 84 Stat. 1723.

(b) There is authorized to be appropriated to carry out this section by the Federal Highway Administration, out of the Highway Trust Fund, $10,000,000 for the fiscal year ending June 30, 1974, and $10,000,000 for the fiscal year ending June 30, 1975.

Appropriation.

HIGHWAY SAFETY ON INDIAN RESERVATIONS

SEC. 207. (a) Section 402 of title 23 of the United States Code is amended by adding a new subsection (i) as follows:

80 Stat. 731; 84 Stat. 1740.

"(i) For the purpose of the application of this section on Indian reservations, 'State' and 'Governor of a State' includes the Secretary of the Interior and 'political subdivision of a State' includes an Indian tribe: *Provided*, That, notwithstanding the provisions of subparagraph (C) of subsection (b)(1) hereof, 95 per centum of the funds apportioned to the Secretary of the Interior after date of enactment, shall be expended by Indian tribes to carry out highway safety programs within their jurisdictions: *And provided further*, That the provisions of subparagraph (E) of subsection (b)(1) hereof shall be

Post, p. 294.

applicable except in those tribal jurisdictions in which the Secretary determines such programs would not be practicable."

80 Stat. 731; 84 Stat. 1740.

(b) Subsection (d) of section 402 of title 23, United States Code, is amended by inserting before the period at the end of the first sentence thereof the following: "and except that, in the case of a local highway safety program carried out by an Indian tribe, if the Secretary is satisfied that an Indian tribe does not have sufficient funds available to meet the non-Federal share of the cost of such program, he may increase the Federal share of the cost thereof payable under this Act to the extent necessary".

DRUG USE AND DRIVER BEHAVIOR HIGHWAY SAFETY RESEARCH

80 Stat. 733.

SEC. 208. (a) Section 403 of title 23, United States Code, is amended by inserting "(a)" immediately before the first sentence thereof, and by striking out "this section" each place it appears and inserting in lieu thereof "this subsection", and by adding at the end thereof the following new subsections:

"(b) In addition to the research authorized by subsection (a) of this section, the Secretary, in consultation with such other Government and private agencies as may be necessary, is authorized to carry out safety research on the following:

"(1) The relationship between the consumption and use of drugs and their effect upon highway safety and drivers of motor vehicles; and

"(2) Driver behavior research, including the characteristics of driver performance, the relationships of mental and physical abilities or disabilities to the driving task, and the relationship of frequency of driver accident involvement to highway safety.

"(c) The research authorized by subsection (b) of this section may be conducted by the Secretary through grants and contracts with public and private agencies, institutions, and individuals."

Appropriation.

(b) There is authorized to be appropriated to carry out the amendments made by this section by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, the sum of $10,000,000 per fiscal year for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976.

PROJECTS FOR HIGH-HAZARD LOCATIONS

Ante, p. 284.

SEC. 209. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 152. Projects for high-hazard locations

Engineering survey.

"(a) Each State shall conduct and systematically maintain an engineering survey of all highways to identify high-hazard locations which may constitute a danger to vehicles and to pedestrians, assign priorities for the correction of such locations, and establish and implement a schedule of projects for their improvement.

Appropriation.

"(b) For projects to eliminate or reduce the hazards at specific locations or sections of highways which have high accident experiences or high accident potentials, by the Federal Highway Administration, there is hereby authorized to be appropriated, out of the Highway Trust Fund, for the fiscal year ending June 30, 1974, $50,000,000, and for each of the fiscal years ending June 30, 1975, and June 30, 1976, the sum of $75,000,000 shall be appropriated out of the Highway Trust Fund. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

"(c) Funds authorized by this section shall be available solely for expenditure for projects on any Federal-aid system (other than the Interstate System) except in the Virgin Islands, Guam, and American Samoa. Funds, restriction.

"(d) Funds made available in accordance with subsection (b) shall be apportioned to the States in the same manner as is provided in section 402(c) of this title, and the Federal share payable on account of any such project shall be 90 per centum of the cost thereof. *Post*, p. 290.

"(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made to implement projects for high-hazard locations and the effectiveness of such improvements. Each State report shall contain an assessment of the cost of, and safety benefits derived from, the various means and methods used to mitigate or eliminate hazards and the previous and subsequent accident experience at these locations. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made by the States in implementing projects for improvements at high-hazard locations. The report shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, road system, means and methods used, and the previous and subsequent accident experience at improved locations. In addition, the Secretary's report shall analyze and evaluate each State program, identify any State found not to be in compliance with the schedule of improvements required by subsection (a) and include recommendations for future implementation of the spot improvements program." Report to Secretary of Transportation. Report to Congress.

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"152. Projects for high-hazard locations.".

PROGRAM FOR THE ELIMINATION OF ROADSIDE OBSTACLES

SEC. 210. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section: *Ante*, p. 286.

"§ 153. Program for the elimination of roadside obstacles

"(a) Each State shall conduct and systematically maintain an engineering survey of all highways to identify roadside obstacles which may constitute a hazard to vehicles and to pedestrians, assign priorities for the correction of such obstacles and establish and implement a schedule of projects for their elimination. Such a schedule shall provide for the replacement, to the extent necessary, of existing sign and light supports which are not designed to yield or break away upon impact. Yielding or breakaway sign and light supports shall be used, where appropriate, on all new construction or reconstruction of highways. Engineering survey.

"(b) For projects to correct roadside hazards by the Federal Highway Administration, there is hereby authorized to be appropriated, out of the Highway Trust Fund, for the fiscal year ending June 30, 1974, $25,000,000, and for each of the fiscal years ending June 30, 1975, and June 30, 1976, the sum of $75,000,000. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter. Appropriation.

"(c) Funds authorized by this section shall be available solely for expenditure for projects on any Federal-aid system (other than the Interstate System) except in the Virgin Islands, Guam, and American Samoa. Funds, restriction.

"(d) Funds made available in accordance with subsection (c) shall be apportioned to the States in the same manner as is provided in section 402(c) of this title, and the Federal share payable on account of any such project shall be 90 per centum of the cost thereof.

Report to Secretary of Transportation.

"(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made in implementing the program for the removal of roadside obstacles and the effectiveness of such improvements. Each report shall contain an assessment of the costs and safety benefits of the various means and methods used to mitigate or eliminate roadside obstacles. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made by the States in eliminating roadside obstacles and the effectiveness of the improvements made under this program. The Secretary's report shall include, but not be limited to, an analysis and evaluation of each State program, identification of any State found not to be in compliance with the schedule of improvements required by subsection (a) and shall include recommendations for future implementation of the roadside obstacle removal program. In addition, to assess the safety benefits of varying roadside obstacle treatments, the report shall contain an assessment of the costs and safety benefits of the various means and methods used to mitigate or eliminate roadside obstacles."

Report to Congress.

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"153. Program for the elimination of roadside obstacles.".

HIGHWAY SAFETY EDUCATIONAL PROGRAMING AND STUDY

SEC. 211. (a) The Secretary of Transportation, in cooperation with interested government and nongovernment authorities, agencies, organizations, institutions, businesses, and individuals, shall conduct a full and complete investigation and study of the use of mass media for informing and educating the public of ways and means for reducing the number and severity of highway accidents. Such a study shall include, but not be limited to, ways and means for encouraging the participation and cooperation of television and radio station licensees, for measuring audience reactions to current educational programs, for evaluating the effectiveness of such programs, and for developing new programs for the promotion of highway safety. The Secretary shall report to the Congress his findings and recommendations by June 30, 1974.

Report to Congress.

Appropriation.

(b) For the purpose of carrying out subsection (a) of this section, there is hereby authorized to be appropriated the sum of $1,000,000 out of the Highway Trust Fund.

(c) The Secretary of Transportation, in consultation with State and local highway safety officials, shall develop a series of highway safety television programs of varying length, up to and including five minutes, for use in accordance with the provisions of the Communications Act of 1934. At least 50 per centum of the funds authorized and expended under subsection (d) of this section shall be allocated to the States at the discretion of the Secretary for approved programing projects. To the maximum extent feasible, the services of private individuals shall be utilized in carrying out this subsection.

Appropriation.

(d) For the purpose of carrying out subsection (c) of this section, there is hereby authorized to be appropriated the sum of $4,000,000 out of the Highway Trust Fund.

CITIZEN PARTICIPATION STUDY

SEC. 212. (a) The Secretary of Transportation, in cooperation with State and local highway safety authorities, shall conduct a full and complete investigation and study of ways and means for encouraging greater citizen participation and involvement in highway safety programs, with particular emphasis on traffic enforcement and accident detection, response, and reporting, including, but not limited to, the creation of citizen adjuncts to assist professional traffic enforcement agencies and highway rescue agencies in the performance of their duties. The Secretary shall report to the Congress his findings and recommendations by June 30, 1974.

Report to Congress.

(b) For the purposes of carrying out this section, there is authorized to be appropriated the sum of $1,000,000 out of the Highway Trust Fund.

Appropriation.

FEASIBILITY STUDY—NATIONAL CENTER FOR STATISTICAL ANALYSIS OF HIGHWAY OPERATIONS

SEC. 213. (a) The Secretary of Transportation shall make a study of the feasibility of establishing a National Center for Statistical Analysis of Highway Operations designed to acquire, store, and retrieve highway accident data and standardize the information and procedures for reporting accidents on a nationwide basis. Such study should include, but not be limited to, an estimate of the cost of establishing and maintaining such a center, including the means of acquiring the accident information to be stored therein, the methods to be used for its evaluation and the criteria needed to assure its proper utilization by appropriate public and private agencies and groups. The Secretary shall report to the Congress his findings and recommendations not later than January 1, 1975.

Report to Congress.

(b) For the purpose of carrying out this section, there is authorized to be appropriated the sum of $5,000,000 out of the Highway Trust Fund.

Appropriation.

PEDESTRIAN AND BICYCLE SAFETY STUDY

SEC. 214. (a) The Secretary of Transportation shall make a full and complete investigation and study of pedestrian and bicycle safety. Such an investigation and study shall include, but not be limited to, the following:

(1) A review and evaluation of State and local ordinances, regulations, and laws and the enforcement policies, procedures, methods, practices, and capabilities for enforcing them.

(2) The relationship between alcohol and pedestrian and bicycle safety, with special emphasis on problem drinkers, both drivers and pedestrians.

(3) An evaluation of ways and means of improving pedestrian and bicycle safety programs.

(4) An analysis of present funding allocations for pedestrian and bicycle safety programs and an assessment of the capabilities of Federal, State, and local governments to fund such activities and programs.

In the conduct of such investigation and study, the Secretary shall cooperate and consult with other agencies of the Federal Government, the States, and their political subdivisions, and other interested private organizations, groups, and individuals.

(b) The Secretary shall, not later than January 31, 1975, report to the Congress the results of this investigation and study together with his conclusions and recommendations for appropriate legislation.

Report to Congress.

Appropriation.

(c) There is hereby authorized not to exceed $5,000,000 from the Highway Trust Fund to carry out this section.

MANPOWER TRAINING AND DEMONSTRATION PROGRAMS

80 Stat. 731.

SEC. 215. The first sentence of subsection (c) of section 402 of title 23, United States Code, is amended by inserting immediately after "approved in accordance with subsection (a)," the following: "including development and implementation of manpower training programs, and of demonstration programs that the Secretary determines will contribute directly to the reduction of accidents, and deaths and injuries resulting therefrom. Such funds".

PUBLIC ROAD MILEAGE

84 Stat. 1740.

SEC. 216. Subsection (c) of section 402 of title 23, United States Code, is amended by inserting immediately after the third sentence the following: "Public road mileage as used in this subsection shall be determined as of the end of the calendar year preceding the year in which the funds are apportioned and shall be certified to by the Governor of the State and subject to approval by the Secretary."

MINIMUM APPORTIONMENT

SEC. 217. Subsection (c) of section 402 of title 23, United States Code, is amended by striking "one-third of 1 per centum" in the fifth sentence thereof, and inserting "one-half of 1 per centum".

HIGHWAY SAFETY PROGRAM APPLICABILITY

80 Stat. 731.
"State."

SEC. 218. Section 401, title 23, United States Code, is amended by adding at the end thereof the following: "For the purposes of this chapter, the term 'State' means any one of the fifty States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa, except that all expenditures for carrying out this chapter in the Virgin Islands, Guam, and American Samoa shall be paid out of money in the Treasury not otherwise appropriated."

INCENTIVES FOR COMPLIANCE WITH HIGHWAY SAFETY PROGRAMS

Ante, p. 285.

SEC. 219. Section 402 of title 23, United States Code, is amended by adding the following new subsection:

Incentive grants.

"(j)(1) In addition to other grants authorized by this section, the Secretary may make incentive grants in each fiscal year to those States which have adopted legislation requiring the use of seatbelts in accordance with criteria which the Secretary shall establish and publish. Such grants may only be used by recipient States to further the purposes of this chapter. Such grants shall be in addition to other funds authorized by this section. There is hereby authorized to be appropriated to carry out this paragraph, out of the Highway Trust Fund, not to exceed $25,000,000 for the fiscal year ending June 30, 1974, not to exceed $32,000,000 for the fiscal year ending June 30, 1975, and not to exceed $37,500,000 for the fiscal year ending June 30, 1976.

Appropriation.

Additional grants.

"(2) In addition to other grants authorized by this section, the Secretary may make additional incentive grants to those States which have made the most significant progress in reducing traffic fatalities based on the reduction in the rate of such fatalities per one hundred million-vehicle miles during the calendar year immediately preceding the fiscal year for which such incentive funds are authorized compared with the average annual rate of such fatalities for the four calendar

year period preceding such calendar year. Such incentive grants shall be made in accordance with criteria which the Secretary shall establish and publish. Such grants may only be used by recipient States to further the purposes of this chapter. Such grants shall be in addition to other funds authorized by this section. There is hereby authorized to be appropriated to carry out this paragraph, out of the Highway Trust Fund, not to exceed $12,500,000 for the fiscal year ending June 30, 1974, not to exceed $16,000,000 for the fiscal year ending June 30, 1975, and not to exceed $19,000,000 for the fiscal year ending June 30, 1976. Appropriation.

"(3) Incentive awards authorized by this section shall not exceed 25 per centum of each State's apportionment as authorized by this chapter." Limitation.

HIGHWAY SAFETY RESEARCH AND DEVELOPMENT

SEC. 220. The second sentence of subsection (a) of section 403 of title 23, United States Code, is amended to read as follows: "In addition, the Secretary may use the funds appropriated to carry out this section, either independently or in cooperation with other Federal departments or agencies, for making grants to or contracting with State or local agencies, institutions, and individuals for (1) training or education of highway safety personnel, (2) research fellowships in highway safety, (3) development of improved accident investigation procedures, (4) emergency service plans, (5) demonstration projects, and (6) related activities which the Secretary deems will promote the purposes of this section. The Secretary shall assure that no fees are charged for any meetings or services attendant thereto or other activities relating to training and education of highway safety personnel." *Ante*, p. 286.

TRANSFER OF DEMONSTRATION PROJECT EQUIPMENT

SEC. 221. Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) The Secretary may, where he deems it to be in furtherance of the purposes of section 402 of this title, vest in State or local agencies, on such terms and conditions as he deems appropriate, title to equipment purchased for demonstration projects with funds authorized by this section." *Ante*, p. 290.

ADMINISTRATIVE ADJUDICATION OF TRAFFIC INFRACTIONS

SEC. 222. Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection: *Supra.*

"(e) In addition to the research authorized by subsection (a) of this section, the Secretary shall, either independently or in cooperation with other Federal departments or agencies, conduct research into, and make grants to or contracts with State or local agencies, institutions, and individuals for projects to demonstrate the administrative adjudication of traffic infractions. Such administrative adjudication demonstration projects shall be designed to improve highway safety by developing fair, efficient, and effective processes and procedures for traffic infraction adjudication, utilizing appropriate punishment, training, and rehabilitative measures for traffic offenders. The Secretary shall report to Congress by July 1, 1975, and each year thereafter during the continuance of the program, on the research and demonstration projects authorized by this subsection, and shall include in such report a comparison of the fairness, efficiency, and effectiveness of administrative adjudication of traffic infractions with other methods of handling such infractions." Report to Congress.

NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE

81 Stat. 507.

SEC. 223. Subsection (a) (1) of section 404 of title 23, United States Code, is amended by inserting immediately after "Federal Highway Administrator," the following: "the National Highway Traffic Safety Administrator,".

DATE OF ANNUAL REPORT

23 USC 401 note.

SEC. 224. The first sentence of subsection (a) of section 202 of the Highway Safety Act of 1966 (80 Stat. 736) is amended by deleting "March 1" and substituting in lieu thereof the following: "July 1".

HIGHWAY SAFETY NEEDS STUDY

72 Stat. 885. 23 USC 101 *et seq.*

SEC. 225. In order to provide the basis for evaluating the continuing highway safety programs authorized in title 23, United States Code, and to furnish Congress with the information necessary for the authorization of appropriations for such programs, the Secretary of Transportation, in cooperation with the Governors and appropriate State and local highway officials, shall make a full and complete study of highway safety needs and shall prepare recommendations and estimates of the costs for meeting such needs. Such estimates and recommendations shall identify the requirements to meet highway safety needs of the States, Puerto Rico, and the District of Columbia and would also consider those of Guam, American Samoa, the Virgin Islands and such other United States territories as the Secretary shall determine. The Secretary shall submit such detailed estimates and recommendations to the Congress not later than January 10, 1976.

Estimates and recommendations, submittal to Congress.

DRIVER EDUCATION EVALUATION PROGRAM

Ante, p. 291.

SEC. 226. (a) Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(f) In addition to the research authorized by subsection (a) of this section, the Secretary shall carry out research, development, and demonstration projects to improve and evaluate the effectiveness of various types of driver education programs in reducing traffic accidents and deaths, injuries, and property damage resulting therefrom. The research, development, and demonstration projects authorized by this subsection may be carried out by the Secretary through grants and contracts with public and private agencies, institutions, and individuals. The Secretary shall report to the Congress by July 1, 1975, and each year thereafter during the continuance of the program, on the research, development, and demonstration projects authorized by this subsection, and shall include in such report an evaluation of the effectiveness of driver education programs in reducing traffic accidents and deaths, injuries, and property damage resulting therefrom."

Report to Congress.

Appropriation.

(b) For the purpose of carrying out the amendment made by subsection (a) of this section, there is authorized to be appropriated $10,000,000 out of the Highway Trust Fund.

TRANSFER OF FUNDS AMONG HIGHWAY SAFETY PROGRAMS

Ante, p. 257.

SEC. 227. Section 104 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(g) Not more than 30 per centum of the amount apportioned in any fiscal year to each State in accordance with sections 144, 152, and 153 of this title, or section 203(d) of the Highway Safety Act of 1973,

84 Stat. 1741; *Ante*, pp. 286, 287, 283.

may be transferred from the apportionment under one section to the apportionment under any other of such sections if such a transfer is requested by the State highway department and is approved by the Secretary as being in the public interest. The Secretary may approve such transfer only if he has received satisfactory assurances from the State highway department that the purposes of the program from which such funds are to be transferred have been met."

CURB RAMPS FOR THE HANDICAPPED

SEC. 228. Paragraph (1) of subsection (b) of section 402 of title 23, United States Code, is amended by adding at the end thereof the following: 80 Stat. 731.

"(F) provide adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks throughout the State."

HIGHWAY SAFETY STANDARDS

SEC. 229. Subsection (h) of section 402 of title 23, United States Code, is amended to read as follows: 84 Stat. 1740.

"(h) Each uniform safety standard promulgated under this section on or before July 1, 1973, shall continue in effect unless otherwise specifically provided by law enacted after the date of enactment of the Federal-aid Highway Act of 1973. The Secretary shall not promulgate any other uniform safety standard under this section (including by revision of a standard continued in effect by the preceding sentence) unless otherwise specifically provided by law enacted after the date of enactment of the Federal-aid Highway Act of 1973."

FEDERAL-AID SAFER ROADS DEMONSTRATION PROGRAM

SEC. 230. (a) Chapter 4 of title 23, United States Code, is amended by adding at the end thereof the following new section: 80 Stat. 731. 23 USC 401.

"§ 405. Federal-aid safer roads demonstration program

"(a) The Federal-aid safer roads demonstration program shall consist of all public roads or segments thereof not on a Federal-aid system needing improvements to correct safety hazards selected or designated by each State subject to the approval of the Secretary.

"(b) Not later than June 30, 1974, each State shall identify projects for the Federal-aid safer roads demonstration program for all public roads in such State not on the Federal-aid system, including projects to improve highway marking and signing, to eliminate roadside obstacles, to eliminate hazards at railroad-highway grade crossings, and to correct high-hazard locations, identified by accident reporting, traffic records and hazards analysis systems established in accordance with standards promulgated under subsection (a) of section 402 of this title. Each State shall assign priorities for and undertake the systematic correction of identified hazards, to provide for the most effective improvement in highway safety. *Post*, p. 294.

"(c) There is authorized to be appropriated for the Federal-aid safer roads demonstration program for projects on public roads not on the Federal-aid system for the removal of roadside obstacles, the elimination of hazards at railroad-highway grade crossings, and the proper marking and signing of highways in accordance with subsec- Appropriation.

tion (b) of this section, out of the Highway Trust Fund, $50,000,000 for the fiscal year ending June 30, 1974, and $100,000,000 per fiscal year for each of the fiscal years ending June 30, 1975, and June 30, 1976. Such sums shall be apportioned among the States in accordance with the formula established under subsection (c) of section 402 of this title. The Federal share payable on account of any such project shall be 90 per centum of the cost thereof. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure for Federal-aid primary highway funds shall apply to funds apportioned to carry out this subsection. Prior to June 30, 1974, funds shall be available for such projects as determined by the State, subject to the approval of the Secretary.

Ante, p. 290.

"(d) For the purposes of this section, the term 'public road' means any road under the jurisdiction of and maintained by a public authority and open to public travel and which is not on a Federal-aid system.

"(e) It shall be the responsibility of each State to maintain adequate pavement markings on any public road marked with funds available under this section in such State.

"(f) In any State wherein the State is without legal authority to construct or maintain a project under this section, such State shall enter into a formal agreement for such construction or maintenance with the appropriate local officials of the county or municipality in which such project is located.

"(g) In carrying out the Federal-aid safer roads demonstration program authorized by this section, the Secretary shall coordinate such program with the programs and projects authorized in sections 144, 152, and 153, of this title and section 203(d) of the Highway Safety Act of 1973.

84 Stat. 1741; *Ante*, pp. 286, 287.

"(h) The Secretary shall file an interim report with the Congress on January 1, 1975, concerning the progress being made under the demonstration program authorized by this section and its effectiveness. The Secretary shall report to Congress on or before January 1, 1976, a comprehensive report on the program authorized by this section. Such reports shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, roads system, means and methods used, and previous and subsequent accident experience at improved locations. In addition such reports shall analyze and evaluate the program State by State, and shall include such recommendations as he determines necessary for the further implementation of this program."

Ante, p. 283. Reports to Congress.

(b) The table of contents of chapter 4 of title 23, United States Code, is amended by adding at the end thereof:

"405. Federal-aid safer roads demonstration program.".

BICYCLE SAFETY

SEC. 231. (a) The fourth sentence of subsection (a) of section 402 of title 23, United States Code, is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "and bicycle safety."

80 Stat. 731.

(b) Paragraph (b)(1)(E) of section 402 of title 23, United States Code, is amended by striking out "and" before "(5)" and by striking out the period at the end of such paragraph and inserting in lieu thereof a comma and the following: "and (6) driver education programs, including research, that will assure greater safety for bicyclists using public roads in such State."

TITLE III

URBAN MASS TRANSPORTATION ACT OF 1964

SEC. 301. (a) The fifth sentence of section 4(a) of the Urban Mass Transportation Act of 1964 is amended to read as follows "The Federal grant for any such project to be assisted under section 3 shall be in an amount equal to 80 per centum of the net project cost." 78 Stat. 304. 49 USC 1603.

(b) The amendment made by subsection (a) shall apply only with respect to projects which were not subject to administrative reservation on or before July 1, 1973. Limitation.

(c) Section 4(c) of the Urban Mass Transportation Act of 1964 is amended by striking out "$3,100,000,000" in the first and third sentences and inserting in lieu thereof "$6,100,000,000". Appropriation. 84 Stat. 965.

(d) Section 9 of the Urban Mass Transportation Act of 1964 is amended— 80 Stat. 715. 49 USC 1607a.

(1) by striking out "to make grants" in the first sentence and inserting in lieu thereof "to contract for and make grants";

(2) by striking out "and designing" in the first sentence and inserting in lieu thereof "designing, and evaluation";

(3) by striking out "and (3)" in the second sentence and inserting in lieu thereof "(3) evaluation of previously funded projects; and (4)";

(4) by inserting "or contract" after "A grant" in the third sentence; and

(5) by striking out all that follows "Secretary" in the third sentence and inserting in lieu thereof a period.

(e) The provision of assistance under the amendments made by this section shall not be construed as bringing within the application of chapter 15 of title 5, United States Code, any nonsupervisory employee of an urban mass transportation system (or of any other agency or entity performing related functions) to whom such chapter is otherwise inapplicable. 80 Stat. 403. 5 USC 1501.

(f) Section 12 of the Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following new subsection: Discrimination prohibition. 78 Stat. 306; 79 Stat. 507; 80 Stat. 715. 49 USC 1608.

"(f) No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this Act or carried on under this Act. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964. However, this remedy is not exclusive and will not prejudice or cut off any other legal remedies available to a discriminatee." 78 Stat. 252. 42 USC 2000d.

(g) Section 16(b) of the Urban Mass Transportation Act of 1964 is amended to read as follows: Additional grants and loans. 84 Stat. 967. 49 USC 1612.

"(b) In addition to the grants and loans otherwise provided for under this Act, the Secretary is authorized to make grants and loans—

"(1) to States and local public bodies and agencies thereof for the specific purpose of assisting them in providing mass transportation services which are planned, designed, and carried out so as to meet the special needs of elderly and handicapped persons, with such grants and loans being subject to all of the terms, conditions, requirements, and provisions applicable to grants and loans made under section 3(a) and being considered for the purposes of all other laws to have been made under such section; and 84 Stat. 962. 49 USC 1602.

"(2) to private nonprofit corporations and associations for the specific purpose of assisting them in providing transportation services meeting the special needs of elderly and handicapped persons for whom mass transportation services planned, designed, and carried out under paragraph (1) are unavailable, insufficient, or inappropriate, with such grants and loans being subject to such terms, conditions, requirements, and provisions (similar insofar as may be appropriate to those applicable to grants and loans under paragraph (1)) as the Secretary may determine to be necessary or appropriate for purposes of this paragraph.

Of the total amount of the obligations which the Secretary is authorized to incur on behalf of the United States under the first sentence of section 4(c), 2 per centum may be set aside and used exclusively to finance the programs and activities authorized by this subsection (including administrative costs)."

Ante, p. 295.

TITLE IV

INAPPLICABILITY OF TIME REQUIREMENTS

SEC. 401. The time requirements in section 104(b) of title 23, United States Code, shall not be applicable to the apportionment of sums authorized for the fiscal year ending June 30, 1974, in any title of this Act, and the Secretary shall apportion such sums for such fiscal year as soon as practicable after the date of enactment of this Act.

Ante, p. 256.

CONFORMING ADJUSTMENTS

SEC. 402. All sums authorized in Public Law 93–61 are included within the authorizations contained in this Act for the fiscal year ending June 30, 1974, and the Secretary shall make such adjustments in apportionments made under Public Law 93–61 as may be necessary to conform such apportionments to this Act.

Ante, p. 145.

Approved August 13, 1973.

Public Law 93-88

August 14, 1973
[S. 1993]

AN ACT

To amend the EURATOM Cooperation Act of 1958, as amended.

EURATOM Cooperation Act of 1958, amendment.
81 Stat. 578.
42 USC 2294.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the EURATOM Cooperation Act of 1958, as amended, is amended by deleting the words "two hundred fifteen thousand kilograms of contained uranium 235" and substituting therefor the words "an amount of contained uranium 235 which does not exceed that necessary to support the fuel cycle of power reactors located within the Community having a total installed capacity of thirty-five thousand megawatts of electric energy, together with twenty-five thousand kilograms of contained uranium 235 for other purposes".

Approved August 14, 1973.

Public Law 93-89

AN ACT

August 14, 1973
[H. R. 4083]

To improve the laws relating to the regulation of insurance in the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Insurance Act".

District of Columbia Insurance Act.

TITLE I—DISTRICT OF COLUMBIA POST ASSESSMENT INSURANCE GUARANTY ASSOCIATION ACT

Citation of title.

SEC. 101. This title shall be known and may be cited as the "District of Columbia Insurance Guaranty Association Act".

SEC. 102. The purpose of this title is to provide a mechanism for the payment of covered claims under certain insurance policies to avoid excessive delay in payment and to avoid financial loss to claimants or policyholders because of the insolvency of an insurer, to assist in the detection and prevention of insurer insolvencies, and to provide an association to assess the cost of such protection among insurers.

SEC. 103. This title shall apply to all kinds of direct insurance, except life, title, disability, and mortgage guaranty insurance.

Definitions.

SEC. 104. As used in this title—

(1) The term "Commissioner" means the Commissioner of the District of Columbia or his designated agent.

(2) The term "covered claim" means an unpaid claim, including one for unearned premiums, which arises out of and is within the coverage and not in excess of the applicable limits of an insurance policy to which this title applies issued by an insurer, if such insurer becomes an insolvent insurer after the effective date of this title and (a) the claimant or insured is a resident of the District of Columbia at the time of the insured event; or (b) the property from which the claim arises is permanently located in the District of Columbia. Such term shall not include any amount due any reinsurer, insurer, insurance pool, or underwriting association, as subrogation recoveries or otherwise.

(3) The term "insolvent insurer" means (a) an insurer authorized to transact insurance in the District of Columbia, either at the time the policy was issued or when the insured event occurred, who has been determined to be insolvent by a court of competent jurisdiction.

(4) The term "member insurer" means any person who (a) writes any kind of insurance to which this title applies, including the exchange of reciprocal or interinsurance contracts, and (b) is licensed to transact insurance in the District of Columbia.

(5) The term "net direct written premiums" means direct gross premiums written in the District on insurance policies to which this title applies, less return premiums thereon and dividends paid or credited to policyholders on such direct business. Such term does not include premiums on contracts between insurers or reinsurers.

(6) The term "person" includes individuals, corporations, associations, exchanges, and partnerships.

D.C. Insurance Guaranty Association. Establishment.

SEC. 105. There is created a nonprofit unincorporated legal entity to be known as the District of Columbia Insurance Guaranty Association (hereafter in this title referred to as the "Association"). All member insurers shall be and remain members of the Association as a condition of their authority to transact insurance in the District of Columbia. The Association shall perform its functions under a plan of operation established and approved by the Commissioner and shall exercise its powers through a Board of Directors (hereafter in this

title referred to as the "Board"). For purposes of administration and assessment, the Association shall be divided into three separate accounts: (a) the workmen's compensation insurance account; (b) the automobile insurance account; and (c) the account for all other insurance to which this title applies.

Board members.

SEC. 106. (a) The Board shall consist of not less than five nor more than nine persons serving terms as established in the plan of operation. The members of the Board shall be selected by member insurers subject to the approval of the Commissioner. Vacancies on the Board shall be filled for the remaining period of the term in the same manner as initial appointments. If no members are selected within sixty days after the effective date of this title, the Commissioner may appoint the initial members of the Board.

Vacancies.

(b) In approving selections to the Board, the Commissioner shall consider among other things whether all member insurers are fairly represented.

Expenses.

(c) Members of the Board may be reimbursed from the assets of the Association for expenses incurred by them as members of the Board.

Duties.

SEC. 107. (a) The Association shall—

(1) be obligated to the extent of the covered claims existing prior to the determination of insolvency and arising within thirty days after the determination of insolvency, or before the policy expiration date if less than thirty days after the determination, or before the insured replaces the policy or causes its cancellation, if he does so within thirty days of the determination, but such obligation shall include only that amount of each covered claim which is in excess of $100 and is less than $300,000, except that the Association shall pay the full amount of any covered claim arising out of a workmen's compensation policy; except in no event shall the Association be obligated to a policyholder or claimant in an amount in excess of the obligation of the insolvent insurer under the policy from which the claim arises;

(2) be deemed the insurer to the extent of its obligation on the covered claims and to such extent shall have all rights, duties, and obligations of the insolvent insurer as if the insurer had not become insolvent;

(3) allocate claims paid and expenses incurred among the three accounts separately, and assess member insurers separately, according to subsection (b) of this section, for each account amounts necessary to pay the obligations of the Association under paragraph (1) of this subsection subsequent to an insolvency, the expenses of handling covered claims subsequent to an insolvency, the cost of examinations under section 112 and other expenses authorized by this title;

(4) investigate claims brought against the Association and adjust, compromise, settle, and pay covered claims to the extent of the Association's obligation and deny all other claims and may review settlements, releases and judgments to which the insolvent insurer or its insureds were parties to determine the extent to which such settlements, releases and judgments may be properly contested;

(5) notify such persons as the Commissioner directs under section 109(b)(1);

(6) handle claims through its employees or through one or more insurers or other persons designated, subject to the approval of the Commissioner, as servicing facilities, except such designation may be declined by a member insurer; and

(7) reimburse each servicing facility for obligations of the Association paid by the facility and for expenses incurred by the facility while handling claims on behalf of the Association, and pay the other expenses of the Association authorized by this title.

Assessments.

(b) The assessments of each member insurer under paragraph (3) of subsection (a) of this section shall be in the proportion that the net direct written premiums of the member insurer for the preceding calendar year on the kinds of insurance in the account bears to the net direct written premiums of all member insurers for the preceding calendar year on the kinds of insurance in the account. Each member insurer shall be notified of the assessment not later than thirty days before it is due. No member insurer may be assessed in any year on any account an amount greater than 2 per centum of that member insurer's net direct written premiums for the preceding calendar year on the kinds of insurance in the account. If the maximum assessment, together with the other assets of the Association in any account, does not provide in any one year in any account an amount sufficient to make all necessary payments from that account, the funds available shall be prorated and the unpaid portion shall be paid as soon thereafter as funds become available. The Association may exempt or defer, in whole or in part, the assessment of any member insurer, if the assessment would cause the member insurer's financial statement to reflect amounts of capital or surplus less than the minimum amounts required for a certificate of authority by any jurisdiction in which the member insurer is authorized to transact insurance. Each member insurer may set off against any assessment, authorized payments made on covered claims and expenses incurred in the payment of such claims by the member insurer if they are chargeable to the account for which the assessment is made.

(c) The Association may—

(1) employ or retain such persons as are necessary to handle claims and perform other duties of the Association;

(2) borrow funds necessary to effect the purposes of this title in accord with the plan of operation;

(3) sue or be sued;

(4) negotiate and become a party to such contracts as are necessary to carry out the purpose of this title;

(5) perform such other acts as are necessary or proper to effectuate the purpose of this title; and

(6) refund to the member insurers in proportion to the contribution of each member insurer to that account that amount by which the assets of the account exceed the liabilities, if, at the end of any calendar year, the Board finds that the assets of the Association in any account exceed the liabilities of that account as estimated by the Board for the coming year.

Plan of operation.

SEC. 108. (a) (1) The Board shall submit to the Commissioner a plan of operation and any amendments thereto necessary or suitable to assure the fair, reasonable, and equitable administration of the Association. The plan of operation and any amendments thereto shall become effective upon approval in writing by the Commissioner.

Rules.

(2) If the Board fails to submit a suitable plan of operation within ninety days following the effective date of this title or if at any time thereafter the Board fails to submit suitable amendments to the plan, the Commissioner shall, after notice and hearing, adopt and promulgate such reasonable rules as are necessary or advisable to effectuate the provisions of this title. Such rules shall continue in force until modified by the Commissioner or superseded by a plan submitted by the Board and approved by the Commissioner.

(b) All member insurers shall comply with the plan of operation.

(c) The plan of operation shall—

(1) establish the procedures whereby all the powers and duties of the Association under section 107 will be performed;

(2) establish procedures for handling assets of the Association;

(3) establish the amount and method of reimbursing members of the Board under section 106;

(4) establish procedures by which claims may be filed with the Association and establish acceptable forms of proof of covered claims;

(5) establish regular places and times for meetings of the Board;

(6) establish procedures for records to be kept of all financial transactions of the Association, its agents, and the Board;

(7) provide that any member insurer aggrieved by a final action or decision of the Association may appeal to the Commissioner within thirty days after the action or decision;

(8) establish the procedures whereby selections for the Board will be submitted to the Commissioner; and

(9) contain additional provisions necessary or proper for the execution of the powers and duties of the Association.

Delegation of powers.

(d) The plan of operation may provide that any or all powers and duties of the Association, except those under subsections 107 (a)(3) and (c)(2), are delegated to a corporation, association, or other organization which performs or will perform functions similar to those of this Association, or its equivalent, in two or more States. Such a corporation, association, or organization shall be reimbursed as a servicing facility would be reimbursed and shall be paid for its performance of any other functions of the Association. A delegation under this subsection shall take effect only with the approval of both the Board and the Commissioner, and may be made only to a corporation, association, or organization which extends protection in a manner substantially similar to that provided by this title.

(e) Notice of claims to the receiver or liquidator of the insolvent insurer shall be deemed notice to the Association or its agent and a list of such claims shall be periodically submitted to the Association or similar organization in another State by the receiver or liquidator.

SEC. 109. (a) The Commissioner shall—

(1) notify the Association of the existence of an insolvent insurer not later than three days after he receives notice of the determination of the insolvency; and

(2) upon request of the Board provide the Association with a statement of the net direct written premiums of each member insurer.

(b) The Commissioner may—

(1) require that the Association notify the insureds of the involvent insurer and any other interested parties of the determination of insolvency and of their rights under this title by mail at their last known address, where available, or by publication in a newspaper of general circulation, if sufficient information for notification by mail is not available;

(2) suspend or revoke, after notice and hearing, the certificate of authority to transact insurance in the District of Columbia of any member insurer which fails to pay an assessment when due or fails to comply with the plan of operation, or levy a fine on any member insurer which fails to pay an assessment when due, except such fine shall not exceed 5 per centum of the unpaid assessment per month, except that no fine shall be less than $100 per month; and

(3) revoke the designation of any servicing facility if he finds claims are being handled unsatisfactorily.

(c) All final orders or decisions of the Commissioner made under this Act shall be subject to review in accordance with section 11 of the District of Columbia Administrative Procedures Act (D.C. Code, sec. 1–1510).

82 Stat. 1209; 84 Stat. 582.

SEC. 110. (a) Any person recovering under this title shall be deemed to have assigned his rights under the policy to the Association to the extent of his recovery from the Association. Every insured or claimant seeking the protection of this title shall cooperate with the Association to the same extent as such person would have been required to cooperate with the insolvent insurer. The Association shall have no cause of action against the insured of the insolvent insurer for any sums it has paid out except such causes of action as the insolvent insurer would have had if such sums had been paid by the insolvent insurer. In the case of an insolvent insurer operating on a plan with assessment liability, payments of claims of the Association shall not operate to reduce the insured's liability to the receiver, liquidator, or statutory successor for unpaid assessments.

Rights, assignment.

(b) The receiver, liquidator, or statutory successor of an insolvent insurer shall be bound by settlements of covered claims by the Association or a similar organization in another State. The court having jurisdiction shall grant such claims priority equal to that which the claimant would have been entitled in the absence of this title against the assets of the insolvent insurer.

(c) The Association shall periodically file with the receiver or liquidator of the insolvent insurer statements of the covered claims paid by the Association which shall preserve the rights of the Association against the assets of the insolvent insurer.

SEC. 111. (a) Any person having a claim against an insurer under any provision in an insurance policy, other than a policy of an insolvent insurer which is also a covered claim, shall be required to exhaust first his right under such policy. Any amount payable on a covered claim under this title shall be reduced by the amount of any recovery under such insurance policy.

(b) Any person having a claim which may be recovered under more than one insurance guaranty association or its equivalent shall seek recovery first from the association of the place of residence of the insured except that if it is a first party claim for damage to property with a permanent location, he shall seek recovery first from the association of the location of the property, and if it is a workmen's compensation claim, he shall seek recovery first from the association of the residence of the claimant. Any recovery under this title shall be reduced by the amount of recovery from any other insurance guaranty association or its equivalent.

SEC. 112. (a) To aid in the detection and prevention of insurer insolvencies—

Insurer insolvencies, prevention.

(1) it shall be the duty of the Board, upon majority vote, to notify the Commissioner of any information indicating any member insurer may be insolvent or in a financial condition hazardous to the policyholders or the public; and

(2) the Board may, upon majority vote, request that the Commissioner order an examination of any member insurer which the Board in good faith believes may be in a financial condition hazardous to the policyholders or the public.

(b) An examination may be conducted, under this section, as a National Association of Insurance Commissioner examination or may be conducted by such person as the Commissioner designates. The cost of such examination shall be paid by the Association and the examina-

tion report shall be treated as are other examination reports. In no event shall such examination report be released to the Board prior to its release to the public, but this shall not preclude the Commissioner from complying with subsection (c) of this section. The Commissioner shall notify the Board when the examination is completed. The request for an examination shall be kept on file by the Commissioner but it shall not be open to public inspection prior to the release of the examination report to the public.

(c) It shall be the duty of the Commissioner to report to the Board when he has reasonable cause to believe that any member insurer examined or being examined at the request of the Board may be insolvent or in a financial condition hazardous to the policyholders or the public.

Reports.

(d) The Board may, upon majority vote, make reports and recommendations to the Commissioner upon any matter germane to the solvency, liquidation, rehabilitation, or conservation of any member insurer. Such reports and recommendations shall not be considered public documents.

(e) The Board may, upon majority vote, make recommendations to the Commissioner for the detection and prevention of insurer insolvencies.

(f) The Board shall, at the conclusion of any insurer insolvency in which the Association was obligated to pay covered claims, prepare a report on the history and causes of such insolvency, based on the information available to the Association, and submit such report to the Commissioner.

SEC. 113. The Association shall be subject to examination and regulation by the Commissioner. The Board shall submit, not later than March 30 of each year, a financial report for the preceding calendar year on a form approved by the Commissioner.

Tax exemption.

SEC. 114. The Association shall be exempt from payment of all fees and taxes levied or collected by the District of Columbia, except taxes levied on real or personal property.

SEC. 115. The rates and premiums charged for insurance policies to which this title applies shall include amounts sufficient to recoup a sum equal to the amounts paid to the Association by the member insurer less any amounts returned to the member insurer by the Association and such rates shall not be deemed excessive because they contain an amount reasonably calculated to recoup assessments paid by the member insurer.

SEC. 116. There shall be no liability on the part of and no cause of action of any nature shall rise against any member insurer, the Association or its agents or employees, the Board, or the Commissioner or his representatives for any action taken by them in the performance of their powers and duties under this title.

SEC. 117. All proceedings in which the insolvent insurer is a party or is obligated to defend a party in any court in the District of Columbia shall be stayed for sixty days from the date the insolvency is determined to permit proper defense by the Association of all pending causes of action. As to any covered claims arising from a judgment under any decision, verdict, or finding based on the default of the insolvent insurer or its failure to defend an insured, the Association either on its own behalf or on behalf of such insured may apply to have such judgment, order, decision, verdict, or finding set aside by the same court or administrator that made such judgment, order, decision, verdict, or finding and shall be permitted to defend against such claim on the merits.

SEC. 118. (a) The Commissioner shall by order terminate the operation of the District of Columbia Insurance Guaranty Association as

to any kind of insurance afforded by property or casualty insurance policies with respect to which he has found, after hearing, that there is in effect a statutory or voluntary plan which—

(1) is a permanent plan which is adequately funded or for which adequate funding is provided; and

(2) extends or will extend to District of Columbia policyholders and residents protection and benefits with respect to insolvent insurers not substantially less favorable and effective to such policyholders and residents and the protection and benefits provided with respect to such kind of insurance under this title.

(b) The Commissioner shall by the same such order authorize discontinuance of future payments by insurers to the District of Columbia Insurance Guaranty Association with respect to the same kinds of insurance, except assessments and payments shall continue, as necessary, to liquidate covered claims of insurers adjudged insolvent prior to said order and the related expenses not covered by such other plan.

(c) In the event the operation of any account of the District of Columbia Insurance Guaranty Association shall be so terminated as to all kinds of insurance otherwise within its scope, the Association as soon as possible thereafter shall distribute the balance of moneys and assets remaining in said account (after discharge of the functions of the Association with respect to prior insurer insolvencies not covered by such other plan, together with related expenses) to the insurers which are then writing in the District of Columbia policies of the kinds of insurance covered by such account, and which had made payments into such account, pro rata upon the basis of the aggregate of such payments made by the respective insurers to such account during the period of five years next preceding the date of such order. Upon completion of such distribution with respect to all of the accounts specified in section 105, this title shall be deemed to have expired.

TITLE II—AMENDMENT OF THE LIFE INSURANCE ACT OF THE DISTRICT OF COLUMBIA TO INCREASE CAPITAL REQUIREMENTS OF LIFE INSURANCE COMPANIES

SEC. 201. Chapter 3 of the Life Insurance Act (D.C. Code, secs. 35–501—35–541) is amended as follows:

(1) Section 8(a) of such chapter (D.C. Code, sec. 35–508(a)) is amended (A) by striking out in the first sentence "$200,000" and inserting in lieu thereof "$1,000,000", and (B) by striking out in the last sentence "$150,000" and inserting in lieu thereof "$1,500,000". 48 Stat. 1145; 78 Stat. 764.

(2) Section 8(b) of such chapter (D.C. Code, sec. 35–508(b)) is amended (A) by inserting "or subsequent amendment" immediately after "subsection", and (B) by inserting "or the minimum surplus required of a mutual company" immediately after "stock company".

(3) Paragraph 10(b)(ii) of section 35 of such chapter (D.C. Code, sec. 35–535 (10)(b)(ii)) is amended by striking out "$300,000" and "$150,000" and inserting in lieu thereof "$1,500,000" in each such place. 78 Stat. 765.

(4) Paragraph (15)(ii) of section 35 of such chapter (D.C. Code, sec. 35–535(15)(ii)) is amended by striking out "$300,000" and "$150,000" and inserting in lieu thereof "$1,500,000" in each such place. 74 Stat. 865; 78 Stat. 765.

SEC. 202. The amendment made by this title shall take effect thirty days after the date of enactment of this Act. Effective date.

TITLE III—AMENDMENT OF THE LIFE INSURANCE ACT OF THE DISTRICT OF COLUMBIA TO INCREASE GROUP TERM LIFE INSURANCE AMOUNT LIMITATIONS

SEC. 301. Sections 10(1)(d), 10(3)(d), 10(4)(d), 10(6)(d), and 10(9)(d) of chapter V of the Life Insurance Act (D.C. Code, secs. 35–710 (1)(d), (3)(d), (4)(d), (6)(d), and (9)(d)), are amended (1) by striking out "$20,000" each place it appears and inserting in lieu thereof "$30,000"; (2) by striking out "$40,000" each place it appears and inserting in lieu thereof "$100,000"; and (3) by striking out "150" each place it appears and inserting in lieu thereof "300".

74 Stat. 315; 76 Stat. 1131.

SEC. 302. The first sentence of section 11 of chapter V of the Life Insurance Act (D.C. Code, sec. 35–711), is amended (1) by striking out "and" between clauses (b) and (c), (2) by striking out the colon at the end of clause (c) and inserting in lieu thereof a semicolon and (3) by inserting immediately thereafter a new clause (d) as follows: "and (d) that subject to the terms of the policy any person insured under a group life insurance contract, whether issued before or after the effective date of this clause, may make to any person, other than his employer, an absolute or collateral assignment of any or all the rights and benefits conferred on him by any provision of such policy or by law, including specifically, but not by way of limitation, any right to designate a beneficiary or beneficiaries thereunder and any right to have an individual policy issued upon termination either of employment or of said policy of group life insurance, but nothing herein shall be construed to have prohibited an insured from making an assignment of all or any part of his rights and privileges under the policy before the effective date of this clause and, subject to the terms of the policy, an assignment by an insured before or after the effective date of this clause is valid for the purposes of vesting in the assignee all rights and privileges so assigned, but without prejudice to the insurer on account of any payment it may make or individual policy it may issue prior to receipt of notice of the assignment:".

64 Stat. 333.

TITLE IV—AMENDMENT OF THE FIRE AND CASUALTY ACT REGULATING THE BUSINESS OF FIRE, MARINE, AND CASUALTY INSURANCE IN THE DISTRICT OF COLUMBIA

SEC. 401. Sections 13 and 14 of chapter II of the Fire and Casualty Act (D.C. Code, secs. 35–1316 and 35–1317), are amended to read as follows:

54 Stat. 1070; 80 Stat. 121.

"SEC. 13. MINIMUM CAPITAL AND SURPLUS REQUIREMENT.—Every stock company authorized to do business in the District shall have and shall at all times maintain a paid-up capital stock of not less than $300,000, and a surplus of not less than $300,000. Every domestic mutual company and every domestic reciprocal company shall have and shall at all times maintain a surplus of not less than $300,000 and every foreign or alien mutual company and every foreign or alien reciprocal company shall have and shall at all times maintain a surplus of not less than $400,000.

"SEC. 14. CORPORATIONS HERETOFORE FORMED.—No company shall be exempt from the provisions of this subsection by reason of its having been incorporated in the District or elsewhere prior to the effective date of this subsection, except that, in the case of companies authorized in the District on the date of approval of this subsection and continu-

ously thereafter without any increase of authority, the minimum capital and surplus required of a stock company, and the minimum surplus required of a mutual or reciprocal company, or of a Lloyd's organization by the laws of the District heretofore applicable shall not be increased by this subsection, and provided also that in the case of such continuously authorized companies the provisions of section 24 relating to the names of companies, and the provisions of section 25 relating to the amount of surplus necessary to the issuance of policies having no provision for contingent liability, shall not be applicable."

SEC. 402. Section 25 of chapter II of the Fire and Casualty Act (D.C. Code, sec. 35–1329) is amended by striking out "$300,000" and inserting in lieu thereof "$600,000". 54 Stat. 1076.

TITLE V—AMENDMENT OF AMOUNT OF CONTRACT WITH THE GOVERNMENT OF THE DISTRICT OF COLUMBIA FOR WHICH A SURETY BOND IS REQUIRED

SEC. 501. The first section of the Act entitled "An Act in relation to contracts with the District of Columbia" approved June 28, 1906 (D.C. Code, sec. 1–805), and the first section of the Act of August 3, 1968 (D.C. Code, sec. 1–804a) (relating to contracts with the District of Columbia), are each amended by striking out "$2,000" wherever it appears in each such first section and inserting in lieu thereof "$10,000". 34 Stat. 546; 82 Stat. 629. 82 Stat. 628.

Approved August 14, 1973.

Public Law 93-90

AN ACT

August 14, 1973
[S. 2120]

To amend the Federal Railroad Safety Act of 1970 and other related Acts to authorize additional appropriations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this act may be cited as the "Federal Railroad Safety Authorization Act of 1973". Federal Railroad Safety Authorization Act of 1973.

SEC. 2. Section 212 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 441) is amended to read as follows: 84 Stat. 977.

"SEC. 212. AUTHORIZATION FOR APPROPRIATIONS.

"There is authorized to be appropriated to carry out the provisions of this title not to exceed $19,440,000 for the fiscal year ending June 30, 1974.".

SEC. 3. Section 303 of the Hazardous Materials Transportation Control Act of 1970 (49 U.S.C. 1762) is amended to read as follows: Hazardous materials control.

"SEC. 303. AUTHORIZATION FOR APPROPRIATIONS.

"There is authorized to be appropriated to carry out the provisions of this title not to exceed $1,200,000 for the fiscal year ending June 30, 1974.".

SEC. 4. The Secretary of Transportation shall, within ninety days after the date of enactment of this Act, submit a report to the Congress which contains a complete evaluation of all programs conducted under the Hazardous Materials Transportation Control Act of 1970, and on proposed revised handling procedures and feasibility of alternative routing in order to avoid population centers. Report to Congress.

Approved August 14, 1973.

Public Law 93-91

August 14, 1973
[H. R. 8658]

AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1974, and for other purposes.

District of Columbia Appropriation Act of 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending June 30, 1974, and for other purposes, namely:

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

For payment to the following funds of the District of Columbia for the fiscal year ending June 30, 1974: $187,450,000 to the general fund; $2,555,000 to the water fund; and $1,528,000 to the sanitary sewage works fund; as authorized by the District of Columbia Revenue Act of 1947, as amended (D.C. Code, sec. 47–2501(a)); and the Act of May 18, 1954 (D.C. Code, sec. 43–1541 and 1611).

85 Stat. 654.

68 Stat. 102, 108.

LOANS TO THE DISTRICT OF COLUMBIA FOR CAPITAL OUTLAY

For loans to the District of Columbia, as authorized by the Act of June 6, 1958 (72 Stat. 183), as amended, the Act of November 3, 1967 (81 Stat. 339, 340), the Act of December 9, 1969 (83 Stat. 321), the Act of May 18, 1954 (68 Stat. 105, 110), the Act of June 2, 1950 (64 Stat. 195), and the Act of June 12, 1960 (74 Stat. 210), $226,184,000, which together with balances of previous appropriations for this purpose, shall remain available until expended and be advanced upon request of the Commissioner, as follows: To the general fund, $177,969,000, to the highway fund, $11,900,000, to the water fund, $7,067,000, to the sanitary sewage works fund, $25,000,000, and to the metropolitan area sanitary sewage works fund, $4,248,000.

D.C. Code 9-220.
D.C. Code 47-2501a note.
D.C. Code 1-1441 note.
D.C. Code 43-1604.
84 Stat. 1930.
D.C. Code 7-133.
D.C. Code 43-1540.
D.C. Code 47-1620.

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided:

GENERAL OPERATING EXPENSES

General operating expenses, $67,539,000, of which $629,700 shall be payable from the highway fund (including $72,400 from the motor vehicle parking account), $94,500 from the water fund, and $67,300 from the sanitary sewage works fund: *Provided*, That, for the purpose of assessing and reassessing real property in the District of Columbia, $5,000 of the appropriation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not in excess of $100 per diem: *Provided further*, That not to exceed $7,500 of this appropriation shall be available for test borings and soil investigations: *Provided further*, That $2,475,000 of this appropriation (to remain available until expended) shall be available solely for District of Columbia employees' disability compensation: *Provided further*, That not to exceed $125,000 of this appropriation shall be available for settlement of property damage claims not in excess of $500 each and personal injury claims not in excess of $1,000 each: *Provided further*, That not to exceed $50,000 of any appropriations available to the

80 Stat. 416.

District of Columbia may be used to match financial contributions from the Department of Defense to the District of Columbia Office of Civil Defense for the purchase of civil defense equipment and supplies approved by the Department of Defense, when authorized by the Commissioner.

PUBLIC SAFETY

Public safety, including employment of consulting physicians, diagnosticians, and therapists at rates to be fixed by the Commissioner; cash gratuities of not to exceed $75 to each released prisoner; purchase of one hundred and ninety-seven passenger motor vehicles for replacement only (including one hundred and ninety-two for police-type use and five for fire-type use without regard to the general purchase price limitation for the current fiscal year but not in excess of $400 per vehicle for police-type and $600 per vehicle for fire-type use above such limitation); $206,357,000, of which $7,854,600 shall be payable from the highway fund (including $112,000 from the motor vehicle parking account): *Provided*, That the Police Department is authorized to replace not to exceed twenty-five passenger carrying vehicles, and the Fire Department not to exceed five such vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths the cost of the replacement: *Provided further*, That $7,821,700 shall be available for reimbursement to the United States for services provided to the District of Columbia by the offices of the United States attorney and the United States marshal for the District of Columbia.

EDUCATION

Education, including provision of insurance, maintenance, and acceptance of not to exceed thirty-one passenger motor vehicles on a loan basis for exclusive use in the driver education program, and the development of national defense education programs, $198,029,000, of which $165,100 shall be payable from the highway fund.

Section 5533(c) of title 5, United States Code, shall not apply to compensation received by teachers of the public schools of the District of Columbia for employment in a civilian office during the period July 1, 1973, to August 31, 1973. 84 Stat. 1195.

RECREATION

Recreation, $14,300,000.

HUMAN RESOURCES

Human resources, including reimbursement for services rendered to the District of Columbia by Freedmen's Hospital; and care and treatment of indigent patients in institutions, including those under sectarian control, under contracts to be made by the Director of Human Resources; $218,443,000: *Provided*, That the inpatient rate and outpatient rate under such contracts, with the exception of Children's Hospital, and for services rendered by Freedmen's Hospital, shall not exceed $38 per diem and the outpatient rate shall not exceed $6 per visit; the inpatient rate and outpatient rate for Children's Hospital shall not exceed $40 per diem and $6.75 per visit; and the inpatient rate (excluding the proportionate share for repairs and construction) for services rendered by Saint Elizabeths Hospital for patient care shall be $24.53 per diem: *Provided further*, That total reimbursements to Saint Elizabeths Hospital, including funds from Title XIX of the Social Security Act, shall not exceed the amount for the fiscal year 1970: *Provided further*, That the hospital rates specified herein shall 79 Stat. 343; 86 Stat. 1426. 42 USC 1396.

not apply, beginning July 1, 1969, to services provided to patients who are eligible for such services under the District of Columbia plan for medical assistance under Title XIX of the Social Security Act: *Provided further*, That this appropriation shall be available for the furnishing of medical assistance to individuals sixty-five years of age or older who are residing in the District of Columbia: *Provided further*, That this appropriation shall be available for the treatment, in any institution, under the jurisdiction of the Commissioner and located either within or without the District of Columbia, of individuals found by a court to be chronic alcoholics.

79 Stat. 343; 86 Stat. 1426. 42 USC 1396.

HIGHWAYS AND TRAFFIC

Highways and traffic, including $162,600 for traffic safety education; $600 for membership in the American Association of Motor Vehicle Administrators and $1,500 for membership in the Vehicle Equipment Safety Commission; rental of one passenger-carrying vehicle for use by the Commissioner; and purchase of sixteen passenger motor vehicles for replacement only; $23,460,200, of which $17,227,300 shall be payable from the highway fund (including $640,800 from the motor vehicle parking account): *Provided*, That this appropriation shall not be available for the purchase of driver-training vehicles.

ENVIRONMENTAL SERVICES

Environmental services, $45,010,000, of which $11,931,100 shall be payable from the water fund, $13,629,500 from the sanitary sewage works fund, and $15,700 from the metropolitan area sanitary sewage works fund.

PERSONAL SERVICES

For pay increases and related retirement costs for general schedule employees, wage board employees, and Public Schools cafeteria employees to be transferred by the Commissioner of the District of Columbia to the appropriations for the fiscal year 1974 from which said employees are properly payable, $13,782,000, of which $534,400 shall be payable from the highway fund (including $6,800 from the motor vehicle parking account), $501,400 from the water fund, and $369,200 from the sanitary sewage works fund.

REPAYMENT OF LOANS AND INTEREST

For reimbursement to the United States of funds loaned in compliance with sections 108, 217, and 402 of the Act of May 18, 1954 (68 Stat. 103, 109, and 110), as amended; section 9 of the Act of September 7, 1957 (71 Stat. 619), as amended; section 1 of the Act of June 6, 1958 (72 Stat. 183), as amended; and section 4 of the Act of June 12, 1960 (74 Stat. 211), including interest as required thereby, $39,633,000, of which $6,110,100 shall be payable from the highway fund, $2,041,400 from the water fund, $1,436,000 from the sanitary sewage works fund, and $56,700 from the metropolitan area sanitary sewage works fund.

D.C. Code 43-1540, 43-1616, 7-133. D.C. Code 2-1727. D.C. Code 9-220. D.C. Code 43-1623.

CAPITAL OUTLAY

For reimbursement to the United States of funds loaned in compliance with the Act of August 7, 1946 (60 Stat. 896), as amended, and payments under the Act of July 2, 1954 (68 Stat. 443), construction projects as authorized by the Acts of April 22, 1904 (33 Stat. 244), May 18, 1954 (68 Stat. 105, 110), June 6, 1958 (72 Stat. 183), August 20, 1958 (72 Stat. 686), and the Act of December 9, 1969 (83

72 Stat. 15.

D.C. Code 43-1510, 7-133, 9-220, 40-804.

Stat. 321); including acquisition of sites; preparation of plans and specifications; conducting preliminary surveys; erection of structures, including building improvement and alteration and treatment of grounds; to remain available until expended, $128,178,000, of which $9,142,300 shall be payable from the highway fund, $9,440,000 from the water fund, and $1,100,000 from the sanitary sewage works fund: *Provided*, That $9,211,100 shall be available for construction services by the Director of the Department of General Services or by contract for architectural engineering services, as may be determined by the Commissioner, and the funds for the use of the Director of the Department of General Services shall be advanced to the appropriation account, "Construction Services, Department of General Services": *Provided further*, Notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968 (Public Law 90-495, approved August 23, 1968), for which funds are provided by this paragraph, shall expire on June 30, 1975, except authorizations for projects as to which funds have been obligated in whole or in part prior to such date. Upon expiration of any such project authorization the funds provided herein for such project shall lapse.

D.C. Code 1-441 note.

82 Stat. 827. D.C. Code 7-135 note.

GENERAL PROVISIONS

Vouchers.

SEC. 1. Except as otherwise provided herein, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by the designated certifying official and the vouchers as approved shall be paid by checks issued by the designated disbursing official.

Maximum allowances.

SEC. 2. Whenever in this Act an amount is specified within an appropriation for particular purposes or object of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount which may be expended for said purpose or object rather than an amount set apart exclusively therefor.

Automobile allowances.

SEC. 3. Appropriations in this Act shall be available, when authorized or approved by the Commissioner, for allowances for privately owned automobiles used for the performance of official duties at 10 cents per mile but not to exceed $35 a month for each automobile, unless otherwise therein specifically provided, except that one hundred and thirteen (eighteen for venereal disease investigators in the Department of Human Resources) such allowances at not more than $550 each per annum may be authorized or approved by the Commissioner.

Travel expenses; organization dues.

SEC. 4. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Commissioner.

Taxicabs, restrictions.

SEC. 5. Appropriations in this Act shall not be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Service Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Service Commission.

Street lighting.

SEC. 6. Appropriations in this Act shall not be available for the payment of rates for electric current for street lighting in excess of 2 cents per kilowatt-hour for current consumed.

Vehicle use.

SEC. 7. All passenger motor vehicles (including watercraft) owned by the District of Columbia shall be operated and utilized in conform-

31 USC 638a.

ity with section 16 of the Act of August 2, 1946 (60 Stat. 810), and shall be under the direction and control of the Commissioner, who may from time to time alter or change the assignment for use thereof or direct the alteration of interchangeable use of any of the same by officers and employees of the District, except as otherwise provided in this Act. "Official purposes" as used in the section 16 shall not apply to the Commissioner or in cases of officers and employees the character of whose duties make such transportation necessary, but only as to such latter cases when approved by the Commissioner.

Snow and ice control.

SEC. 8. Appropriations contained in this Act for highways and traffic and environmental services shall be available for snow and ice control work when ordered by the Commissioner in writing.

Judgment payments.

SEC. 9. There are hereby appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments which have been entered against the government of the District of Columbia, including refunds authorized by section 10 of the Act approved April 23, 1924 (43 Stat. 108): *Provided*, That nothing contained in this section shall be construed as modifying or affecting the provisions of paragraph 3, subsection (c) of section 11 of Title XII of the District of Columbia Income and Franchise Tax Act of 1947, as amended.

D.C. Code 47-1910 note.

70 Stat. 78.
D.C. Code 47-1586j.

SEC. 10. Except as otherwise provided herein, limitations and legislative provisions contained in the District of Columbia Appropriation Act, 1961, shall be applicable during the current fiscal year: *Provided*, That the limitation for "Construction Services, Department of General Services" shall, during the current fiscal year, be 10 per centum of appropriations for all construction projects: *Provided further*, That the limitation on expenditure of funds by the Chief of Police for prevention and detection of crime during the current fiscal year shall be $200,000: *Provided further*, That during the current fiscal year, the limitation with respect to a central heating system, under the heading "Department of Sanitary Engineering", shall not be applicable.

74 Stat. 17.

SEC. 11. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of subsection (b) of section 5 of the District of Columbia Public Assistance Act of 1962 and for the non-Federal share of funds necessary to qualify for Federal assistance under the Act of July 31, 1968 (Public Law 90-445).

76 Stat. 915.
D.C. Code 3-204.
86 Stat. 532.
42 USC 3801 note.

Fiscal year limitation.

SEC. 12. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Chauffeur compensation, limitation.

SEC. 13. No part of any funds appropriated by this Act shall be used to pay the compensation (whether by contract or otherwise) of any individual for performing services as a chauffeur or driver for any designated officer or employee of the District of Columbia government (other than the Commissioner of the District of Columbia, Chief of Police and Fire Chief), or for performing services as a chauffeur or driver of a motor vehicle assigned for the personal or individual use of any such officer or employee (other than the Commissioner of the District of Columbia, Chief of Police and Fire Chief). No part of any funds appropriated by this Act, in excess of $12,000 in the aggregate, shall, in any fiscal year, be used to pay the compensation (whether by contract or otherwise) of individuals for performing services as a chauffeur or driver for the Commissioner of the District of Columbia, or for performing services as a chauffeur or driver of a motor vehicle assigned for the personal or individual use of the Commissioner of the District of Columbia.

SEC. 14. Not to exceed 4½ per centum of the total of all funds appropriated by this Act for personal compensation (except temporary positions provided for the Department of Corrections in this Act) may be used to pay the cost of overtime or temporary positions. Overtime or temporary positions, cost limitation.

SEC. 15. The total expenditure of funds appropriated by this Act for authorized travel and per diem costs outside the District of Columbia, Maryland, and Virginia shall not exceed $210,000. Travel expenditure, limitation.

SEC. 16. Appropriations in this Act shall not be available, during the fiscal year ending June 30, 1974, for the compensation of any person appointed—

(1) as a full-time employee to a permanent, authorized position in the government of the District of Columbia during any month when the number of such employees is greater than 39,619; or

(2) as a temporary or part-time employee in the government of the District of Columbia during any month in which the number of such employees exceeds the number of such employees for the same month of the preceding fiscal year, except temporary employees provided for the Department of Corrections in this Act.

SEC. 17. No funds appropriated herein for the government of the District of Columbia for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community group during nonschool hours.

SEC. 18. Appropriations in this Act shall be available for services as authorized by 5 U.S.C. 3109. 80 Stat. 416.

This Act may be cited as the "District of Columbia Appropriation Act of 1974". Short title.

Approved August 14, 1973.

Public Law 93-92

AN ACT

August 14, 1973
[H. R. 6713]

To amend the District of Columbia Election Act regarding the times for filing certain petitions, regulating the primary election for Delegate from the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia Election Act (D.C. Code, secs. 1–1101—1–1115) is amended as follows: District of Columbia Election Act, amendments.

(1) Clause (A) of paragraph (2) of section 2 of such Act (D.C. Code, sec. 1–1102) is amended to read as follows: "(A) who resides or is domiciled in the District and who does not claim voting residence or right to vote in any State or territory;". 75 Stat. 820; 85 Stat. 788.

(2) Subsection (a) of section 5 of such Act (D.C. Code, sec. 1–1105) is amended by (A) striking out "and" at the end of paragraph (7), (B) redesignating paragraph (8) as paragraph (9), and (C) inserting immediately after paragraph (7) the following: Regulations. 69 Stat. 700; 75 Stat. 817.

"(8) prescribe such regulations as it considers necessary in order to carry out the purposes of this Act; and".

(3) Paragraph (1) of subsection (b) of section 5 of such Act (D.C. Code, sec. 1–1105) is amended by striking out "after the first Monday". 85 Stat. 789.

(4) Paragraphs (2) and (3) of subsection (b) of section 5 of such Act (D.C. Code, sec. 1–1105) are each amended by striking out "forty-five" wherever is appears and inserting in lieu thereof "sixty".

Repeal.
85 Stat. 789.

(5) Paragraph (6) of subsection (b) of section 5 of such Act (D.C. Code, sec. 1–1105) is repealed.

69 Stat. 700; 85 Stat. 789.

(6) Subsection (d) of section 5 of such Act (D.C. Code, sec. 1–1105) is amended to read as follows:

"(d) The Board may permit either persons temporarily absent from the District or persons physically unable to appear personally at an official registration place to register for the purpose of voting in any election held under this Act."

Volunteer services.

(7) Section 5 of such Act (D.C. Code, sec. 1–1105) is amended by inserting at the end of that section the following:

"(f) Notwithstanding the provisions of the fourth paragraph under the section headed 'Militia' of the Act of July 7, 1898 (relating to appropriations) (D.C. Code, sec. 1–215), the Board may accept volunteer services for the purposes of voter education and registration."

30 Stat. 666.

National committeeman candidate, nomination.
85 Stat. 790.

(8) Paragraph (1) of subsection (a) of section 8 of such Act (D.C. Code, sec. 1–1108) is amended to read as follows:

"(a) (1) Each candidate for election to the office of national committeeman or alternate, or national committeewoman or alternate, and for election as a member or official designated for election at large under clause (4) of the first section of this Act, shall be a qualified elector registered under section 7 of this Act who has been nominated for such office, or for election as such member or official, by a nominating petition (A) signed by not less than five hundred qualified electors registered under such section 7, who are of the same political party as the candidate, and (B) filed with the Board not later than the sixtieth day before the date of the election held for such office, member, or official."

75 Stat. 818.

(9) Subsection (f) of section 8 of such Act (D.C. Code, sec. 1–1108) is amended by striking out "5 per centum" and inserting in lieu thereof "1 per centum".

85 Stat. 791.

(10) Subsection (i) of section 8 of such Act (D.C. Code, sec. 1–1108) is amended (A) by striking out "forty-fifth" and inserting in lieu thereof "sixtieth", (B) by striking out "ninety-ninth", "ninety-ninth", and "seventieth", respectively, and by inserting in lieu thereof "one hundred fourteenth", "one hundred fourteenth", and "eighty-fifth", respectively, and (C) by striking out "The Board may prescribe rules with respect to the preparation and presentation of nominating petitions.".

(11) Paragraph (1) of subsection (j) of section 8 of such Act (D.C. Code, sec. 1–1108) is amended (A) by striking out in clause (A) "forty-fifth", and inserting in lieu thereof "sixtieth", (B) by striking out "ninety-ninth", "ninety-ninth", and "seventieth", respectively, and by inserting in lieu thereof "one hundred fourteenth", "one hundred fourteenth", and "eighty-fifth", respectively, and (C) by striking out "The Board may prescribe rules with respect to the preparation and presentation of such nominating petitions.".

(12) Paragraph (3) of subsection (m) of section 8 of such Act (D.C. Code, sec. 1–1108) is amended by striking out "The Board shall by regulation specify such additional details as may be necessary and proper to effectuate the purpose of this subsection.".

(13) Subsection (o) of section 8 of such Act (D.C. Code, sec. 1–1108) is amended (A) by striking out in clause (A) "forty-fifth", and by inserting in lieu thereof "sixtieth", (B) by striking out "ninety-ninth" and "seventieth", respectively, and by inserting in lieu thereof "one hundred fourteenth" and "eighty-fifth", respectively, and (C) by striking out "The Board may prescribe rules with respect to the preparation and presentation of nominating petitions.".

(14) Paragraph (1) of subsection (p) of section 8 of such Act (D.C. Code, sec. 1–1108) is amended by striking out "forty-second day before the date of the election" and by inserting in lieu thereof "third day after the filing deadline for nominating petitions". 82 Stat. 104; 84 Stat. 849.

(15) Subsection (e) of section 9 of such Act (D.C. Code, sec. 1–1109) is amended by striking out "seven" and by inserting in lieu thereof "ten". 69 Stat. 702.

(16) Paragraph (1) of subsection (a) of section 10 of such Act (D.C. Code, sec. 1–1110) is amended by striking out "after the first Monday". 85 Stat. 792.

(17) Paragraph (4) of subsection (a) of section 10 of such Act (D.C. Code, sec. 1–1110) is amended to read as follows: Runoff elections. 84 Stat. 850.

"(4) Runoff elections shall be held whenever, in any primary election of a political party for candidates for the office of Delegate, no candidate receives at least 40 per centum of the total votes cast in that election for all candidates of that party for that office. Any such runoff election shall be held not less than two weeks nor more than six weeks after the date on which the Board has determined the results of the preceding primary. At the time of announcing any such determination, the Board shall establish and announce the date on which the runoff election will be held, if one is required. The candidates in any such runoff election shall be the two persons who received, respectively, the two highest numbers of votes in such preceding primary; except that if any person withdraws his candidacy from such runoff election, the person who received the next highest number of votes in such preceding primary and who is not already a candidate in the runoff election shall automatically become such a candidate."

(18) Subsection (b) of section 10 of such Act (D.C. Code, sec. 1–1110) is amended by striking out "8 o'clock antemeridian" and by inserting in lieu thereof "7 o'clock antemeridian". 82 Stat. 106; 84 Stat. 851.

(19) Subsection (e) of section 10 of such Act (D.C. Code, sec. 1–1110) is amended by striking out "ninety-nine" and inserting in lieu thereof "one hundred fourteen".

(20) Subsection (a) of section 11 of such Act (D.C. Code, sec. 1–1111) is amended by striking out "Such recounts shall be conducted in the manner prescribed by the Board by regulation.". 69 Stat. 703 85 Stat. 793.

SEC. 2. The Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia", approved June 20, 1906 (D.C. Code, sec. 31–101 et seq.) is amended as follows: D.C. Board Education. 82 Stat. 101.

(1) Paragraph (1) of subsection (b) of section 2 of such Act (D.C. Code, sec. 31–101) is amended to read as follows: Term of office.

"(b)(1) Except as provided in paragraph (3) of this subsection and section 10(e) of the District of Columbia Election Act, the term of office of a member of the Board of Education shall be four years.". *Supra.*

(2) Paragraph (3) of subsection (b) of section 2 of such Act (D.C. Code, sec. 31–101) is amended by adding at the end thereof the following new sentence: "However, the term of office of a member of the Board of Education elected in the general election for member of the Board of Education to be held in 1973 and thereafter shall expire at noon of the thirtieth day after the Board of Elections certifies the results of the election, including any runoff election, for members of the Board of Education in the fourth year of such member's term. The term of a member of the Board of Education elected in the general election to be held in 1977 and thereafter shall begin immediately upon the expiration of the term preceding it."

SEC. 3. The amendments made by this Act shall take effect on and after the date of enactment of this Act. Effective date.

Approved August 14, 1973.

Public Law 93-93

August 14, 1973
[S. 1410]

AN ACT

To amend section 14(b) of the Federal Reserve Act, as amended, to extend for three months the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury.

Federal Reserve Act, amendment.
61 Stat. 56;
85 Stat. 100.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14(b) of the Federal Reserve Act, as amended (12 U.S.C. 355), is amended by striking out "July 1, 1973" and inserting in lieu thereof "November 1, 1973" and by striking out "June 30, 1973" and inserting in lieu thereof "October 31, 1973".

Approved August 14, 1973.

Public Law 93-94

August 15, 1973
[S. 1887]

AN ACT

To provide for the appointment of alternates for the governors of the International Monetary Fund and of the International Bank for Reconstruction and Development.

59 Stat. 512.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (b) of section 3 of the Bretton Woods Agreements Act (22 U.S.C. 286a) be amended to read as follows: "The President, by and with the advice and consent of the Senate, shall appoint an alternate for the governor of the Fund and an alternate for the governor of the Bank.".

Approved August 15, 1973.

Public Law 93-95

August 15, 1973
[S. 1423]

AN ACT

To amend the Labor Management Relations Act, 1947, to permit employer contributions to jointly administered trust funds established by labor organizations to defray costs of legal services.

Labor Management Relations Act, 1947, amendment,
61 Stat. 157;
83 Stat. 133.
29 USC 186.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302(c) of the Labor Management Relations Act, 1947, is amended by striking out "or (7)" and inserting in lieu thereof "(7)" and by adding immediately before the period at the end thereof the following: "; or (8) with respect to money or any other thing of value paid by any employer to a trust fund established by such representative for the purpose of defraying the costs of legal services for employees, their families, and dependents for counsel or plan of their choice: *Provided*, That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds: *Provided further*, That no such legal services shall be furnished: (A) to initiate any proceeding directed (i) against any such employer or its officers or agents except in workman's compensation cases, or (ii) against such labor organization, or its parent or subordinate bodies, or their officers or agents, or (iii) against any other employer or labor organization, or

their officers or agents, in any matter arising under the National Labor Relations Act, as amended, or this Act; and (B) in any proceeding where a labor organization would be prohibited from defraying the costs of legal services by the provisions of the Labor-Management Reporting and Disclosure Act of 1959".

73 Stat. 519.
29 USC 401 note.

Approved August 15, 1973.

Public Law 93-96

AN ACT

August 16, 1973
[H. R. 8510]

To authorize appropriations for activities of the National Science Foundation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the National Science Foundation for the fiscal year ending June 30, 1974, for the following categories:

National Science Foundation Authorization Act, 1974.

(1) Scientific Research Project Support, $285,000,000.
(2) National and Special Research Programs, $105,600,000.
(3) National Research Centers, $46,000,000.
(4) Computing Activities in Education and Research, $8,200,000.
(5) Science Information Activities, $8,300,000.
(6) International Cooperative Scientific Activities, $6,200,000.
(7) Research Applied to National Needs, $91,000,000.
(8) Intergovernmental Science Program, $1,000,000.
(9) Institutional Improvement for Science, $2,000,000.
(10) Graduate Student Support, $11,500,000.
(11) Science Education Improvement, $35,200,000.
(12) Planning and Policy Studies, $2,600,000.
(13) Program Development and Management, $30,000,000.

SEC. 2. (a) Any amounts which were authorized and appropriated to the National Science Foundation for the fiscal year ending June 30, 1973, or any prior fiscal year, but which remained unobligated as of the close of the fiscal year ending June 30, 1973, shall be merged with and added to the amounts authorized by section 1 of this Act.

(b) Notwithstanding any other provision of this or any other Act—

Programs, minimum funding levels.

(1) of the total amount authorized for the purpose of "National and Special Research Programs" under category (2) of section 1 and subsection (a) of this section, not less than $6,000,000 shall be available for oceanography-related programs, including ship construction/conversion;

(2) of the total amount authorized for the purpose of "Research Applied to National Needs" under category (7) of section 1 and subsection (a) of this section, not less than $25,000,000 shall be available for energy research and technology programs, including but not limited to solar, geothermal, and other nonconventional energy sources, and not less than $8,000,000 shall be available for earthquake engineering programs;

(3) of the total amount authorized under section 1 and subsection (a) of this section, not less than $10,000,000 shall be available for the purpose of "Institutional Improvement for Science";

(4) of the total amount authorized under section 1 and sub-

section (a) of this section, not less than $13,000,000 shall be available for the purpose of "Graduate Student Support"; and

(5) of the total amount authorized under section 1 and subsection (a) of this section, not less than $67,500,000 shall be available for the purpose of "Science Education Improvement".

SEC. 3. Appropriations made pursuant to this Act may be used, but not to exceed $5,000, for official consultation, representation, or other extraordinary expenses upon the approval or authority of the Director of the National Science Foundation, and his determination shall be final and conclusive upon the accounting officers of the Government.

SEC. 4. In addition to such sums as are authorized by the preceding provisions of this Act, not to exceed $3,000,000 is authorized to be appropriated for the fiscal year ending June 30, 1974, for expenses of the National Science Foundation incurred outside the United States to be paid in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

Funds, availability.

SEC. 5. Appropriations made pursuant to authority provided in sections 1, 3, and 4, shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in Acts making such appropriations.

Transfer of funds, limitation.

SEC. 6. No funds may be transferred from any particular category listed in section 1 to any other category or categories listed in such section if the total of the funds so transferred from that particular category would exceed 10 per centum thereof, and no funds may be transferred to any particular category listed in section 1 from any other category or categories listed in such section if the total of the funds so transferred to that particular category would exceed 10 per centum thereof, unless—

Report to Congress.

(A) a period of thirty legislative days (or forty-five calendar days, when Congress is in adjournment sine die) has passed after the Director or his designee has transmitted to the Speaker of the House of Representatives and the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Labor and Public Welfare of the Senate a written report containing a full and complete statement concerning the nature of the transfer and the reason therefor, or

Notice.

(B) each such committee before the expiration of such period has transmitted to the Director written notice to the effect that such committee has no objection to the proposed action.

Payments to convicted criminals, prohibition.

SEC. 7. (a) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has been convicted by any court of record of any crime which was committed after the date of enactment of this Act and which involved the use of (or assistance to others in the use of) force, disruption, or the seizure of property under control of any institution of higher education to prevent officials or students in such institutions from engaging in their duties or pursuing their studies, and that such crime was of a serious nature and contributed to a substantial disruption of the administration of the institution with respect to which such crime was committed, then the institution which such individual attends, or is employed by, shall deny for a period of two years any further payment to, for the direct benefit of, such individual under any of the programs specified in subsection (c). If an institution denies an individual assistance

under the authority of the preceding sentence of this subsection, then any institution which such individual subsequently attends shall deny for the remainder of the two-year period any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c).

(b) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has willfully refused to obey a lawful regulation or order of such institution after the date of enactment of this Act, and that such refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution, then such institution shall deny, for a period of two years, any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c).

(c) The programs referred to in subsections (a) and (b) are as follows:

(1) The programs authorized by the National Science Foundation Act of 1950; and

64 Stat. 149.
42 USC 1861 note.

(2) The programs authorized under title IX of the National Defense Education Act of 1958 relating to establishing the Science Information Service.

72 Stat. 1601.
42 USC 1876.

(d) (1) Nothing in this Act, or any Act amended by this Act, shall be construed to prohibit any institution of higher education from refusing to award, continue, or extend any financial assistance under any such Act to any individual because of any misconduct which in its judgment bears adversely on his fitness for such assistance.

(2) Nothing in this section shall be construed as limiting or prejudicing the rights and prerogatives of any institution of higher education to institute and carry out an independent, disciplinary proceeding pursuant to existing authority, practice, and law.

(3) Nothing in this section shall be construed to limit the freedom of any student to verbal expression of individual views or opinions.

SEC. 8. The amount available for the oceanographic ship construction/conversion program from the sum stipulated (for the purpose of "National and Special Research Programs") in category (2) of section 1 of Public Law 92–372 shall, after the date of the enactment of this Act, be determined without regard to section 2(a) of such Public Law.

86 Stat. 526.

SEC. 9. Notwithstanding any other provision of this or any other Act, the Director of the National Science Foundation shall keep the Committee on Science and Astronautics of the House of Representatives and the Committee on Labor and Public Welfare of the Senate fully and currently informed with respect to all the activities of the National Science Foundation.

Information to congressional committees.

SEC. 10. No funds—

(1) authorized to be appropriated under this Act to the National Science Foundation for fiscal year ending June 30, 1974, or

(2) heretofore appropriated to the National Science Foundation and remaining available to it for obligation and expenditure,

may be used to conduct or support research in the United States or abroad on a human fetus which is outside the womb of its mother and which has a beating heart.

Human fetus research, funds, prohibition.

SEC. 11. This Act may be cited as the "National Science Foundation Authorization Act, 1974".

Short title.

Approved August 16, 1973.

Public Law 93-97

August 16, 1973
[H. R. 8947]

AN ACT

Making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1974, and for other purposes.

Public Works for Water and Power Development and Atomic Energy Commission Appropriation Act, 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1974, for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions, and for other purposes, namely:

TITLE I—ATOMIC ENERGY COMMISSION

Operating Expenses

68 Stat. 919. 42 USC 2011 note. 80 Stat. 416. 69 Stat. 471.

For necessary operating expenses of the Commission in carrying out the purposes of the Atomic Energy Act of 1954, as amended, including the employmment of aliens; services authorized by 5 U.S.C. 3109; hire, maintenance, and operation of aircraft; publication and dissemination of atomic information; purchase, repair and cleaning of uniforms; official entertainment expenses (not to exceed $30,000); reimbursement of the General Services Administration for security guard services; hire of passenger motor vehicles; $1,714,263,000 and any moneys (except sums received from disposal of property under the Atomic Energy Community Act of 1955, as amended (42 U.S.C. 2301)) received by the Commission, notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484), to remain available until expended: *Provided*, That of such amount $100,000 may be expended for objects of a confidential nature and in any such case the certificate of the Commission as to the amount of the expenditure and that it is deemed inadvisable to specify the nature thereof shall be deemed a sufficient voucher for the sum therein expressed to have been expended: *Provided further*, That from this appropriation transfers of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred.

Plant and Capital Equipment

For expenses of the Commission, as authorized by law, in connection with the purchase and construction of plant and the acquisition of capital equipment and other expenses incidental thereto necessary in carrying out the purposes of the Atomic Energy Act of 1954, as amended, including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of not to exceed three hundred and eighty-nine for replacement only, and hire of passenger motor vehicles; and hire of aircraft; $622,275,000, to remain available until expended.

GENERAL PROVISIONS

SEC. 101. Not to exceed 5 per centum of appropriations made available for the current fiscal year for "Operating expenses" and "Plant and capital equipment" may be transferred between such appropriations, but neither such appropriation, except as otherwise provided herein, shall be increased by more than 5 per centum by any such transfers, and any such transfers shall be reported promptly to the Appropriations Committees of the House and Senate.

Transfer of funds; report to congressional committees.

TITLE II—DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes:

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, and when authorized by law, surveys and studies of projects prior to authorization for construction, $56,142,000, to remain available until expended: *Provided*, That $1,175,000 of this appropriation shall be transferred to the Bureau of Sport Fisheries and Wildlife for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563–565), to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Department of the Army.

16 USC 661 note.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by law; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction): $873,589,000 to remain available until expended: *Provided*, That no part of this appropriation shall be used for projects not authorized by law or which are authorized by law limiting the amount to be appropriated therefor, except as may be within the limits of the amount now or hereafter authorized to be appropriated: *Provided further*, That $1,100,000 of this appropriation shall be transferred to the Bureau of Sport Fisheries and Wildlife for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563–565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Department of the Army.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a, 702g–1), $150,000,000, to remain available until expended: *Provided*, That not less than $250,000 shall be available for bank stabilization measures as determined by the Chief of Engineers to be advisable for the control of bank erosion of streams in the Yazoo Basin, including the foothill area, and where necessary such measures shall complement similar works planned and constructed by the Soil Conservation Service and be limited to the areas of responsibility mutually agreeable to the District Engineer and the State Conservationist.

45 Stat. 534; 49 Stat. 1511.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; administration of laws pertaining to preservation of navigable waters; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation; $409,125,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary for emergency flood control, hurricane, and shore protection activities, as authorized by section 5 of the Flood Control Act, approved August 18, 1941, as amended, $7,000,000, to remain available until expended.

69 Stat. 186; 76 Stat. 1194. 33 USC 701n.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Board of Engineers for Rivers and Harbors and the Coastal Engineering Research Center; commercial statistics; and miscellaneous investigations; $32,883,000.

SPECIAL RECREATION USE FEES

For construction, operation, and maintenance of outdoor recreation facilities, including collection of special recreation use fees, to remain available until expended, $700,000, to be derived from the special account established by section 4(e) of the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l): *Provided*, That not more than forty per centum of the foregoing amount shall be available for the enhancement of the fee collection system established by section 4 of such Act, including the promotion and enforcement thereof.

86 Stat. 459. 16 USC 460*l*-6a.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for expenses of attendance by military personnel at meetings in the manner authorized by 5 U.S.C. 4110, uniforms, and allowances therefor, as authorized by law (5 U.S.C. 5901–5902), and for printing, either during a recess or session of Congress, of survey reports authorized by law, and such survey reports as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress; and during the current fiscal year the revolving fund, Corps of Engineers, shall be available for purchase (not to exceed two hundred and seventeen for replacement only), and hire of passenger motor vehicles: *Provided*, That the total capital of said fund shall not exceed $210,000,000.

80 Stat. 436.

80 Stat. 508; 81 Stat. 206.

CEMETERIAL EXPENSES

SALARIES AND EXPENSES

For necessary cemeterial expenses as authorized by law, including maintenance, operation, and improvement of national cemeteries, and purchase of headstones and markers for unmarked graves; purchase of seven passenger motor vehicles for replacement only; maintenance of that portion of Congressional Cemetery to which the United States has title, Confederate burial places under the jurisdiction of the Department of the Army, and graves used by the Army in commercial cemeteries, to remain available until expended, $24,078,000: *Provided*, That reimbursement shall be made to the applicable military appropriation for the pay and allowances of any military personnel performing services primarily for the purposes of this appropriation.

TITLE III—DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

For carrying out the functions of the Bureau of Reclamation as provided in the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) and other Acts applicable to that Bureau, as follows:

43 USC 371 and note.

GENERAL INVESTIGATIONS

For engineering and economic investigations of proposed Federal reclamation projects and studies of water conservation and development plans and activities preliminary to the reconstruction, rehabilitation and betterment, financial adjustment, or extension of existing projects, to remain available until expended, $16,850,000: *Provided*, That none of this appropriation shall be used for more than one-half of the cost of an investigation requested by a State, municipality, or other interest: *Provided further*, That $250,000 of this appropriation shall be transferred to the Bureau of Sport Fisheries and Wildlife for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563–565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Bureau of Reclamation.

16 USC 661 note.

CONSTRUCTION AND REHABILITATION

For construction and rehabilitation of authorized reclamation projects or parts thereof (including power transmission facilities) and for other related activities, as authorized by law, to remain available until expended, $194,275,000, of which $115,000,000 shall be derived from the reclamation fund: *Provided*, That no part of this appropriation shall be used to initiate the construction of transmission facilities within those areas covered by power wheeling service contracts which include provision for service to Federal establishments and preferred customers, except those transmission facilities for which construction funds have been heretofore appropriated, those facilities which are necessary to carry out the terms of such contracts or those facilities for which the Secretary of the Interior finds the wheeling agency is unable or unwilling to provide for the integration of Federal projects or for service to a Federal establishment or preferred customer: *Provided further*, That the final point of discharge for the interceptor drain for the San Luis Unit shall not be determined until development by the Secretary of the Interior and the State of California of a plan, which shall conform with the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

UPPER COLORADO RIVER STORAGE PROJECT

For the Upper Colorado River Storage Project, as authorized by the Act of April 11, 1956, as amended (43 U.S.C. 620d), to remain available until expended, $25,026,000, of which $24,426,000 shall be available for the "Upper Colorado River Basin Fund" authorized by section 5 of said Act of April 11, 1956, and $600,000 shall be available for construction of recreational and fish and wildlife facilities authorized by section 8 thereof, and may be expended by bureaus of the Department through or in cooperation with State or other Federal agencies, and advances to such Federal agencies are hereby authorized: *Provided*, That no part of the funds herein approved shall be available for construction or operation of facilities to prevent waters of Lake Powell from entering any national monument.

70 Stat. 107.

43 USC 620g.

COLORADO RIVER BASIN PROJECT

For advances to the Lower Colorado River Basin Development Fund, as authorized by section 403 of the Act of September 30, 1968 (82 Stat. 894), for the construction, operation, and maintenance of projects authorized by Title III of said Act, to remain available until expended, $66,000,000, of which $52,500,000 is for liquidation of contract authority provided by section 303(b) of said Act.

43 USC 1543.

43 USC 1521.

43 USC 1523.

OPERATION AND MAINTENANCE

For operation and maintenance of reclamation projects or parts thereof and other facilities, as authorized by law; and for a soil and moisture conservation program on lands under the jurisdiction of the Bureau of Reclamation, pursuant to law, $82,000,000, of which $66,565,000 shall be derived from the reclamation fund and $3,142,000 shall be derived from the Colorado River Dam fund: *Provided*, That funds advanced by water users for operation and maintenance of

reclamation projects or parts thereof shall be deposited to the credit of this appropriation and may be expended for the same objects and in the same manner as sums appropriated herein may be expended, and the unexpended balances of such advances shall be credited to the appropriation for the next succeeding fiscal year.

LOAN PROGRAM

For loans to irrigation districts and other public agencies for construction of distribution systems on authorized Federal reclamation projects, and for loans and grants to non-Federal agencies for construction of projects, as authorized by the Acts of July 4, 1955, as amended (43 U.S.C. 421a–421d), and August 6, 1956 (43 U.S.C. 422a–422k), as amended, including expenses necessary for carrying out the program, $18,422,000, to remain available until expended: *Provided*, That any contract under the Act of July 4, 1955 (69 Stat. 244), as amended, not yet executed by the Secretary, which calls for the making of loans beyond the fiscal year in which the contract is entered into shall be made only on the same conditions as those prescribed in section 12 of the Act of August 4, 1939 (53 Stat. 1187, 1197). 86 Stat. 804. 70 Stat. 1044; 85 Stat. 488. 43 USC 388.

EMERGENCY FUND

For an additional amount for the "Emergency fund", as authorized by the Act of June 26, 1948 (43 U.S.C. 502), to remain available until expended for the purposes specified in said Act, $600,000, to be derived from the reclamation fund: *Provided*, That the Post Falls Irrigation District, Rathdrum Prairie Project, Idaho, be eligible for use of emergency funds herein appropriated under the Act of June 26, 1948 (62 Stat. 1052), with repayment to be accomplished under conditions satisfactory to the Secretary of the Interior. 62 Stat. 1052.

GENERAL ADMINISTRATIVE EXPENSES

For necessary expenses of general administration and related functions in the offices of the Commissioner of Reclamation and in the regional offices of the Bureau of Reclamation, $17,120,000, to be derived from the reclamation fund and to be nonreimbursable pursuant to the Act of April 19, 1945 (43 U.S.C. 377): *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted for the current fiscal year as general administrative expenses. 59 Stat. 54.

SPECIAL FUNDS

Sums herein referred to as being derived from the Reclamation fund, the Colorado River Dam Fund, or the Colorado River development fund, are appropriated from the special funds in the Treasury created by the Act of June 17, 1902 (43 U.S.C. 391), the Act of December 21, 1928 (43 U.S.C. 617a), and the Act of July 19, 1940 (43 U.S.C. 618a) respectively. Such sums shall be transferred, upon request of the Secretary, to be merged with and expended under the heads herein specified; and the unexpended balances of sums transferred for expenditure under the heads "Operation and Maintenance" and "General Administrative Expenses" shall revert and be credited to the special fund from which derived. 32 Stat. 388. 45 Stat. 1057. 54 Stat. 774.

ADMINISTRATIVE PROVISIONS

Appropriations to the Bureau of Reclamation shall be available for purchase of not to exceed thirty passenger motor vehicles for replacement only; purchase of one aircraft for replacement only; payment of claims for damage to or loss of property, personal injury, or death arising out of activities of the Bureau of Reclamation; payment, except as otherwise provided for, of compensation and expenses of persons on the rolls of the Bureau of Reclamation appointed as authorized by law to represent the United States in the negotiations and administration of interstate compacts without reimbursement or return under the reclamation laws; rewards for information or evidence concerning violations of law involving property under the jurisdiction of the Bureau of Reclamation; performance of the functions specified under the head "Operation and Maintenance Administration", Bureau of Reclamation, in the Interior Department Appropriation Act, 1945; preparation and dissemination of useful information including recordings, photographs, and photographic prints; and studies of recreational uses of reservoir areas, and investigation and recovery of archeological and paleontological remains in such areas in the same manner as provided for in the Act of August 21, 1935 (16 U.S.C. 461–467): *Provided*, That no part of any appropriation made herein shall be available pursuant to the Act of April 19, 1945 (43 U.S.C. 377), for expenses other than those incurred on behalf of specific reclamation projects except "General Administrative Expenses" and amounts provided for reconnaissance, basin surveys, and general engineering and research under the head "General Investigations".

32 Stat. 388.
43 USC 371 and note.

58 Stat. 487.

49 Stat. 666.

59 Stat. 54.

Sums appropriated herein which are expended in the performance of reimbursable functions of the Bureau of Reclamation shall be returnable to the extent and in the manner provided by law.

No part of any appropriation for the Bureau of Reclamation, contained in this Act or in any prior Act, which represents amounts earned under the terms of a contract but remaining unpaid, shall be obligated for any other purpose, regardless of when such amounts are to be paid: *Provided*, That the incurring of any obligation prohibited by this paragraph shall be deemed a violation of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665).

No funds appropriated to the Bureau of Reclamation for operation and maintenance, except those derived from advances by water users, shall be used for the particular benefits of lands (a) within the boundaries of an irrigation district, (b) of any member of a water users' organization, or (c) of any individual when such district, organization, or individual is in arrears for more than twelve months in the payment of charges due under a contract entered into with the United States pursuant to laws administered by the Bureau of Reclamation.

Not to exceed $225,000 may be expended from the appropriation "Construction and Rehabilitation" for work by force account on any one project or Pick-Sloan Missouri Basin Program unit and then only when such work is unsuitable for contract or no acceptable bid has been received and, other than otherwise provided in this paragraph or as may be necessary to meet local emergencies, not to exceed 12 per centum of the construction allotment for any project from the appropriation "Construction and Rehabilitation" contained in this

Act, shall be available for construction work by force account: *Provided*, That this paragraph shall not apply to work performed under the Rehabilitation and Betterment Act of 1949 (63 Stat. 724). 64 Stat. 11. 43 USC 504 and note.

ALASKA POWER ADMINISTRATION

GENERAL INVESTIGATIONS

For engineering and economic investigations to promote the development and utilization of the water, power and related resources of Alaska, $513,000 to remain available until expended: *Provided*, That $10,000 of this appropriation shall be transferred to the Bureau of Sport Fisheries and Wildlife for studies, investigations, and reports thereon, as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563–565). 16 USC 661 note.

OPERATION AND MAINTENANCE

For necessary expenses of operation and maintenance of projects in Alaska and of marketing electric power and energy, $756,000.

BONNEVILLE POWER ADMINISTRATION

CONSTRUCTION

For construction and acquisition of transmission lines, substations, and appurtenant facilities, as authorized by law, and purchase of one aircraft for replacement only, $97,500,000, to remain available until expended.

OPERATION AND MAINTENANCE

For necessary expenses of operation and maintenance of the Bonneville transmission system and of marketing electric power and energy, $33,300,000.

ADMINISTRATIVE PROVISIONS

Appropriations of the Bonneville Power Administration shall be available to carry out all the duties imposed upon the Administrator pursuant to law. Appropriations made herein to the Bonneville Power Administration shall be available in one fund, except that the appropriation herein made for operation and maintenance shall be available only for the service of the current fiscal year.

Other than as may be necessary to meet local emergencies, not to exceed 12 per centum of the appropriation for construction herein made for the Bonneville Power Administration shall be available for construction work by force account or on a hired-labor basis.

SOUTHEASTERN POWER ADMINISTRATION

OPERATION AND MAINTENANCE

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $900,000. 58 Stat. 890.

SOUTHWESTERN POWER ADMINISTRATION

CONSTRUCTION

For construction and acquisition of transmission lines, substations, and appurtenant facilities, and for administrative expenses connected therewith, in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $465,000, to remain available until expended.

58 Stat. 890.

OPERATION AND MAINTENANCE

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, including purchase of not to exceed one passenger motor vehicle for replacement only, $5,220,000.

OFFICE OF THE SECRETARY

UNDERGROUND ELECTRIC POWER TRANSMISSION RESEARCH

For necessary expenses of research and development in underground electric power transmission, $750,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

Emergency reconstruction.

SEC. 301. Appropriations in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted.

Fire prevention.

SEC. 302. The Secretary may authorize the expenditure or transfer (within each bureau or office) of any appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under jurisdiction of the Department of the Interior.

Warehouses, garages, and shops.

SEC. 303. Appropriations in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency, or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by the Act of June 30, 1932 (31 U.S.C. 686): *Provided*, That reimbursements for costs of supplies, materials, and equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

47 Stat. 417.

Southwestern Power Administration.

SEC. 304. No part of any funds made available by this Act to the Southwestern Power Administration may be made available to any other agency, bureau, or office for any purposes other than for services rendered pursuant to law to the Southwestern Power Administration.

TITLE IV—INDEPENDENT OFFICES

APPALACHIAN REGIONAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Cochairman and his alternate on the Appalachian Regional Commission and for payment of the Federal share of the administrative expenses of the commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $1,492,000. 80 Stat. 416.

FUNDS APPROPRIATED TO THE PRESIDENT

APPALACHIAN REGIONAL DEVELOPMENT PROGRAMS

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, except expenses authorized by section 105 of said Act, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, to remain available until expended, $270,000,000, of which $155,000,000 shall be available for the Appalachian Development Highway System, but no part of any appropriation in this Act shall be available for expenses in connection with commitments for contracts or grants for the Appalachian Development Highway System in excess of the total amount herein and heretofore appropriated. 79 Stat. 5. 40 USC app. 1. 81 Stat. 257; 85 Stat. 168. 40 USC app. 105.

DELAWARE RIVER BASIN COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the Delaware River Basin Commission, as authorized by law (75 Stat. 716), $69,000.

CONTRIBUTION TO DELAWARE RIVER BASIN COMMISSION

For payment of the United States share of the current expenses of the Delaware River Basin Commission, as authorized by law (75 Stat. 706, 707), $242,000.

FEDERAL POWER COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the work of the Commission, as authorized by law, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, and not to exceed $1,000 for official reception and representation expenses, $27,000,000.

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

CONTRIBUTION TO INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

To enable the Secretary of the Treasury to pay in advance to the Interstate Commission on the Potomac River Basin the Federal contribution toward the expenses of the Commission during the cur-

33 USC 567b.
84 Stat. 856.
33 USC 567b-1.

rent fiscal year in the administration of its business in the conservancy district established pursuant to the Act of July 11, 1940 (54 Stat. 748), as amended by the Act of September 25, 1970 (Public Law 91-407), $34,000.

SUSQUEHANNA RIVER BASIN COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the Susquehanna River Basin Commission, as authorized by law (84 Stat. 1541), $71,000.

CONTRIBUTION TO SUSQUEHANNA RIVER BASIN COMMISSION

For payment of the United States share of the current expenses of the Susquehanna River Basin Commission, as authorized by law (84 Stat. 1530, 1531), $150,000.

TENNESSEE VALLEY AUTHORITY

PAYMENT TO TENNESSEE VALLEY AUTHORITY FUND

48 Stat. 58.
16 USC 831.

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C., ch. 12A), including hire, maintenance, and operation of aircraft, and hire of passenger motor vehicles, $45,676,000, to remain available until expended: *Provided*, That this appropriation and other funds available to the Tennessee Valley Authority shall be available for the purchase of not to exceed one aircraft for replacement only, and the purchase of not to exceed two hundred and thirty-six passenger motor vehicles for replacement only.

WATER RESOURCES COUNCIL

WATER RESOURCES PLANNING

79 Stat. 244;
86 Stat. 578.
80 Stat. 416.

For expenses necessary in carrying out the provisions of the Water Resources Planning Act of 1965 (42 U.S.C. 1962–1962d–5), including services as authorized by 5 U.S.C. 3109, but at rates not to exceed $100 per diem for individuals, and hire of passenger motor vehicles, $7,417,000, to remain available until expended, including $1,180,000, for carrying out the provisions of title I and administering the provisions of titles II, III, and IV of the Act, $2,775,000, for preparation of assessments and management of plans, $1,062,000, for expenses of river basin commissions under title II of the Act, and $2,400,000, for grants to States under title III of the Act: *Provided*, That the share of the expenses of any river basin commission borne by the Federal Government pursuant to title II of the Act shall not exceed $250,000 annually for recurring operating expenses, including the salary and expenses of the chairman.

TITLE V—GENERAL PROVISIONS

Fiscal year limitation.

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Notwithstanding the provisions of section 301 of the Second Supplemental Appropriations Act, 1973 (Public Law 93–50), appropriations contained in that Act shall remain available for obligation for a period of 20 days following the enactment of this Act into law.

Ante, p. 129.

This Act may be cited as the "Public Works for Water and Power Development and Atomic Energy Commission Appropriation Act, 1974".

Short title.

Approved August 16, 1973.

Public Law 93-98

AN ACT

August 16, 1973
[H. R. 8760]

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1974, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending June 30, 1974, and for other purposes, namely:

Department of Transportation and Related Agencies Appropriation Act, 1974.

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary of Transportation, including not to exceed $27,000 for allocation within the Department for official reception and representation expenses as the Secretary may determine; including not to exceed $275,000 for allocation to the Office of Pipeline Safety for a study of the safety of natural gas pipeline distribution systems which shall consider such areas as the use of plastic pipes, the evaluation of the conditions of existing distribution systems, third party damages, the need for expanding present regulations on service lines, the effectiveness of "odors" given to natural gas, and the utilization of the system approach to pipeline safety, $24,475,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, and development activities, including the collection of national transportation statistics, to remain available until expended,

$26,000,000, of which not to exceed $1,000,000 shall be derived from the appropriation for "Research, engineering and development (Airport and Airway Trust Fund)".

GRANTS-IN-AID FOR NATURAL GAS PIPELINE SAFETY

For grants-in-aid to carry out a pipeline safety program, as authorized by section 5 of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1674), $1,175,000, to remain available until expended.

82 Stat. 722; 86 Stat. 616.

CONSOLIDATION OF DEPARTMENTAL HEADQUARTERS

For necessary expenses in connection with the consolidation of departmental activities into the Southwest Area of Washington, District of Columbia, $800,000.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed sixteen passenger motor vehicles, fifteen of which are for replacement only; and recreation and welfare; $545,400,000, of which $171,994 shall be applied to Capehart Housing debt reduction: *Provided*, That the number of aircraft on hand at any one time shall not exceed one hundred and seventy-two exclusive of planes and parts stored to meet future attrition: *Provided further*, That, without regard to any provisions of law or Executive order prescribing minimum flight requirements, Coast Guard regulations which establish proficiency standards and maximum and minimum flying hours for this purpose may provide for the payment of flight pay at the rates prescribed in section 301 of title 37, United States Code, to certain members of the Coast Guard otherwise entitled to receive flight pay during the current fiscal year (1) who have held aeronautical ratings or designations for not less than fifteen years, or (2) whose particular assignment outside the United States or in Alaska, makes it impractical to participate in regular aerial flights, or who have been assigned to a course of instruction of 90 days or more: *Provided further*, That amounts equal to the obligated balances against the appropriations for "Operating expenses" for the two preceding years, shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for the payment of obligations properly incurred against such prior year appropriations and against this appropriation.

76 Stat. 461.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; $75,500,000, to remain available until June 30, 1976.

ALTERATION OF BRIDGES

For necessary expenses for alteration of obstructive bridges; $4,000,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefit Plans; $81,000,000. 10 USC 1431.

RESERVE TRAINING

For all necessary expenses for the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; $25,000,000: *Provided*, That amounts equal to the obligated balances against the appropriations for "Reserve training" for the two preceding years shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for the payment of obligations properly incurred against such prior year appropriations and against this appropriation: *Provided*, That this appropriation shall be available only upon the enactment into law of authorizing legislation by the Ninety-third Congress.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for basic and applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $14,000,000, to remain available until expended.

STATE BOATING SAFETY ASSISTANCE

For financial assistance for State boating safety programs in accordance with the provisions of the Federal Boat Safety Act of 1971 (Public Law 92–75), $3,500,000, to remain available until expended. 85 Stat. 213. 46 USC 1451 note.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including administrative expenses for research and development and for establishment of air navigation facilities, and carrying out the provisions of the Airport and Airway Development Act; purchase of four passenger motor vehicles for replacement only; and purchase and repair of skis and snowshoes; $1,200,500,000: *Provided*, That there may be credited to this appropriation, funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the maintenance and operation of air navigation facilities.

84 Stat. 219.
49 USC 1701 note.

ENGINEERING AND DEVELOPMENT

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, and for acquisition and modernization of facilities and equipment and service testing in accordance with the provisions of the Federal Aviation Act (49 U.S.C. 1301–1542), including construction of experimental facilities and acquisition of necessary sites by lease or grant, $11,500,000, to remain available until expended: *Provided*, That there may be credited to this appropriation, funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for engineering and development.

72 Stat. 731.

FACILITIES AND EQUIPMENT (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities, including initial acquisition of necessary sites by lease or grant; engineering and service testing including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available, and purchase of seventeen aircraft; $250,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until June 30, 1976: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further*, That no part of the foregoing appropriation shall be available for the construction of a new wind tunnel, or to purchase any land for or in connection with the National Aviation Facilities Experimental Center.

RESEARCH, ENGINEERING AND DEVELOPMENT (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided, for research, engineering and development in accordance with the provisions of the Federal Aviation Act (49 U.S.C. 1301–1542), including construction of experimental facilities and acquisition of necessary sites by lease or grant; $62,095,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering and development. 72 Stat. 731.

GRANTS-IN-AID FOR AIRPORTS (AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for airport development under authority contained in section 14 of Public Law 91–258, to be derived from the Airport and Airway Trust Fund and to remain available until expended, $200,000,000. *Ante*, p. 89.

OPERATION AND MAINTENANCE, NATIONAL CAPITAL AIRPORTS

For expenses incident to the care, operation, maintenance, improvement, and protection of the federally owned civil airports in the vicinity of the District of Columbia, including purchase of ten passenger motor vehicles for police type use, for replacement only; purchase, cleaning, and repair of uniforms; and arms and ammunition; $14,400,000.

CONSTRUCTION, NATIONAL CAPITAL AIRPORTS

For necessary expenses for construction at the federally owned civil airports in the vicinity of the District of Columbia, $3,000,000, to remain available until June 30, 1976.

AVIATION WAR RISK INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures, within the limits of funds available pursuant to section 1306 of the Act of August 23, 1958 (49 U.S.C. 1536), and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 849), as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for aviation war risk insurance activities under said Act. 72 Stat. 803. 61 Stat. 584.

FEDERAL HIGHWAY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided, as authorized by law, of the Federal Highway Administration, $12,800,000, of which $7,500,000 shall be derived from the Highway Trust Fund, together with not to exceed $101,900,000 to be transferred from the appropriation for "Federal-aid highways (trust fund)": *Provided*, That not to exceed $23,600,000 of the amount provided herein shall remain available until expended.

HIGHWAY BEAUTIFICATION (LIQUIDATION OF CONTRACT AUTHORIZATION)

79 Stat. 1028; 84 Stat. 1726.

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, sections 131, 136, and 319(b), $30,000,000 to remain available until expended, together with $1,020,000 for necessary administrative expenses for carrying out such provisions of title 23, United States Code, as authorized by section 105(a) of the Federal-Aid Highway Act of 1970.

84 Stat. 1715.

HIGHWAY-RELATED SAFETY GRANTS (LIQUIDATION OF CONTRACT AUTHORIZATION)

Ante, p. 285.

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402, administered by the Federal Highway Administration, to remain available until expended, $7,000,000 of which $5,000,000 shall be derived from the Highway Trust Fund: *Provided*, That not to exceed $459,000 of the amount appropriated herein may be transferred to the appropriation "Salaries and expenses".

RAIL CROSSINGS—DEMONSTRATION PROJECTS

84 Stat. 1742.

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 322, to remain available until expended, $14,000,000, of which $4,200,000 shall be derived from the Highway Trust Fund.

RAILROAD-HIGHWAY CROSSINGS DEMONSTRATION PROJECTS

For necessary expenses of railroad-highway crossings demonstration projects, to remain available until expended: $6,000,000, of which $1,700,000 is for projects at Elko, Nevada, and $600,000 is for projects at Wheeling, West Virginia, and $700,000 is for projects at Lincoln, Nebraska; and $4,000,000 of these amounts shall be derived from the Highway Trust Fund: *Provided*, That this appropriation shall be available only upon enactment into law of authorizing legislation by the Ninety-third Congress.

TERRITORIAL HIGHWAYS (LIQUIDATION OF CONTRACT AUTHORIZATION)

84 Stat. 1720.

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 215, $2,500,000, to remain available until expended.

DARIEN GAP HIGHWAY

For necessary expenses for construction of the Darien Gap Highway in accordance with the provisions of section 216 of title 23 of the United States Code, $5,000,000, to remain available until expended.

FEDERAL-AID HIGHWAYS (LIQUIDATION OF CONTRACT AUTHORIZATION) (TRUST FUND)

72 Stat. 885. 23 USC 101 *et seq.*

For carrying out the provisions of title 23, United States Code, which are attributable to Federal-aid highways, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of section 2 of the Pacific Northwest Disaster Relief Act of 1965 (79 Stat. 131), reimbursement for sums expended pursuant to the provisions of section 21 of the Alaska Omnibus Act, as amended

(78 Stat. 505), $4,315,900,000, or so much thereof as may be available in and derived from the "Highway trust fund", to remain available until expended. 48 USC prec. 21 note.

FOREST HIGHWAYS (LIQUIDATION OF CONTRACT AUTHORIZATION)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 204, pursuant to contract authorization granted by title 23, United States Code, section 203, to remain available until expended, $8,000,000. 72 Stat. 907.

PUBLIC LANDS HIGHWAYS (LIQUIDATION OF CONTRACT AUTHORIZATION)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 209, pursuant to the contract authorization granted by title 23, United States Code, section 203, $3,000,000, to remain available until expended. 72 Stat. 908; 78 Stat. 397.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

TRAFFIC AND HIGHWAY SAFETY

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety and functions under the Motor Vehicle Information and Cost Savings Act (Public Law 92–513), $44,757,000, of which $38,632,000 shall be derived from the Highway trust fund, together with $9,000,000 to be transferred from the appropriation for "Construction of Compliance Facilities": *Provided*, That not to exceed $14,328,000 shall remain available until expended for the contractual and State grant requirements of the Motor Vehicle Information and Cost Savings Act. 86 Stat. 947. 15 USC 1901 note.

STATE AND COMMUNITY HIGHWAY SAFETY (LIQUIDATION OF CONTRACT AUTHORIZATION)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402, to remain available until expended, $100,000,000, of which $70,000,000 shall be derived from the Highway trust fund. *Ante*, p. 285.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

SALARIES AND EXPENSES

For necessary expenses of the Federal Railroad Administration, $2,900,000.

RAILROAD RESEARCH

For necessary expenses for conducting railroad research activities, $10,350,000, to remain available until expended.

RAILROAD SAFETY

For necessary expenses in connection with railroad safety, not otherwise provided for, $8,900,000, of which $1,400,000 shall be available only for additional safety inspectors.

GRANTS-IN-AID FOR RAILROAD SAFETY

For grants-in-aid to carry out a railroad safety program, $1,500,000: *Provided*, That this appropriation shall be available only upon enactment of authorizing legislation by the Ninety-third Congress.

HIGH-SPEED GROUND TRANSPORTATION RESEARCH AND DEVELOPMENT

For necessary expenses for research, development, and demonstrations in high-speed ground transportation, $20,100,000, to remain available until expended.

REDUCTION IN APPROPRIATIONS

Appropriations heretofore granted under the head "Grants to National Railroad Passenger Corporation" are reduced by the sum of $9,100,000.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation, $102,100,000, to remain available until expended, of which $48,100,000 shall be available only upon the enactment into law of authorizing legislation by the Ninety-third Congress: *Provided*, That not to exceed $500,000 is to be expended only in connection with the construction of station and related facilities to serve the Metroliner at New Carrollton, Maryland.

THE ALASKA RAILROAD

ALASKA RAILROAD REVOLVING FUND

The Alaska Railroad Revolving Fund shall continue available until expended for the work authorized by law, including operation and maintenance of oceangoing or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for transportation of freight, passengers, or mail, when deemed necessary for the benefit and development of industries or travel in the area served; and payment of compensation and expenses as authorized by 5 U.S.C. 8146, to be reimbursed as therein provided; and not to exceed $1,000,000 of the Fund shall be available for use in construction and engineering work on an extension of the Alaska Railroad from Fairbanks, Alaska, to the International Airport located near that city: *Provided*, That no employee shall be paid an annual salary out of said fund in excess of the salaries prescribed by the Classification Act of 1949, as amended, for grade GS–15, except the general manager of said railroad, one assistant general manager at not to exceed the salaries prescribed by said Act for GS–17, and five officers at not to exceed the salaries prescribed by said Act for grade GS–16.

80 Stat. 553.

5 USC 5332 note.

URBAN MASS TRANSPORTATION ADMINISTRATION

URBAN MASS TRANSPORTATION FUND

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the urban mass transportation program authorized by the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601 et seq., as amended by Public Law 91–453), in connection with the activities, including uniforms and allowances

78 Stat. 302; 84 Stat. 962.

therefor, as authorized by law (5 U.S.C. 5901–5902); hire of passenger motor vehicle; and services as authorized by 5 U.S.C. 3109; $5,000,000. 80 Stat. 508; 81 Stat. 206. 80 Stat. 416.

RESEARCH, DEVELOPMENT, AND DEMONSTRATIONS AND UNIVERSITY RESEARCH AND TRAINING

For an additional amount for the urban mass transportation program, as authorized by the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), to remain available until expended; $35,050,000: *Provided*, That $32,300,000 shall be available for research, development, and demonstrations, $2,250,000 shall be available for university research and training, and not to exceed $500,000 shall be available for managerial training as authorized under the authority of the said act. 78 Stat. 302; 84 Stat. 962.

LIQUIDATION OF CONTRACT AUTHORIZATION

For payment to the urban mass transportation fund, for liquidation of contractual obligations incurred under authority of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601 et seq., as amended by Public Law 91–453), $380,000,000, to remain available until expended.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such Corporation except as hereinafter provided. 61 Stat. 584. 31 USC 849.

LIMITATION ON ADMINISTRATIVE EXPENSES, SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Not to exceed $820,000 shall be available for administrative expenses which shall be computed on an accrual basis, including not to exceed $3,000 for official entertainment expenses to be expended upon the approval or authority of the Secretary of Transportation: *Provided*, That Corporation funds shall be available for the hire of passenger motor vehicles and aircraft, operation and maintenance of aircraft, uniforms or allowances therefor for operation and maintenance personnel, as authorized by law (5 U.S.C. 5901–5902), and $15,000 for services as authorized by 5 U.S.C. 3109.

TITLE II—RELATED AGENCIES

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, $7,975,000.

CIVIL AERONAUTICS BOARD

SALARIES AND EXPENSES

For necessary expenses of the Civil Aeronautics Board, including hire of aircraft; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); and not to exceed $1,000 for official reception and representation expenses, $14,767,000.

80 Stat. 416.
80 Stat. 508; 81 Stat. 206.

PAYMENTS TO AIR CARRIERS

For payments to air carriers of so much of the compensation fixed and determined by the Civil Aeronautics Board under section 406 of the Federal Aviation Act of 1958 (49 U.S.C. 1376), as is payable by the Board, $66,431,000, to remain available until expended.

72 Stat. 763.

INTERSTATE COMMERCE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Interstate Commerce Commission, including services as authorized by 5 U.S.C. 3109, $34,750,000, of which $150,000 shall be available for valuation of pipelines: *Provided*, That Joint Board members and cooperating State commissioners may use Government transportation requests when traveling in connection with their duties as such.

THE PANAMA CANAL

CANAL ZONE GOVERNMENT

OPERATING EXPENSES

For operating expenses necessary for the Canal Zone Government, including operation of the Postal Service of the Canal Zone; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); expenses incident to conducting hearings on the Isthmus; expenses of special training of employees of the Canal Zone Government as authorized by 5 U.S.C. 4101–4118; contingencies of the Governor, residence for the Governor; medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable; and maintaining and altering facilities of other Government agencies in the Canal Zone for Canal Zone Government use, $59,000,000.

80 Stat. 432.

CAPITAL OUTLAY

For acquisition of land and land under water and acquisition, construction, and replacement of improvements, facilities, structures, and equipment, as authorized by law (2 C.Z. Code, sec. 2; 2 C.Z. Code, sec. 371), including the purchase of not to exceed fifteen passenger motor vehicles of which thirteen are for replacement only; improving facilities of other Government agencies in the Canal Zone for Canal Zone Government use; and expenses incident to the retirement of such assets; $3,500,000, to remain available until expended.

76A Stat. 7, 26.

PANAMA CANAL COMPANY

CORPORATION

The Panama Canal Company is hereby authorized to make such expenditures within the limits of funds and borrowing authority available to it and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 849), as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation, including maintaining and improving facilities of other Government agencies in the Canal Zone for Panama Canal Company use. 61 Stat. 584.

LIMITATION ON GENERAL AND ADMINISTRATIVE EXPENSES

Not to exceed $21,037,000 of the funds available to the Panama Canal Company shall be available during the current fiscal year for general and administrative expenses of the Company, including operation of tourist vessels and guide services, which shall be computed on an accrual basis. Funds available to the Panama Canal Company for operating expenses shall be available for the purchase of not to exceed twenty-five passenger motor vehicles, for replacement only, and for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902). 80 Stat. 508; 81 Stat. 206.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

FEDERAL CONTRIBUTION

To enable the Department of Transportation to pay the Washington Metropolitan Area Transit Authority, as part of the Federal contribution toward expenses necessary to design, engineer, construct, and equip a rail rapid transit system, as authorized by the National Capital Transportation Act of 1969 (Public Law 91–143) as amended, including acquisition of rights-of-way, land, and interest therein, to remain available until expended, $90,360,000 for the fiscal year 1975, and for the fiscal year 1974, $7,385,000 for design and construction of the Arlington Cemetery station and an additional Smithsonian Station entrance, as authorized by Public Law 92–517. 83 Stat. 320; 86 Stat. 1004. D.C. Code 1-1441 note. 86 Stat. 999. D.C. Code 1-1461 note.

INTEREST SUBSIDY

To enable the Department of Transportation to pay the Washington Metropolitan Area Transit Authority the interest subsidy authorized by Public Law 92–349, $12,728,000, to remain available until expended. 86 Stat. 464. D.C. Code 1-1441 note.

TITLE III—GENERAL PROVISIONS

SEC. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 302. None of the funds provided in this Act shall be available for administrative expenses in connection with commitments for grants-in-aid for airport development aggregating more than $300,000,000 in fiscal year 1974.

SEC. 303. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of $50,000,000 for "Highway Beautification" in fiscal year 1974.

SEC. 304. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of $80,000,000 in fiscal year 1974 for "State and Community Highway Safety" and "Highway-Related Safety Grants".

SEC. 305. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of $4,000,000 in fiscal year 1974 for "Territorial Highways".

SEC. 306. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of $18,000,000, exclusive of the reimbursable program, in fiscal year 1974 for "Forest Highways".

SEC. 307. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of $10,000,000 in fiscal year 1974 for "Public Lands Highways".

SEC. 308. None of the funds provided in this Act shall be available for administrative expenses in connection with commitments for "Urban Mass Transportation Fund" aggregating more than $985,550,000 in fiscal year 1974.

Fiscal year limitation.

SEC. 309. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Everglades National Park, Fla., ecology study.

SEC. 310. None of the funds provided under this Act shall be available for the planning or execution of programs for any further construction of the Miami jetport or of any other air facility in the State of Florida lying south of the Okeechobee Waterway and in the drainage basins contributing water to the Everglades National Park until it has been shown by an appropriate study made jointly by the Department of the Interior and the Department of Transportation that such an airport will not have an adverse environmental effect on the ecology of the Everglades and until any site selected on the basis of such study is approved by the Department of the Interior and the Department of Transportation: *Provided*, That nothing in this section shall affect the availability of such funds to carry out this study.

80 Stat. 416.

SEC. 311. The Governor of the Canal Zone is authorized to employ services as authorized by 5 U.S.C. 3109, in an amount not exceeding $150,000.

SEC. 312. Funds appropriated for operating expenses of the Canal Zone Government may be apportioned notwithstanding section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), to the extent necessary to permit payment of such pay increases for officers or employees as may be authorized by administrative action pursuant to law which are not in excess of statutory increases granted for the same period in corresponding rates of compensation for other employees of the Government in comparable positions.

FAA and Coast Guard personnel, dependents' school expenses.

SEC. 313. Funds appropriated under this Act for expenditure by the Federal Aviation Administration and the Coast Guard shall be available (1) for expenses of primary and secondary schooling for dependents of Federal Aviation Administration and Coast Guard personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense

for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and (2) for transportation of said dependents between schools serving the area which they attend and their places of residence when the Secretary, under such regulations as he may prescribe, determines that such schools are not accessible by public means of transportation on a regular basis.

SEC. 314. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–18. 80 Stat. 416. 5 USC 5332 note.

SEC. 315. None of the funds in this Act shall be available for the implementation or execution of a program in the Department of Transportation to collect fees, charges or prices for approvals, tests, authorizations, certificates, permits, registrations, and ratings which are in excess of the levels in effect on January 1, 1973, or which did not exist as of January 1, 1973, until such program is reviewed and approved by the appropriate committees of the Congress.

This Act may be cited as the "Department of Transportation and Related Agencies Appropriation Act, 1974". Short title.

Approved August 16, 1973.

Public Law 93-99

AN ACT

August 16, 1973
[H. R. 6676]

To continue until July 1, 1976, the existing suspension of duty on manganese ore, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 911.07 (relating to manganese ore, including ferruginous manganese ore and manganiferous iron ore) of the appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "6/30/73" and inserting in lieu thereof "6/30/76". Manganese ore. Duty suspension, extension. 84 Stat. 407.

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after June 30, 1973. Effective date.

SEC. 2. (a) Item 903.90 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "9/5/72" and inserting in lieu thereof "9/5/75". Istle, duty suspension, extension. 83 Stat. 105.

(b)(1) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act. Effective date.

(2) Upon request therefor filed with the customs officer concerned on or before the sixtieth day after the date of the enactment of this Act, the entry or withdrawal of any article—

(A) which was made after September 5, 1972, and before the date of the enactment of this Act, and

(B) with respect to which there would have been no duty if the amendment made by the first section of this amendment applied to such entry or withdrawal,

shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry or withdrawal had been made on the date of the enactment of this Act. 84 Stat. 284. 19 USC 1514.

Approved August 16, 1973.

Public Law 93-100

August 16, 1973
[H. R. 6370]

AN ACT

To extend certain laws relating to the payment of interest on time and savings deposits, to prohibit depository institutions from permitting negotiable orders of withdrawal to be made with respect to any deposit or account on which any interest or dividend is paid, to authorize Federal savings and loan associations and national banks to own stock in and invest in loans to certain State housing corporations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Financial institutions.
Regulation.

EXTENSION OF AUTHORITY FOR THE FLEXIBLE REGULATION OF INTEREST RATES ON DEPOSITS AND SHARE ACCOUNTS IN FINANCIAL INSTITUTIONS

SECTION 1. Section 7 of the Act of September 21, 1966 (Public Law 89–597), is amended by striking out "August 1, 1973" and inserting in lieu thereof "December 31, 1974".

Ante, p. 147.

PROHIBITION ON CERTAIN ACTIVITIES BY DEPOSITORY INSTITUTIONS

SEC. 2. (a) No depository institution shall allow the owner of a deposit or account on which interest or dividends are paid to make withdrawals by negotiable or transferable instruments for the purpose of making transfers to third parties, except that such withdrawals may be made in the States of Massachusetts and New Hampshire.

"Depository institution."

(b) For purposes of this section, the term "depository institution" means—

(1) any insured bank as defined in section 3 of the Federal Deposit Insurance Act;

64 Stat. 873; 80 Stat. 1046. 12 USC 1813.

(2) any State bank as defined in section 3 of the Federal Deposit Insurance Act;

(3) any mutual savings bank as defined in section 3 of the Federal Deposit Insurance Act;

(4) any savings bank as defined in section 3 of the Federal Deposit Insurance Act;

(5) any insured institution as defined in section 401 of the National Housing Act; and

48 Stat. 1255; 83 Stat. 375. 12 USC 1724.

(6) any building and loan association or savings and loan association organized and operated according to the laws of the State in which it is chartered or organized; and, for purposes of this paragraph, the term "State" means any State of the United States, the District of Columbia, any territory of the United States, Puerto Rico, Guam, American Samoa, or the Virgin Islands.

"State".

Penalty.

(c) Any depository institution which violates this section shall be fined $1,000 for each violation.

EXTENSION OF AUTHORITY OF FEDERAL DEPOSIT INSURANCE CORPORATION OVER INTEREST RATES PAID ON DEPOSITS BY NONINSURED BANKS

SEC. 3. Section 18(g) of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) is amended by—

64 Stat. 893; 83 Stat. 372, 374.

(1) inserting in the second sentence thereof "or dividends" immediately after "the payment and advertisement of interest"; and

(2) striking out in the tenth sentence thereof "(1)", and by further striking out in such sentence ", and (2) there does not exist under the laws of such State a bank supervisory agency with authority comparable to that conferred by this subsection,

including specifically the authority to regulate the rates of interest and dividends paid by such noninsured banks on time and savings deposits, or if such agency exists it has not issued regulations in the exercise of that authority".

CONVERSION OF MUTUAL SAVINGS AND LOAN ASSOCIATIONS INTO STOCK ORGANIZATIONS

SEC. 4. Section 402 of the National Housing Act (12 U.S.C. 1725) is amended by adding at the end thereof the following new subsection: 48 Stat. 1256; 74 Stat. 200.

"(j)(1) Except as provided in paragraph (2), until June 30, 1974, the Corporation shall not approve, under regulations adopted pursuant to this title or section 5 of the Home Owners' Loan Act of 1933, by *Infra.* order or otherwise, a conversion from the mutual to the stock form of organization involving or to involve an insured institution, including approval of any application for such conversion pending on the date of enactment of this subsection, except that this sentence shall not be deemed to limit now or hereafter the authority of the Corporation to approve conversions in supervisory cases. The Corporation may by rule, regulation, or otherwise and under such civil penalties (which shall be cumulative to any other remedies) as it may prescribe take whatever action it deems necessary or appropriate to implement or enforce this subsection.

"(2) After December 31, 1973, the Corporation may approve any study application filed prior to May 22, 1973, pursuant to regulations in effect and adopted pursuant to this title or section 5 of the Home Owners' Loan Act of 1933."

AUTHORITY FOR FEDERAL SAVINGS AND LOAN INSTITUTIONS AND NATIONAL BANKS TO INVEST IN STATE HOUSING CORPORATIONS

SEC. 5. (a) The Congress finds that Federal savings and loan associations and national banks should have the authority to assist in financing the organization and operation of any State housing corporation established under the laws of the State in which the corporation will carry on its operations. It is the purpose of this section to provide a means whereby private financial institutions can assist in providing housing, particularly for families of low- or moderate-income, by purchasing stock of and investing in loans to any such State housing corporation situated in the particular State in which the Federal savings and loan association or national bank involved is located.

(b) Section 5(c) of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(c)) is amended by adding at the end thereof the following new paragraph: 48 Stat. 132; 86 Stat. 270.

"Subject to regulation by the Board but without regard to any other provisions of this subsection, any such association whose general reserves, surplus, and undivided profits aggregate a sum in excess of 5 per centum of its withdrawable accounts is authorized to invest in, to lend to, or to commit itself to lend to any State housing corporation incorporated in the State in which the home office of such association is situated, in the same manner and to the same extent as the statutes of such State authorize a savings and loan association organized under the laws of such State to invest in, to lend to, or commit itself to lend to such State housing corporation, but loans and loan commitments under this sentence shall be subject to appropriate limitations prescribed by the Board, and no association may make any investment, other than loans and loan commitments, under this sentence if its

aggregate outstanding direct investment under this sentence, determined as prescribed by the Board, would thereupon exceed one-fourth of 1 per centum of its assets."

(c) Paragraph seventh of section 5136 of the Revised Statutes (12 U.S.C. 24) is amended by adding at the end thereof the following: "Notwithstanding any other provision of this paragraph, the association may purchase for its own account shares of stock issued by any State housing corporation incorporated in the State in which the association is located and may make investments in loans and commitments for loans to any such corporation: *Provided*, That in no event shall the total amount of such stock held for its own account and such investments in loans and commitments made by the association exceed at any time 5 per centum of its capital stock actually paid in and unimpared plus 5 per centum of its unimpaired surplus fund."

Federal supervision.

(d) (1) The Federal Savings and Loan Insurance Corporation with respect to insured institutions, the Board of Governors of the Federal Reserve System with respect to State member insured banks, and the Federal Deposit Insurance Corporation with respect to State nonmember insured banks shall by appropriate rule, regulation, order, or otherwise regulate investment in State housing corporations.

Information, availability.

(2) A State housing corporation in which financial institutions invest under the authority of this section shall make available to the appropriate Federal supervisory agency referred to in paragraph (1) such information as may be necessary to insure that investments are properly made in accordance with this section.

Definitions.

(e) For the purposes of this section and any Act amended by this section—

48 Stat. 1255. 12 USC 1724.

(1) The term "insured institution" has the same meaning as in secton 401(a) of the National Housing Act.

64 Stat. 873. 12 USC 1811 note.

(2) The terms "State member insured banks" and "State nonmember insured banks" have the same meaning as when used in the Federal Deposit Insurance Act.

(3) The term "State housing corporation" means a corporation established by a State for the limited purpose of providing housing and incidental services, particularly for families of low or moderate income.

(4) The term "State" means any State, the District of Columbia, Guam, the Commonwealth of Puerto Rico, and the Virgin Islands.

PREMIUM PAYMENTS BY INSURED SAVINGS AND LOAN ASSOCIATIONS TO THE FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

SEC. 6. The text of section 404 of the National Housing Act (12 U.S.C. 1727) is amended to read as follows:

75 Stat. 483; 79 Stat. 508.

"SEC. 404. (a)(1) The Corporation shall establish a primary reserve which shall be the general reserve of the Corporation and a secondary reserve to which shall be credited the amounts of the prepayments made by insured institutions pursuant to former provisions of subsection (d) and the credits made pursuant to the first sentence of subsection (e).

Primary reserves, establishment.

Rules and regulations.

"(2) The Corporation may accomplish the purposes and provisions of this section by rules, regulations, orders, or otherwise as it may consider necessary or appropriate.

"(b)(1) Each institution whose application for insurance is approved by the Corporation shall pay to the Corporation, in such manner as it shall prescribe, a premium for such insurance equal to one-twelfth of 1 per centum of the total amount of all accounts of the insured members of such institution. Such premium shall be paid at

the time the certificate is issued by the Corporation under section 403, and thereafter annually, except that under regulations prescribed by the Corporation such premium may be paid semiannually.

"(2) If, at the close of any December 31, the primary reserve equals or exceeds 2 per centum of the total amount of all accounts of insured members of all insured institutions as of such close, no premium under paragraph (1) of this subsection shall be payable by any insured institution with respect to its premium year beginning during the year commencing on May 1 next succeeding such December 31, except that the foregoing provisions of this sentence shall not be applicable to any insured institution with respect to any of the twenty premium years beginning with the premium year commencing with the date on which such certificate is issued.

Assessments.

"(c) The Corporation is further authorized to assess against each insured institution additional premiums for insurance until the amount of such premiums equals the amount of all losses and expenses of the Corporation; except that the total amount so assessed in any one year against any such institution shall not exceed one-eighth of 1 per centum of the total amount of the accounts of its insured members.

Prepayments, prohibition.

"(d)(1) The Corporation shall not, on or after the date of enactment of this sentence, accept or receive further payments in the nature of prepayments of future premiums as was formerly required by this subsection (including any such payments which have accrued or are payable under such former provisions). When no insured institution has any pro rata share of the secondary reserve, other than any such share immediately payable to it, the Corporation may take such steps as it may deem appropriate to close out and discontinue the secondary reserve.

Payment adjustments.

"(2) The Corporation may provide for the adjustment of payments made under former provisions of this subsection or made or to be made under subsections (b) and (c) of this section in cases of merger or consolidation, transfer of bulk assets or assumption of liabilities, and similar transactions, as defined by the Corporation for the purposes of this paragraph.

"(e) The Corporation shall credit to the secondary reserve, as of the close of each calendar year a return on the outstanding balances of the secondary reserve, during such calendar year, as determined by the Corporation, at a rate equal to the average annual rate of return to the Corporation during the year ending at the close of November 30 of such calendar year, as determined by the Corporation, on the investments held by the Corporation in obligations of, or guaranteed as to principal and interest by, the United States. Except as provided in subsections (f) and (g), the secondary reserve shall be available to the Corporation only for losses of the Corporation and shall be so available only to such extent as other accounts of the Corporation which are available therefor are insufficient for such losses. No right, title, or interest of any institution in or with respect to its pro rata share of the secondary reserve shall be assignable or transferable whether by operation of law or otherwise, except to such extent as the Corporation may provide for transfer of such pro rata share in cases of merger or consolidation, transfer of bulk assets or assumption of liabilities, and similar transactions, as defined by the Corporation for purposes of this sentence.

"(f) If (i) the status of an insured institution as an insured institution is terminated pursuant to any provision of section 407 or the insurance of accounts of an insured institution is otherwise terminated, (ii) a conservator, receiver, or other legal custodian is appointed for

an insured institution under the circumstances and for the purpose set forth in subsection (d) of section 401, or (iii) the Corporation makes a determination that for the purposes of this subsection an insured institution has gone into liquidation, the Corporation shall pay in cash to such institution its pro rata share of the secondary reserve, in accordance with such terms and conditions as the Corporation may prescribe, or, at the option of the Corporation, the Corporation may apply the whole or any part of the amount which would otherwise be paid in cash toward the payment of any indebtedness or obligation, whether matured or not, of such institution to the Corporation, then existing or arising before such payment in cash: *Provided*, That such payment or such application need not be made to the extent that the provisions of the exception in the last sentence of subsection (e) are applicable.

"(g) If, at the close of December 31 in any year after 1971, the aggregate of the primary reserve and the secondary reserve equals or exceeds 1¼ per centum of the total amount of all accounts of insured members of all insured institutions but the primary reserve does not equal or exceed 2 per centum of such base, each insured institution's pro rata share of the secondary reserve shall, during the year beginning with May 1 next succeeding such close, be used, to the extent available, to discharge such institution's obligation for its premium under subsection (b) for the premium year beginning in such year, but only to the extent of such percentage, to be the same for all insured institutions and to be not less than 30 nor more than 70 per centum of such premium, as the Corporation may determine; and the use of such pro rata shares as provided in this sentence shall continue unless and until the next sentence or the last sentence of this subsection shall become operative. If, at the close of any December 31 occurring before the last sentence of this subsection shall become operative, the aggregate of the primary reserve and the secondary reserve is not at least equal to 1¼ per centum of the total amount of all accounts of insured members of all insured institutions, the use of any insured institution's pro rata share of the secondary reserve under the first sentence of this subsection shall terminate with respect to its premium under subsection (b) for the premium year beginning during the calendar year commencing on May 1 next succeeding such December 31, and such termination shall continue unless and until the first sentence of this subsection shall become operative. If, at the close of any December 31, the primary reserve equals or exceeds such 2 per centum, the Corporation shall, at such time (which shall be the same for all insured institutions and shall not be later than May 1 next succeeding such close) and in such manner as the Corporation shall determine, pay in cash to each insured institution its pro rata share of the secondary reserve.

Deposit calls.

"(h)(1) Each insured institution shall make such deposits in the Corporation as may from time to time be required by call of the Federal Home Loan Bank Board. Any such call shall be calculated by applying a specified percentage, which shall be the same for all insured institutions, to the total amount of all withdrawable or repurchasable shares, investment certificates, and deposits in each insured institution. No such call shall be made unless such Board determines that the total amount of such call, plus the outstanding deposits previously made pursuant to such calls, does not exceed 1 per centum of the total amount of all withdrawable or repurchasable shares, investment certificates, and deposits in all insured institutions. For the purposes of this subsection, the total amounts hereinabove referred to shall be determined or estimated by such Board or in such manner as it may prescribe.

"(2) The Corporation shall credit as of the close of each calendar year, to each deposit outstanding at such close, a return on the outstanding balance, as determined by the Corporation, of such deposit during such calendar year, at a rate equal to the average annual rate of return, as determined by the Corporation, to the Corporation during the year ending at the close of November 30 of such calendar year, on the investments held by the Corporation in obligations of, or guaranteed as to principal and interest by, the United States. Deposit credits.

"(3) The Corporation in its discretion may at any time repay all such deposits, or repay pro rata a portion of each of such deposits, in such manner and under such procedure as the Corporation may prescribe. Any procedure for such pro rata repayment may provide for total repayment of any deposit, if total repayment of any and all deposits of equal or smaller amount is likewise provided for. Repayment.

"(4) The provisions of subsection (f) of this section and of the last sentence of subsection (e) of this section shall be applicable to deposits under this subsection, and for the purposes of this subsection the references in such subsection (f) and such last sentence to the prepayments and the pro rata shares therein mentioned shall be deemed instead to be references respectively to the deposits under this subsection and the pro rata shares of the holders thereof, and the reference in such subsection (f) to that subsection shall be deemed instead to be a reference to this subsection."

STATE TAXATION OF FEDERALLY INSURED FINANCIAL INSTITUTIONS

SEC. 7. (a) This section may be cited as the "State Taxation of Depositories Act". Citation of title.

(b) The Congress finds that the national goals of fostering an efficient banking system and the free flow of commerce among the States will be furthered by clarifying the principles governing State taxation of interstate transactions of banks and other depositories. Application of taxes measured by income or receipts, or other "doing business" taxes, in States other than the States in which depositories have their principal offices should be deferred until such time as uniform and equitable methods are developed for determining jurisdiction to tax and for dividing the tax base among States.

(c) With respect to any taxable year or other taxable period beginning on or after the date of enactment of this section and before January 1, 1976, no State or political subdivision thereof may impose any tax measured by income or receipts or any other "doing business" tax on any insured depository not having its principal office within such State.

(d) For the purpose of this section— Definitions.

(1) The term "insured depository" means any bank the deposits of which are insured under the Federal Deposit Insurance Act, any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation, or any thrift and home financing institution which is a member of a Federal home loan bank.

(2) The term "State" means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(e) (1) The Advisory Commission on Intergovernmental Relations shall make a study of all pertinent matters relating to the application of State "doing business" taxes on out-of-State commercial banks, mutual savings banks, and savings and loan associations. Such study shall include recommendations for legislation which will provide equitable State taxation of out-of-State commercial banks, mutual

savings banks, and savings and loan associations. Such recommendations shall include, but shall not be limited to, the matter of the proper allocation, apportionment, or other division of tax bases and such other matters relating to the question of multistate taxation of commercial banks, mutual savings banks, and savings and loan associations as the Commission shall determine to be pertinent. In conducting the study, the Commission shall consult with the Secretary of the Treasury, the Federal Reserve Board, the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board, appropriate State banking and taxing authorities, and others as needed.

Report to Congress.

(2) The Commission shall make a report to the Congress of the results of its study and recommendations not later than December 31, 1974.

Appropriation.

(3) There are authorized to be appropriated to the Commission such sums as may be necessary to carry out the provisions of this subsection.

Effective date.

SEC. 8. The provisions of this Act shall take effect on the thirtieth day after the date of its enactment, except that the amendments made by sections 1 and 5 shall take effect on the date of enactment of this Act.

Approved August 16, 1973.

Public Law 93-101

August 16, 1973
[H. R. 3630]

AN ACT

To extend until September 30, 1975, the suspension of duty on certain dyeing and tanning products and to include logwood among such products.

Dyeing and tanning products. Duty suspension, extension. 77A Stat. 443; 84 Stat. 830.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That item 907.80 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended—

(1) by striking out "Canaigre," and inserting in lieu thereof "Logwood, canaigre,";

(2) by inserting "470.15," immediately before "470.23,"; and

(3) by striking out "9/30/72" and inserting in lieu thereof "9/30/75".

Effective date.

SEC. 2. (a) The amendments made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

(b) Upon request therefor filed with the customs officer concerned on or before the sixtieth day after the date of the enactment of this Act, the entry or withdrawal of any article—

(1) which was made after September 30, 1972, and before the date of the enactment of this Act, and

(2) with respect to which there would have been no duty if the amendments made by the first section of this Act applied to such entry or withdrawal,

shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry or withdrawal had been made on the date of the enactment of this Act.

84 Stat. 284. 19 USC 1514.

Approved August 16, 1973.

Public Law 93-102

AN ACT

August 16, 1973
[H. R. 3867]

To amend the Act terminating Federal supervision over the Klamath Indian Tribe by providing for Federal acquisition of that part of the tribal lands described herein, and for other purposes.

Klamath Indians.
Federal acquisition of tribal lands.
25 USC 564.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 13, 1954, as amended by the Act of August 23, 1958 (68 Stat. 718; 72 Stat. 816), is further amended by adding a new section 29 as follows:

SEC. 29. (a) The Secretary of Agriculture is authorized and directed to acquire by condemnation all of the Klamath Indian forest lands which the trustee for the Klamath Indian Tribe is required to sell by the terms of its trust agreement, and the lands so acquired shall become a part of the Winema National Forest.

(b) The condemnation action may be initiated either before or after the lands are offered for sale by the trustee, and for the purpose of carrying out the provisions of this section, there is hereby authorized to be appropriated not to exceed $70,000,000.

Appropriation.

(c) The homesite provisions of section 28(g) shall apply to the lands acquired by the Secretary pursuant to this Act.

72 Stat. 816.
25 USC 564w-1.

Approved August 16, 1973.

Public Law 93-103

JOINT RESOLUTION

August 16, 1973
[S. J. Res. 25]

To authorize and request the President to issue a proclamation designating the fourth Sunday in September, 1973, as "National Next Door Neighbor Day".

National Next Door Neighbor Day.
Designation authorization.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the fourth Sunday of September, 1973, as "National Next Door Neighbor Day", and calling upon the people of the United States and interested groups and organizations to observe such day with appropriate ceremonies and activities.

Approved August 16, 1973.

Public Law 93-104

JOINT RESOLUTION

August 16, 1973
[H. J. Res. 466]

Authorizing the President to proclaim the second full week in October, 1973, as "National Legal Secretaries' Court Observance Week".

National Legal Secretaries' Court Observance Week.
Designation authorization.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating the second full week in October, 1973, as "National Legal Secretaries' Court Observance Week", and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

Approved August 16, 1973.

Public Law 93-105

August 16, 1973
[H. J. Res. 52]

JOINT RESOLUTION

Authorizing the President to proclaim August 26, 1973, as "Women's Equality Day".

Women's Equality Day.
Designation authorization.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That August 26, 1973, is designated as "Women's Equality Day", and the President is authorized and requested to issue a proclamation in commemoration of that day in 1920 on which the women of America were first guaranteed the right to vote.

Approved August 16, 1973.

Public Law 93-106

August 16, 1973
[H. R. 5649]

AN ACT

To extend until November 1, 1978, the existing exemption of the steamboat Delta Queen from certain vessel laws.

Delta Queen.
Certain vessel laws, exemption.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the primary purpose of the amendment made by section 2 of this Act is to assure the continuity of operation of the overnight riverboat, the steamboat Delta Queen, by extending her existing exemption from the safety-at-sea laws. A new overnight passenger riverboat will be constructed by the owners of the Delta Queen and, in order to assure the preservation of this historic and traditional piece of American folklore and life, such amendment will provide for the continued operation of the present steamboat Delta Queen while the new riverboat is being constructed.

84 Stat. 1835.

SEC. 2. The penultimate sentence of section 5(b) of the Act of May 27, 1936 (49 Stat. 1384, 46 U.S.C. 369(b)), as amended, is amended by striking out "November 1, 1973," and inserting in lieu thereof "November 1, 1978,".

Approved August 16, 1973.

Public Law 93-107

September 14, 1973
[S. 1841]

AN ACT

To amend the Communications Act of 1934 with regard to the broadcasting of certain professional sports clubs' games.

Certain professional sports clubs' games.
Broadcasting.
76 Stat. 151.
47 USC 330.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part I of title III of the Communications Act of 1934 is amended by adding at the end thereof the following new section:

"BROADCAST OF GAMES OF PROFESSIONAL SPORTS CLUBS

"SEC. 331. (a) If any game of a professional sports club is to be broadcast by means of television pursuant to a league television contract and all tickets of admission for seats at such game which were available for purchase by the general public one hundred and twenty hours or more before the scheduled beginning time of such game have been purchased seventy-two hours or more before such time, no agreement which would prevent the broadcasting by means of television of such game at the same time and in the area in which such game is

being played shall be valid or have any force or effect. The right to broadcast such game by means of television at such time and in such area shall be made available, by the person or persons having such right, to a television broadcast licensee on reasonable terms and conditions unless the broadcasting by means of television of such game at such time and in such area would be a telecasting which section 3 of Public Law 87–331, as amended (15 U.S.C. 1293), is intended to prevent.

75 Stat. 732; 80 Stat. 1515.

"(b) If any person violates subsection (a) of this section, any interested person may commence a civil action for injunctive relief restraining such violation in any United States district court for a district in which the defendant resides or has an agent. In any such action, the court may award the cost of the suit including reasonable attorneys' fees.

Injunctive relief.

"(c) For the purposes of this section:

Definitions.

"(1) The term 'professional sports club' includes any professional football, baseball, basketball, or hockey club.

"(2) The term 'league television contract' means any joint agreement by or among professional sports clubs by which any league of such clubs sells or otherwise transfers all or any part of the rights of such league's member clubs in the sponsored telecasting of the games engaged in or conducted by such clubs.

"(3) The term 'agreement' includes any contract, arrangement, or other understanding.

"(4) The term 'available for purchase by the general public', when used with respect to tickets of admission for seats at a game or games to be played by a professional sports club, means only those tickets on sale at the stadium where such game or games are to be played, or, if such tickets are not sold at such stadium, only those tickets on sale at the box office closest to such stadium.

"(d) The Commission shall conduct a continuing study of the effect of this section and shall, not later than April 15 of each year, submit a report to the Committee on Commerce of the Senate and the Committee on Interstate and Foreign Commerce of the House of Representatives with respect thereto. Such report shall include pertinent statistics and data and any recommendations for legislation relating to the broadcasting of professional football, baseball, basketball, and hockey games which the Commission determines would serve the public interest.".

Study, report to congressional committees.

SEC. 2. Section 331 of the Communications Act of 1934 (as added by the first section of this Act) is repealed effective December 31, 1975.

Repeal.

Approved September 14, 1973.

Public Law 93-108

JOINT RESOLUTION

September 19, 1973
[H. J. Res. 695]

Authorizing the President to proclaim the period of September 15, 1973 through October 15, 1973, as "Johnny Horizon '76 Clean Up America Month".

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating the period of September 15, 1973, through October 15, 1973, as "Johnny Horizon '76 Clean Up America Month", and calling upon the people of the United States to observe such period with appropriate activities.

Johnny Horizon '76 Clean Up America Month.
Designation authorization.

Approved September 19, 1973.

Public Law 93-109

September 21, 1973
[S. 1165]

AN ACT

To amend the Federal Cigarette Labeling and Advertising Act of 1965 as amended by the Public Health Cigarette Smoking Act of 1969 to define the term "little cigar", and for other purposes.

Little Cigar Act of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Little Cigar Act of 1973".

79 Stat. 282.
84 Stat. 87.

SEC. 2. Section 3 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1331–1340) as amended by the Public Health Cigarette Smoking Act of 1969 is amended by inserting the following new subsection:

"Little cigar."

"(7) The term 'little cigar' means any roll of tobacco wrapped in leaf tobacco or any substance containing tobacco (other than any roll of tobacco which is a cigarette within the meaning of subsection (1)) and as to which one thousand units weigh not more than three pounds."

SEC. 3. Section 6 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1331–1340) as amended by the Public Health Cigarette Smoking Act of 1969 is amended by inserting the words "and little cigars" after the word "cigarettes".

Effective date.

SEC. 4. The amendment made by this Act shall become effective thirty days after the date of enactment.

Approved September 21, 1973.

Public Law 93-110

September 21, 1973
[H. R. 6912]

AN ACT

To amend the Par Value Modification Act, and for other purposes.

Par Value Modification Act, amendments.
86 Stat. 116.
31 USC 449 note.

Be it enacted by the Senate and House of Represenatives of the United States of America in Congress assembled, That the first sentence of section 2 of the Par Value Modification Act is amended by striking out the words "one thirty-eighth of a fine troy ounce of gold" and inserting in lieu thereof the following: "0.828948 Special Drawing Right or, the equivalent in terms of gold, of forty-two and two-ninths dollars per fine troy ounce of gold".

SEC. 2. The Par Value Modification Act is amended by adding at the end thereof the following new section:

"SEC. 5. It is the sense of the Congress that the President shall take all appropriate action to expedite realization of the international monetary reform noted at the Smithsonian on December 18, 1971."

Repeal.
48 Stat. 340.

SEC. 3. (a) Sections 3 and 4 of the Gold Reserve Act of 1934 (31 U.S.C. 442 and 443) are repealed.

Gold, private ownership.

(b) No provision of any law in effect on the date of enactment of this Act, and no rule, regulation, or order under authority of any such law, may be construed to prohibit any person from purchasing, holding, selling, or otherwise dealing with gold.

Effective date; report to Congress.

(c) The provisions of this section, pertaining to gold, shall take effect when the President finds and reports to the Congress that international monetary reform shall have proceeded to the point where elimination of regulations on private ownership of gold will not adversely affect the United States' international monetary position.

TITLE II—FOREIGN CURRENCY REPORTS

STATEMENT OF FINDINGS

SEC. 201. The Congress finds that—

(1) movements of mobile capital can have a significant impact on the proper functioning of the international monetary system;

(2) it is important to have as complete and current data as feasible on the nature and source of these capital flows, including transactions by large United States business enterprises and their foreign affiliates;

(3) it is desirable to emphasize this objective by supplementing existing legal authority for the collection of data on capital flows contained in section 5(b) of the Emergency Banking Act of 1933 (12 U.S.C. 95a) and section 8 of the Bretton Woods Agreements Act of 1945 (22 U.S.C. 286f).

55 Stat. 839.
59 Stat. 515.

AUTHORITY TO PRESCRIBE REGULATIONS

SEC. 202. (a) The Secretary of the Treasury (hereafter referred to as the "Secretary") is authorized and directed, under the authority of this title and any other authority conferred by law, to supplement regulations requiring the submission of reports on foreign currency transactions consistent with the statement of findings under section 201. Regulations prescribed under this title shall require that such reports contain such information and be submitted in such manner and at such times, with reasonable exceptions and classifications, as may be necessary to carry out the policy of this title.

(b) Reports required under this title shall cover foreign currency transactions conducted by any United States person and by any foreign person controlled by a United States person as such terms are defined in section 7(f)(2)(A) and 7(f)(2)(C) of the Securities Exchange Act of 1934.

84 Stat. 1124.
15 USC 78g.

ENFORCEMENT

SEC. 203. (a) Whoever fails to submit a report required under any rule or regulation issued under this title may be assessed a civil penalty not exceeding $10,000 in a proceeding brought under subsection (b) of this section.

Penalty.

(b) Whenever it appears to the Secretary that any person has failed to submit a report required under any rule or regulation issued under this title or has violated any rule or regulation issued hereunder, the Secretary may in his discretion bring an action, in the proper district court of the United States or the proper United States court of any territory or other place subject to the jurisdiction of the United States, seeking a mandatory injunction commanding such person to comply with such rule or regulation, and upon a proper showing a permanent or temporary injunction or restraining order shall be granted without bond, and additionally the sanction provided for failure to submit a report under subsection (a).

Approved September 21, 1973.

22-150 O - 75 - 25

Public Law 93-111

September 21, 1973
[S. 1385]

AN ACT

To amend section 2 of the Act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of June 30, 1954 (68 Stat. 330), as amended, is amended by deleting "for each of the fiscal years 1971, 1972, and 1973, $60,000,000", and inserting in lieu thereof: "and for each of the fiscal years 1974 and 1975, $60,000,000 plus such sums as are necessary, but not to exceed $10,000,000, for each of such fiscal years, to offset reductions in, or the termination of, Federal grant-in-aid programs or other funds made available to the Trust Territory of the Pacific Islands by other Federal agencies".

Trust Territory of the Pacific Islands.
Civil government, continuance.
Appropriation.
84 Stat. 1559.
48 USC 1681 note.

SEC. 2. The Act of June 30, 1954, as amended, is further amended by adding at the end thereof the following new section:

"SEC. 4. (a) The government comptroller for Guam appointed pursuant to the provisions of section 9–A of the Organic Act of Guam shall, in addition to the duties imposed on him by such Act, carry out, on and after the date of the enactment of this section, the duties set forth in this section with respect to the government of the Trust Territory of the Pacific Islands. In carrying out such duties, the comptroller shall be under the general supervision of the Secretary of the Interior and shall not be a part of any executive department in the government of the Trust Territory of the Pacific Islands. The salary and expenses of the comptroller's office shall, notwithstanding the provisions of subsection (a) of section 9–A of the Organic Act of Guam, be apportioned equitably by the Secretary of the Interior between Guam and the Trust Territory of the Pacific Islands from funds available to Guam and the trust territory.

Government comptroller of Guam, additional duties.
82 Stat. 845.
48 USC 1422d.

"(b) The government comptroller shall audit all accounts and review and recommend adjudication of claims pertaining to the revenue and receipts of the government of the Trust Territory of the Pacific Islands and of funds derived from bond issues; and he shall audit, in accordance with law and administrative regulations, all expenditures of funds and property pertaining to the government of the Trust Territory of the Pacific Islands including those pertaining to trust funds held by such government.

Audit.

"(c) It shall be the duty of the government comptroller to bring to the attention of the Secretary of the Interior and the High Commissioner of the Trust Territory of the Pacific Islands all failures to collect amounts due the government, and the expenditures of funds or uses of property which are irregular or not pursuant to law. The audit activities of the government comptroller shall be directed so as to (1) improve the efficiency and economy of programs of the government of the Trust Territory of the Pacific Islands, and (2) discharge the responsibility incumbent upon the Congress to insure that the substantial Federal revenues which are covered into the treasury of such government are properly accounted for and audited.

"(d) The decisions of the government comptroller shall be final except that appeal therefrom may, with the concurrence of the High Commissioner, be taken by the party aggrieved or the head of the department concerned, within one year from the date of the decision, to the Secretary of the Interior, which appeal shall be in writing and shall specifically set forth the particular action of the government comptroller to which exception is taken, with the reasons and the authorities relied upon for reversing such decision.

"(e) If the High Commissioner does not concur in the taking of an appeal to the Secretary, the party aggrieved may seek relief by suit in the District Court of Guam, if the claim is otherwise within its jurisdiction. No later than thirty days following the date of the decision of the Secretary of the Interior, the party aggrieved or the High Commissioner, on behalf of the head of the department concerned, may seek relief by suit in the District Court of Guam, if the claim is otherwise within its jurisdiction.

"(f) The government comptroller is authorized to communicate directly with any person or with any department officer or person having official relation with his office. He may summon witnesses and administer oaths.

Report to High Commissioner and Secretary of the Interior.

"(g) As soon after the close of each fiscal year as the accounts of said fiscal year may be examined and adjusted, the government comptroller shall submit to the High Commissioner and the Secretary of the Interior an annual report of the fiscal condition of the government, showing the receipts and disbursements of the various departments and agencies of the government. The Secretary of the Interior shall submit such report along with his comments and recommendations to the President of the Senate and the Speaker of the House of Representatives.

Report to President of the Senate and Speaker of the House.

"(h) The government comptroller shall make such other reports as may be required by the High Commissioner, the Comptroller General of the United States, or the Secretary of the Interior.

"(i) The office and activities of the government comptroller pursuant to this section shall be subject to review by the Comptroller General of the United States, and reports thereon shall be made by him to the High Commissioner, the Secretary of the Interior, the President of the Senate and the Speaker of the House of Representatives.

Information, availability.

"(j) All departments, agencies, and establishments shall furnish to the government comptroller such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the government comptroller, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department, agency, or establishment."

Approved September 21, 1973.

Public Law 93-112

AN ACT

September 26, 1973
[H. R. 8070]

To replace the Vocational Rehabilitation Act, to extend and revise the authorization of grants to States for vocational rehabilitation services, with special emphasis on services to those with the most severe handicaps, to expand special Federal responsibilities and research and training programs with respect to handicapped individuals, to establish special responsibilities in the Secretary of Health, Education, and Welfare for coordination of all programs with respect to handicapped individuals within the Department of Health, Education, and Welfare, and for other purposes.

Rehabilitation Act of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, with the following table of contents, may be cited as the "Rehabilitation Act of 1973":

TABLE OF CONTENTS

Sec. 2. Declaration of purpose.
Sec. 3. Rehabilitation Services Administration.
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Sec. 10. Nonduplication.

TITLE I—VOCATIONAL REHABILITATION SERVICES

PART A—GENERAL PROVISIONS

Sec. 100. Declaration of purpose; authorization of appropriations.
Sec. 101. State plans.
Sec. 102. Individualized written rehabilitation program.
Sec. 103. Scope of vocational rehabilitation services.
Sec. 104. Non-Federal share for construction.

PART B—BASIC VOCATIONAL REHABILITATION SERVICES

Sec. 110. State allotments.
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PART C—INNOVATION AND EXPANSION GRANTS

Sec. 120. State allotments.
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PART D—COMPREHENSIVE SERVICE NEEDS

Sec. 130. Special study.

TITLE II—RESEARCH AND TRAINING

Sec. 200. Declaration of purpose.
Sec. 201. Authorization of appropriations.
Sec. 202. Research.
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Sec. 204. Reports.

TITLE III—SPECIAL FEDERAL RESPONSIBILITIES

Sec. 300. Declaration of purpose.
Sec. 301. Grants for construction of rehabilitation facilities.
Sec. 302. Vocational training services for handicapped individuals.
Sec. 303. Mortgage insurance for rehabilitation facilities.
Sec. 304. Special projects and demonstrations.
Sec. 305. National Center for Deaf-Blind Youths and Adults.
Sec. 306. General grant and contract requirements.

TITLE IV—ADMINISTRATION AND PROGRAM AND PROJECT EVALUATION

Sec. 400. Administration.
Sec. 401. Program and project evaluation.
Sec. 402. Obtaining information from Federal agencies.
Sec. 403. Authorization of appropriations.
Sec. 404. Reports.
Sec. 405. Secretarial responsibility.
Sec. 406. Sheltered workshop study.
Sec. 407. State allocation study.

TITLE V—MISCELLANEOUS

Sec. 500. Effect on existing laws.
Sec. 501. Employment of handicapped individuals.
Sec. 502. Architectural and Transportation Barriers Compliance Board.
Sec. 503. Employment under Federal contracts.
Sec. 504. Nondiscrimination under Federal grants.

DECLARATION OF PURPOSE

SEC. 2. The purpose of this Act is to provide a statutory basis for the Rehabilitation Services Administration, and to authorize programs to—

(1) develop and implement comprehensive and continuing State plans for meeting the current and future needs for providing vocational rehabilitation services to handicapped individuals and to provide such services for the benefit of such individuals, serving first those with the most severe handicaps, so that they may prepare for and engage in gainful employment;

(2) evaluate the rehabilitation potential of handicapped individuals;

(3) conduct a study to develop methods of providing rehabilitation services to meet the current and future needs of handicapped individuals for whom a vocational goal is not possible or feasible so that they may improve their ability to live with greater independence and self-sufficiency;

(4) assist in the construction and improvement of rehabilitation facilities;

(5) develop new and innovative methods of applying the most advanced medical technology, scientific achievement, and psychological and social knowledge to solve rehabilitation problems and develop new and innovative methods of providing rehabilitation services to handicapped individuals through research, special projects, and demonstrations;

(6) initiate and expand services to groups of handicapped individuals (including those who are homebound or institutionalized) who have been underserved in the past;

(7) conduct various studies and experiments to focus on long neglected problem areas;

(8) promote and expand employment opportunities in the public and private sectors for handicapped individuals and to place such individuals in employment;

(9) establish client assistance pilot projects;

(10) provide assistance for the purpose of increasing the number of rehabilitation personnel and increasing their skills through training; and

(11) evaluate existing approaches to architectural and transportation barriers confronting handicapped individuals, develop new such approaches, enforce statutory and regulatory standards and requirements regarding barrier-free construction of public facilities and study and develop solutions to existing architectural and transportation barriers impeding handicapped individuals.

REHABILITATION SERVICES ADMINISTRATION

SEC. 3. (a) There is established in the Department of Health, Education, and Welfare a Rehabilitation Services Administration which

Establishment.

shall be headed by a Commissioner (hereinafter in this Act referred to as the "Commissioner") appointed by the President. Except for titles IV and V and as otherwise specifically provided in this Act, such Administration shall be the principal agency for carrying out this Act. The Secretary shall not approve any delegation of the functions of the Commissioner to any other officer not directly responsible to the Commissioner unless the Secretary shall first submit a plan for such delegation to the Congress. Such delegation is effective at the end of the first period of sixty calendar days of continuous session of Congress after the date on which the plan for such delegation is transmitted to it: *Provided, however*, That within thirty days of such transmittal, the Secretary shall consult with the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives respecting such proposed delegation. For the purposes of this section, continuity of session is broken only by an adjournment of Congress sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the thirty-day and sixty-day periods.

Post, pp. 385, 390.

Delegation of functions, submittal of plan to Congress.

(b) The Secretary, through the Commissioner in coordination with other appropriate programs in the Department of Health, Education, and Welfare, in carrying out research under this Act shall establish the expertise and technological competence to, and shall, in consultation with, the National Science Foundation and the National Academy of Sciences develop and support, and stimulate the development and utilization (including production and distribution of new and existing devices) of, innovative methods of applying advanced medical technology, scientific achievement, and psychological and social knowledge to solve rehabilitation problems, and be responsible for carrying out the activities described in section 202(b)(2).

Research, coordination and consultation.

Post, p. 375.

(c) The Secretary shall take whatever action is necessary to insure that funds appropriated pursuant to this Act, as well as unexpended appropriations for carrying out the Vocational Rehabilitation Act (29 U.S.C. 31–42), are expended only for the programs, personnel, and administration of programs carried out under this Act.

68 Stat. 652.

ADVANCE FUNDING

SEC. 4. (a) For the purpose of affording adequate notice of funding available under this Act, appropriations under this Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation.

(b) In order to effect a transition to the advance funding method of timing appropriation action, the authority provided by subsection (a) of this section shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

JOINT FUNDING

SEC. 5. Pursuant to regulations prescribed by the President, and to the extent consistent with the other provisions of this Act, where funds are provided for a single project by more than one Federal agency to an agency or organization assisted under this Act, the Federal agency principally involved may be designated to act for all in administering the funds provided, and, in such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each agency. When the principal agency involved is the Rehabilitation Services Administration, it may waive any grant or contract requirement (as defined by such regulations) under or pursuant to any law other than this Act, which requirement is inconsistent with the similar requirements of the administering agency under or pursuant to this Act.

CONSOLIDATED REHABILITATION PLAN

SEC. 6. (a) In order to secure increased flexibility to respond to the varying needs and local conditions within the State, and in order to permit more effective and interrelated planning and operation of its rehabilitation programs, the State may submit a consolidated rehabilitation plan which includes the State's plan under section 101(a) of this Act and its program for persons with developmental disabilities under the Developmental Disabilities Services and Facilities Construction Amendments of 1970: *Provided*, That the agency administering such State's program under such Act concurs in the submission of such a consolidated rehabilitation plan.

Election by State; agency concurrence.

Post, p. 363.

84 Stat. 1316.
42 USC 2670 note.

(b) Such a consolidated rehabilitation plan must comply with, and be administered in accordance with, all the requirements of this Act and the Developmental Disabilities Services and Facilities Construction Amendments of 1970. If the Secretary finds that all such requirements are satisfied, he may approve the plan to serve in all respects as the substitute for the separate plans which would otherwise be required with respect to each of the programs included therein, or he may advise the State to submit separate plans for such programs.

(c) Findings of noncompliance in the administration of an approved consolidated rehabilitation plan, and any reductions, suspensions, or terminations of assistance as a result thereof, shall be carried out in accordance with the procedures set forth in subsections (c) and (d) of section 101 of this Act.

Noncompliance.

DEFINITIONS

SEC. 7. For the purposes of this Act:

(1) The term "construction" means the construction of new buildings, the acquisition, expansion, remodeling, alteration, and renovation of existing buildings, and initial equipment of such buildings, and the term "cost of construction" includes architects' fees and acquisition of land in connection with construction but does not include the cost of offsite improvements.

(2) The term "criminal act" means any crime, including an act, omission, or possession under the laws of the United States or a State or unit of general local government which poses a substantial threat of personal injury, notwithstanding that by reason of age, insanity, intoxication or otherwise the person engaging in the act, omission, or possession was legally incapable of committing a crime.

(3) The term "establishment of a rehabilitation facility" means the acquisition, expansion, remodeling, or alteration of existing buildings necessary to adapt them to rehabilitation facility purposes or to increase their effectiveness for such purposes (subject, however, to such limitations as the Secretary may determine, in accordance with regulations he shall prescribe, in order to prevent impairment of the objectives of, or duplication of, other Federal laws providing Federal assistance in the construction of such facilities), and the initial equipment for such buildings, and may include the initial staffing thereof.

(4) The term "evaluation of rehabilitation potential" means, as appropriate in each case:

(A) a preliminary diagnostic study to determine that the individual has a substantial handicap to employment, and that vocational rehabilitation services are needed;

(B) a diagnostic study consisting of a comprehensive evaluation of pertinent medical, psychological, vocational, educational, cultural, social, and environmental factors which bear on the individual's handicap to employment and rehabilitation potential including, to the degree needed, an evaluation of the individual's personality, intelligence level, educational achievements, work experience, vocational aptitudes and interests, personal and social adjustments, employment opportunities, and other pertinent data helpful in determining the nature and scope of services needed;

(C) an appraisal of the individual's patterns of work behavior and ability to acquire occupational skill, and to develop work attitudes, work habits, work tolerance, and social and behavior patterns suitable for successful job performance, including the utilization of work, simulated or real, to assess and develop the individual's capacities to perform adequately in a work environment;

(D) any other goods or services provided for the purpose of ascertaining the nature of the handicap and whether it may reasonably be expected that the individual can benefit from vocational rehabilitation services;

(E) referral;

(F) the administration of these evaluation services; and

(G) (i) the provision of vocational rehabilitation services to any individual for a total period not in excess of eighteen months for the purpose of determining whether such individual is a handicapped individual, a handicapped individual for whom a vocational goal is not possible or feasible (as determined in accordance with section 102(c)), or neither such individual; and (ii) an assessment, at least once in every ninety-day period during which such services are provided, of the results of the provision of such services to an individual to ascertain whether any of the determinations described in subclause (i) may be made.

Post, p. 368.

(5) The term "Federal share" means 80 per centum, except that it shall mean 90 per centum for the purposes of part C of title I of this Act and as specifically set forth in section 301(b)(3): *Provided*, That with respect to payments pursuant to part B of title I of this Act to any State which are used to meet the costs of construction of those rehabilitation facilities identified in section 103(b)(2) in such State, the Federal share shall be the percentages determined in accordance with the provisions of section 301(b)(3) applicable with respect to that State and that, for the purpose of determining the non-Federal share with respect to any State, expenditures by a political subdivision thereof or by a local agency shall, subject to such limitations and conditions as the Secretary shall by regulation prescribe, be regarded as expenditures by such State.

Post, pp. 372, 377.
Post, p. 370.
Post, p. 368.

(6) The term "handicapped individual" means any individual who (A) has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment and (B) can reasonably be expected to benefit in terms of employability from vocational rehabilitation services provided pursuant to titles I and III of this Act.

Post, pp. 363, 377.

(7) The term "local agency" means an agency of a unit of general local government or of an Indian tribal organization (or combination of such units or organizations) which has an agreement with the State agency designated pursuant to section 101(a)(1) to conduct a vocational rehabilitation program under the supervision of such State agency in accordance with the State plan approved under section 101. Nothing in the preceding sentence of this paragraph or in section 101 shall be construed to prevent the local agency from utilizing another local public or nonprofit agency to provide vocational rehabilitation services: *Provided*, That such an arrangement is made part of the agreement specified in this paragraph.

Post, p. 363.

(8) The term "nonprofit", when used with respect to a rehabilitation facility, means a rehabilitation facility owned and operated by a corporation or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual and the income of which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1954.

68A Stat. 163, 26 USC 501.

(9) The term "public safety officer" means a person serving the United States or a State or unit of general local government, with or without compensation, in any activity pertaining to—

(A) the enforcement of the criminal laws, including highway patrol, or the maintenance of civil peace by the National Guard or the Armed Forces,

(B) a correctional program, facility, or institution where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees,

(C) a court having criminal or juvenile delinquent jurisdiction where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees, or

(D) firefighting, fire prevention, or emergency rescue missions.

(10) The term "rehabilitation facility" means a facility which is operated for the primary purpose of providing vocational rehabilitation services to handicapped individuals, and which provides singly or in combination one or more of the following services for handicapped individuals: (A) vocational rehabilitation services which shall include, under one management, medical, psychological, social, and vocational services, (B) testing, fitting, or training in the use of prosthetic and orthotic devices, (C) prevocational conditioning or recreational therapy, (D) physical and occupational therapy, (E) speech and hearing therapy, (F) psychological and social services, (G) evaluation of rehabilitation potential, (H) personal and work adjustment, (I) vocational training with a view toward career advancement (in combination with other rehabilitation services), (J) evaluation or control of specific disabilities, (K) orientation and mobility services to the blind, and (L) extended employment for those handicapped individuals who cannot be readily absorbed in the competitive labor market, except that all medical and related health services must be prescribed by, or under the formal supervision of, persons licensed to prescribe or supervise the provision of such services in the State.

(11) The term "Secretary", except when the context otherwise requires, means the Secretary of Health, Education, and Welfare.

(12) The term "severe handicap" means the disability which requires multiple services over an extended period of time and results from amputation, blindness, cancer, cerebral palsy, cystic fibrosis, deafness, heart disease, hemiplegia, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia and other spinal cord conditions, renal failure, respiratory or pulmonary dysfunction, and any other disability specified by the Secretary in regulations he shall prescribe.

(13) The term "State" includes the District of Columbia, the Virgin Islands, Puerto Rico, Guam, American Samoa, and the Trust Territory of the Pacific Islands, and for the purposes of American Samoa and the Trust Territory of the Pacific Islands, the appropriate State agency designated as provided in section 101(a)(1) shall be the Governor of American Samoa or the High Commissioner of the Trust Territory of the Pacific Islands, as the case may be.

Post, p. 363.

(14) The term "vocational rehabilitation services" means those services identified in section 103 which are provided to handicapped individuals under this Act.

Post, p. 368.

ALLOTMENT PERCENTAGE

SEC. 8. (a)(1) The allotment percentage for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States, except that (A) the allotment percentage shall in no case be more than 75 per centum or less than 33⅓ per centum, and (B) the allotment percentage for the District of Columbia, Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands shall be 75 per centum.

Promulgation, computation.

(2) The allotment percentages shall be promulgated by the Secretary between July 1 and September 30 of each even-numbered year, on the basis of the average of the per capita incomes of the States and of the United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years in the period beginning on the July 1 next succeeding such promulgation.

"United States."

(3) The term "United States" means (but only for purposes of this subsection) the fifty States and the District of Columbia.

Population determination.

(b) The population of the several States and of the United States shall be determined on the basis of the most recent data available, to be furnished by the Department of Commerce by October 1 of the year preceding the fiscal year for which funds are appropriated pursuant to statutory authorizations.

AUDIT

SEC. 9. Each recipient of a grant or contract under this Act shall keep such records as the Secretary may prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant or contract, the total cost of the project or undertaking in connection with which such grant or contract is made or funds thereunder used, the amount of that portion of the cost of the project or undertaking supplied by other sources, and such records as will facilitate an effective audit. The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of any grant or contract under this Act which are pertinent to such grant or contract.

NONDUPLICATION

SEC. 10. In determining the amount of any State's Federal share of expenditures for planning, administration, and services incurred by it under a State plan approved in accordance with section 101, there shall be disregarded (1) any portion of such expenditures which are financed by Federal funds provided under any other provision of law, and (2) the amount of any non-Federal funds required to be expended as a condition of receipt of such Federal funds. No payment may be made from funds provided under one provision of this Act relating to any cost with respect to which any payment is made under any other provision of this Act.

Infra.

Prohibition.

TITLE I—VOCATIONAL REHABILITATION SERVICES

PART A—GENERAL PROVISIONS

DECLARATION OF PURPOSE; AUTHORIZATION OF APPROPRIATIONS

SEC. 100. (a) The purpose of this title is to authorize grants to assist States to meet the current and future needs of handicapped individuals, so that such individuals may prepare for and engage in gainful employment to the extent of their capabilities.

Federal grants.

(b) (1) For the purpose of making grants to States under part B of this title to assist them in meeting costs of vocational rehabilitation services provided in accordance with State plans under section 101, there is authorized to be appropriated $650,000,000 for the fiscal year ending June 30, 1974, and $680,000,000 for the fiscal year ending June 30, 1975.

(2) For the purpose of carrying out part C of this title (relating to grants to States and public and nonprofit agencies to assist them in meeting the cost of projects to initiate or expand services to handicapped individuals, especially those with the most severe handicaps) and part D of this title (relating to the study of comprehensive service needs of individuals with the most severe handicaps), there is authorized to be appropriated $37,000,000 for the fiscal year ending June 30, 1974, and $39,000,000 for the fiscal year ending June 30, 1975, and there is further authorized to be appropriated for such purposes for each such year such additional sums as the Congress may determine to be necessary. Of the sums appropriated under this paragraph for each such fiscal year, $1,000,000 in each such year shall be available only for the purpose of carrying out Part D of this title.

STATE PLANS

SEC. 101. (a) For each fiscal year in which a State desires to participate in programs under this title, a State shall submit to the Secretary for his approval an annual plan for vocational rehabilitation services which shall—

State agency for plan administration, designation.

(1) (A) designate a State agency as the sole State agency to administer the plan, or to supervise its administration by a local agency, except that (i) where under the State's law the State agency for the blind or other agency which provides assistance or services to the adult blind, is authorized to provide vocational rehabilitation services to such individuals, such agency may be designated as the sole State agency to administer the part of the plan under which vocational rehabilitation services are provided for the blind (or to supervise the administration of such part by

a local agency) and a separate State agency may be designated as the sole State agency with respect to the rest of the State plan, and (ii) the Secretary, upon the request of a State, may authorize such agency to share funding and administrative responsibility with another agency of the State or with a local agency in order to permit such agencies to carry out a joint program to provide services to handicapped individuals, and may waive compliance with respect to vocational rehabilitation services furnished under such programs with the requirement of clause (4) of this subsection that the plan be in effect in all political subdivisions of that State;

Waiver authority.

(B) provide that the State agency so designated to administer or supervise the administration of the State plan, or (if there are two State agencies designated under subclause (A) of this clause) to supervise or administer the part of the State plan that does not relate to services for the blind, shall be (i) a State agency primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of handicapped individuals, (ii) the State agency administering or supervising the administration of education or vocational education in the State, or (iii) a State agency which includes at least two other major organizational units each of which administers one or more of the major public education, public health, public welfare, or labor programs of the State;

(2) provide, except in the case of agencies described in clause (1)(B)(i)—

State rehabilitation bureau, director, staff.

(A) that the State agency designated pursuant to paragraph (1) (or each State agency if two are so designated) shall include a vocational rehabilitation bureau, division, or other organizational unit which (i) is primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of handicapped individuals, and is responsible for the vocational rehabilitation program of such State agency, (ii) has a full-time director, and (iii) has a staff employed on such rehabilitation work of such organizational unit all or substantially all of whom are employed full time on such work; and

(B)(i) that such unit shall be located at an organizational level and shall have an organizational status within such State agency comparable to that of other major organizational units of such agency, or (ii) in the case of an agency described in clause (1)(B)(ii), either that such unit shall be so located and have such status, or that the director of such unit shall be the executive officer of such State agency; except that, in the case of a State which has designated only one State agency pursuant to clause (1) of this subsection, such State may, if it so desires, assign responsibility for the part of the plan under which vocational rehabilitation services are provided for the blind to one organizational unit of such agency, and assign responsibility for the rest of the plan to another organizational unit of such agency, with the provisions of this clause applying separately to each of such units;

State financial participation.

(3) provide for financial participation by the State, or if the State so elects, by the State and local agencies to meet the amount of the non-Federal share;

Political subdivisions, participation, waiver.

(4) provide that the plan shall be in effect in all political subdivisions, except that in the case of any activity which, in the judgment of the Secretary, is likely to assist in promoting the vocational rehabilitation of substantially larger numbers of handi-

capped individuals or groups of handicapped individuals the Secretary may waive compliance with the requirement herein that the plan be in effect in all political subdivisions of the State to the extent and for such period as may be provided in accordance with regulations prescribed by him, but only if the non-Federal share of the cost of such vocational rehabilitation services is met from funds made available by a local agency (including, to the extent permitted by such regulations, funds contributed to such agency by a private agency, organization, or individual);

(5) (A) contain the plans, policies, and methods to be followed in carrying out the State plan and in its administration and supervision, including a description of the method to be used to expand and improve services to handicapped individuals with the most severe handicaps; and, in the event that vocational rehabilitation services cannot be provided to all eligible handicapped individuals who apply for such services, show (i) the order to be followed in selecting individuals to whom vocational rehabilitation services will be provided, and (ii) the outcomes and service goals, and the time within which they may be achieved, for the rehabilitation of such individuals, which order of selection for the provision of vocational rehabilitation services shall be determined on the basis of serving first those individuals with the most severe handicaps and shall be consistent with priorities in such order of selection so determined, and outcome and service goals for serving handicapped individuals, established in regulations prescribed by the Secretary; and

(B) provide satisfactory assurances to the Secretary that the State has studied and considered a broad variety of means for providing services to individuals with the most severe handicaps;

(6) provide for such methods of administration, other than methods relating to the establishment and maintenance of personnel standards, as are found by the Secretary to be necessary for the proper and efficient administration of the plan;

(7) contain (A) provisions relating to the establishment and maintenance of personnel standards, which are consistent with any State licensure laws and regulations, including provisions relating to the tenure, selection, appointment, and qualifications of personnel, and (B) provisions relating to the establishment and maintenance of minimum standards governing the facilities and personnel utilized in the provision of vocational rehabilitation services, but the Secretary shall exercise no authority with respect to the selection, method of selection, tenure of office, or compensation of any individual employed in accordance with such provision;

(8) provide, at a minimum, for the provision of the vocational rehabilitation services specified in clauses (1) through (3) of subsection (a) of section 103, and the remainder of such services specified in such section after full consideration of eligibility for similar benefits under any other program, except that, in the case of the vocational rehabilitation services specified in clauses (4) and (5) of subsection (a) of such section, such consideration shall not be required where it would delay the provision of such services to any individual;

(9) provide that (A) an individualized written rehabilitation program meeting the requirements of section 102 will be developed for each handicapped individual eligible for vocational rehabilitation services under this Act, (B) such services will be

Individualized written rehabilitation program.

provided under the plan in accordance with such program, and (C) records of the characteristics of each applicant will be kept specifying, as to those individuals who apply for services under this title and are determined not to be eligible therefor, the reasons for such determinations;

Reports.

(10) provide that the State agency will make such reports in such form, containing such information (including the data described in subclause (C) of clause (9) of this subsection, periodic estimates of the population of handicapped individuals eligible for services under this Act in such State, specifications of the number of such individuals who will be served with funds provided under this Act and the outcomes and service goals to be achieved for such individuals in each priority category specified in accordance with clause (5) of this subsection, and the service costs for each such category), and at such time as the Secretary may require to carry out his functions under this title, and comply with such provisions as he may find necessary to assure the correctness and verification of such reports;

Intergovernmental cooperation.

(11) provide for entering into cooperative arrangements with, and the utilization of the services and facilities of, the State agencies administering the State's public assistance programs, other programs for handicapped individuals, veterans programs, manpower programs, and public employment offices, and the Social Security Administration of the Department of Health, Education, and Welfare, the Veterans' Administration, and other Federal, State, and local public agencies providing services related to the rehabilitation of handicapped individuals;

Community resources, utilization.

(12) provide satisfactory assurances to the Secretary that, in the provision of vocational rehabilitation services, maximum utilization shall be made of public or other vocational or technical training facilities or other appropriate resources in the community;

Disabled Federal employees.

(13) (A) provide that vocational rehabilitation services provided under the State plan shall be available to any civil employee of the United States disabled while in the performance of his duty on the same terms and conditions as apply to other persons, and

Disabled public safety officers.

(B) provide that special consideration will be given to the rehabilitation under this Act of a handicapped individual whose handicapping condition arises from a disability sustained in the line of duty while such individual was performing as a public safety officer and the proximate cause of such disability was a criminal act, apparent criminal act, or a hazardous condition resulting directly from the officer's performance of duties in direct connection with the enforcement, execution, and administration of law or fire prevention, firefighting, or related public safety activities;

Residence requirement, prohibition.

(14) provide that no residence requirement will be imposed which excludes from services under the plan any individual who is present in the State;

Continuing studies.

(15) provide for continuing statewide studies of the needs of handicapped individuals and how these needs may be most effectively met (including the State's needs for rehabilitation facilities) with a view toward the relative need for services to significant segments of the population of handicapped individuals and the need for expansion of services to those individuals with the most severe handicaps;

(16) provide for (A) periodic review and reevaluation of the status of handicapped individuals placed in extended employment in rehabilitation facilities (including workshops) to determine the feasibility of their employment, or training for employment, in the competitive labor market, and (B) maximum efforts to place such individuals in such employment or training whenever it is determined to be feasible; Employment review and reevaluation.

(17) provide that where such State plan includes provisions for the construction of rehabilitation facilities— State facilities, construction costs, Federal share.

(A) the Federal share of the cost of construction thereof for a fiscal year will not exceed an amount equal to 10 per centum of the State's allotment for such year,

(B) the provisions of section 306 shall be applicable to such construction and such provisions shall be deemed to apply to such construction, and *Post*, p. 384.

(C) there shall be compliance with regulations the Secretary shall prescribe designed to assure that no State will reduce its efforts in providing other vocational rehabilitation services (other than for the establishment of rehabilitation facilities) because its plan includes such provisions for construction;

(18) provide satisfactory assurances to the Secretary that the State agency designated pursuant to clause (1) (or each State agency if two are so designated) and any sole local agency administering the plan in a political subdivision of the State will take into account, in connection with matters of general policy arising in the administration of the plan, the views of individuals and groups thereof who are recipients of vocational rehabilitation services (or, in appropriate cases, their parents or guardians), working in the field of vocational rehabilitation, and providers of vocational rehabilitation services; and Policy planning, trainee participation.

(19) provide satisfactory assurances to the Secretary that the continuing studies required under clause (15) of this subsection, as well as an annual evaluation of the effectiveness of the program in meeting the goals and priorities set forth in the plan, will form the basis for the submission, from time to time as the Secretary may require, of appropriate amendments to the plan.

(b) The Secretary shall approve any plan which he finds fulfills the conditions specified in subsection (a) of this section, and he shall disapprove any plan which does not fulfill such conditions. Prior to such disapproval, the Secretary shall notify a State of his intention to disapprove its plan, and he shall afford such State reasonable notice and opportunity for hearing. Plan disapproval, hearing opportunity.

(c) Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of the State plan approved under this section, finds that— Noncompliance, payment limitation.

(1) the plan has been so changed that it no longer complies with the requirements of subsection (a) of this section; or

(2) in the administration of the plan there is a failure to comply substantially with any provision of such plan,

the Secretary shall notify such State agency that no further payments will be made to the State under this title (or, in his discretion, that such further payments will be reduced, in accordance with regulations the Secretary shall prescribe, or that further payments will not be made to the State only for the projects under the parts of the State plan affected by such failure), until he is satisfied there is no longer

any such failure. Until he is so satisfied, the Secretary shall make no further payments to such State under this title (or shall limit payments to projects under those parts of the State plan in which there is no such failure).

Judicial review.

(d) If any State is dissatisfied with the Secretary's action under subsection (b) or (c) of this section, such State may appeal to the United States district court for the district where the capital of such State is located and judicial review of such action shall be on the record in accordance with the provisions of chapter 7 of title 5, United States Code.

5 USC 701.

INDIVIDUALIZED WRITTEN REHABILITATION PROGRAM

SEC. 102. (a) The Secretary shall insure that the individualized written rehabilitation program required by section 101(a)(9) in the case of each handicapped individual is developed jointly by the vocational rehabilitation counselor or coordinator and the handicapped individual (or, in appropriate cases, his parents or guardians), and that such program meets the requirements set forth in subsection (b) of this section. Such written program shall set forth the terms and conditions, as well as the rights and remedies, under which goods and services will be provided to the individual.

Annual review.

(b) Each individualized written rehabilitation program shall be reviewed on an annual basis at which time each such individual (or, in appropriate cases, his parents or guardians) will be afforded an opportunity to review such program and jointly redevelop its terms. Such program shall include, but not be limited to (1) a statement of long-range rehabilitation goals for the individual and intermediate rehabilitation objectives related to the attainment of such goals, (2) a statement of the specific vocational rehabilitation services to be provided, (3) the projected date for the initiation and the anticipated duration of each such service, (4) objective criteria and an evaluation procedure and schedule for determining whether such objectives and goals are being achieved, and, (5) where appropriate, a detailed explanation of the availability of a client assistance project established in such area pursuant to section 112.

Ineligibility.

(c) The Secretary shall also insure that (1) in developing and carrying out individualized written rehabilitation program required by section 101 in the case of each handicapped individual primary emphasis is placed upon the determination and achievement of a vocational goal for such individual, (2) a decision that such an individual is not capable of achieving such a goal and thus not eligible for vocational rehabilitation services provided with assistance under this part, is made only in full consultation with such individual (or, in appropriate cases, his parents or guardians), and only upon the certification, as an amendment to such written program, that the evaluation of rehabilitation potential has demonstrated beyond any reasonable doubt that such individual is not then capable of achieving such a goal, and (3) any such decision shall be reviewed at least annually in accordance with the procedure and criteria established in this section.

SCOPE OF VOCATIONAL REHABILITATION SERVICES

SEC. 103. (a) Vocational rehabilitation services provided under this Act are any goods or services necessary to render a handicapped individual employable, including, but not limited to, the following:

(1) evaluation of rehabilitation potential, including diagnostic and related services, incidental to the determination of eligibility for, and the nature and scope of, services to be provided, including,

where appropriate, examination by a physician skilled in the diagnosis and treatment of emotional disorders, or by a licensed psychologist in accordance with State laws and regulations, or both;

(2) counseling, guidance, referral, and placement services for handicapped individuals, including followup, follow-along, and other postemployment services necessary to assist such individuals to maintain their employment and services designed to help handicapped individuals secure needed services from other agencies, where such services are not available under this Act;

(3) vocational and other training services for handicapped individuals, which shall include personal and vocational adjustment, books, and other training materials, and services to the families of such individuals as are necessary to the adjustment or rehabilitation of such individuals: *Provided*, That no training services in institutions of higher education shall be paid for with funds under this title unless maximum efforts have been made to secure grant assistance, in whole or in part, from other sources to pay for such training;

(4) physical and mental restoration services, including, but not limited to, (A) corrective surgery or therapeutic treatment necessary to correct or substantially modify a physical or mental condition which is stable or slowly progressive and constitutes a substantial handicap to employment, but is of such nature that such correction or modification may reasonably be expected to eliminate or substantially reduce the handicap within a reasonable length of time, (B) necessary hospitalization in connection with surgery or treatment, (C) prosthetic and orthotic devices, (D) eyeglasses and visual services as prescribed by a physician skilled in the diseases of the eye or by an optometrist, whichever the individual may select, (E) special services (including transplantation and dialysis), artificial kidneys, and supplies necessary for the treatment of individuals suffering from end-stage renal disease, and (F) diagnosis and treatment for mental and emotional disorders by a physician or licensed psychologist in accordance with State licensure laws;

(5) maintenance, not exceeding the estimated cost of subsistence, during rehabilitation;

(6) interpreter services for deaf individuals, and reader services for those individuals determined to be blind after an examination by a physician skilled in the diseases of the eye or by an optometrist, whichever the individual may select;

(7) recruitment and training services for handicapped individuals to provide them with new employment opportunities in the fields of rehabilitation, health, welfare, public safety, and law enforcement, and other appropriate service employment;

(8) rehabilitation teaching services and orientation and mobility services for the blind;

(9) occupational licenses, tools, equipment, and initial stocks and supplies;

(10) transportation in connection with the rendering of any vocational rehabilitation service; and

(11) telecommunications, sensory, and other technological aids and devices.

(b) Vocational rehabilitation services, when provided for the benefit of groups of individuals, may also include the following:

(1) in the case of any type of small business operated by individuals with the most severe handicaps the operation of which

can be improved by management services and supervision provided by the State agency, the provision of such services and supervision, along or together with the acquisition by the State agency of vending facilities or other equipment and initial stocks and supplies; and

(2) the construction or establishment of public or nonprofit rehabilitation facilities and the provision of other facilities and services which promise to contribute substantially to the rehabilitation of a group of individuals but which are not related directly to the individualized rehabilitation written program of any one handicapped individual.

NON-FEDERAL SHARE FOR CONSTRUCTION

SEC. 104. For the purpose of determining the amount of payments to States for carrying out part B of this title, the non-Federal share, subject to such limitations and conditions as may be prescribed in regulations by the Secretary, shall include contributions of funds made by any private agency, organization, or individual to a State or local agency to assist in meeting the costs of construction or establishment of a public or nonprofit rehabilitation facility, which would be regarded as State or local funds except for the condition, imposed by the contributor, limiting use of such funds to construction or establishment of such facility.

PART B—BASIC VOCATIONAL REHABILITATION SERVICES

STATE ALLOTMENTS

SEC. 110. (a) For each fiscal year, each State shall be entitled to an allotment of an amount bearing the same ratio to the amount authorized to be appropriated under subsection (b)(1) of section 100 for allotment under this section as the product of (1) the population of the State and (2) the square of its allotment percentage bears to the sum of the corresponding products for all the States. The allotment to any State (other than Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands) under the first sentence of this subsection for any fiscal year which is less than one-quarter of 1 per centum of the amount appropriated under subsection (b)(1) of section 100, or $2,000,000, whichever is greater, shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments to each of the remaining such States under the first sentence of this subsection, but with such adjustments as may be necessary to prevent the allotment of any such remaining States from being thereby reduced to less than that amount.

Additional payments.

79 Stat. 1282. 29 USC 32.

(b) If the payment to a State under section 111(a) for a fiscal year is less than the total payments such State received under section 2 of the Vocational Rehabilitation Act for the fiscal year ending June 30, 1973, such State shall be entitled to an additional payment (subject to the same terms and conditions applicable to other payments under this part) equal to the difference between such payment under section 111(a) and the amount so received by it. Payments attributable to the additional payment to a State under this subsection shall be made only from appropriations specifically made to carry out this subsection, and such additional appropriations are hereby authorized.

Unused funds, distribution.

(c) Whenever the Secretary determines, after reasonable opportunity for the submission to him of comments by the State agency administering or supervising the program established under this title, that any payment of an allotment to a State under section 111(a) for

any fiscal year will not be utilized by such State in carrying out the purposes of this title, he shall make such amount available for carrying out the purposes of this title to one or more other States to the extent he determines such other State will be able to use such additional amount during such year for carrying out such purposes. Any amount made available to a State for any fiscal year pursuant to the preceding sentence shall, for the purposes of this part, be regarded as an increase of such State's allotment (as determined under the peceding provisions of this section) for such year.

PAYMENTS TO STATES

SEC. 111. (a) From each State's allotment under this part for any fiscal year (including any additional payment to it under section 110 (b)), the Secretary shall pay to such State an amount equal to the Federal share of the cost of vocational rehabilitation services under the plan for such State approved under section 101, including expenditures for the administration of the State plan, except that the total of such payments to such State for such fiscal year may not exceed its allotment under subsection (a) (and its additional payment under subsection (b), if any) of section 110 for such year and such payments shall not be made in an amount which would result in a violation of the provisions of the State plan required by clause (17) of section 101(a), and except that the amount otherwise payable to such State for such year under this section shall be reduced by the amount (if any) by which expenditures from non-Federal sources during such year under this title are less than expenditures under the State plan for the fiscal year ending June 30, 1972, under the Vocational Rehabilitation Act.

68 Stat. 652.
29 USC 31 note.

(b) The method of computing and paying amounts pursuant to subsection (a) shall be as follows:

(1) The Secretary shall, prior to the beginning of each calendar quarter or other period prescribed by him, estimate the amount to be paid to each State under the provisions of such subsection for such period, such estimate to be based on such records of the State and information furnished by it, and such other investigation, as the Secretary may find necessary.

(2) The Secretary shall pay, from the allotment available therefor, the amount so estimated by him for such period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which he finds that his estimate of the amount to be paid the State for any prior period under such subsection was greater or less than the amount which should have been paid to the State for such prior period under such subsection. Such payment shall be made prior to audit or settlement by the General Accounting Office, shall be made through the disbursing facilities of the Treasury Department, and shall be made in such installments as the Secretary may determine.

CLIENT ASSISTANCE

SEC. 112. (a) From funds appropriated under section 304 for special projects and demonstrations in excess of an amount equal to the amount obligated for expenditure for carrying out such projects and demonstrations from appropriations under the Vocational Rehabilitation Act in the fiscal year ending June 30, 1973, the Secretary shall set aside up to $1,500,000, but no less than $500,000 for the fiscal year ending June 30, 1974, and up to $2,500,000 but no less than $1,000,000 for the fiscal year ending June 30, 1975, to establish in no less than 7

Pilot projects.
Post, p. 381.

nor more than 20 geographically dispersed regions client assistance pilot projects (hereinafter in this section referred to as "projects") to provide counselors to inform and advise all clients and client applicants in the project area of all available benefits under this Act and, upon request of such client or client applicant, to assist such clients or applicants in their relationships with projects, programs, and facilities providing services to them under this Act.

Regulations, requirements.

(b) The Secretary shall prescribe regulations which shall include the following requirements:

(1) No employees of such projects shall be presently serving as staff or consultants or receiving benefits of any kind directly or indirectly from any rehabilitation project, program, or facility receiving assistance under this Act in the project area.

(2) Each project shall be afforded reasonable access to policymaking and administrative personnel in State and local rehabilitation programs, projects, and facilities.

Annual reports, submittal to congressional committees.
Ante, p. 363.

(3) The project shall submit an annual report, through the State agency designated pursuant to section 101, to the Secretary on the operation of the project during the previous year, including a summary of the work done and a uniform statistical tabulation of all cases handled by such project. A copy of each such report shall be submitted to the appropriate committees of the Congress by the Secretary, together with a summary of such reports and his evaluation of such projects, including appropriate recommendations.

Graduate student services.

(4) Each State agency may enter into cooperative arrangements with institutions of higher education to secure the services in such projects of graduate students who are undergoing clinical training activities in related fields. No compensation with funds appropriated under this Act shall be provided to such students.

(5) Reasonable assurance shall be given by the appropriate State agency that all clients or client applicants within the project area shall have the opportunity to receive adequate service under the project and shall not be pressured against or otherwise discouraged from availing themselves of the services available under such project.

(6) The project shall be funded, administered, and operated directly by and with the concurrence of the State agency designated pursuant to section 101.

PART C—INNOVATION AND EXPANSION GRANTS

STATE ALLOTMENTS

Ante, p. 363.

SEC. 120. (a)(1) From the sums available pursuant to section 100 (b)(2) for any fiscal year for grants to States to assist them in meeting the costs described in section 121, each State shall be entitled to an allotment of an amount bearing the same ratio to such sums as the population of the State bears to the population of all the States. The allotment to any State under the preceding sentence for any fiscal year which is less than $50,000 shall be increased to that amount, and for the fiscal year ending June 30, 1974, no State shall receive less than the amount necessary to cover up to 90 per centum of the cost of continuing projects assisted under section 4(a)(2)(A) of the Vocational Rehabilitation Act, except that no such project may receive financial assistance under both the Vocational Rehabilitation Act and this Act for a total period of time in excess of three years. The total of the increase required by the preceding sentence shall be derived by propor-

82 Stat. 299.
29 USC 34.

tionately reducing the allotments to each of the remaining States under the first sentence of this section, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from thereby being reduced to less than $50,000.

Unused funds, redistribution.

(b) Whenever the Secretary determines that any amount of an allotment to a State for any fiscal year will not be utilized by such State in carrying out the purposes of this section, he shall make such amount available for carrying out the purposes of this section to one or more other States which he determines will be able to use additional amounts during such year for carrying out such purposes. Any amount made available to a State for any fiscal year pursuant to the preceding sentence shall, for purposes of this part, be regarded as an increase of such State's allotment (as determined under the preceding provisions of this section) for such year.

PAYMENTS TO STATES

SEC. 121. (a) From each State's allotment under this part for any fiscal year, the Secretary shall pay to such State or, at the option of the State agency designated pursuant to section 101(a)(1), to a public or nonprofit organization or agency, a portion of the cost of planning, preparing for, and initiating special programs under the State plan approved pursuant to section 101 to expand vocational rehabilitation services, including programs to initiate or expand such services to individuals with the most severe handicaps, or of special programs under such State plan to initiate or expand services to classes of handicapped individuals who have unusual and difficult problems in connection with their rehabilitation, particularly handicapped individuals who are poor, and responsibility for whose treatment, education, and rehabilitation is shared by the State agency designated in section 101 with other agencies. The Secretary may require that any portion of a State's allotment under this section, but not more than 50 per centum of such allotment, may be expended in connection with only such projects as have first been approved by the Secretary. Any grant of funds under this section which will be used for direct services to handicapped individuals or for establishing or maintaining facilities which will render direct services to such individuals must have the prior approval of the appropriate State agency designated pursuant to section 101.

Ante, p. 363.

(b) Payments under this section with respect to any project may be made for a period of not to exceed three years beginning with the commencement of the project as approved, and sums appropriated for grants under this section shall remain available for such grants through the fiscal year ending June 30, 1976. Payments with respect to any project may not exceed 90 per centum of the cost of such project. The non-Federal share of the cost of a project may be in cash or in kind and may include funds spent for project purposes by a cooperating public or nonprofit agency provided that it is not included as a cost in any other federally financed program.

(c) Payments under this section may be made in advance or by way of reimbursement for services performed and purchases made, as may be determined by the Secretary, and shall be made on such conditions as the Secretary finds necessary to carry out the purposes of this section.

PART D—COMPREHENSIVE SERVICE NEEDS

SPECIAL STUDY

SEC. 130. (a) The Secretary shall conduct a comprehensive study, including research and demonstration projects of the feasibility of methods designed (1) to prepare individuals with the most severe handicaps for entry into programs under this Act who would not otherwise be eligible to enter such programs due to the severity of their handicap, and (2) to assist individuals with the most severe handicaps who, due to the severity of their handicaps or other factors such as their age, cannot reasonably be expected to be rehabilitated for employment but for whom a program of rehabilitation could improve their ability to live independently or function normally within their family and community. Such study shall encompass the extent to which other programs administered by the Secretary do or might contribute to the objectives set forth in clauses (1) and (2) of the preceding sentence and the methods by which all such programs can be coordinated at Federal, State, and local levels with those carried out under this Act to the end that individuals with the most severe handicaps are assured of receiving the kinds of assistance necessary for them to achieve such objectives.

Report to Congress and President.

(b) The Secretary shall report the findings of the study, research, and demonstrations directed by subsection (a) of this section to the Congress and to the President together with such recommendations for legislative or other action as he may find desirable, not later than February 1, 1975.

TITLE II—RESEARCH AND TRAINING

DECLARATION OF PURPOSE

SEC. 200. The purpose of this title is to authorize Federal assistance to State and public or nonprofit agencies and organizations to—

(a) plan and conduct research, demonstrations, and related activities in the rehabilitation of handicapped individuals, and

(b) plan and conduct courses of training and related activities designed to provide increased numbers of trained rehabilitation personnel, to increase the levels of skills of such personnel, and to develop improved methods of providing such training.

AUTHORIZATION OF APPROPRIATIONS

SEC. 201. (a) In order to make grants and contracts to carry out the purposes of this title, there is authorized to be appropriated:

(1) For the purpose of carrying out section 202 of this title, $25,000,000 each for the fiscal years ending June 30, 1974, and June 30, 1975; and there is further authorized to be appropriated for such purpose for each such year such additional sums as the Congress may determine to be necessary. Of the sums appropriated under this paragraph, 20 per centum, and 25 per centum of the amounts appropriated in the first and second such fiscal years, respectively, shall be available only for the purpose of carrying out activities under section 202(b)(2).

(2) For the purpose of carrying out section 203 of this title, there is authorized to be appropriated $27,700,000 each for the fiscal years ending June 30, 1974, and June 30, 1975; and there is further authorized to be appropriated for such purpose for each such year such additional sums as the Congress may determine to be necessary.

(b) Funds appropriated under this title shall remain available until expended.

RESEARCH

SEC. 202. (a) The Secretary, through the Commissioner, and in coordination with other appropriate programs in the Department of Health, Education, and Welfare, is authorized to make grants to and contracts with States and public or nonprofit agencies and organizations, including institutions of higher education, to pay part of the cost of projects for the purpose of planning and conducting research, demonstrations, and related activities which bear directly on the development of methods, procedures, and devices to assist in the provision of vocational rehabilitation services to handicapped individuals, especially those with the most severe handicaps, under this Act. Such projects may include medical and other scientific, technical, methodological, and other investigations into the nature of disability, methods of analyzing it, and restorative techniques; studies and analyses of industrial, vocational, social, psychological, economic, and other factors affecting rehabilitation of handicapped individuals; special problems of homebound and institutionalized individuals; studies and analyses of architectural and engineering design adapted to meet the special needs of handicapped individuals; and related activities which hold promise of increasing knowledge and improving methods in the rehabilitation of handicapped individuals and individuals with the most severe handicaps.

Federal grants.

(b) In addition to carrying out projects under subsection (a) of this section, the Secretary, through the Commissioner, and in coordination with other appropriate programs in the Department of Health, Education, and Welfare, is authorized to make grants to pay part or all of the cost of the following specialized research activities:

(1) Establishment and support of Rehabilitation Research and Training Centers to be operated in collaboration with institutions of higher education for the purpose of providing coordinated and advanced programs of research in rehabilitation and training of rehabilitation research personnel, including, but not limited to, graduate training. Grants may include funds for services rendered by such a center to handicapped individuals in connection with such research and training activities.

Rehabilitation Research and Training Centers, establishment.

(2) Establishment and support of Rehabilitation Engineering Research Centers to (A) develop innovative methods of applying advanced medical technology, scientific achievement, and psychological and social knowledge to solve rehabilitation problems through p'anning and conducting research, including cooperative research with public or private agencies and organizations, designed to produce new scientific knowledge, equipment, and devices suitable for solving problems in the rehabilitation of handicapped individuals and for reducing environmental barriers, and to (B) cooperate with State agencies designated pursuant to section 101 in developing systems of information exchange and coordination to promote the prompt utilization of engineering and other scientific research to assist in solving problems in the rehabilitation of handicapped individuals.

Rehabilitation Engineering Research Centers, establishment.

Ante, p. 363.

(3) Conduct of a program for spinal cord injury research, to include support of spinal cord injuries projects and demonstrations established pursuant to section 303(b), which will (A) insure dissemination of research findings among all such centers, (B) provide encouragement and support for initiatives and new approaches by individual and institutional investigators, and (C) establish and maintain close working relationships with other governmental and voluntary institutions and organizations engaged in similar efforts, in order to unify and coordinate scientific efforts, encourage joint planning, and promote the interchange of data and reports among spinal cord injury investigators.

Spinal cord injury research.

Post, p. 379.

End-stage renal disease research.

(4) Conduct a program for end-stage renal disease research, to include support of projects and demonstrations for providing special services (including transplantation and dialysis), artificial kidneys, and supplies necessary for the rehabilitation of individuals suffering from such disease and which will (A) insure dissemination of research findings, (B) provide encouragement and support for initiatives and new approaches by individual and institutional investigators, and (C) establish and maintain close working relationships with other governmental and voluntary institutions and organizations engaged in similar efforts, in order to unify and coordinate scientific efforts, encourage joint planning, and promote the interchange of data and reports among investigators in the field of end-stage renal disease. No person shall be selected to participate in such program who is eligible for services for such disease under any other provision of law.

International rehabilitation, research and development.

(5) Conduct of a program for international rehabilitation research, demonstration, and training for the purpose of developing new knowledge and methods in the rehabilitation of handicapped individuals in the United States, cooperating with and assisting in developing and sharing information found useful in other nations in the rehabilitation of handicapped individuals, and initiating a program to exchange experts and technical assistance in the field of rehabilitation of handicapped individuals with other nations as a means of increasing the levels of skill of rehabilitation personnel.

Post, p. 384.

(c) The provisions of section 306 shall apply to assistance provided under this section, unless the context indicates to the contrary.

TRAINING

Federal grants.

SEC. 203. (a) The Secretary, through the Commissioner, in coordination with other appropriate programs in the Department of Health, Education, and Welfare, is authorized to make grants to and contracts with States and public or nonprofit agencies and organizations, including institutions of higher education, to pay part of the cost of projects for training, traineeships, and related activities designed to assist in increasing the numbers of personnel trained in providing vocational services to handicapped individuals and in performing other functions necessary to the development of such services.

(b) In making such grants or contracts, funds made available for any year will be utilized to provide a balanced program of assistance to meet the medical, vocational, and other personnel training needs of both public and private rehabilitation programs and institutions, to include projects in rehabilitation medicine, rehabilitation nursing, rehabilitation counseling, rehabilitation social work, rehabilitation psychology, physical therapy, occupational therapy, speech pathology and audiology, workshop and facility administration, prosthetics and orthotics, specialized personnel in providing services to blind and deaf individuals, recreation for ill and handicapped individuals, and other fields contributing to the rehabilitation of handicapped individuals, including homebound and institutionalized individuals and handicapped individuals with limited English-speaking ability. No grant shall be made under this section for furnishing to an individual any one course of study extending for a period in excess of four years.

Limitation.

REPORTS

Post, p. 387.

SEC. 204. There shall be included in the annual report to the Congress required by section 404 a full report on the research and training activities carried out under this title and the extent to which such

research and training has contributed directly to the development of methods, procedures, devices, and trained personnel to assist in the provision of vocational rehabilitation services to handicapped individuals and those with the most severe handicaps under this Act.

TITLE III—SPECIAL FEDERAL RESPONSIBILITIES

DECLARATION OF PURPOSE

SEC. 300. The purpose of this title is to—

(1) authorize grants and contracts to assist in the construction and initial staffing of rehabilitation facilities;

(2) authorize grants and contracts to assist in the provision of vocational training services to handicapped individuals;

(3) authorize grants for special projects and demonstrations which hold promise of expanding or otherwise improving rehabilitation services to handicapped individuals, including individuals with spinal cord injuries, older blind individuals, and deaf individuals whose maximum vocational potential has not been reached, which experiment with new types of patterns of services or devices for the rehabilitation of handicapped individuals (including opportunities for new careers for handicapped individuals, and for other individuals in programs serving handicapped individuals) and which provide vocational rehabilitation services to handicapped migratory agricultural workers or seasonal farmworkers;

(4) establish and operate a National Center for Deaf-Blind Youths and Adults; and

(5) establish uniform grant and contract requirements for programs assisted under this title and certain other provisions of this Act.

GRANTS FOR CONSTRUCTION OF REHABILITATION FACILITIES

SEC. 301. (a) For the purpose of making grants and contracts under this section for construction of rehabilitation facilities, initial staffing, and planning assistance, there is authorized to be appropriated such sums as may be necessary for the fiscal years ending June 30, 1974, and June 30, 1975. Amounts so appropriated shall remain available for expenditure with respect to construction projects funded or initial staffing grants made under this section prior to July 1, 1977.

(b)(1) The Secretary is authorized to make grants to assist in meeting the costs of construction of public or nonprofit rehabilitation facilities. Such grants may be made to States and public or nonprofit organizations and agencies for projects for which applications are approved by the Secretary under this section.

(2) To be approved, an application for a grant for a construction project under this section must conform to the provisions of section 306.

(3) The amount of a grant under this section with respect to any construction project in any State shall be equal to the same percentage of the cost of such project as the Federal share which is applicable in the case of rehabilitation facilities (as defined in section 645(g) of the Public Health Service Act (42 U.S.C. 291o(a))), in such State, except that if the Federal share with respect to rehabilitation facilities in such State is determined pursuant to subparagraph (b)(2) of section 645 of such Act (42 U.S.C. 291o(b)(2)), the percentage of the cost for

78 Stat. 460; 84 Stat. 344.

84 Stat. 340.

purposes of this section shall be determined in accordance with regulations prescribed by the Secretary designed to achieve as nearly as practicable results comparable to the results obtained under such subparagraph.

Staffing grants.

(c) The Secretary is also authorized to make grants to assist in the initial staffing of any public or nonprofit rehabilitation facility constructed after the date of enactment of this section (whether or not such construction was financed with the aid of a grant under this section) by covering part of the costs (determined in accordance with regulations the Secretary shall prescribe) of compensation of professional or technical personnel of such facility during the period beginning with the commencement of the operation of such facility and ending with the close of four years and three months after the month in which such operation commenced. Such grants with respect to any facility may not exceed 75 per centum of such costs for the period ending with the close of the fifteenth month following the month in which such operation commenced, 60 per centum of such costs for the first year thereafter, 45 per centum of such costs for the second year thereafter, and 30 per centum of such costs for the third year thereafter.

Planning grants.

Ante, p. 363.

(d) The Secretary is also authorized to make grants upon application approved by the State agency designated under section 101 to administer the State plan, to public or nonprofit agencies, institutions, or organizations to assist them in meeting the cost of planning rehabilitation facilities and the services to be provided by such facilities.

VOCATIONAL TRAINING SERVICES FOR HANDICAPPED INDIVIDUALS

Appropriation.

SEC. 302. (a) For the purpose of making grants and contracts under this section, there is authorized to be appropriated such sums as may be necessary for the fiscal years ending June 30, 1974, and June 30, 1975.

Grants, authority.

(b)(1) The Secretary is authorized to make grants to States and public or nonprofit organizations and agencies to pay up to 90 per centum of the cost of projects for providing vocational training services to handicapped individuals, especially those with the most severe handicaps, in public or nonprofit rehabilitation facilities.

(2)(A) Vocational training services for purposes of this subsection shall include training with a view toward career advancement; training in occupational skills; related services, including work evaluation, work testing, provision of occupational tools and equipment required by the individual to engage in such training, and job tryouts; and payment of weekly allowances to individuals receiving such training and related services.

Individual allowances, limitations.

(B) Such allowances may not be paid to any individual for any period in excess of two years, and such allowances for any week shall not exceed $30 plus $10 for each of the individual's dependents, or $70, whichever is less. In determining the amount of such allowances for any individual, consideration shall be given to the individual's need for such an allowance, including any expenses reasonably attributable to receipt of training services, the extent to which such an allowance will help assure entry into and satisfactory completion of training, and such other factors, specified by the Secretary, as will promote such individual's capacity to engage in gainful and suitable employment.

Conditions.

(3) The Secretary may make a grant for a project pursuant to this subsection only on his determination that (A) the purpose of such project is to prepare handicapped individuals, especially those with the most severe handicaps, for gainful and suitable employment; (B) the individuals to receive training services under such project will include only those who have been determined to be suitable for and in

need of such training services by the State agency or agencies designated as provided in section 101(a)(1) of the State in which the rehabilitation facility is located; (C) the full range of training services will be made available to each such individual, to the extent of his need for such services; and (D) the project, including the participating rehabilitation facility and the training services provided, meet such other requirements as he may prescribe in regulations for carrying out the purposes of this subsection.

Ante, p. 363.

Operation grants.

(c)(1) The Secretary is authorized to make grants to public or nonprofit rehabilitation facilities, or to an organization or combination of such facilities, to pay the Federal share of the cost of projects to analyze, improve, and increase their professional services to handicapped individuals, their management effectiveness, or any other part of their operations affecting their capacity to provide employment and services for such individuals.

Prohibition.

(2) No part of any grant made pursuant to this subsection may be used to pay costs of acquiring, constructing, expanding, remodeling, or altering any building.

MORTGAGE INSURANCE FOR REHABILITATION FACILITIES

SEC. 303. (a) It is the purpose of this section to assist and encourage the provision of urgently needed facilities for programs for handicapped individuals.

Definitions.

(b) For the purpose of this section the terms "mortgagee", "maturity date", and "State" shall have the meanings respectively set forth in section 207 of the National Housing Act.

52 Stat. 16; 55 Stat. 62. 12 USC 1713.

(c) The Secretary, in consultation with the Secretary of Housing and Urban Development, and subject to the provisions of section 306, is authorized to insure up to 100 per centum of any mortgage (including advances on such mortgage during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and make commitments for insurance of such mortgage prior to the date of its execution or disbursement thereon, except that no mortgage of any public agency shall be insured under this section if the interest from such mortgage is exempt from Federal taxation.

Conditions.

(d) In order to carry out the purpose of this section, the Secretary is authorized to insure any mortgage which covers construction of a public or nonprofit rehabilitation facility, including equipment to be used in its operation, subject to the following conditions:

(1) The mortgage shall be executed by a mortgagor, approved by the Secretary, who demonstrates ability successfully to operate one or more programs for handicapped individuals. The Secretary may in his discretion require any such mortgagor to be regulated or restricted as to minimum charges and methods of financing, and, in addition thereto, if the mortgagor is a corporate entity, as to capital structure and rate of return. As an aid to the regulation or restriction of any mortgagor with respect to any of the foregoing matters, the Secretary may make such contracts with and acquire for not to exceed $100 such stock of interest in, such mortgagor as he may deem necessary. Any stock or interest so purchased shall be paid for out of the Rehabilitation Facilities Insurance Fund (established by subsection (h) of this section), and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Secretary under the insurance.

(2) The mortgage shall involve a principal obligation in an amount not to exceed 90 per centum of the estimated replacement cost of the property or project, including equipment to be used in the operation of the rehabilitation facility, when the proposed improvements are completed and the equipment is installed, but not including any cost covered by grants in aid under this Act or any other Federal Act.

(3) The mortgage shall—

(A) provide for complete amortization by periodic payments within such term as the Secretary shall prescribe, and

(B) bear interest (exclusive of premium charges for insurance and service charges, if any) at not to exceed such per centum per annum on the principal obligation outstanding at any time as the Secretary finds necessary to meet the mortgage market.

Premium and appraisal charges.

(e) The Secretary shall fix and collect premium charges for the insurance of mortgages under this section which shall be payable annually in advance by the mortgagee, either in cash or in debentures of the Rehabilitation Facilities Insurance Fund (established by subsection (h) of this section) issued at par plus accrued interest. In the case of any mortgage such charge shall be not less than an amount equivalent to one-fourth of 1 per centum per annum nor more than an amount equivalent to 1 per centum per annum of the amount of the principal obligation of the mortgage outstanding at any one time, without taking into account delinquent payments or prepayments. In addition to the premium charge herein provided for, the Secretary is authorized to charge and collect such amounts as he may deem reasonable for the appraisal of a property or project during construction, but such charges for appraisal and inspection shall not aggregate more than 1 per centum of the original principal face amount of the mortgage.

(f) The Secretary may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he shall by regulation prescribe.

(g)(1) The Secretary shall have the same functions, powers, and duties (insofar as applicable) with respect to the insurance of mortgages under this section as the Secretary of Housing and Urban Development has with respect to the insurance of mortgages under title II of the National Housing Act. The Secretary may, pursuant to a formal delegation agreement containing regulations prescribed by him, delegate to the Secretary of Housing and Urban Development authority to administer this section in accordance with such delegation agreement.

52 Stat. 9; 84 Stat. 458. 12 USC 1707.

(2) The provisions of subsections (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 of the National Housing Act shall apply to mortgages insured under this section; except that, for the purposes of their application with respect to such mortgages, all references in such provisions to the General Insurance Fund shall be deemed to refer to the Rehabilitation Facilities Insurance Fund (established by subsection (h) of this section) and all references in such provisions to "Secretary" shall be deemed to refer to the Secretary of Health, Education, and Welfare.

52 Stat. 16. 12 USC 1713.

Rehabilitation Facilities Insurance Fund. Establishment.

(h)(1) There is hereby created a Rehabilitation Facilities Insurance Fund which shall be used by the Commissioner as a revolving fund for carrying out all the insurance provisions of this section. All mortgages insured under this section shall be insured under and be the obligation of the Rehabilitation Facilities Insurance Fund.

(2) The general expenses of the operations of the Rehabilitation Services Administration relating to mortgages insured under this section may be charged to the Rehabilitation Facilities Insurance Fund.

(3) Moneys in the Rehabilitation Facilities Insurance Fund not needed for the current operations of the Rehabilitation Services Administration with respect to mortgages insured under this section shall be deposited with the Treasurer of the United States to the credit of such fund, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Commissioner may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued as obligations of the Rehabilitation Facilities Insurance Fund. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued.

Unused funds.

Debentures, purchase authority.

(4) Premium charges, adjusted premium charges, and appraisals and other fees received on account of the insurance of any mortgage under this section, the receipts derived from property covered by such mortgages and from any claims, debts, contracts, property, and security assigned to the Secretary in connection therewith, and all earnings as the assets of the fund, shall be credited to the Rehabilitation Facilities Insurance Fund. The principal of, and interest paid and to be paid on, debentures which are the obligation of such fund, cash insurance payments, and adjustments, and expense incurred in the handling, management, renovation, and disposal of properties acquired, in connection with mortgages insured under this section, shall be charged to such fund.

(5) There are authorized to be appropriated to provide initial capital for the Rehabilitation Facilities Insurance Fund, and to assure the soundness of such fund thereafter, such sums as may be necessary, except that the total amount of outstanding mortgages insured shall not exceed $200,000,000.

Appropriation.

SPECIAL PROJECTS AND DEMONSTRATIONS

SEC. 304. (a)(1) For the purpose of making grants under this section for special projects and demonstrations (and research and evaluation connected therewith), there is authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1974, and $17,000,000 for the fiscal year ending June 30, 1975; and there is further authorized to be appropriated for such purposes for each such year such additional sums as the Congress may determine to be necessary.

Appropriations.

(2) Of the amounts appropriated pursuant to paragraph (1) of this subsection, 5 per centum in each such fiscal year shall be available only for the purpose of making grants under subsection (c) of this section, and there is authorized to be appropriated in each such fiscal year such additional amount as may be necessary to equal, when added to the amount made available for the purpose of making grants under such subsection an amount of $5,000,000 to be available for each such fiscal year.

(b) The Secretary, subject to the provisions of section 306, shall make grants to States and public or nonprofit agencies and organizations for paying part or all of the cost of special projects and demonstrations (and research and evaluation in connection therewith) (1) for establishing programs and facilities for providing vocational rehabilitation services which hold promise of expanding or otherwise

improving rehabilitation services to handicapped individuals (especially those with the most severe handicaps) including individuals with spinal cord injuries, older blind individuals, and deaf individuals, whose maximum vocational potential has not been reached, and (2) for applying new types or patterns of services or devices (including opportunities for new careers for handicapped individuals for other individuals in programs servicing handicapped individuals). Projects and demonstrations providing services to individuals with spinal cord injuries shall include provisions to—

(A) establish, on an appropriate regional basis, a multidisciplinary system of providing vocational and other rehabilitation services, specifically designed to meet the special needs of individuals with spinal cord injuries, including acute care as well as periodic inpatient or outpatient followup and services;

(B) demonstrate and evaluate the benefits to individuals with spinal cord injuries served in, and the degree of cost effectiveness of, such a regional system;

(C) demonstrate and evaluate existing, new, and improved methods and equipment essential to the care, management, and rehabilitation of individuals with spinal cord injuries; and

(D) demonstrate and evaluate methods of community outreach for individuals with spinal cord injuries and community education in connection with the problems of such individuals in areas such as housing, transportation, recreation, employment, and community activities.

Handicapped migratory agricultural workers and seasonal farmworkers.
Ante, p. 363.

(c) The Secretary, subject to the provisions of section 306, is authorized to make grants to any State agency designated pursuant to a State plan approved under section 101, or to any local agency participating in the administration of such a plan, to pay up to 90 per centum of the cost of projects or demonstrations for the provision of vocational rehabilitation services to handicapped individuals, as determined in accordance with rules prescribed by the Secretary of Labor, are migratory agricultural workers or seasonal farmworkers, and to members of their families (whether or not handicapped) who are with them, including maintenance and transportation of such individuals and members of their families where necessary to the rehabilitation of such individuals. Maintenance payments under this section shall be consistent with any maintenance payments made to other handicapped individuals in the State under this Act. Such grants shall be conditioned upon satisfactory assurance that in the provision of such services there will be appropriate cooperation between the grantee and other public or nonprofit agencies and organizations having special skills and experience in the provision of services to migratory agricultural workers, seasonal farmworkers, or their families. This subsection shall be administered in coordination with other programs serving migrant agricultural workers and seasonal farmworkers, including programs under title I of the Elementary and Secondary Education Act of 1965, section 311 of the Economic Opportunity Act of 1964, the Migrant Health Act, and the Farm Labor Contractor Registration Act of 1963.

64 Stat. 1100.
20 USC 236.
81 Stat. 709.
42 USC 2861.
78 Stat. 920.
7 USC 2041 note.

Employment programs, contract authority.

(d) The Secretary is authorized to make contracts or jointly financed cooperative arrangements with employers and organizations for the establishment of projects designed to prepare handicapped individuals for gainful and suitable employment in the competitive labor market under which handicapped individuals are provided training and employment in a realistic work setting and such other services (determined in accordance with regulations prescribed by the Secretary) as may be necessary for such individuals to continue to engage in such employment.

Technical assistance.

(e)(1) The Secretary is authorized, directly or by contract with State vocational rehabilitation agencies or experts or consultants or groups thereof, to provide technical assistance (A) to rehabilitation facilities, and (B) for the purpose of removal of architectural and transportation barriers, to any public or nonprofit agency, institution, organization or facility.

(2) Any such experts or consultants shall, while serving pursuant to such contracts, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding the pro rata pay rate for a person employed as a GS-18, under section 5332 of title 5, United States Code, including traveltime, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

5 USC 5332 note.

80 Stat. 499; 83 Stat. 190.

NATIONAL CENTER FOR DEAF-BLIND YOUTHS AND ADULTS

Appropriation.

SEC. 305. (a) For the purpose of establishing and operating a National Center for Deaf-Blind Youths and Adults, there is authorized to be appropriated such sums as may be necessary for construction, which shall remain available until expended, and such sums as may be necessary for operations for the fiscal years ending June 30, 1974, and June 30, 1975.

Establishment, contract authority.

(b) In order—

(1) to demonstrate methods of (A) providing the specialized intensive services, and other services, needed to rehabilitate handicapped individuals who are both deaf and blind, and (B) training the professional and allied personnel needed adequately to staff facilities specifically designed to provide such services and training to such personnel who have been or will be working with deaf-blind individuals;

(2) to conduct research in the problems of, and ways of meeting the problems of rehabilitating, deaf-blind individuals; and

(3) to aid in the conduct of related activities which will expand or improve the services for or help improve public understanding of the problems of deaf-blind individuals;

the Secretary, subject to the provisions of section 306, is authorized to enter into an agreement with any public or nonprofit agency or organization for payment by the United States of all or part of the costs of the establishment and operation, including construction and equipment, of a center for vocational rehabilitation of handicapped individuals who are both deaf and blind, which center shall be known as the National Center for Deaf-Blind Youths and Adults.

(c) Any agency or organization desiring to enter into such agreement shall submit a proposal therefor at such time, in such manner, and containing such information as may be prescribed in regulations by the Secretary. In considering such proposals the Secretary shall give preference to proposals which (1) give promise of maximum effectiveness in the organization and operation of such Center, and (2) give promise of offering the most substantial skill, experience, and capability in providing a broad program of service, research, training, and related activities in the field of rehabilitation of deaf-blind individuals.

GENERAL GRANT AND CONTRACT REQUIREMENTS

Applicability.

SEC. 306. (a) The provisions of this section shall apply to all projects approved and assisted under this title. The Secretary shall insure compliance with this section prior to making any grant or entering into any contract or agreement under this title, except projects authorized under section 302.

Construction project approval, conditions.

(b) To be approved, an application for assistance for a construction project under this title must—

(1) contain or be supported by reasonable assurances that (A) for a period of not less than twenty years after completion of construction of the project it will be used as a public or nonprofit facility, (B) sufficient funds will be available to meet the non-Federal share of the cost of construction of the project, and (C) sufficient funds will be available, when construction of the project is completed, for its effective use for its intended purpose;

(2) provide that Federal funds provided to any agency or organization under this title will be used only for the purposes for which provided and in accordance with the applicable provisions of this section and the section under which such funds are provided;

Report, transmittal to Congress.

(3) provide that the agency or organization receiving Federal funds under this title will make an annual report to the Secretary, which he shall summarize and comment upon in the annual report to the Congress submitted under section 404;

Post, p. 387.

(4) be accompanied or supplemented by plans and specifications in which due consideration shall be given to excellence of architecture and design, and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project), and which comply with regulations prescribed by the Secretary related to minimum standards of construction and equipment (promulgated with particular emphasis on securing compliance with the requirements of the Architectural Barriers Act of 1968 (Public Law 90–480)), and with regulations of the Secretary of Labor relating to occupational health and safety standards for rehabilitation facilities; and

82 Stat. 718; 84 Stat. 49. 42 USC 4151.

(5) contain or be supported by reasonable assurance that any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by payments pursuant to any grant under this section will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5); and the Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

49 Stat. 1011; 78 Stat. 238.

64 Stat. 1267; 84 Stat. 235. 5 USC app. 63 Stat. 108.

(c) Upon approval of any application for a grant or contract for a project under this title, the Secretary shall reserve, from any appropriation available therefore, the amount of such grant or contract determined under this title. In case an amendment to an approved application is approved, or the estimated cost of a project is revised upward, any additional payment with respect thereto may be made from the appropriation from which the original reservation was made or the appropriation for the fiscal year in which such amendment or revision is approved.

(d) If, within twenty years after completion of any construction project for which funds have been paid under this title, the facility shall cease to be a public or nonprofit facility, the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of such facility.

(e) Payment of assistance or reservation of funds made pursuant to this title may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine.

Workshops, residential accommodations.

(f) A project for construction of a rehabilitation facility which is primarily a workshop may, where approved by the Secretary as necessary to the effective operation of the facility, include such construction as may be necessary to provide residential accommodations for use in connection with the rehabilitation of handicapped individuals.

Sectarian activity, funds prohibition.

(g) No funds provided under this title may be used to assist in the construction of any facility which is or will be used for religious worship or any sectarian activity.

(h) When in any State, funds provided under this title will be used for providing direct services to handicapped individuals or for establishing facilities which will provide such services, such services must be carried out in a manner not inconsistent with the State plan approved pursuant to section 101.

Ante, p. 363.

(i) Prior to making any grant or entering into any contract under this title, the Secretary shall afford reasonable opportunity to the appropriate State agency or agencies designated pursuant to section 101 to comment on such grant or contract.

TITLE IV—ADMINISTRATION AND PROGRAM AND PROJECT EVALUATION

ADMINISTRATION

SEC. 400. (a) In carrying out his duties under this Act, the Secretary shall—

Technical assistance to States.

(1) cooperate with, and render technical assistance (directly or by grant or contract) to States in matters relating to the rehabilitation of handicapped individuals;

Short-term traineeships.

(2) provide short-term training and instruction in technical matters relating to vocational rehabilitation services, including the establishment and maintenance of such research fellowships and traineeships, with such stipends and allowances (including travel and subsistence expenses), as he may deem necessary, except that no such training or instruction (or fellowship or scholarship) shall be provided any individual for any one course of study for a period in excess of four years, and such training, instruction, fellowships, and traineeships may be in the fields of rehabilitation medicine, rehabilitation nursing, rehabilitation counseling, rehabilitation social work, rehabilitation psychology, physical therapy, occupational therapy, speech pathology and audiology, prosthetics and orthotics, recreation for ill and handicapped individuals, and other specialized fields contributing to the rehabilitation of handicapped individuals; and

Information dissemination.

(3) disseminate information relating to vocational rehabilitation services, and otherwise promote the cause of the rehabilitation of handicapped individuals and their greater utilization in gainful and suitable employment.

Rules and regulations.

(b) The Secretary is authorized to make rules and regulations governing the administration of this title and titles I through III of this Act, and, except as otherwise provided in this Act, to delegate to any officer or employee of the United States such of his powers and duties under such titles, except the making of rules and regulations, as he finds necessary to carry out the provisions of such titles. Such rules and regulations shall be published in the Federal Register, on at least an interim basis, no later than ninety days after the date of enactment of this Act.

Ante, pp. 363, 377.

Publication in Federal Register.

Investigative authority.

(c) The Secretary is authorized (directly or by grants or contracts) to conduct studies, investigations, and evaluation of the programs authorized by this Act, and to make reports, with respect to abilities, aptitudes, and capacities of handicapped individuals, development of their potentialities, their utilization in gainful and suitable employment, and with respect to architectural, transportation, and other environmental and attitudinal barriers to their rehabilitation, including the problems of homebound, institutionalized, and older blind individuals.

(d) There is authorized to be included for each fiscal year in the appropriation for the Department of Health, Education, and Welfare such sums as are necessary to administer the provisions of this Act.

Disabled veterans, program coordination.

(e) In carrying out his duties under this Act, the Secretary shall insure the maximum coordination and consultation, at both national and local levels, with the Administrator of Veterans' Affairs and his designees with respect to programs for and relating to the rehabilitation of disabled veterans carried out under title 38, United States Code.

72 Stat. 1171. 38 USC 1501 *et seq.*

PROGRAM AND PROJECT EVALUATION

SEC. 401. (a)(1) The Secretary shall measure and evaluate the impact of all programs authorized by this Act, in order to determine their effectiveness in achieving stated goals in general, and in relation to their cost, their impact on related programs, and their structure and mechanisms for delivery of services, including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such programs. Evaluations shall be conducted by persons not immediately involved in the administration of the program or project evaluated.

(2) In carrying out his responsibilities under this subsection, the Secretary, in the case of research, demonstrations, and related activities carried out under section 202, shall, after taking into consideration the views of State agencies designated pursuant to section 101, on an annual basis—

Ante, p. 375.

Ante, p. 363.

(A) reassess priorities to which such activities should be directed; and

(B) review present research, demonstration, and related activities to determine, in terms of the purpose specified for such activities by subsection (a) of section 202, whether and on what basis such activities should be continued, revised, or terminated.

Report to congressional committees.

(3) The Secretary shall, within 12 months after the date of enactment of this Act, and on each April 1 thereafter, prepare and furnish to the appropriate committees of the Congress a complete report on the determination and review carried out under paragraph (2) of this subsection, together with such recommendations, including any recommendations for additional legislation, as he deems appropriate.

(b) Effective July 1, 1974, before funds for the programs and projects covered by this Act are released, the Secretary shall develop and publish general standards for evaluation of the programs and project effectiveness in achieving the objectives of this Act. He shall consider the extent to which such standards have been met in deciding, in accordance with procedures set forth in subsection (b), (c), and (d) of section 101, whether to renew or supplement financial assistance authorized under any section of this Act. Reports submitted pursuant to section 404 shall describe the actions taken as a result of these evaluations.

Evaluation standards, publication.

Ante, p. 363.

(c) In carrying out evaluations under this title, the Secretary shall, whenever possible, arrange to obtain the specific views of persons participating in and served by programs and projects assisted under this Act about such programs and projects.

Program participants' views.

(d) The Secretary shall publish the results of evaluative research and summaries of evaluations of program and project impact and effectiveness no later than ninety days after the completion thereof. The Secretary shall submit to the appropriate committees of the Congress copies of all such research studies and evaluation summaries.

Evaluative research results, publication.

Transmittal to congressional committees.

(e) The Secretary shall take the necessary action to assure that all studies, evaluations, proposals, and data produced or developed with assistance under this Act shall become the property of the United States.

OBTAINING INFORMATION FROM FEDERAL AGENCIES

SEC. 402. Such information as the Secretary may deem necessary for purposes of the evaluations conducted under this title shall be made available to him, upon request, by the agencies of the executive branch.

AUTHORIZATION OF APPROPRIATIONS

SEC. 403. There is authorized to be appropriated for the fiscal years ending June 30, 1974, and June 30, 1975, such sums as the Secretary may require, but not to exceed an amount equal to one-half of 1 per centum of the funds appropriated under titles I, II, and III of this Act or $1,000,000, whichever is greater, to be available to conduct program and project evaluations as required by this title.

Ante, pp. 363, 374, 377.

REPORTS

SEC. 404. Not later than one hundred and twenty days after the close of each fiscal year, the Secretary shall prepare and submit to the President and to the Congress a full and complete report on the activities carried out under this Act. Such annual reports shall include (1) statistical data reflecting, with the maximum feasible detail vocational rehabilitation services provided handicapped individuals during the preceding fiscal year, (2) specifically distinguish among rehabilitation closures attributable to physical restoration, placement in competitive employment, extended or terminal employment in a sheltered workshop or rehabilitation facility, employment as a homemaker or unpaid family worker, and provision of other services, and (3) include a detailed evaluation of services provided with assistance under title I of this Act, especially services to those with the most severe handicaps.

Annual submittal to President and Congress.

SECRETARIAL RESPONSIBILITIES

SEC. 405. (a) It shall be the function of the Secretary, with the assistance of agencies within the Department, other departments and agencies within the Federal Government, handicapped individuals, and public and private agencies and organizations, through the Office of the Secretary, to—

Services, long-range projection, submittal to Congress.

(1) prepare for submission to the Congress within eighteen months after the date of enactment of this Act, a long-range projection for the provision of comprehensive services to handicapped individuals and for programs of research, evaluation, and training related to such services and individuals;

(2) analyze on a continuing basis and include in his report submitted under section 404, a report on the results of such analysis, program operation to determine consistency with applicable provisions of law, progress toward meeting the goals and priorities set forth in the projection required under clause (1), and the effectiveness of all programs providing services to handicapped individuals, and the elimination of unnecessary duplication and overlap in such programs under the jurisdiction of the Secretary;

(3) encourage coordinated and cooperative planning designed to produce maximum effectiveness, sensitivity, and continuity in the provision of services for handicapped individuals by all programs;

(4) develop means of promoting the prompt utilization of engineering and other scientific research to assist in solving problems in education (including promotion of the development of curriculums stressing barrier free design and the adoption of such curriculums by schools of architecture, design, and engineering), health, employment, rehabilitation, architectural, housing, and transportation barriers, and other areas so as to bring about full integration of handicapped individuals into all aspects of society;

Information clearinghouse.

(5) provide a central clearinghouse for information and resource availability for handicapped individuals through (A) the evaluation of systems within the Department of Health, Education, and Welfare, other departments and agencies of the Federal Government, public and private agencies and organizations, and other sources, which provide (i) information and data regarding the location, provision, and availability of services and programs for handicapped individuals, regarding research and recent medical and scientific developments bearing on handicapping conditions (and their prevention, amelioration, causes, and cures), and regarding the current numbers of handicapped individuals and their needs, and (ii) any other such relevant information and data which the Secretary deems necessary; and (B) utilizing the results of such evaluation and existing information systems, the development within such Department of a coordinated system of information and data retrieval, which will have the capacity and responsibility to provide general and specific information regarding the information and data referred to in subclause (A) of this clause to the Congress, public and private agencies and organizations, handicapped individuals and their families, professionals in fields serving such individuals, and the general public.

Personnel selection.

(b) In selecting personnel to assist in the performance of the functions assigned in subsection (a) of this section, the Secretary shall give special emphasis to qualified handicapped individuals.

(c) The functions assigned to the Secretary by this section shall not be delegated to any persons not assigned to and operating in the Office of the Secretary, except that he may establish an Office for the Handicapped in the office of an appropriate Assistant Secretary of the Department of Health, Education, and Welfare to carry out such functions. Office for the Handicapped, establishment.

(d) There are authorized to be appropriated for carrying out this section $500,000 each for the fiscal years ending June 30, 1974, and June 30, 1975. Appropriation.

(e) Not later than thirty days after the appropriation Act containing sums for carrying out the provisions of this Act is enacted for each fiscal year, the Secretary shall set aside out of sums available to carry out this section or otherwise available pursuant to any other Act, an amount which he determines is necessary and appropriate to enable him to carry out the provisions of this section and shall notify the appropriate committees of the Congress of the amount so set aside, the number of personnel necessary for such purpose, and the basis for his determination under this subsection and his reasons therefor. Funds, availability, notification of congressional committees.

SHELTERED WORKSHOP STUDY

SEC. 406. (a) The Secretary shall conduct an original study of the role of sheltered workshops in the rehabilitation and employment of handicapped individuals, including a study of wage payments in sheltered workshops. The study shall incorporate guidelines which are consistent with criteria provided in resolutions adopted by the Committee on Labor and Public Welfare of the United States Senate or the Committee on Education and Labor of the United States House of Representatives, or both.

(b) The study shall include site visits to sheltered workshops, interviews with handicapped trainees or clients, and consultations with interested individuals and groups and State agencies designated pursuant to section 101. *Ante*, p. 363.

(c) Any contracts awarded for the purpose of carrying out all or part of this study shall not be made with individuals or groups with a financial or other direct interest in sheltered workshops.

(d) The Secretary shall report to the Congress his findings and recommendations with respect to such study within twenty-four months after the date of enactment of this Act. Report to Congress.

STATE ALLOCATION STUDY

SEC. 407. (a) The Secretary shall conduct a thorough study of the allotment of funds among the States for grants for basic vocational rehabilitation services authorized under part B of title I of this Act, including a consideration of— *Ante*, p. 370.

(1) the needs of individuals requiring vocational rehabilitation services;

(2) the financial capability of the States to furnish vocational rehabilitation assistance including, on a State-by-State basis, per capita income, per capita costs of services rendered, State tax rates, and the ability and willingness of a State to provide the non-Federal share of the costs of rendering such services;

(3) the continuing demand upon the States to furnish vocational rehabilitation services, together with a consideration of the factor that no State would receive less Federal financial assistance under such part than it received under section 2 of the Vocational Rehabilitation Act in the fiscal year immediately prior to the enactment of this Act. 79 Stat. 1282. 29 USC 32.

Report to Congress.

(b) Not later than June 30, 1974, the Secretary shall report to the Congress his findings and recommendations, including recommendations for additional legislation, with respect to the study required by this section, which report shall include recommendations with respect to allotment of Federal funds among the States and the Federal share of the cost of furnishing vocational rehabilitation services by the States.

TITLE V—MISCELLANEOUS

EFFECT ON EXISTING LAW

Repeal. 68 Stat. 652; 79 Stat. 1282; 82 Stat. 297.

SEC. 500. (a) The Vocational Rehabilitation Act (29 U.S.C. 31 et seq.) is repealed ninety days after the date of enactment of this Act and references to such Vocational Rehabilitation Act in any other provision of law shall, ninety days after such date, be deemed to be references to the Rehabilitation Act of 1973. Unexpended appropriations for carrying out the Vocational Rehabilitation Act may be made available to carry out this Act, as directed by the President. Approved State plans for vocational rehabilitation, approved projects, and contractual arrangements authorized under the Vocational Rehabilitation Act will be recognized under comparable provisions of this Act so that there is no disruption of ongoing activities for which there is continuing authority.

Unused funds.

Savings provision.

Appropriations, extension.

(b) The authorizations of appropriations in the Vocational Rehabilitation Act are hereby extended at the level specified for the fiscal year 1972 for the fiscal year 1973.

EMPLOYMENT OF HANDICAPPED INDIVIDUALS

Interagency Committee on Handicapped Employees. Establishment. 83 Stat. 864. 5 USC 5315 note.

SEC. 501. (a) There is established within the Federal Government an Interagency Committee on Handicapped Employees (hereinafter in this section referred to as the "Committee"), comprised of such members as the President may select, including the following (or their designees whose positions are Executive Level IV or higher): the Chairman of the Civil Service Commission, the Administrator of Veterans' Affairs, and the Secretaries of Labor and Health, Education, and Welfare. The Secretary of Health, Education, and Welfare and the Chairman of the Civil Service Commission shall serve as co-chairmen of the Committee. The resources of the President's Committees on Employment of the Handicapped and on Mental Retardation shall be made fully available to the Committee. It shall be the purpose and function of the Committee (1) to provide a focus for Federal and other employment of handicapped individuals, and to review, on a periodic basis, in cooperation with the Civil Service Commission, the adequacy of hiring, placement, and advancement practices with respect to handicapped individuals, by each department, agency, and instrumentality in the executive branch of Government, and to insure that the special needs of such individuals are being met; and (2) to consult with the Civil Service Commission to assist the Commission to carry out its responsibilities under subsections (b), (c), and (d) of this section. On the basis of such review and consultation, the Committee shall periodically make to the Civil Service Commission such recommendations for legislative and administrative changes as it deems necessary or desirable. The Civil Service Commission shall timely transmit to the appropriate committees of Congress any such recommendations.

Committee functions.

Federal agencies, affirmative action program plans.

(b) Each department, agency, and instrumentality (including the United States Postal Service and the Postal Rate Commission) in the executive branch shall, within one hundred and eighty days after the date of enactment of this Act, submit to the Civil Service Commission

and to the Committee an affirmative action program plan for the hiring, placement, and advancement of handicapped individuals in such department, agency, or instrumentality. Such plan shall include a description of the extent to which and methods whereby the special needs of handicapped employees are being met. Such plan shall be updated annually, and shall be reviewed annually and approved by the Commission, if the Commission determines, after consultation with the Committee, that such plan provides sufficient assurances, procedures and commitments to provide adequate hiring, placement, and advancement opportunities for handicapped individuals.

Rehabilitated individuals, employment.

(c) The Civil Service Commission, after consultation with the Committee, shall develop and recommend to the Secretary for referral to the appropriate State agencies, policies and procedures which will facilitate the hiring, placement, and advancement in employment of individuals who have received rehabilitation services under State vocational rehabilitation programs, veterans' programs, or any other program for handicapped individuals, including the promotion of job opportunities for such individuals. The Secretary shall encourage such State agencies to adopt and implement such policies and procedures.

Report to congressional committees.

(d) The Civil Service Commission, after consultation with the Committee, shall, on June 30, 1974, and at the end of each subsequent fiscal year, make a complete report to the appropriate committees of the Congress with respect to the practices of and achievements in hiring, placement, and advancement of handicapped individuals by each department, agency, and instrumentality and the effectiveness of the affirmative action programs required by subsection (b) of this section, together with recommendations as to legislation which have been submitted to the Civil Service Commission under subsection (a) of this section, or other appropriate action to insure the adequacy of such practices. Such report shall also include an evaluation by the Committee of the effectiveness of the Civil Service Commission's activities under subsections (b) and (c) of this section.

Unpaid Federal work experience.

(e) An individual who, as a part of his individualized written rehabilitation program under a State plan approved under this Act, participates in a program of unpaid work experience in a Federal agency, shall not, by reason thereof, be considered to be a Federal employee or to be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

Federal agency cooperation.

(f) (1) The Secretary of Labor and the Secretary of Health, Education, and Welfare are authorized and directed to cooperate with the President's Committee on Employment of the Handicapped in carrying out its functions.

(2) In selecting personnel to fill all positions on the President's Committee on Employment of the Handicapped, special consideration shall be given to qualified handicapped individuals.

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

Establishment; membership.

SEC. 502. (a) There is established within the Federal Government the Architectural and Transportation Barriers Compliance Board (hereinafter referred to as the "Board") which shall be composed of the heads of each of the following departments or agencies (or their designees whose positions are Executive Level IV or higher):

83 Stat. 864. 5 USC 5315 note.

(1) Department of Health, Education, and Welfare;
(2) Department of Transportation;
(3) Department of Housing and Urban Development;
(4) Department of Labor;

(5) Department of the Interior;
(6) General Services Administration;
(7) United States Postal Service; and
(8) Veterans' Administration.

(b) It shall be the function of the Board to: (1) insure compliance with the standards prescribed by the General Services Administration, the Department of Defense, and the Department of Housing and Urban Development pursuant to the Architectural Barriers Act of 1968 (Public Law 90–480), as amended by the Act of March 5, 1970 (Public Law 91–205); (2) investigate and examine alternative approaches to the architectural, transportation, and attitudinal barriers confronting handicapped individuals, particularly with respect to public buildings and monuments, parks and parklands, public transportation (including air, water, and surface transportation whether interstate, foreign, intrastate, or local), and residential and institutional housing; (3) determine what measures are being taken by Federal, State, and local governments and by other public or nonprofit agencies to eliminate the barriers described in clause (2) of this subsection; (4) promote the use of the International Accessibility Symbol in all public facilities that are in compliance with the standards prescribed by the Administrator of the General Services Administration, the Secretary of Defense, and the Secretary of Housing and Urban Development pursuant to the Architectural Barriers Act of 1968; (5) make to the President and to Congress reports which shall describe in detail the results to its investigations under clauses (2) and (3) of this subsection; and (6) make to the President and to the Congress such recommendations for legislation and administration as it deems necessary or desirable to eliminate the barriers described in clause (2) of this subsection.

82 Stat. 718; 84 Stat. 49. 42 USC 4151.

International Accessibility Symbol, promotion.

Reports to President and Congress.

Transportation barriers.

(c) The Board shall also (1) (A) determine how and to what extent transportation barriers impede the mobility of handicapped individuals and aged handicapped individuals and consider ways in which travel expenses in connection with transportation to and from work for handicapped individuals can be met or subsidized when such individuals are unable to use mass transit systems or need special equipment in private transportation, and (B) consider the housing needs of handicapped individuals; (2) determine what measures are being taken, especially by public and other nonprofit agencies and groups having an interest in and a capacity to deal with such problems, (A) to eliminate barriers from public transportation systems (including vehicles used in such systems), and to prevent their incorporation in new or expanded transportation systems and (B) to make housing available and accessible to handicapped individuals or to meet sheltered housing needs; and (3) prepare plans and proposals for such further actions as may be necessary to the goals of adequate transportation and housing for handicapped individuals, including proposals for bringing together in a cooperative effort, agencies, organizations, and groups already working toward such goals or whose cooperation is essential to effective and comprehensive action.

(d) In carrying out its functions under this section, the Board shall conduct investigations, hold public hearings, and issue such orders as it deems necessary to insure compliance with the provisions of the Acts cited in subsection (b). The provisions of subchapter II of chapter 5. and chapter 7 of title 5, United States Code, shall apply to procedures under this section, and an order of compliance issued by the Board shall be a final order for purposes of judicial review.

5 USC 551, 701.

(e) The Board is authorized to appoint as many hearing examiners as are necessary for proceedings required to be conducted under this section. The provisions applicable to hearing examiners appointed under section 3105 of title 5, United States Code, shall apply to hearing examiners appointed under this subsection. 80 Stat. 415.

(f) The departments or agencies specified in subsection (a) of this section shall make available to the Board such technical, administrative, or other assistance as it may require to carry out its functions under this section, and the Board may appoint such other advisers, technical experts, and consultants as it deems necessary to assist it in carrying out its functions under this section. Special advisory and technical experts and consultants appointed pursuant to this subsection shall, while performing their functions under this section, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding the daily pay rate, for a person employed as a GS–18 under section 5332 of title 45, United States Code, including traveltime, and while serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of such title 5 for persons in the Government service employed intermittently. Technical assistance. 5 USC 5332 note. 80 Stat. 499; 83 Stat. 190.

(g) The Board shall, at the end of each fiscal year, report its activities during the preceding fiscal year to the Congress. Such report shall include an assessment of the extent of compliance with the Acts cited in subsection (b) of this section, along with a description and analysis of investigations made and actions taken by the Board, and the reports and recommendations described in clauses (5) and (6) of subsection (b) of this section. The Board shall prepare two final reports of its activities under subsection (c). One such report shall be on its activities in the field of transportation barriers to handicapped individuals, and the other such report shall be on its activities in the field of the housing needs of handicapped individuals. The Board shall, prior to January 1, 1975, submit each such report, together with its recommendations, to the President and the Congress. The Board shall also prepare for such submission an interim report of its activities in each such field within 18 months after the date of enactment of this Act. Report to Congress. Report to the President and Congress.

(h) There are authorized to be appropriated for the purpose of carrying out the duties and functions of the Board under this section $1,000,000 each for the fiscal years ending June 30, 1974, and June 30, 1975. Appropriation.

EMPLOYMENT UNDER FEDERAL CONTRACTS

SEC. 503. (a) Any contract in excess of $2,500 entered into by any Federal department or agency for the procurement of personal property and nonpersonal services (including construction) for the United States shall contain a provision requiring that, in employing persons to carry out such contract the party contracting with the United States shall take affirmative action to employ and advance in employment qualified handicapped individuals as defined in section 7(6). *Ante*, p. 361. The provisions of this section shall apply to any subcontract in excess of $2,500 entered into by a prime contractor in carrying out any contract for the procurement of personal property and nonpersonal services (including construction) for the United States. The President shall implement the provisions of this section by promulgating regulations within ninety days after the date of enactment of this section.

(b) If any handicapped individual believes any contractor has failed or refuses to comply with the provisions of his contract with the United States, relating to employment of handicapped individuals,

such individual may file a complaint with the Department of Labor. The Department shall promptly investigate such complaint and shall take such action thereon as the facts and circumstances warrant, consistent with the terms of such contract and the laws and regulations applicable thereto.

Waiver authority.

(c) The requirements of this section may be waived, in whole or in part, by the President with respect to a particular contract or subcontract, in accordance with guidelines set forth in regulations which he shall prescribe, when he determines that special circumstances in the national interest so require and states in writing his reasons for such determination.

NONDISCRIMINATION UNDER FEDERAL GRANTS

SEC. 504. No otherwise qualified handicapped individual in the United States, as defined in section 7(6), shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Ante, p. 361.

Approved September 26, 1973.

Public Law 93-113

October 1, 1973
[S. 1148]

AN ACT

To provide for the operation of programs by the ACTION Agency, to establish certain new such programs, and for other purposes.

Domestic Volunteer Service Act of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, with the following table of contents, may be cited as the "Domestic Volunteer Service Act of 1973":

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TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

PART A—VOLUNTEERS IN SERVICE TO AMERICA

STATEMENT OF PURPOSE

SEC. 101. This part provides for the Volunteers in Service to America (VISTA) program of full-time volunteer service, together with appropriate powers and responsibilities designed to assist in the development and coordination of such program. The purpose of this part is to strengthen and supplement efforts to eliminate poverty and poverty-related human, social, and environmental problems in the United States by encouraging and enabling persons from all walks of life and all age groups, including elderly and retired Americans, to perform meaningful and constructive volunteer service in agencies, institutions, and situations where the application of human talent and dedication may assist in the solution of poverty and poverty-related problems and secure and exploit opportunities for self-advancement by persons afflicted with such problems.

AUTHORITY TO OPERATE VISTA PROGRAM

SEC. 102. The Director may recruit, select, and train persons to serve in full-time volunteer programs consistent with the provisions and to carry out the purpose of this part.

ASSIGNMENT OF VOLUNTEERS

SEC. 103. (a) The Director, upon request of Federal, State, or local agencies, or private nonprofit organizations, may assign such volunteers to work in the several States in appropriate projects and programs—

(1) in meeting the health, education, welfare, or related needs of Indians living on reservations or Federal trust lands, of migratory and seasonal farmworkers and their families, and of residents of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, or the Virgin Islands;

(2) in the care and rehabilitation of mentally ill, developmentally disabled, and other handicapped individuals, especially those with severe handicaps, under the supervision of nonprofit institutions or facilities; and

(3) in connection with programs or activities authorized, supported, or of a character eligible for assistance under this Act or the Economic Opportunity Act of 1964, as amended (42 U.S.C. chapter 34) in furtherance of the purpose of this title.

78 Stat. 508.
42 USC 2701 note.

(b) The Director, wherever feasible and appropriate, shall assign low-income community volunteers to serve in their home communities

in teams with nationally recruited specialist volunteers. Prior to the assignment of any such community volunteer, the Director shall insure that each such volunteer is provided an individual plan designed to provide an opportunity for job advancement or for transition to a situation leading to gainful employment. One hundred and twenty days prior to the completion of such community volunteer's term of service, the Director shall insure that such plan is updated and reviewed with the volunteer.

(c) Except as provided in subsection (d), the assignment of volunteers under this section shall be on such terms and conditions (including restrictions on political activities that appropriately recognize the special status of volunteers living among the persons or groups served by programs to which they have been assigned) as the Director may determine, including work assignments in their own or nearby communities.

Program, submittal to Governor.

(d) Volunteers under this part shall not be assigned to duties or work in any State unless such program has been submitted to the Governor or other chief executive officer of the State concerned, and has not been disapproved by him within forty-five days of such submission. The assignment of a volunteer shall be terminated by the Director when so requested by the Governor or chief executive officer of the State concerned not later than thirty days after such request has been made, or at a time after such request has been made as agreed upon by such Governor or chief executive officer of the State concerned and the Director.

TERMS AND PERIODS OF SERVICE

SEC. 104. (a) Volunteers serving under this part shall be required to make a full-time personal commitment to combating poverty and poverty-related human, social, and environmental problems. To the maximum extent practicable, this shall include a commitment to live among and at the economic level of the people served, and to remain available for service without regard to regular working hours, at all times during their periods of service, except for authorized periods of leave.

(b) Volunteers serving under this part may be enrolled for periods of service not exceeding two years, but for not less than one-year periods of service, except that volunteers serving under this part may be enrolled for periods of service of less than one year when the Director determines, on an individual basis, that a period of service of less than one year is necessary to meet a critical scarce-skill need. Volunteers serving under this part may be reenrolled for periods of service totaling not more than two years. No volunteer shall serve for more than a total of five years under this part.

Limitation.

(c) Volunteers under this part shall, upon enrollment, take the oath of office as prescribed in section 5(j) of the Peace Corps Act, as amended (22 U.S.C. 2504(j)), except that persons legally residing within a State but who are not citizens or nationals of the United States, may serve under this part without taking or subscribing to such oath, if the Director determines that the service of such persons will further the interests of the United States. Such persons shall take such alternative oath or affirmation as the Director shall deem appropriate.

75 Stat. 613.

Hearing opportunity.

(d) The Director shall establish a procedure, including notice and opportunity to be heard, for volunteers under this part to present and obtain resolution of grievances and to present their views in connection with the terms and conditions of their service. The Director shall promptly provide to each volunteer in service on the date of enactment of this Act, and to each such volunteer beginning service thereafter, information regarding such procedure and the terms and conditions of their service.

SUPPORT SERVICES

Stipends.

SEC. 105. (a)(1) The Director may provide a stipend to volunteers, while they are in training and during their assignments, enrolled for periods of service of not less than one year under this part, except that the Director may, on an individual basis, make an exception to provide a stipend to a volunteer enrolled under this part for an extended period of service not totaling one year. Such stipend shall not exceed $50 per month during the volunteer's service, except that the Director may provide a stipend not to exceed $75 per month in the case of persons who have served for at least one year and who, in accordance with standards established in regulations which the Director shall prescribe, have been designated volunteer leaders on the basis of experience and special skills and a demonstrated leadership among volunteers.

Limitation.

Payment.

(2) Stipends shall be payable only upon completion of a period of service, except that in extraordinary circumstances the Director may from time to time advance all or a portion of the accrued stipend to or on behalf of a volunteer. In the event of the death of a volunteer during service, the amount of any unpaid stipend shall be paid in accordance with the provisions of section 5582 of title 5, United States Code.

80 Stat. 495.

(b) The Director shall also provide volunteers such living, travel (including travel to and from places of training), and leave allowances, and such housing, supplies, equipment, subsistence, clothing, health and dental care, transportation, supervision, technical assistance, and such other support as he deems necessary and appropriate to carry out the purpose and provisions of this part, and shall insure that each such volunteer has available such allowances and support as will enable the volunteer to carry out the purpose and provisions of this part and to effectively perform the work to which such volunteer is assigned.

PARTICIPATION OF BENEFICIARIES

SEC. 106. To the maximum extent practicable, the people of the communities to be served by volunteers under this title shall participate in planning, developing, and implementing programs thereunder, and the Director, after consultation with sponsoring agencies (including volunteers assigned to them) and the people served by such agencies, shall take all necessary steps to establish, in regulations he shall prescribe, a continuing mechanism for the meaningful participation of such program beneficiaries.

PARTICIPATION OF OLDER PERSONS

SEC. 107. In carrying out this part and part C of this title, the Director shall take necessary steps, including the development of special projects, where appropriate, to encourage the fullest participation of older persons and older persons membership groups as volunteers and participant agencies in the various programs and activities authorized under such parts and, because of the high proportion of older persons within the poverty group, shall encourage the development of a variety of volunteer services to older persons, including special projects, to assure that such persons are served in proportion to their need.

Post, p. 400.

PART B—SERVICE-LEARNING PROGRAMS

STATEMENT OF PURPOSE

SEC. 111. This part provides for the University Year for ACTION (UYA) program of full-time volunteer service by students enrolled in institutions of higher education, together with appropriate powers and responsibilities designed to assist in the development and coordination of such programs. The purpose of this part is to strengthen and supplement efforts to eliminate poverty and poverty-related human, social, and environmental problems by enabling students at such cooperating institutions to perform meaningful and constructive volunteer service in connection with the satisfaction of such students' course work during their periods of service while attending such institutions, in agencies, institutions, and situations where the application of human talent and dedication may assist in the solution of poverty and poverty-related problems and secure and exploit opportunities for self-advancement by persons afflicted with such problems. Its purpose further is to encourage other students and faculty members to engage, on a part-time, self-supporting basis, in such volunteer service and work along with volunteers serving under this part; and to promote participation by such institutions in meeting the needs of the poor in the surrounding community through expansion of service-learning programs and otherwise. Its purpose further is to provide for a program of part-time or short-term service—learning by secondary and post-secondary school students to strengthen and supplement efforts to eliminate poverty and poverty-related human, social, and environmental problems.

AUTHORITY TO OPERATE UNIVERSITY YEAR FOR ACTION PROGRAM

SEC. 112. Except as otherwise provided in this part, the Director is authorized to conduct or make grants and contracts for, or both, programs to carry out the purposes of this part in accordance with the authorities and subject to the restrictions in the provisions of part A of this title, except for the provisions of sections 103(d) and 104(d), and except that the Director may, in accordance with regulations he shall prescribe, determine to reduce or eliminate the stipend for volunteers serving under this part on the basis of the value of benefits provided such volunteers by the institution in question (including the reduction or waiver of tuition).

SPECIAL CONDITIONS

SEC. 113. (a) Volunteers serving under this part shall be enrolled for periods of service as provided for in subsection (b) of section 104, and may receive academic credit for such service in accordance with the regulations of the sponsoring institution of higher education.

Service, academic credit.

(b) Grants to and contracts with institutions to administer programs under this part shall provide that prospective student volunteers shall participate substantially in the planning of such programs and that such institutions shall make available to the poor in the surrounding community all available facilities, including human resources, of such institutions in order to assist in meeting the needs of such poor persons.

(c)(1) In making grants or contracts for the administration of UYA programs under this part, the Director shall insure that financial assistance under this Act to programs carried out pursuant to section 112 of this part shall not exceed 90 per centum of the total cost (including planning costs) of such program during the first year and such amounts less than 90 per centum as the Director, in consultation with the institution, may determine for not more than four additional years, including years in which support was received under title VIII of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2991–2994d). Each such grant or contract shall stipulate that the institution will make every effort to (A) assume an increasing proportion of the cost of continuing a program carrying out the purpose of this part while the institution receives support under this part; (B) waive or otherwise reduce tuition for participants in such program, where such waiver is not prohibited by law; (C) utilize students and faculty at such institution to carry out, on a self-supporting basis, appropriate planning for such programs; and (D) maintain similar service-learning programs after such institution no longer receives support under this part.

81 Stat. 722; 86 Stat. 703.

(2) The Director shall take necessary steps to monitor the extent of compliance by such institutions with commitments entered into under paragraph (1) of this subsection and shall advise the Secretary of Health, Education, and Welfare of the extent of each such institution's compliance.

SPECIAL SERVICE-LEARNING PROGRAMS

SEC. 114. (a) Of the funds appropriated for the operation of programs under this part, up to 10 per centum may be used, notwithstanding any other provisions of this part, to encourage and enable students in secondary, secondary vocational, and post-secondary schools to participate in service-learning programs on an in- or out-of-school basis in assignments of a character and on such terms and conditions as described in subsections (a) and (c) of section 103.

Ante, p. 396.

(b) Persons serving as volunteers under this section shall not be deemed to be Federal employees for any purpose.

Living allowance.

(c) The Director may provide volunteers serving under this section a living allowance and only such other support or allowances as he determines, pursuant to regulations which he shall prescribe, are required because of unusual or special circumstances affecting the program.

PART C—SPECIAL VOLUNTEER PROGRAMS

STATEMENT OF PURPOSE

SEC. 121. This part provides for special emphasis and demonstration volunteer programs, together with appropriate powers and responsibilities designed to assist in the development and coordination of such programs. The purpose of this part is to strengthen and supplement efforts to meet a broad range of human, social, and environmental needs, particularly those related to poverty, by encouraging and enabling persons from all walks of life and from all age groups

to perform meaningful and constructive volunteer service in agencies, institutions, and situations where the application of human talent and dedication may help to meet such needs.

AUTHORITY TO ESTABLISH AND OPERATE PROGRAMS

SEC. 122. (a) The Director is authorized to conduct or make grants or contracts, or both, for special volunteer programs or demonstration programs (such as but not limited to a program to provide alternatives to the incarceration of youthful offenders; a program to promote educational opportunities for veterans; and a program to provide community-based peer group outreach and counseling for drug abusers) designed to stimulate and initiate improved methods of providing volunteer services, to encourage wider volunteer participation on a full-time, part-time, or short-term basis to further the purpose of this part, and to identify particular segments of the poverty community which could benefit from volunteer and other antipoverty efforts.

(b) Except as provided in subsection (c) of this section, assignment of volunteers under this section shall be on such terms and conditions as the Director shall determine, pursuant to regulations which he shall prescribe.

(c) The Director, in accordance with regulations he shall prescribe, may provide to persons serving as full-time volunteers in a program of at least one year's duration under this part such allowances and stipends, to the extent and in amounts not in excess of those authorized to be provided under part A of this title; as he determines are necessary to carry out the purpose of this part.

TITLE II—NATIONAL OLDER AMERICAN VOLUNTEER PROGRAMS

PART A—RETIRED SENIOR VOLUNTEER PROGRAM

GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

SEC. 201. (a) In order to help retired persons to avail themselves of opportunities for volunteer service in their community, the Director is authorized to make grants to State agencies (established or designated pursuant to section 304(a)(1) of the Older Americans Act of 1965, as amended (42 U.S.C. 3024(a)(1))) or grants to or contracts with other public and nonprofit private agencies and organizations to pay part or all of the costs for the development or operation, or both, of volunteer service programs under this section, if he determines, in accordance with regulations he shall prescribe, that— *Ante*, p. 38.

(1) volunteers will not be reimbursed for other than transportation, meals, and other out-of-pocket expenses incident to the provision of services under this part;

(2) only individuals aged sixty or over will be enrolled as volunteers to provide services under this part (except for administrative purposes), and such services will be performed in the community where such individuals reside or in nearby communities either (A) on publicly owned and operated facilities or projects, or (B) on local projects sponsored by private nonprofit organizations (other than political parties), other than projects involving the construction, operation, or maintenance of so much of any facility used or to be used for sectarian instruction or as a place for religious worship;

(3) the program includes such short-term training as may be necessary to make the most effective use of the skills and talents of participating volunteers and individuals, and provide for the payment of the reasonable expenses of such volunteers while undergoing such training; and

(4) the program is being established and will be carried out with the advice of persons competent in the field of service involved, and of persons with interest in and knowledge of the needs of older persons.

(b) The Director shall not award any grant or contract under this part for a project in any State to any agency or organization unless, if such State has a State agency established or designated pursuant to section 304(a)(1) of the Older Americans Act of 1965, as amended (42 U.S.C. 3024(a)(1)), such agency itself is the recipient of the award or such agency has been afforded at least sixty days in which to review the project application and make recommendations thereon.

Ante, p. 38.

PART B—FOSTER GRANDPARENT PROGRAM AND OLDER AMERICAN COMMUNITY SERVICE PROGRAMS

GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

SEC. 211. (a) The Director is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay part or all of the cost of development and operation of projects (including direct payments to volunteers serving under this part) designed for the purpose of providing opportunities for low-income persons aged sixty or over to serve as volunteers to provide supportive person-to-person services in health, education, welfare, and related settings to children having exceptional needs, including services by volunteers serving as "foster grandparents" to children receiving care in hospitals, homes for dependent and neglected children, or other establishments providing care for children with special needs. The Director may approve assistance in excess of 90 per centum of the costs of the development and operation of such projects only if he determines, in accordance with regulations he shall prescribe establishing objective criteria, that such action is required in furtherance of the purpose of this section. Provision for such assistance shall be effective as of September 19, 1972. In the case of any project with respect to which, prior to such date, a grant or contract has been made under section 611(a) of the Older Americans Act of 1965, as amended (42 U.S.C. 3044b) or with respect to any project under the Foster Grandparent program in effect prior to September 17, 1969, contributions in cash or in kind from the Bureau of Indian Affairs, Department of the Interior, toward the cost of the project may be counted as part of the cost thereof which is met from non-Federal sources.

Ante, p. 55.

(b) The Director is also authorized to make grants or contracts to carry out the purpose described in subsection (a) of this section in the case of persons (other than children) having exceptional needs, including services by volunteers serving as "senior health aides" to work with persons receiving home health care, nursing care, or meals on wheels or other nutritional services, and as "senior companions" to persons having developmental disabilities or other special needs for companionship.

CONDITIONS OF GRANTS AND CONTRACTS

SEC. 212. (a)(1) In carrying out this part, the Director shall insure that volunteers receiving assistance in any project are older persons of low income who are no longer in the regular work force.

(2) The Director shall not award a grant or contract under this part which involves a project proposed to be carried out throughout the State or over an area more comprehensive than one community unless—

(A) the State agency established or designated under section 304(a)(1) of the Older Americans Act of 1965, as amended (42 U.S.C. 3024(a)(1)) is the applicant for such grant or contract or, if not, such agency has been afforded a reasonable opportunity to apply for and receive such award and to administer or supervise the administration of the project; and

Ante, p. 38.

(B) in cases in which such agency is not the grantee or contractor (including cases to which clause (A) applies but in which such agency has not availed itself of the opportunity to apply for and receive such award), the application contains or is supported by satisfactory assurances that the project has been developed, and will to the extent appropriate be conducted, in consultation with, or with the participation of, such agency.

(3) The Director shall not award a grant or contract under this part which involves a project proposed to be undertaken entirely in a community served by a community action agency unless—

(A) such agency is the applicant for such grant or contract or, if not, such agency has been afforded a resonable opportunity to apply for and receive such award and to administer or supervise the administration of the project;

(B) in cases in which such agency is not the grantee or contractor (including cases to which clause (A) applies but in which such agency has not availed itself of the opportunity to apply for and receive such award), the application contains or is supported by satisfactory assurances that the project has been developed, and will to the extent appropriate be conducted in consultation with, or with the participation of, such agency; and

(C) if such State has a State agency established or designated pursuant to section 304(a)(1) of the Older Americans Act of 1965, as amended (42 U.S.C. 3024(a)(1)), such agency has been afforded at least forty-five days in which to review the project application and make recommendations thereon.

(b) The term "community action agency" as used in this section means a community action agency as defined in title II of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2781–2837).

"Community action agency."

81 Stat. 690.

PART C—GENERAL PROVISIONS

COORDINATION WITH OTHER FEDERAL PROGRAMS

SEC. 221. In carrying out this title, the Director shall consult with the Office of Economic Opportunity, the Departments of Labor and Health, Education, and Welfare, and any other Federal agencies administering relevant programs with a view to achieving optimal coordination with such other programs, and shall promote the coordination of projects under this title with other public or private programs or projects carried out at State and local levels. Such Federal agencies shall cooperate with the Director in disseminating information about the availability of assistance under this title and in promoting the identification and interest of low-income and other older persons whose services may be utilized in projects under this title.

PAYMENTS

SEC. 222. Payments under this title pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on

account of previously made overpayments or underpayments) in advance or by way of reimbursement, in such installments and on such conditions, as the Director may determine.

MINORITY GROUP PARTICIPATION

SEC. 223. The Director shall take appropriate steps to insure that special efforts are made to recruit, select, and assign qualified individuals sixty years and older from minority groups to serve as volunteers under this title.

TITLE III—NATIONAL VOLUNTEER PROGRAMS TO ASSIST SMALL BUSINESSES AND PROMOTE VOLUNTEER SERVICE BY PERSONS WITH BUSINESS EXPERIENCE

STATEMENT OF PURPOSE

SEC. 301. This title provides for programs in which persons with business experience volunteer to assist persons, especially those who are economically disadvantaged, engaged in, or who seek to engage in, small business enterprises, and to make available their expertise as volunteers in programs authorized by, or of a character eligible for assistance under, this Act, the Economic Opportunity Act of 1964, as amended (42 U.S.C. chap. 34) (particularly title VII thereof), or the Small Business Act (15 U.S.C. chap. 14A). The purpose of this title is to utilize the skills and expertise of persons with business experience to assist persons in, or seeking to enter, business enterprises, or to carry out management and financial counseling activities in furtherance of the purposes of this Act.

86 Stat. 697.
42 USC 2981.
72 Stat. 384.
15 USC 631 note.

AUTHORITY TO ESTABLISH, COORDINATE, AND OPERATE PROGRAMS

Service Corps of Retired Executives (SCORE); Active Corps of Executives (ACE).

SEC. 302. (a) The Director is authorized to establish and conduct, and to recruit, select, and train volunteers for (and to make grants or enter into contracts therefor), volunteer programs, including a Service Corps of Retired Executives (SCORE) and an Active Corps of Executives (ACE) and programs in which SCORE and ACE volunteers expand the application of their expertise beyond Small Business Administration clients, to carry out the purpose of this title: *Provided, however*, That the services of volunteers who are assisting persons or enterprises seeking to obtain, or receiving, financial or management counseling assistance from the Small Business Administration shall be performed under the direction of the Administrator of the Small Business Administration (hereinafter referred to in this title as the "Administrator") pursuant to section 8(b)(1) of the Small Business Act (15 U.S.C. 637(b)(1)).

72 Stat. 389; 80 Stat. 1295.

Assignment, terms and conditions.

(b) The assignment of volunteers engaged in programs under this title shall be on such terms and conditions as the Director may determine, except that he shall prescribe such terms and conditions in agreement with the Administrator with respect to the service of volunteers described in the proviso in subsection (a) of this section.

(c)(1) Such volunteers, while carrying out activities under this title and section 8(b)(1) of the Small Business Act (15 U.S.C. 637(b)(1)), shall be deemed Federal employees for the purpose of the Federal tort claims provisions in title 28, United States Code.

28 USC 2671.

Expenses, reimbursement.

(2) The Director is authorized to reimburse such volunteers only for such necessary out-of-pocket expenses incident to their provision of services under this Act as he shall determine, in accordance with regulations which he shall prescribe, and, while they are carrying out

such activities away from their homes or regular places of business, for travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of title 5, United States Code, for individuals serving without pay. 80 Stat. 499; 83 Stat. 190.

(3) Such volunteers shall in no way (A) participate for the benefit of the Small Business Administration (rather than on behalf of their clients) in any screening or evaluation activities in connection with applications for loans from such Administration, or (B) provide services to a client of such Administration with a delinquent loan outstanding, except upon a specific request signed by such client for assistance in connection with such matter. Service to SBA loan applicants, prohibition.

(d) The Director and the Administrator shall cooperate in order to make available to such volunteers, or groups thereof, such use of the office facilities and related supplies, materials, and services of the Small Business Administration and the ACTION Agency as they deem appropriate to assist such volunteers to carry out such activities, including authorized meetings of groups of volunteers. Office facilities and supplies, availability.

(e) Except as otherwise provided in this Act, activities authorized to be carried out both by this title and by section 8(b)(1) of the Small Business Act (15 U.S.C. 637(b)(1)) shall be carried out under this title to the maximum extent feasible. 72 Stat. 389; 80 Stat. 1295.

TITLE IV—ADMINISTRATION AND COORDINATION

ESTABLISHMENT OF AGENCY

SEC. 401. There is hereby established in the executive branch of the Government an agency to be known as the ACTION Agency. Such Agency shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate provided for level III of the Executive Schedule under section 5314 of title 5, United States Code. There shall also be in such agency a Deputy Director who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code. The Deputy Director shall perform such functions as the Director shall from time to time prescribe, and shall act as Director of the ACTION Agency during the absence or disability of the Director. There shall also be in such agency two Associate Directors who shall be appointed by the President by and with the advice and consent of the Senate, and shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code. One such Associate Director shall be designated "Associate Director for Domestic and Anti-Poverty Operations" and shall carry out operational responsibility for all programs authorized under this Act, and the other such Associate Director shall be designated "Associate Director for International Operations" and shall carry out operational responsibility for all programs authorized under the Peace Corps Act (22 U.S.C. 2501 et seq.). There shall also be in such agency no more than two Assistant Directors appointed by the President by and with the advice and consent of the Senate, who shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code. Each such Assistant Director shall perform such staff and support functions for such Associate Directors as the Director shall from time to time prescribe.

ACTION Agency.

80 Stat. 460; 83 Stat. 864.

Associate Director for Domestic and Anti-Poverty Operations.

Associate Director for International Operations.

75 Stat. 612.

There shall also be in such agency one Deputy Associate Director, under the Associate Director for Domestic and Anti-Poverty Operations, primarily responsible for programs carried out under parts A and B of title I of this Act and one Deputy Associate Director, under the Associate Director for Domestic and Anti-Poverty Operations, primarily responsible for programs carried out under title II of this Act, each of whom shall be appointed by the Director.

Ante, pp. 396, 399.

Ante, p. 401.

AUTHORITY OF THE DIRECTOR

SEC. 402. In addition to the authority conferred upon him by other sections of this Act, the Director is authorized to—

Personnel, appointment.

(1) appoint in accordance with the Civil Service laws such personnel as may be necessary to enable the ACTION Agency to carry out its functions, and, except as otherwise provided herein, fix the compensation of such personnel in accordance with chapter 51 of title 5, United States Code;

80 Stat. 443.
5 USC 5101.

Experts and consultants.

80 Stat. 416.

(2) (A) employ experts and consultants or organizations thereof as authorized by section 3109 of title 5, United States Code, except that no individual may be employed under the authority of this subsection for more than one hundred days in any fiscal year; (B) compensate individuals so employed at rates not in excess of the daily equivalent of the rate payable to a GS–18 employee under section 5332 of such title, including travel-time; (C) allow such individuals, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of such title for persons in the Government service employed intermittently, while so employed; and (D) annually renew contracts for such employment under this clause;

5 USC 5332 note.

80 Stat. 499; 83 Stat. 190.
5 USC 5703.

Delegation of functions.

(3) with the approval of the President, arrange with and reimburse the heads of other Federal agencies for the performance of any of the provisions of this Act and, as necessary or appropriate, delegate any of his functions under this Act and authorize the redelegation thereof subject to provisions to assure the maximum possible liaison between the ACTION Agency and such other agencies at all operating levels, which shall include the furnishing of complete operational information by such other agencies to the ACTION Agency and the furnishing of such information by the ACTION Agency to such other agencies;

Federal and non-Federal agencies, services and facilities, utilization.

(4) with their consent, utilize the services and facilities of Federal agencies without reimbursement, and, with the consent of any State or a political subdivision of a State, accept and utilize the services and facilities of the agencies of such State or subdivision without reimbursement;

Gifts or bequests, acceptance.

(5) accept in the name of the ACTION Agency, and employ or dispose of in furtherance of the purposes of this Act, or of any title thereof, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise;

(6) accept voluntary and uncompensated services;

(7) allocate and expend, or transfer to other Federal agencies for expenditure, funds made available under this Act as he deems necessary to carry out the provisions hereof, including (without regard to the provisions of section 4774(d) of title 10, United States Code), expenditure for construction, repairs, and capital improvements;

70A Stat. 269.

(8) disseminate, without regard to the provisions of section 3204 of title 39, United States Code, data and information, in such form as he shall deem appropriate to public agencies, private organizations, and the general public; Information dissemination. 84 Stat. 752.

(9) adopt an official seal, which shall be judicially noticed; Official seal.

(10) collect or compromise all obligations to or held by him and all legal or equitable rights accruing to him in connection with the payment of obligations in accordance with Federal Claims Collection Act of 1966 (31 U.S.C. 951–53); 80 Stat. 308.

(11) expend funds made available for purposes of this Act as follows: (A) for printing and binding, in accordance with applicable law and regulations; and (B) without regard to any other law or regulation, for rent of buildings and space in buildings and for repair, alteration, and improvement of buildings and space in buildings rented by him; but the Director shall not utilize the authority contained in this subclause (B)— Funds, expenditure.

(i) except when necessary to obtain an item, service, or facility, which is required in the proper administration of this Act, and which otherwise could not be obtained, or could not be obtained in the quantity or quality needed, or at the time, in the form, or under the conditions in which, it is needed, and

(ii) prior to having given written notification to the Administrator of General Services (if the exercise of such authority would affect an activity which otherwise would be under the jurisdiction of the General Services Administration) of his intention to exercise such authority, the item, service, or facility with respect to which such authority is proposed to be exercised, and the reasons and justifications for the exercise of such authority;

(12) notwithstanding any other provision of law, make grants to or contracts with Federal or other public departments or agencies and private nonprofit organizations for the assignment or referral of volunteers under this Act (except for volunteers serving under part A of title I thereof), which may provide that the agency or organization shall pay all or a part of the costs of the program; Grants or contracts. *Ante*, p. 396.

(13) provide or arrange for educational and vocational counseling of volunteers and recent former volunteers under this Act to (A) encourage them to use in the national interest the skills and experience which they have derived from their training and service, particularly working in combating poverty as members of the helping professions, and (B) promote the development, and the placement therein of such volunteers, of appropriate opportunities for the use of such skills and experience; Educational and vocational counseling.

(14) establish such policies, standards, criteria, and procedures, prescribe such rules and regulations, enter into such contracts and agreements with public agencies and private organizations and persons, and make such payments (in lump sum or installments, and in advance or by way of reimbursement, and in the case of grants otherwise authorized under this Act, with necessary adjustments on account of overpayments and underpayments) as are necessary or appropriate to carry out the provisions of this Act; and Rules and regulations.

(15) generally perform such functions and take such steps, consistent with the purposes and provisions of this Act, as he deems necessary or appropriate to carry out the provisions of this Act.

POLITICAL ACTIVITIES

Funds, prohibition.

SEC. 403. (a) No part of any funds appropriated to carry out this Act, or any program administered by the ACTION Agency, shall be used to finance, directly or indirectly, any activity designed to influence the outcome of any election to Federal office, or any voter registration activity, or to pay the salary of any officer or employee of the ACTION Agency, who, in his official capacity as such an officer or employee, engages in any such activity. As used in this section, the term "election" has the same meaning given such term by section 301(a) of the Federal Election Campaign Act of 1971 (Public Law 92–225), and the term "Federal office" has the same meaning given such term by section 301(c) of such Act.

"Election."

86 Stat. 11.
2 USC 431.
"Federal office."

(b) Programs assisted under this Act shall not be carried on in a manner involving the use of funds, the provision of services, or the employment or assignment of personnel in a manner supporting or resulting in the identification of such programs with (1) any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office, (2) any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election, or (3) any voter registration activity. The Director, after consultation with the Civil Service Commission, shall issue rules and regulations to provide for the enforcement of this section, which shall include provisions for summary suspension of assistance for no more than thirty days until notice and an opportunity to be heard can be provided or other action necessary to permit enforcement on an emergency basis.

Enforcement, rules and regulations.

SPECIAL LIMITATIONS

Volunteer activities.

SEC. 404. (a) The Director shall prescribe regulations and shall carry out the provisions of this Act so as to assure that the service of volunteers assigned, referred, or serving pursuant to grants, contracts, or agreements made under this Act is limited to activities which would not otherwise be performed by employed workers and which will not supplant the hiring of or result in the displacement of employed workers, or impair existing contracts for service.

Support costs.

(b) All support, including transportation provided to volunteers under this Act, shall be furnished at the lowest possible costs consistent with the effective operation of volunteer programs.

(c) No agency or organization to which volunteers are assigned hereunder, or which operates or supervises any volunteer program hereunder, shall request or receive any compensation for services of volunteers supervised by such agency or organization.

Funds for labor or antilabor organization activities, prohibition.

(d) No funds authorized to be appropriated herein shall be directly or indirectly utilized to finance labor or antilabor organization or related activity.

Selection procedures.

(e) Persons serving as volunteers under this Act shall provide such information concerning their qualifications, including their ability to perform their assigned tasks, and their integrity, as the Director shall prescribe and shall be subject to such procedures for selection and approval as the Director determines are necessary to carry out the purposes of this Act. The Director may establish such special procedures for the recruitment, selection, training, and assignment of low-income residents of the area to be served by a program under this Act who wish to become volunteers as he determines will further the purposes of this Act.

(f) Notwithstanding any other provision of law and except as provided in the second sentence of this subsection, the Director shall assign or delegate any substantial responsibility for carrying out programs under this Act only to persons appointed or employed pursuant to clauses (1) and (2) of section 402, and persons assigned or delegated such substantial responsibilities on the effective date of this Act and who are receiving compensation in accordance with provisions of law other than the applicable provisions of title 5, United States Code, on such date shall, by operation of law on such date, be assigned a grade level pursuant to such latter provisions so as to fix the compensation of such persons under such authority at no less than their compensation rate on the day preceding such date. The Director may personally make exceptions to the requirement set forth in the first sentence of this subsection for persons he finds will be assigned to carrying out functions under the Peace Corps Act (22 U.S.C. 2501 et seq.) within six months after the effective date of this Act.

Compensation conversion requirement.

5 USC 101 *et seq.*

Exceptions.

75 Stat. 612.

(g) Notwithstanding any other provision of law except as may be provided expressly in limitation of this subsection, payments to volunteers under this Act shall not in any way reduce or eliminate the level of or eligibility for assistance or services any such volunteers may be receiving under any governmental program.

Government assistance, eligibility.

NATIONAL VOLUNTARY SERVICE ADVISORY COUNCIL

SEC. 405. (a) There is hereby established in the ACTION Agency a National Voluntary Service Advisory Council (hereinafter referred to as the "Council") to be composed of not more than twenty-five members appointed, not later than ninety days after the date of the enactment of this Act, by and serving at the pleasure of the President. Such members shall be representative of public and private organizations, groups, and individuals interested in serving and benefited by programs carried out under this Act and the Peace Corps Act (22 U.S.C. 2501 et seq.). The President shall designate a temporary chairperson from such members and shall call the initial meeting of the Council within thirty days after appointment of such Council. Members of the Council shall designate a permanent chairperson from such members and shall meet at the call of such chairperson, but not less than four times in each year. Members of the Council, other than those regularly employed by the Federal Government, while attending meetings of such Council shall receive compensation and travel expenses as provided in section 402(2) of this Act with respect to experts and consultants. The Director and Deputy Director of the ACTION Agency shall be ex officio members of the Council.

Establishment.

Pay and travel expenses.

(b) The Council shall—

Functions.

(1) advise the Director with respect to policy matters arising in the administration of this Act and the Peace Corps Act (22 U.S.C. 2501 et seq.); and

(2) upon the request of the Director, review the effectiveness and the operation of programs under this Act and the Peace Corps Act and make recommendations (including such proposals for changes in such Acts as the Council deems appropriate) concerning (A) the improvement of such programs, (B) the elimination of duplication of effort, and (C) the coordination of such programs with other Federal programs designed to assist the beneficiaries of such Acts.

(c) Not later than January 1 of each calendar year beginning with the calendar year 1975, the Council shall make an annual report of its findings and recommendations to the President for transmittal by the President to the Congress together with his comments and recommendations.

Report to President for transmittal to Congress.

LABOR STANDARDS

SEC. 406. All laborers and mechanics employed by contractors or subcontractors in the construction, alteration or repair, including painting and decorating of projects, buildings and works which are federally assisted under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Number 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and in section 2 of the Act of June 1, 1934, as amended (48 Stat. 948, ch. 492, as amended; 40 U.S.C. 276c).

49 Stat. 1011; 78 Stat. 238.

5 USC app.

REPORTS

Report to President for transmittal to Congress.

SEC. 407. Not later than one hundred and twenty days after the end of each fiscal year, the Director shall prepare and submit to the President for transmittal by the President to the Congress a full and complete report on the activities of the ACTION Agency during such year.

JOINT FUNDING

SEC. 408. Pursuant to regulations prescribed by the President, and to the extent consistent with the other provisions of this Act, where funds are provided for a single project by more than one Federal agency to an agency or organization assisted under this Act, the Federal agency principally involved may be designated to act for all in administering the funds provided, and, notwithstanding any other provision of law, in such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each agency. When the principal agency involved is the ACTION Agency, it may waive any grant or contract requirement (as defined by such regulations) under or pursuant to any law other than this Act, which requirement is inconsistent with the similar requirements under or pursuant to this Act.

Grant or contract requirement, waiver.

PROHIBITION OF FEDERAL CONTROL

SEC. 409. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any education institution or school system.

COORDINATION WITH OTHER PROGRAMS

SEC. 410. The Director shall take necessary steps to coordinate volunteer programs authorized under this Act with one another, with community action programs, and with other related Federal, State, and local programs. The Director shall also consult with the heads of other Federal, State, and local agencies responsible for programs related to the purposes of this Act with a view to encouraging greater use of volunteer services in those programs and establishing in connection with them systematic procedures for the recruitment, referral, or necessary preservice orientation or training of volunteers serving pursuant to this Act.

PROHIBITION

SEC. 411. In order to assure that existing Federal agencies are used to the fullest extent possible in carrying out the purposes of this Act, no funds appropriated to carry out this Act shall be used to establish any new department or office when the intended function is being performed by an existing department or office.

NOTICE AND HEARING PROCEDURES FOR SUSPENSION AND TERMINATION OF FINANCIAL ASSISTANCE

SEC. 412. The Director is authorized, in accordance with the provisions of this section, to suspend further payments or to terminate payments under any contract or grant providing assistance under this Act, whenever he determines there is a material failure to comply with the applicable terms and conditions of any such grant or contract. The Director shall prescribe procedures to insure that—

(1) assistance under this Act shall not be suspended for failure to comply with applicable terms and conditions, except in emergency situations for thirty days, nor shall an application for refunding under this Act be denied, unless the recipient has been given reasonable notice and opportunity to show cause why such action should not be taken; and

(2) assistance under this Act shall not be terminated for failure to comply with applicable terms and conditions unless the recipient has been afforded reasonable notice and opportunity for a full and fair hearing.

DURATION OF PROGRAM

SEC. 413. The Director shall carry out the programs provided for in this Act during the fiscal year ending June 30, 1974, and the three succeeding fiscal years. For each such fiscal year, only such sums may be appropriated as the Congress may authorize by law.

DISTRIBUTION OF BENEFITS BETWEEN RURAL AND URBAN AREAS

SEC. 414. The Director shall adopt appropriate administrative measures to assure that the benefits of and services under this Act will be distributed equitably between residents of rural and urban areas.

APPLICATION OF FEDERAL LAW

SEC. 415. (a) Except as provided in subsections (b), (c), (d), and (e) of this section, volunteers under this Act shall not be deemed Federal employees and shall not be subject to the provisions of laws relating to Federal officers and employees and Federal employment.

(b) Individuals enrolled in programs under title I of this Act for periods of service of at least one year shall, with respect to such service or training, (1) for the purposes of subchapter III of chapter 73 of title 5, United States Code, be deemed persons employed in the executive branch of the Federal Government, (2) for the purposes of the Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.) and title II of the Social Security Act (42 U.S.C. 401 et seq.), be deemed employees of the United States, and any service performed by an individual as a volunteer (including training) shall be deemed to be performed in the employ of the United States, (3) for the purposes of the Federal Tort Claims provisions of title 28, United States Code, be deemed employees of the United States, and (4) for the purposes of subchapter I of chapter 81 of title 5, United States Code (relative

Ante, p. 396.

80 Stat. 525.
5 USC 7321.

68A Stat. 5.
53 Stat. 1362.

62 Stat. 982;
80 Stat. 306.
28 USC 2671.
5 USC 8101.

to compensation to Federal employees for work injuries), shall be deemed civil employees of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provisions of that subchapter shall apply except as follows: (A) in computing compensation benefits for disability or death, the monthly pay of a volunteer shall be deemed that received under the entrance salary for a grade GS–7 employee, and subsections (a) and (b) of section 8113 of title 5, United States Code, shall apply, and (B) compensation for disability shall not begin to accrue until the day following the date on which the injured volunteer is terminated.

80 Stat. 532.

5 USC 5332 note.

80 Stat. 540.

Subsequent government employment.

Ante, p. 396.

(c) Any period of service of a volunteer enrolled in a program for a period of service of at least one year under part A of title I of this Act, and any period of full-time service of a volunteer enrolled in a program for a period of service of at least one year under part B or C of title I of this Act, shall be credited in connection with subsequent employment in the same manner as a like period of civilian employment by the United States Government—

74 Stat. 844.

(1) for the purposes of section 852(a)(1) of the Foreign Service Act of 1946, as amended (22 U.S.C. 1092(a)(1)), and every other Act establishing a retirement system for civilian employees of any United States Government agency; and

(2) except as otherwise determined by the President, for the purposes of determining seniority, reduction in force, and layoff rights, leave entitlement, and other rights and privileges based upon length of service under the laws administered by the Civil Service Commission, the Foreign Service Act of 1946, and every other Act establishing or governing terms and conditions of service of civilian employees of the United States Government: *Provided*, That service of a volunteer shall not be credited toward completion of any probationary or trial period or completion of any service requirement for career appointment.

60 Stat. 999.

22 USC 801 note.

(d) Volunteers serving in programs for periods of service of at least one year under part A of title I of this Act, and volunteers serving for such periods under title VIII of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2991–2994d), including those whose service was completed under such Act, who the Director determines, in accordance with regulations he shall prescribe, have successfully completed their periods of service, shall be eligible for appointment in the competitive service in the same manner as Peace Corps volunteers as prescribed in Executive Order Number 11103 (April 10, 1963).

81 Stat. 722.

22 USC 2504 note.

(e) Notwithstanding any other provision of law, all references in any other law to persons serving as volunteers under title VIII of the Economic Opportunity Act of 1964, as amended, shall be deemed to be references to persons serving as full-time volunteers in a program of at least one year's duration under part A, B, or C of title I of this Act.

EVALUATION

SEC. 416. (a) The Director shall periodically measure and evaluate the impact of all programs authorized by this Act, their effectiveness in achieving stated goals in general, and in relation to their cost, their impact on related programs, and their structure and mechanisms for delivery of services. Evaluations shall be conducted by persons not immediately involved in the administration of the program or project evaluated.

Standards, publication.

(b) The Director shall develop and publish general standards for evaluation of program and project effectiveness in achieving the objec-

tives of this Act. Reports submitted pursuant to section 407 shall describe the actions taken as a result of evaluations carried out under this section.

(c) In carrying out evaluations under this title, the Director shall, whenever possible, arrange to obtain the opinions of program and project participants about the strengths and weaknesses of such programs and projects.

Summaries of results, publication.

(d) The Director shall publish summaries of the results of evaluations of program and project impact and effectiveness no later than sixty days after the completion thereof.

(e) The Director shall take the necessary action to assure that all studies, evaluations, proposals, and data produced or developed with Federal funds shall become the property of the United States.

(f) The Director is authorized to use such sums as are required, but not to exceed 1 per centum of the funds appropriated under this Act, to conduct program and project evaluations (directly, or by grants or contracts) as required by this Act. In the case of allotments from such an appropriation, the amount available for such allotments (and the amount deemed appropriate therefor) shall be reduced accordingly.

NONDISCRIMINATION

SEC. 417. (a) The Director shall not provide financial assistance for any program under this Act unless the grant, contract, or agreement with respect to such program specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any such program because of race, creed, belief, color, national origin, sex, age, or political affiliation.

(b) No person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with, any program or activity receiving assistance under this Act. The Director shall enforce the provisions of the preceding sentence in accordance with section 602 of the Civil Rights Act of 1964 (42 U.S.C. 2000d–1). Section 603 of such Act shall apply with respect to any action taken by the Director to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if that person is excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with any program or activity receiving assistance under this Act.

78 Stat. 252, 253.
42 USC 2000d-2.

ELIGIBILITY FOR OTHER BENEFITS

SEC. 418. Notwithstanding any other provision of law, no payment for supportive services or reimbursement of out-of-pocket expenses made to persons serving pursuant to titles II and III of this Act shall be subject to any tax or charge or be treated as wages or compensation for the purposes of unemployment, temporary disability, retirement, public assistance, or similar benefit payments, or minimum wage laws. This section shall become effective with respect to all payments made after the effective date of this Act.

Ante, pp. 401, 404.

Effective date.

LEGAL EXPENSES

SEC. 419. Notwithstanding any other provision of law and pursuant to regulations which the Director shall prescribe, counsel may be employed and counsel fees, court costs, bail, and other expenses incidental to the defense of volunteers may be paid in judicial or adminis-

trative proceedings to which full-time volunteers (or part-time volunteers when such proceeding arises directly out of the performance of activities pursuant to this Act or section 8(b)(1) of the Small Business Act, as amended (15 U.S.C. 637(b)(1)) serving under this Act have been made parties.

72 Stat. 384; 81 Stat. 268.

GUIDELINES

Publication in Federal Register.

SEC. 420. All rules, regulations, guidelines, instructions, and application forms published or promulgated pursuant to this Act shall be published in the Federal Register at least thirty days prior to their effective date.

DEFINITIONS

SEC. 421. For the purposes of this Act—

(1) the term "Director" means the Director of the ACTION agency;

(2) the terms "United States" and "States" mean the several States, the District of Columbia, the Virgin Islands, Puerto Rico, Guam, and American Samoa and, for the purposes of title II of this Act, the Trust Territory of the Pacific Islands;

Ante, p. 401.

(3) the term "nonprofit" as applied to any agency, institution, or organization means an agency, institution, or organization which is, or is owned and operated by, one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

(4) the term "poor" or "low-income" persons, individuals, or volunteers means such individuals whose incomes fall at or below the poverty line as set forth in section 625 of the Economic Opportunity Act of 1964, as amended by Public Law 92-424 (42 U.S.C. 2971d): *Provided*, That in determining who is "poor" or "low-income", the Director shall take into consideration existing poverty guidelines as appropriate to local situations.

86 Stat. 697.

AUDIT

Recordkeeping.

SEC. 422. (a) Each recipient of Federal grants, subgrants, contracts, subcontracts, or loans entered into under this Act other than by formal advertising, and which are otherwise authorized by this Act, shall keep such records as the Director shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Director and the Comptroller General of the United States, or any of their duly authorized representatives, shall, until the expiration of three years after completion of the project or undertaking referred to in subsection (a) of this section, have access for the purpose of audit and examination to any books, documents, papers, and records of such recipients which in the opinion of the Director or the Comptroller General may be related or pertinent to the grants, contracts, subcontracts, subgrants, or loans referred to in subsection (a).

TITLE V—AUTHORIZATION OF APPROPRIATIONS

NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

SEC. 501. (a) There are authorized to be appropriated $37,600,000 for the fiscal year ending June 30, 1974, and such sums as may be necessary each for the fiscal years ending June 30, 1975, and June 30, 1976, for the purpose of carrying out title I of this Act. In each such year, of the sums appropriated pursuant to this title not less than $29,600,000 shall be expended on programs designed to eliminate poverty and poverty-related human, social, and environmental problems. Of this amount not less than $22,300,000 shall be expended on programs authorized under part A of title I in each such fiscal year.

Ante, p. 396.

(b) Any sums authorized to be appropriated for title I of this Act in excess of $37,600,000 shall be reflected in a commensurate increase in the sums to be made available for part A of such title.

NATIONAL OLDER AMERICANS VOLUNTEER PROGRAMS

SEC. 502. (a) There are authorized to be appropriated $17,500,000 for the fiscal year ending June 30, 1974, and $20,000,000 each for the fiscal year ending June 30, 1975, and for the fiscal year ending June 30, 1976, respectively, to be used for the purpose of carrying out programs under part A of title II of this Act.

Ante, p. 401.

(b) (1) There are authorized to be appropriated $32,500,000 for the fiscal year ending June 30, 1974, and $40,000,000 each for the fiscal years ending June 30, 1975, and June 30, 1976, respectively, for the purpose of carrying out programs under part B of such title of which (A) $26,500,000 for the fiscal year ending June 30, 1974, and $32,000,000 each for the fiscal years ending June 30, 1975, and June 30, 1976, respectively, shall be available for such years for grants or contracts under subsection (a) of section 211, and (B) $6,000,000 for the fiscal year ending June 30, 1974, and $8,000,000 each for the fiscal years ending June 30, 1975, and June 30, 1976, respectively, shall be available for such years for grants or contracts under subsection (b) of such section.

Ante, p. 402.

(2) If the sums authorized to be appropriated under paragraph (1) of this subsection are not appropriated and made available in full for each such fiscal year, then such sums as are appropriated and made available for each such fiscal year shall be allocated so that—

(A) any amounts appropriated not in excess of a sum which when added to carryover balances otherwise available for obligation under subsection (a) of section 211 equal $25,000,000 shall be used for grants or contracts under such subsection; and

(B) any amounts appropriated in excess of a sum which when added to carryover balances otherwise available for obligation under subsection (a) of section 211 equals $31,000,000 for the fiscal year ending June 30, 1974, and $33,000,000 each for the fiscal years ending June 30, 1975, and June 30, 1976, respectively, shall be used for grants or contracts for such fiscal years under such subsection.

NATIONAL VOLUNTEER PROGRAMS TO ASSIST SMALL BUSINESSES AND PROMOTE VOLUNTEER SERVICE BY PERSONS WITH BUSINESS EXPERIENCE

SEC. 503. There are authorized to be appropriated $208,000 for the fiscal year ending June 30, 1974, and such sums as may be necessary each for the fiscal years ending June 30, 1975, and June 30, 1976, respectively, for the purpose of carrying out programs under title III of this Act.

Ante, p. 404.

ADMINISTRATION AND COORDINATION

SEC. 504. There are authorized to be appropriated each for the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, respectively, such sums as may be necessary for the administration of this Act as authorized in title IV of such Act.

Ante, p. 405.

AVAILABILITY OF APPROPRIATIONS

SEC. 505. Notwithstanding any other provision of law, unless enacted in express and specific limitation of the provisions of this section, funds appropriated for any fiscal year to carry out any program under this Act or any predecessor authority shall remain available, in accordance with the provisions of this Act, for obligation and expenditure until expended.

TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS

SUPERSEDENCE OF REORGANIZATION PLAN NUMBER 1 OF JULY 1, 1971

SEC. 601. (a) Sections 1, 2(a), 3, and 4 of Reorganization Plan Number 1 of 1971 (July 1, 1971) are hereby superseded.

85 Stat. 819.
5 USC app. II.
Transfer of functions.

(b) The personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with the functions transferred to the Director of the ACTION Agency by sections 2(a) and 4 of such reorganization plan are hereby transferred to the ACTION Agency established by section 401. All grants, contracts, and other agreements awarded or entered into under the authority of such reorganization plan will be recognized under comparable provisions of this Act so that there is no disruption of ongoing activities for which there is continuing authority.

(c) All official actions taken by the Director of the ACTION Agency, his designee, or any other person under the authority of such reorganization plan which are in force on the effective date of this Act and for which there is continuing authority under the provisions of this Act, and the length of the period of service of volunteers serving or undergoing training under title VIII of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2991–2994d) on the effective date of this Act, shall continue in full force and effect until modified, superseded, or revoked by the Director.

81 Stat. 722.

(d) All references to ACTION, or the Director of ACTION in any statute, reorganization plan, Executive order, regulation, or other official document or proceeding shall, on and after the effective date of this Act, be deemed to refer to the ACTION Agency established by section 401 and the Director thereof.

(e) No suit, action, or other proceeding, and no cause of action, by or against the agency known as ACTION created by such reorganization plan, or any action by any officer thereof acting in his official capacity, shall abate by reason of enactment of this Act.

(f) Persons appointed by the President, by and with the advice and consent of the Senate, to positions requiring such advice and consent under such reorganization plan may continue to serve in the same capacity in the ACTION Agency without the necessity of an additional appointment by the President or further such advice and consent by the Senate.

CREDITABLE SERVICE FOR CIVIL SERVICE RETIREMENT

SEC. 602. Section 8332(b)(7) of title 5, United States Code (relating to creditable service to civil service retirement), is amended by inserting a comma and "or a period of service of a full-time volunteer enrolled in a program of at least one year's duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973 (— U.S.C. —)" after "Economic Opportunity Act of 1964". 83 Stat. 831. *Ante*, p. 396.

REPEAL OF TITLE VIII OF THE ECONOMIC OPPORTUNITY ACT

SEC. 603. Title VIII of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2991–2994d), is hereby repealed. Repeal. 81 Stat. 722.

REPEAL OF TITLE VI OF THE OLDER AMERICANS ACT

SEC. 604. (a) Title VI of the Older Americans Act of 1965, as amended (42 U.S.C. 3044–3044e), is hereby repealed. Repeal. 83 Stat. 111; *Ante*, p. 55.

(b) Section 908 of the Older Americans Comprehensive Services Amendments Act of 1973 (Public Law 93–29) is amended by striking out "1973," and "1974," and inserting in lieu thereof "1974," and "1975,", respectively. *Ante*, p. 64.

Approved October 1, 1973.

Public Law 93-114

AN ACT

October 1, 1973
[S. 776]

To authorize the striking of medals in commemoration of the one hundredth anniversary of the cable car in San Francisco.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the one hundredth anniversary of the invention of the cable car, the Secretary of the Treasury shall strike and deliver to the San Francisco Cable Car Centennial Committee not more than one hundred and fifty thousand medals with suitable emblems, devices, and inscriptions to be determined by the Secretary of the Treasury after consultation with the committee. The medals, which may be disposed of by the committee at a premium, shall be delivered at such times as may be required by the committee in quantities of not less than two thousand, but no medals shall be struck after December 31, 1974. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368) except that for the purposes of this Act some or all of such medals may be struck by the superintendent of the coining department of the assay office at San Francisco, under such regulations as the superintendent, with the approval of the Director of the Mint, may prescribe. Medals struck at the assay office may bear the legend "Struck at the San Francisco Mint". San Francisco cable cars. 100th anniversary medals.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and delivered at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such costs. Cost.

SEC. 3. The medals authorized to be struck and delivered under this Act shall be of such size or sizes and of such various metals as shall be determined by the Secretary of the Treasury in consultation with the committee. Size.

Approved October 1, 1973.

Public Law 93-115

October 1, 1973
[S. 1352]

AN ACT

To require loadlines on United States vessels engaged in foreign voyages and foreign vessels within the jurisdiction of the United States, and for other purposes.

International Voyage Load Line Act of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "International Voyage Load Line Act of 1973".

SEC. 2. The Secretary of the department in which the Coast Guard is operating (hereinafter referred to as "Secretary") shall enforce the provisions of this Act and prescribe regulations to carry out its provisions. With the consent of the Secretary of the Treasury, the Secretary may utilize officers of the Bureau of Customs to enforce this Act and the regulations established hereunder.

DEFINITIONS

SEC. 3. As used in this Act—

(1) "new ship" means a vessel the keel of which is laid (or which is at a similar stage of construction) on or after July 21, 1968; and

(2) "existing ship" means a vessel which is not a "new ship".

APPLICABILITY

SEC. 4. (a) This Act applies to vessels which—

(1) arrive at any port or place within the jurisdiction of the United States from foreign ports;

(2) make voyages between foreign ports (except foreign vessels engaged in such voyages); or

(3) depart from any port or place within the jurisdiction of the United States for a foreign port.

(b) This Act does not apply to—

(1) ships of war;

(2) pleasure craft not used in trade or commerce;

(3) fishing vessels;

(4) existing ships of less than one hundred and fifty gross tons;

(5) new ships of less than seventy-nine feet in length;

(6) vessels which navigate exclusively on the Great Lakes; or

(7) vessels operating on sheltered waters between ports of the United States and neighboring countries as provided in any treaty of the United States.

(c) A vessel which voluntarily obtains loadlines shall be treated as a vessel subject to this Act until its loadline certificate is surrendered and its loadline marks removed.

(d) This Act does not abrogate any provisions of treaties or conventions in effect, which are not in conflict with the International Convention on Loadlines, 1966, and to which the United States has acceded.

18 UST 1857.

DETERMINATION OF LOADLINES; ISSUANCE OF CERTIFICATE; PROHIBITION

SEC. 5. (a) The Secretary shall prescribe loadlines, the marking thereof, and associated condition surveys for vessels subject to this Act to indicate the minimum freeboard to which each may be safely loaded, giving due consideration to, and making differentials for the service, type, and character of each vessel, and in conformance with applicable international treaties or conventions to which the United States has acceded.

(b) Loadlines shall be permanently and conspicuously marked and maintained in the manner prescribed by the Secretary. Upon completion of survey requirements and a finding that the loadline is positioned and marked in the manner prescribed, the Secretary shall issue a loadline certificate, to the master or owner of the vessel, which shall be carried on board the vessel.

(c) A loadline shall not be established or marked which, in the judgment of the Secretary, authorizes less than the minimum safe freeboard. At the request of the owner a loadline may be established or marked to indicate a greater freeboard than that which the Secretary determines is the minimum safe freeboard; any such loadline shall be the prescribed loadline for purposes of section 9.

APPOINTMENT OF SURVEYORS; REVOCATION

SEC. 6. (a) The Secretary shall appoint the American Bureau of Shipping, or such other United States nonprofit corporations or associations for the survey or registry of shipping which he approves, to determine that a vessel's condition is satisfactory and whether its loadline is positioned and marked in the manner prescribed by the Secretary and thereupon to issue a loadline certificate.

(b) The Secretary may appoint for the purpose of this section:

(1) any officer of the United States, or

(2) at the request of a shipowner, any other corporation or association for the survey or registry of shipping which he approves.

(c) The Secretary may revoke an appointment under this section at any time.

EXEMPTIONS

SEC. 7. When a vessel subject to this Act is shown to be entitled to an exemption from the provisions of this Act by an international agreement to which the United States has acceded, a certificate of exemption shall be issued to the vessel, and carried in lieu of the certificate required by section 5 of this Act.

RECOGNITION; NONAPPLICABILITY

SEC. 8. (a) When it is found that the law and regulations in force in a foreign country relating to loadlines are equally effective as this Act and the regulations hereunder, or when a foreign country has acceded to an international loadline agreement to which the United States has acceded, the markings and certificate thereof of a vessel of the country shall be accepted as complying with the provisions of this Act and regulations hereunder. The control of such vessels shall be as provided in the applicable international agreement.

(b) Subsection (a) does not apply to vessels of foreign nations which do not similarly recognize the loadlines prescribed under this Act.

LOADING RESTRICTIONS; RECORDATION

SEC. 9. (a) No vessel subject to this Act may be so loaded as to submerge the prescribed loadline, or to submerge the point where an appropriate loadline under the Act and the prescribed regulations should be marked.

(b) The master of a vessel subject to this Act shall, after loading but before departing for a voyage by sea from any port or place in which this Act applies, record in the official logbook or other permanent record of the vessel a statement of the relative position of the prescribed loadline mark applicable at the time in question with respect to the water surface, and of the actual draft of the vessel, forward and aft, at the time, as nearly as they may be ascertained.

DETENTION OF VESSELS

SEC. 10. (a) When the Secretary has reason to believe that a vessel is about to leave a port in the United States or its possessions in violation of this Act or the regulations hereunder, the Secretary may, upon notifying the master or officer in charge of the vessel, order the vessel detained.

(b) Clearance required by section 4197 of the Revised Statutes, as amended (46 U.S.C. 91), shall be refused or withdrawn from any vessel so detained until correction of deficiencies.

Petition for review.

(c) The master or officer in charge of a vessel may petition the Secretary, in a manner prescribed by regulation, to review the detention order.

Modification.

(d) Upon receipt of a petition, the Secretary may withdraw the detention order, modify it, or require independent surveys as may be necessary to determine the extent of deficiencies. Upon completion of his review, including results of any required independent surveys he shall affirm, set aside, or modify the detention order.

Costs, liability.

(e) The owner of a vessel is liable for any costs incident to a petition for review and any independent surveys if the vessel is found to be in violation of this Act or the regulations hereunder.

PENALTIES FOR VIOLATIONS

SEC. 11. (a) Except as otherwise provided in this section, the owner and the master of a vessel found in violation of this Act or the regulations thereunder, are each liable to a civil penalty of not more than $1,000 for each day the vessel is in violation.

(b) Each person, if the owner, manager, agent, or master of a vessel who knowingly allows, causes, attempts to cause, or fails to take reasonable care to prevent the violation of subsection 9(a) of this Act or the regulations thereunder, is liable to a civil penalty of not more than $1,000 plus an additional amount of not more than $500 per inch of unlawful submergence.

(c) For any violation of subsection (b) of section 9 of this Act or the regulations thereunder, the master of the vessel is liable to a civil penalty of not more than $500.

(d) Any person who knowingly causes or permits the departure of a vessel from any port or place within the jurisdiction of the United States or its possessions in violation of a detention order pursuant to section 10 of this Act, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

(e) Any person who causes or allows the concealment, removal, alteration, defacement, or obliteration of any mark placed on a vessel pursuant to section 5 of this Act and the regulations thereunder, except in the event of a lawful change or to escape enemy capture in time of war, shall be fined not more than $2,000 or imprisoned not more than two years or both.

(f) For any penalty under this section the vessel is also liable. Liability.

(g) The Secretary may assess and collect any civil penalty incurred under this Act and, in his discretion, remit, mitigate, or compromise any penalty prior to referral to the Attorney General. Assessment and collection.

SEC. 12. Act, March 2, 1929 (C. 508, 45 Stat. 1493); Act, May 26, 1939 (C. 151, 53 Stat. 783); and section 1 of Act, August 31, 1962 (Public Law 87-620, 76 Stat. 415), are hereby repealed. Repeals. 46 USC 85-85g.

Approved October 1, 1973.

Public Law 93-116

AN ACT

To amend section 607(k)(8) of the Merchant Marine Act, 1936, as amended. October 1, 1973 [S. 902]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 607(k)(8) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1177(k)(8)), is amended by striking that entire portion of section 607(k)(8) which follows the lower case roman numeral "(ii)", and inserting in lieu thereof "trade from any point in Alaska, Hawaii, Puerto Rico, and such territories and possessions to any other point in Alaska, Hawaii, Puerto Rico, and such territories and possessions." Merchant Marine Act, 1936, amendment. 84 Stat. 1032.

Approved October 1, 1973.

Public Law 93-117

JOINT RESOLUTION

To extend the authority of the Secretary of Housing and Urban Development with respect to the insurance of loans and mortgages, to extend authorizations under laws relating to housing and urban development, and for other purposes. October 2, 1973 [H. J. Res. 719]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, Housing.

EXTENSION OF FHA INSURANCE PROGRAMS

SECTION 1. (a) Section 2(a) of the National Housing Act is amended by striking out "October 1, 1973" in the first sentence and inserting in lieu thereof "October 1, 1974". *Ante*, p. 220.

(b) Section 217 of such Act is amended by striking out "October 1, 1973" and inserting in lieu thereof "October 1, 1974".

(c) Section 221(f) of such Act is amended by striking out "October 1, 1973" in the fifth sentence and inserting in lieu thereof "October 1, 1974".

(d) Section 235(m) of such Act is amended by striking out "October 1, 1973" and inserting in lieu thereof "October 1, 1974".

(e) Section 236(n) of such Act is amended by striking out "October 1, 1973" and inserting in lieu thereof "October 1, 1974".

(f) Section 809(f) of such Act is amended by striking out "October 1, 1973" in the second sentence and inserting in lieu thereof "October 1, 1974".

(g) Section 810(k) of such Act is amended by striking out "October 1, 1973" in the second sentence and inserting in lieu thereof "October 1, 1974".

(h) Section 1002(a) of such Act is amended by striking out "October 1, 1973" in the second sentence and inserting in lieu thereof "October 1, 1974".

(i) Section 1101(a) of such Act is amended by striking out "October 1, 1973" in the second sentence and inserting in lieu thereof "October 1, 1974".

PUBLIC HOUSING AUTHORIZATION

86 Stat. 906.
42 USC 1410.

SEC. 2. Section 10(e) of the United States Housing Act of 1937 is amended by striking out "and $150,000,000 on July 1, 1972" and inserting in lieu thereof "$150,000,000 on July 1, 1972, and $140,000,000 on July 1, 1973".

FLEXIBLE INTEREST RATE AUTHORITY

SEC. 3. Section 3(a) of the Act entitled "An Act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes", approved May 7, 1968, as amended (12 U.S.C. 1709–1), is amended by striking out "October 1, 1973" and inserting in lieu thereof "October 1, 1974".

Ante, p. 220.

TEMPORARY WAIVER OF CERTAIN LIMITATIONS APPLICABLE TO GNMA

SEC. 4. Section 3 of the joint resolution entitled "Joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to interest rates on insured mortgages, to extend and modify certain provisions of the National Flood Insurance Act of 1968, and for other purposes", approved December 22, 1971, as amended, is amended by striking out "October 1, 1973" and inserting in lieu thereof "October 1, 1974".

Ante, p. 221.

URBAN RENEWAL AUTHORIZATION

63 Stat. 416;
86 Stat. 906.
42 USC 1453.

SEC. 5. The first sentence of section 103(b) of the Housing Act of 1949 is amended by striking out "and by $250,000,000 on July 1, 1972" and inserting in lieu thereof "by $250,000,000 on July 1, 1972, and $664,000,000 on July 1, 1973".

MODEL CITIES AUTHORIZATION

82 Stat. 602;
86 Stat. 405.
42 USC 3311.

SEC. 6. Section 111(c) of such Act is amended by striking out "September 30, 1972" and inserting in lieu thereof "July 1, 1974".

OPEN SPACE LAND AUTHORIZATION

84 Stat. 1783;
86 Stat. 405.
42 USC 1500d.

SEC. 7. The first sentence of section 708 of the Housing Act of 1961 is amended by inserting before the period at the end thereof the following: ", plus not to exceed $63,000,000 for the fiscal year beginning July 1, 1973".

NEIGHBORHOOD FACILITY GRANT AUTHORIZATION

79 Stat. 493;
84 Stat. 1780.
42 USC 3108.

SEC. 8. (a) Section 708(a) of the Housing and Urban Development Act of 1965 is amended by adding at the end thereof the following new sentence: "In addition, there are authorized to be appropriated for

the fiscal year commencing July 1, 1973, not to exceed $40,000,000 for grants under section 703.". 79 Stat. 491. 42 USC 3103.

(b) Section 708(b) of such Act is amended by striking out "September 30, 1972" and inserting in lieu thereof "July 1, 1974". 86 Stat. 405. 42 USC 3108.

WAIVER OF CERTAIN REQUIREMENTS APPLICABLE TO GRANTS FOR BASIC WATER AND SEWER FACILITIES

SEC. 9. Section 702(c) of the Housing and Urban Development Act of 1965 is amended by striking out "September 30, 1972" and inserting in lieu thereof "June 30, 1974". 42 USC 3102.

REHABILITATION LOAN AUTHORIZATION

SEC. 10. Section 312(h) of the Housing Act of 1964 is amended by striking out "October 1, 1973" and inserting in lieu thereof "October 1, 1974". *Ante*, p. 221.

COMPREHENSIVE PLANNING AUTHORIZATION

SEC. 11. Section 701(b) of the Housing Act of 1954 is amended by inserting after the fifth sentence the following new sentence: "In addition, there is authorized to be appropriated for such purposes not to exceed $110,000,000 for the fiscal year commencing July 1, 1973." 82 Stat. 526; 86 Stat. 405. 40 USC 461.

NEW COMMUNITY DEVELOPMENT

SEC. 12. Section 713(e) of the Housing and Urban Development Act of 1970 is amended by inserting before the period at the end thereof the following: ", which amount shall be increased by $195,500,000 on July 1, 1973". 84 Stat. 1796. 42 USC 4514.

RURAL HOUSING AUTHORIZATIONS

SEC. 13. (a) Section 513 of the Housing Act of 1949 is amended by striking out "October 1, 1973" each place it appears and inserting in lieu thereof "October 1, 1974". 83 Stat. 398. 42 USC 1483.

(b) Section 515(b)(5) of such Act is amended by striking out "October 1, 1973" and inserting in lieu thereof "October 1, 1974". 42 USC 1485.

(c) Section 517(a)(1) of such Act is amended by striking out "October 1, 1973" and inserting in lieu thereof "October 1, 1974". 42 USC 1487.

(d) Section 523(f) of such Act is amended by striking out "1973" each place it appears and inserting in lieu thereof "1974". 82 Stat. 553. 42 USC 1490c.

ADMINISTRATIVE PRIORITY FOR APPLICATIONS RELATING TO ACTIVITIES IN AREAS AFFECTED BY BASE CLOSINGS

SEC. 14. The Secretary of Housing and Urban Development, in processing applications for assistance under section 103 of the Housing Act of 1949, section 111 of the Demonstration Cities and Metropolitan Development Act of 1966, section 708(a)(1) and (2) of the Housing and Urban Development Act of 1965 (for grants authorized under sections 702 and 703 of such Act), section 312 of the Housing Act of 1964, section 701(b) of the Housing Act of 1954, and section 708 of the Housing Act of 1961, shall give a priority to any State or unit of local government or agency thereof which is severely and adversely affected by a reduction in the level of expenditure or employment at any Department of Defense installation located in or near such State or unit of local government. 42 USC 1453. 42 USC 3311. 42 USC 3108. 42 USC 1452b. 40 USC 461. 42 USC 1500d.

Approved October 2, 1973.

Public Law 93-118

October 4, 1973
[H. J. Res. 753]

JOINT RESOLUTION

Making further continuing appropriations for the fiscal year 1974, and for other purposes.

Continuing appropriations, 1974.
Ante, p. 133.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (c) of section 102 of the joint resolution of July 1, 1973 (Public Law 93–52), is hereby amended by striking out "September 30, 1973" and inserting in lieu thereof "October 11, 1973".

Approved October 4, 1973.

Public Law 93-119

October 4, 1973
[H. R. 5451]

AN ACT

To amend the Oil Pollution Act, 1961 (75 Stat. 402), as amended, to implement the 1969 and 1971 amendments to the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954, as amended; and for other purposes.

Oil Pollution Act Amendments of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Oil Pollution Act Amendments of 1973".

80 Stat. 372.

SEC. 2. The Oil Pollution Act, 1961 (75 Stat. 402), as amended (33 U.S.C. 1001–1015), is amended as follows:

Definitions.

(1) Section 2 (33 U.S.C. 1001) is amended—

Repeal.

(A) by repealing subsection (g);

(B) by redesignating subsections (c), (d), (e), and (f), as subsections (d), (e), (f), and (g), respectively;

(C) by adding a new subsection (c) to read:

"(c) The term 'instantaneous rate of discharge of oil content' means the rate of discharge of oil in liters per hour at any instant divided by the speed of the ship in knots at the same instant;";

(D) in subsection (c) (redesignated (d) by subparagraph (B) of this paragraph):

(1) by deleting the word "marine"; and

(2) by deleting the words "American Society for the Testing of Materials" and substituting therefor the words "American Society for Testing and Materials";

(E) in subsection (e) (redesignated (f) by subparagraph (B) of this paragraph) by changing the period to a semicolon at the end of the first sentence thereof and by amending the second sentence to read "an 'oily mixture' means a mixture with any oil content;";

(F) by amending subsection (h) to read "The term 'Secretary' means the Secretary of the department in which the Coast Guard is operating;"; and

(G) in subsection (j) by changing the period to a semicolon and by adding the following to the sentence: "except that, for the purpose of this Act 'from the nearest land' off the northeastern coast of Australia means a line drawn from a point on the coast of Australia in latitude 11 degrees south, longitude 142 degrees 08 minutes east to a point in latitude 10 degrees 35 minutes south, longitude 141 degrees 55 minutes east—

"thence to a point latitude 10 degrees 00 minutes south, longitude 142 degrees 00 minutes east;

"thence to a point latitude 9 degrees 10 minutes south, longitude 143 degrees 52 minutes east;

"thence to a point latitude 9 degrees 00 minutes south, longitude 144 degrees 30 minutes east;

"thence to a point latitude 13 degrees 00 minutes south, longitude 144 degrees 00 minutes east;

"thence to a point latitude 15 degrees 00 minutes south, longitude 146 degrees 00 minutes east;

"thence to a point latitude 18 degrees 00 minutes south, longitude 147 degrees 00 minutes east;

"thence to a point latitude 21 degrees 00 minutes south, longitude 153 degrees 00 minutes east;

"thence to a point on the coast of Australia in latitude 24 degrees 42 minutes south, longitude 153 degrees 15 minutes east.".

(2) Section 3 (33 U.S.C. 1002) is amended to read as follows: Discharge of oil, prohibition. 80 Stat. 373.

"SEC. 3. Subject to the provisions of sections 4 and 5, the discharge of oil or oily mixture from a ship is prohibited unless—

"(a) the ship is proceeding en route; and

"(b) the instantaneous rate of discharge of oil content does not exceed sixty liters per mile, and

"(c) (1) for a ship, other than a tanker—

"(i) the oil content of the discharge is less than one hundred parts per one million parts of the mixture, and

"(ii) the discharge is made as far as practicable from the nearest land;

"(2) for a tanker, except discharges from machinery space bilges which shall be governed by the above provisions for ships other than tankers—

"(i) the total quantity of oil discharged on a ballast voyage does not exceed one fifteen-thousandths of the total cargo-carrying capacity, and

"(ii) the tanker is more than fifty miles from the nearest land.".

(3) Section 4 (33 U.S.C. 1003) is amended—

(A) by changing the word "shall" to "does" in the introductory clause thereof;

(B) by changing the semicolon to a period at the end of subsection (b) thereof; and

(C) by repealing subsection (c) thereof. Repeal.

(4) Section 5 (33 U.S.C. 1004) is amended to read as follows: Discharge of tanker ballast.

"SEC. 5. Section 3 does not apply to the discharge of tanker ballast from a cargo tank which, since the cargo was last carried therein, has been so cleaned that any effluent therefrom, if it were discharged from a stationary tanker into clean calm water on a clear day, would produce no visible traces of oil on the surface of the water.".

(5) Insert a new section 6, to read as follows, following section 5:

"SEC. 6. (a) Every tanker to which this Act applies and built in the United States and for which the building contract is placed on or after the effective date of this section shall be constructed in accordance with the provisions of annex C to the convention, relating to tank arrangement and limitation of tank size. U.S. tankers, construction standards. 12 UST 2989.

"(b) Every tanker to which this Act applies and built in the United States and for which the building contract is placed, or in the absence of a building contract the keel of which is laid or which is at a similar state of construction, before the effective date of this section, shall, within two years after that date, comply with the provisions of annex C of the convention if—

"(1) the delivery of the tanker is after January 1, 1977; or

"(2) the delivery of the tanker is not later than January 1, 1977, and the building contract is placed after January 1, 1972, or

in cases where no building contract has previously been placed, the keel is laid or the tanker is at a similar stage of construction, after June 30, 1972.

Certificate of compliance.

"(c) A tanker required under this section to be constructed in accordance with annex C to the convention and so constructed shall carry on board a certificate issued by the Secretary attesting to that compliance. A tanker which is not required to be constructed in accordance with annex C to the convention shall carry on board a certificate to that effect issued by the Secretary, or if a tanker does comply with annex C though not required to do so, she may carry on board a certificate issued by the Secretary attesting to that compliance. Tankers under the flag of the United States are prohibited from engaging in domestic or foreign trade without an appropriate certificate issued under this section.

Prohibition.

Foreign tanker certificates.

"(d) Certificates issued to foreign tankers pursuant to the convention by other nations party thereto shall be accepted by the Secretary as of the same force as certificates issued by him. If the Secretary has clear grounds for believing that a foreign tanker required under the convention to be constructed in accordance with annex C entering ports of the United States or using offshore terminals under United States control does not in fact comply with annex C, he may request the Secretary of State to seek consultation with the government with which the tanker is registered. If after consultation or otherwise, the Secretary is satisfied that such tanker does not comply with annex C, he may for this reason deny such tanker access to ports of the United States or to offshore terminals under United States control until such time as he is satisfied that the tanker has been brought into compliance.

Noncompliance.

"(e) If the Secretary is satisfied that any other foreign tanker which, if registered in a country party to the convention, would be required to be constructed in accordance with annex C, does not in fact comply with the standards relating to tank arrangement and limitation of tank size of annex C, then he may deny such tanker access to ports of the United States or to offshore terminals under United States control."

Penalties. 75 Stat. 403.

(6) Section 6 (33 U.S.C. 1005) is renumbered section 7 and is amended to read as follows:

"SEC. 7. (a) Any person who willfully discharges oil or oily mixture from a ship in violation of this Act or the regulations thereunder shall be fined not more than $10,000 for each violation or imprisoned not more than one year, or both.

"(b) In addition to any other penalty prescribed by law any person who willfully or negligently discharges oil or oily mixture from a ship in violation of this Act or any regulation thereunder shall be liable to a civil penalty of not more than $10,000 for each violation, and any person who otherwise violates this Act or any regulation thereunder shall be liable to a civil penalty of not more than $5,000 for each violation.

"(c) A ship from which oil or oily mixture is discharged in violation of this Act or any regulation thereunder is liable for any pecuniary penalty under this section and may be proceeded against in the district court of any district in which the vessel may be found.

"(d) The Secretary may assess any civil penalty incurred under this Act or any regulation thereunder and, in his discretion, remit, mitigate, or compromise any penalty. No penalty may be assessed unless the alleged violator shall have been given notice and the opportunity to be heard on the alleged violation. Upon any failure to pay a civil penalty assessed under this Act, the Secretary may request the Attorney General to institute a civil action to collect the penalty. In hearing such

action, the district court shall have authority to review the violation and the assessment of the civil penalty de novo."

(7) Section 7 is renumbered section 8.

75 Stat. 403. 33 USC 1006.

(8) Section 8 (33 U.S.C. 1007) is renumbered section 9 and is amended—

Enforcement personnel, utilization.

(A) in subsection (a) by amending the first sentence to read as follows: "In the administration of sections 1–12 of this Act, the Secretary may utilize by agreement, with or without reimbursement, law enforcement officers or other personnel, facilities, or equipment of other Federal agencies or the States.";

(B) in subsection (a) by amending the first part of the second sentence which precedes the first use of the word "shall" to read: "For the better enforcement of the provisions of said sections, officers of the Coast Guard and other persons employed by or acting under the authority of the Secretary";

(C) in subsection (a) by deleting from the last sentence thereof the words "Bureau of Customs and" and the words "in a prohibited zone or in a port of the United States"; and

(D) in subsection (b) by deleting in the first sentence thereof the words "of the Department in which the Coast Guard is operating" and by deleting the second sentence thereof in its entirety.

Oil record book requirements. 80 Stat. 374.

(9) Section 9 (33 U.S.C. 1008) is renumbered section 10 and is amended—

(A) by amending subsection (c) to read as follows:

"(c) The oil record book shall be completed on each occasion, on a tank-to-tank basis, whenever any of the following operations take place in the ship:

Tankers.

"(1) for tankers—

"(i) loading of oil cargo;

"(ii) transfer of oil cargo during voyage;

"(iii) discharge of oil cargo;

"(iv) ballasting of cargo tanks;

"(v) cleaning of cargo tanks;

"(vi) discharge of dirty ballast;

"(vii) discharge of water from slop tanks;

"(viii) disposal of residues;

"(ix) discharge overboard of bilge water containing oil which has accumulated in machinery spaces while in port, and the routine discharge at sea of bilge water containing oil unless the latter has been entered in the appropriate logbook;

Other ships.

"(2) for ships other than tankers—

"(i) ballasting or cleaning of bunker fuel tanks;

"(ii) discharge of dirty ballast or cleaning water from bunker fuel tanks;

"(iii) disposal of residues;

"(iv) discharge overboard of bilge water containing oil which has accumulated in machinery spaces while in port, and the routine discharge at sea of bilge water containing oil unless the latter has been entered in the appropriate logbook. In the event of such discharge or escape of oil or oily mixture as is referred to in section 4 of this Act, a statement shall be made in the oil record book of the circumstances of.

Ante, p. 425.

and reason for, the discharge or escape.";

(B) by changing the figure "9" in subsection (d) to read "10"; and

Repeal.

(C) by repealing subsection (f).

75 Stat. 404.

(10) Section 10 (33 U.S.C. 1009) is renumbered section 11 and is amended to make the sectional enumeration read as follows: "Sections 3, 4, 5, 6, 7, 9, and 10."

Foreign ship violations. 33 USC 1010.

(11) Section 11 is renumbered section 12 and is amended by deleting the words "any prohibited zone" in subsection (b) thereof and by substituting therefor the words "violation of the convention but outside the territorial sea of the United States".

Repeal. 80 Stat. 375.

(12) Section 12 (33 U.S.C. 1011) is repealed.

75 Stat. 407. 33 USC 1013, 1001 note.

(13) Sections 14 and 15 are renumbered sections 13 and 14, respectively.

(14) Section 16 (33 U.S.C. 1014) is renumbered section 15 and is amended by adding between the words "provisions of" and the word "the" the words "section 311 of", and by deleting the words "Oil Pollution Act, 1924 (33 U.S.C. 431–437),", and substituting therefor the words "Federal Water Pollution Control Act, as amended,".

Repeal. 80 Stat. 375.

(15) Section 17 (33 U.S.C. 1015) is repealed.

Effective date.

SEC. 3. (a) Except as provided in subsection (c) of this section, this amending Act is effective upon the date of its enactment or upon the date amendments to the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended, adopted by the Assembly of the Inter-Governmental Maritime Consultative Organization on October 21, 1969, October 12, 1971, and October 15, 1971, are ratified or accepted with the advice and consent of the Senate of the United States, whichever is the later date.

12 UST 2989.

Savings provision.

(b) Any rights or liabilities existing on the effective date of this Act shall not be affected by the enactment of this Act. Any regulations or procedures promulgated or effected pursuant to the Oil Pollution Act, 1961, as previously amended, remain in effect until modified or superseded under the authority of the Oil Pollution Act, 1961, as amended by this Act. Any reference to the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, in any law or regulation shall be deemed to be a reference to the convention as revised or amended by the latest amendments in respect of which the United States has deposited an instrument of ratification or acceptance.

75 Stat. 402. 33 USC 1001 note.

Effective date.

(c) Notwithstanding the foregoing provisions of this section, subsections (d) and (e) of section 6 of the Oil Pollution Act, 1961, as amended by section 2 of this bill, shall be effective upon the date of their enactment or upon the date the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended by the amendments adopted by the Assembly of the Inter-Governmental Marine Consultative Organization on October 15, 1971, enters into force pursuant to article XVI of that convention, as amended, whichever is later; and no authority shall be exercised pursuant to article VI bis (3) and (4) of such amendments prior to the effective date of such subsections.

Approved October 4, 1973.

Public Law 93-120

AN ACT

October 4, 1973
[H. R. 8917]

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1974, and for other purposes.

Department of the Interior and Related Agencies Appropriation Act, 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1974, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

PUBLIC LAND MANAGEMENT

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, and performance of other functions, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, $83,932,000.

CONSTRUCTION AND MAINTENANCE

For acquisition, construction and maintenance of buildings, appurtenant facilities, and other improvements, and maintenance of access roads, $6,300,000, to remain available until expended.

PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS

(LIQUIDATION OF CONTRACT AUTHORITY)

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, $4,000,000, to remain available until expended.

72 Stat. 906; 76 Stat. 1147.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of rights-of-way and of existing connecting roads on or adjacent to such lands; an amount equivalent to 25 per centum of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands, to remain available until expended: *Provided*, That the amount appropriated herein for the purposes of this appropriation on lands administered by the Forest Service shall be transferred to the Forest Service, Department of Agriculture: *Provided further*, That the amount appropriated herein for road construction on lands other than those administered by the Forest Service shall be transferred to the Federal Highway Administration, Department of Transportation: *Provided further*, That the amount appropriated herein is hereby made a reimbursable charge against the Oregon and California land

grant fund and shall be reimbursed to the general fund in the Treasury in accordance with the provisions of the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

43 USC 1181f.

RANGE IMPROVEMENTS

For construction, purchase, and maintenance of range improvements pursuant to the provisions of sections 3 and 10 of the Act of June 28, 1934, as amended (43 U.S.C. 315), sums equal to the aggregate of all moneys received, during the current fiscal year, as range improvements fees under section 3 of said Act, 25 per centum of all moneys received, during the current fiscal year, under section 15 of said Act, and the amount designated for range improvements from grazing fees from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, to remain available until expended.

48 Stat. 1270; 61 Stat. 790. 43 USC 315b, 315i. 49 Stat. 1978; 68 Stat. 151. 43 USC 315m.

RECREATION DEVELOPMENT AND OPERATION OF RECREATION FACILITIES

For construction, operation, and maintenance of outdoor recreation facilities, including collection of special recreation use fees, to remain available until expended, $165,000, to be derived from the special receipt accounts established by section 1(b) of the Act of July 15, 1968 (82 Stat. 354), and section 4(e) of the Act of July 11, 1972 (86 Stat. 461): *Provided*, That not more than 40 per centum of the amount credited pursuant to section 4(e) of the Act of July 11, 1972, shall be available for the enhancement of the fee collection system established by section 4 of such Act, including the promotion and enforcement thereof.

16 USC 460*l*-5 note. 16 USC 460*l*-6a.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for acquisition of two surplus aircraft and one new aircraft for replacement only; purchase, erection, and dismantlement of temporary structures; and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title: *Provided*, That of appropriations herein made for the Bureau of Land Management expenditures in connection with the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands (other than expenditures made under the appropriation "Oregon and California grant lands") shall be reimbursed to the general fund of the Treasury from the 25 per centum referred to in subsection (c), title II, of the Act approved August 28, 1937 (50 Stat. 876), of the special fund designated the "Oregon and California land grant fund" and section 4 of the Act approved May 24, 1939 (53 Stat. 754), of the special fund designated the "Coos Bay Wagon Road grant fund": *Provided further*, That appropriations herein made may be expended on a reimbursable basis for (1) surveys of lands other than those under the jurisdiction of the Bureau of Land Management and (2) protection and leasing of lands and mineral resources for the State of Alaska.

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance

to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops, $303,204,000, of which $3,528,000 shall be available to reimburse other agencies for obligations incurred on and after February 1, 1973.

RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts, as authorized by law, $86,208,000.

CONSTRUCTION

For construction, major repair and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract, $53,703,000, to remain available until expended: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, and Utah outside of the boundaries of existing Indian reservations except lands authorized by law to be acquired for the Navajo Indian Irrigation Project: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations except such lands as may be required for replacement of the Wild Horse Dam in the State of Nevada: *Provided further*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed $223,000 shall be for assistance to the Pryor Public School District No. 2, Crow Indian Reservation, Montana; that not to exceed $500,000 shall be for assistance to the Lame Deer Public School District No. 6, Northern Cheyenne Indian Reservation, Montana; and that not to exceed $100,000 shall be for assistance to the Edgar, Montana, Public School District No. 4.

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORITY)

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, $43,000,000, to remain available until expended. 72 Stat. 906; 76 Stat. 1147.

ALASKA NATIVE FUND

To provide for the settlement of certain land claims by Natives and Native groups of Alaska, and for other purposes, based on aboriginal land claims, as authorized by the Act of December 18, 1971 (Public Law 92-203), $70,000,000: *Provided*, That in addition to the funds heretofore advanced there shall be advanced from the Alaska Native Fund upon request of the board of directors of any Regional Corporation established pursuant to section 7 of said Act, $500,000 for any one Regional Corporation, which shall be reduced by any amount advanced to such Regional Corporation prior to July 1, 1972, and an additional $1,000,000 to be available for distribution by the Secretary among the 85 Stat. 691. 43 USC 1601. 43 USC 1606.

Corporations, which the Secretary of the Interior shall determine to be necessary for the organization of such Regional Corporation and the Village Corporations within such region, and to identify land for such Corporations pursuant to said Act, and to repay loans and other obligations incurred prior to May 27, 1972, for such purposes: *Provided further*, That such advances shall not be subject to the provisions of section 7(j) of said Act, but shall be charged to and accounted for by such Regional and Village Corporations in computing the distributions pursuant to section 7(j) required after the first regular receipt of moneys from the Alaska Native Fund under section 6 of said Act: *Provided further*, That no part of the money so advanced shall be used for the organization of a Village Corporation that had less than twenty-five Native residents living within such village according to the 1970 census.

85 Stat. 693.
43 USC 1606.
43 USC 1605.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, $5,244,000.

TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391) including cash grants: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided further*, That nothing contained in this paragraph or in any other provision of law shall be construed to authorize the expenditure of funds derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims, except for such amounts as may be necessary to pay attorney fees, expenses of litigation, and expenses of program planning, until after legislation has been enacted that sets forth the purposes for which said funds will be used: *Provided further*, That the limitations contained in the foregoing paragraph shall not apply to any judgment proceeds or other funds, revenues or receipts, due the Shoshone Indian Tribe of the Wind River Reservation, Wyoming, and any such funds may be distributed to them under the provisions of the Act of May 19, 1947, as amended (25 U.S.C. 611–613): *Provided, however*, That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada and Oregon, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation.

18 USC 4124 and note.

61 Stat. 102; 72 Stat. 541.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed fifty-six police-type passenger motor vehicles of which fifty shall be for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U.S.C. 452), the Act of August 3, 1956 (70 Stat. 986), and legislation terminating Federal supervision over certain Indian tribes; and expenses required by continuing or permanent treaty provisions.

49 Stat. 1458.
25 USC 309.

BUREAU OF OUTDOOR RECREATION

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Outdoor Recreation, not otherwise provided for, $4,396,000.

LAND AND WATER CONSERVATION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965 as amended (16 U.S.C. 460l–4–11 as supplemented by Public Law 92–347), including $5,223,000 for administrative expenses of the Bureau of Outdoor Recreation during the current fiscal year, and acquisition of land or waters, or interest therein, in accordance with the statutory authority applicable to the State concerned, to be derived from the Land and Water Conservation Fund, established by section 2 of said Act as amended, to remain available until expended, not to exceed $76,223,000, of which not to exceed $66,000,000 shall be available for payments to the States in accordance with section 6(c) of said Act.

78 Stat. 897; 86 Stat. 459.
82 Stat. 355; 84 Stat. 1084.
16 USC 460*l*-5.
16 USC 460*l*-8.

TERRITORIAL AFFAIRS

ADMINISTRATION OF TERRITORIES

For expenses necessary for the administration of Territories under the jurisdiction of the Department of the Interior, including expenses of the office of the Governor of American Samoa, as authorized by law (48 U.S.C. 1661(c)); compensation and mileage of members of the legislature in American Samoa as authorized by law (48 U.S.C. 1661(c)); compensation and expenses of the judiciary in American Samoa as authorized by law (48 U.S.C. 1661(c)); grants to American Samoa, in addition to current local revenues, for support of governmental functions; grants to Guam, as authorized by law (48 U.S.C. 1428–1428e); and personal services, household equipment and furnishings, and utilities necessary in the operation of the house of the Governor of American Samoa; $14,500,000, together with $645,000 for expenses of the office of the Government Comptroller for the Virgin Islands to be derived by transfer from "Internal Revenue Collections for Virgin Islands", as authorized by law (48 U.S.C. 1599(a)) and $420,000 for expenses of the office of the Government Comptroller for Guam to be derived from duties and taxes which would otherwise be covered into the Treasury of Guam, as authorized by law (48 U.S.C. 1422d(a)), to remain available until expended: *Provided*, That the Territorial and local government herein provided for are authorized to make purchases through the General Services Administration: *Provided further*, That appropriations available for the administration of Territories may be expended for the purchase, charter, mainte-

45 Stat. 1253.
82 Stat. 1172.
82 Stat. 840.
82 Stat. 845.

nance, and operation of surface vessels for official purposes and for commercial transportation purposes found by the Secretary to be necessary.

TRUST TERRITORY OF THE PACIFIC ISLANDS

For expenses necessary for the Department of the Interior in administration of the Trust Territory of the Pacific Islands pursuant to the Trusteeship Agreement approved by joint resolution of July 18, 1947 (61 Stat. 397), and the Act of June 30, 1954 (68 Stat. 330), as amended (84 Stat. 1559), including the expenses of the High Commissioner of the Trust Territory of the Pacific Islands; compensation and expenses of the Judiciary of the Trust Territory of the Pacific Islands; grants to the Trust Territory of the Pacific Islands in addition to local revenues, for support of governmental functions, and payment to the Trust Territory Economic Development Loan Fund pursuant to Public Law 92–257; $47,776,000, to remain available until expended: *Provided*, That all financial transactions of the Trust Territory, including such transactions of all agencies or instrumentalities established or utilized by such Trust Territory, shall be audited by the General Accounting Office in accordance with the provisions of the Budget and Accounting Act, 1921 (42 Stat. 23), as amended, and the Accounting and Auditing Act of 1950 (64 Stat. 834): *Provided further*, That the government of the Trust Territory of the Pacific Islands is authorized to make purchases through the General Services Administration: *Provided further*, That appropriations available for the administration of the Trust Territory of the Pacific Islands may be expended for the purchase, charter, maintenance, and operation of surface vessels for official purposes and for commercial transportation purposes found by the Secretary to be necessary in carrying out the provisions of article 6(2) of the Trusteeship Agreement approved by Congress.

61 Stat. 3301.
48 USC 1681 note.
86 Stat. 87.
48 USC 1688.
31 USC 1.
31 USC 65 note.
61 Stat. 3302.

MINERAL RESOURCES

Geological Survey

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the Geological Survey to perform surveys, investigations, and research covering topography, geology, and the mineral and water resources of the United States, its Territories and possessions, and other areas as authorized by law (72 Stat. 837 and 76 Stat. 427); classify lands as to mineral character and water and power resources; give engineering supervision to power permits and Federal Power Commission licenses; enforce departmental regulations applicable to oil, gas, and other mining leases, permits, licenses, and operating contracts; control the interstate shipment of contraband oil as required by law (15 U.S.C. 715); administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; $159,536,000, of which $23,695,000 shall be available only for cooperation with States or municipalties for water resources investigations, and $79,000 shall remain available until expended, to provide financial assistance to participants in minerals exploration projects, as authorized by law (30 U.S.C. 641–646), including administration of contracts entered into prior to June 30, 1958, under section 303 of the Defense Production Act of 1950, as amended: *Provided*, That no part of this appropriation shall be used to pay more than one-half the cost of any topographic mapping or water resources investigations carried on in cooperation with any State or municipality.

43 USC 1457 note, 31.
49 Stat. 30.
72 Stat. 700.
65 Stat. 133.
50 USC app. 2093.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the Geological Survey shall be available for purchase of not to exceed twenty-five passenger motor vehicles, for replacement only; reimbursement of the General Services Administration for security guard services, contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities, including the use of the Government-owned site donated for the Earth Resources Observation Systems Data Center for lease construction; acquisition of lands for gaging stations and observation wells; expenses of the U.S. National Committee on Geology; payment of contributions to the International Federation of Surveyors; and payment of compensation and expenses of persons on the rolls of the Geological Survey appointed, as authorized by law, to represent the United States in the negotiation and administration of interstate compacts.

BUREAU OF MINES

MINES AND MINERALS

For expenses necessary for promoting the conservation, development, production, and utilization of mineral resources, mined area and mineral waste reclamation and recycling; environmental functions; developing synthetics and substitutes; and promoting health and safety in mines and in the minerals industries, and controlling fires in coal deposits, as authorized by law; $152,224,000 of which $6,000,000 shall remain available until expended: *Provided*, That the unexpended balances of the appropriations to the Bureau of Mines for "Conservation and Development of Mineral Resources", "Health and Safety", and "General Administrative Expenses" shall be transferred to and merged with this appropriation. No part of the funds appropriated by this Act shall be used to pay any public relations firm for any promotional campaigns among coal miners.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the Bureau of Mines may be expended for purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work: *Provided*, That the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: *Provided further*, That the Bureau of Mines is authorized during the current fiscal year, to sell directly or through any Government agency, including corporations, any metal or mineral product that may be manufactured in pilot plants operated by the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

OFFICE OF COAL RESEARCH

SALARIES AND EXPENSES

For necessary expenses to encourage and stimulate the production and conservation of coal in the United States through research and development, as authorized by law (30 U.S.C. 661–668), $94,300,000, to remain available until expended, of which not to exceed $1,200,000 shall be available for administration and supervision. 74 Stat. 337.

OFFICE OF OIL AND GAS

SALARIES AND EXPENSES

For necessary expenses to enable the Secretary to discharge his responsibilities with respect to oil and gas, including cooperation with the petroleum industry and State authorities in the production, processing, and utilization of petroleum and its products, and natural gas, $2,585,000.

FISH AND WILDLIFE AND PARKS

BUREAU OF SPORT FISHERIES AND WILDLIFE

RESOURCE MANAGEMENT

For expenses necessary for scientific and economic studies, conservation, management, investigations, protection, and utilization of sport fishery and wildlife resources, except whales, seals, and sea lions, and for the performance of other authorized functions related to such resources; and maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, $80,437,000: *Provided*, That the unexpended balances of the appropriations for "Management and Investigations of Resources" and "General Administrative Expenses" shall be merged with this appropriation.

CONSTRUCTION AND ANADROMOUS FISH

For construction and acquisition of buildings and other facilities required in the conservation, management, investigations, protection, and utilization of sport fishery and wildlife resources, and the acquisition of lands and interests therein; and for expenses necessary to carry out the Anadromous Fish Conservation Act (16 U.S.C. 757a–757f); $8,126,500, to remain available until expended: *Provided*, That the unexpended balances of the appropriations for "Construction" and "Anadromous and Great Lakes Fisheries Conservation" shall be merged with this appropriation.

79 Stat. 1125.

MIGRATORY BIRD CONSERVATION ACCOUNT

For an advance to the migratory bird conservation account, as authorized by the Act of October 4, 1971, as amended (16 U.S.C. 715k–3, 5; 81 Stat. 612), $3,500,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the Bureau of Sport Fisheries and Wildlife shall be available for purchase of not to exceed one hundred and sixty passenger motor vehicles, of which one hundred and nine are for replacement only (including seventy for police-type use); purchase of not to exceed five aircraft, of which four are for replacement only; not to exceed $50,000 for payment, in the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau of Sport Fisheries and Wildlife; publication and distribution of bulletins as authorized by law (7 U.S.C. 417); rations or commutation of rations for officers and crews of vessels at rates not to exceed $6.50 per man per day; insurance on official motor vehicles, aircraft and boats operated by the Bureau of Sport Fisheries and Wildlife in foreign countries; repair of damage to public roads within and adjacent to reservation areas caused by operations of the Bureau of Sport Fisheries and Wildlife

34 Stat. 690.

for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are not inconsistent with their primary purpose, and the maintenance and improvement of aquaria, buildings and other facilities under the jurisdiction of the Bureau of Sport Fisheries and Wildlife and to which the United States has title, and which are utilized pursuant to law in connection with management and investigation of fish and wildlife resources.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), $183,052,000: *Provided*, That the unexpended balances of the appropriations to the National Park Service for "Management and protection", "Maintenance and rehabilitation of physical facilities", and "General administrative expenses" shall be merged with this appropriation.

PLANNING AND CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451); the acquisition of water rights; expenses necessary for investigations and studies to determine suitability of areas to be included in the National Park System, the designation of wilderness areas, and the management of water resources; the preparation of plans for existing and proposed park and recreation areas; provisions of technical assistance to other Federal agencies, and to States and private institutions in the planning, development, and operation of landmarks, parks and recreation areas; and for financial or other assistance in planning, development, or operation of areas as authorized by law or pursuant to agreements with other Federal agencies, States, or private institutions, including not to exceed $167,500 for the Roosevelt Campobello International Park Commission, $20,000,000, to remain available until expended: *Provided*, That $8,680,000 shall be available for construction, improvement, and alteration of property in the District of Columbia known as Union Station (presently owned by the Washington Terminal Company), in addition to the construction authorized by section 102 of the Act of March 12, 1968 (82 Stat. 43), to be leased by the Secretary of the Interior in accord with the provisions of such Act: *Provided further*, That the unexpended balances of the appropriation to the National Park Service for "Construction" shall be merged with this appropriation.

37 Stat. 460; 54 Stat. 36.

Ante, p. 146.

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORITY)

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, $35,000,000, to remain available until expended: *Provided*, That none of the funds herein provided shall be expended for planning or construction on the following: Fort Washington and Greenbelt Park, Maryland, and Great Falls Park, Virginia, except minor roads and trails; and Daingerfield Island Marina, Virginia, and extension of the George Washington Memorial Parkway from vicinity of Brickyard Road to Great Falls, Maryland, or in Prince Georges County, Maryland.

72 Stat. 906; 76 Stat. 1147.

PRESERVATION OF HISTORIC PROPERTIES

For expenses necessary in carrying out a program for the preservation of additional historic properties throughout the Nation, as authorized by law (16 U.S.C. 461–467, 470), and investigations, studies, and salvage of archeological values, $15,559,000, to remain available until expended.

49 Stat. 666; 79 Stat. 971. 80 Stat. 915.

PLANNING, DEVELOPMENT AND OPERATION OF RECREATION FACILITIES

For construction, operation, and maintenance of outdoor recreation facilities, including collection of special recreation use fees, to remain available until expended, $30,378,000, to be derived from the special receipt accounts established by section 1(b) of the Act of July 15, 1968 (82 Stat. 354), and section 4(e) of the Act of July 11, 1972 (86 Stat. 461): *Provided*, That not more than 40 per centum of the amount credited pursuant to section 4(e) of the Act of July 11, 1972, shall be available for the enhancement of the fee collection system established by section 4 of such Act, including the promotion and enforcement thereof.

16 USC 460*l*-5 note. 16 USC 460*l*-6a.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

For expenses necessary for operating and maintaining the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, $2,400,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed two hundred thirty-eight passenger motor vehicles, of which one hundred ninety-one shall be for replacement only, including not to exceed one hundred sixty-four for police-type use; and to provide, notwithstanding any other provision of law, at a cost not exceeding $100,000, transportation for children in nearby communities to and from any unit of the National Park System used in connection with organized recreation and interpretive programs of the National Park Service: *Provided*, That any funds available to the National Park Service may be used, with the approval of the Secretary, to maintain law and order in emergency and other unforeseen law enforcement situations in the National Park System: *Provided further*, That the funds included herein shall be deemed to be appropriated for the Redwood National Park, California, established pursuant to Public Law 90–545, including those lands which, consistent with the provisions of section 3(b)(1) thereof, are described in the Federal Register of October 7, 1971 (36 Fed. Reg. 19518 et seq.).

82 Stat. 931. 16 USC 79a *et seq.* 16 USC 79c.

OFFICE OF WATER RESOURCES RESEARCH

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Water Resources Research Act of 1964, as amended (42 U.S.C. 1961–1961c–7), $13,689,000, of which not to exceed $945,000 shall be available for administrative expenses.

78 Stat. 329; 85 Stat. 494.

OFFICE OF SALINE WATER

SALINE WATER CONVERSION

For expenses necessary to carry out the provisions of the Saline Water Conversion Act of 1971 (42 U.S.C. 1959–1959h, as amended), including not to exceed $1,600,000 for administration and coordination expenses during the current fiscal year, $3,627,000, to remain available until expended. 85 Stat. 159.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $7,500,000.

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary of the Interior, including teletype rentals and service, and not to exceed $2,000 for official reception and representation expenses, $15,495,000.

DEPARTMENTAL OPERATIONS

For necessary expenses for certain operations that provide departmentwide services, $5,737,000, of which not to exceed $700,000 to remain available until expended, shall be available for payment of contributions to the World Energy Conference.

SALARIES AND EXPENSES (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States, for necessary expenses of the Office of the Secretary, as authorized by law, $670,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations, to such office for payments in the foregoing currencies (7 U.S.C. 1704). 80 Stat. 1528; 84 Stat. 1379.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted. Facilities, emergency reconstruction.

SEC. 102. The Secretary may authorize the expenditure or transfer of any appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under jurisdiction of the Department of the Interior: *Provided*, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with Forest or range fires.

their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof.

Warehouses, garages, etc.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by the Act of June 30, 1932 (31 U.S.C. 686): *Provided*, That reimbursements for costs of supplies, materials and equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

47 Stat. 417; 57 Stat. 219.

Experts and consultants.

SEC. 104. Appropriations made to the Department of the Interior in this title or in the Public Works for Water and Power Development and Atomic Energy Commission Appropriation Act, 1974, shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $300,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

Ante, p. 318.

80 Stat. 416.

Uniforms.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902 and D.C. Code 4–204).

80 Stat. 508; 81 Stat. 206.

43 Stat. 175.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST PROTECTION AND UTILIZATION

For expenses necessary for forest protection and utilization, as follows:

Forest land management: For necessary expenses of the Forest Service, not otherwise provided for, including the administration, improvement, development, and management of lands under Forest Service administration, fighting and preventing forest fires on or threatening such lands and for liquidation of obligations incurred in the preceding fiscal year for such purposes, control of white pine blister rust and other forest diseases and insects on Federal and non-Federal lands, implementation of forest advanced logging and conservation systems including necessary research and development related thereto, $257,461,000, of which $4,275,000 for fighting and preventing forest fires and $1,910,000 for insect and disease control shall be apportioned for use, pursuant to section 3679 of the Revised Statutes, as amended, to the extent necessary under the then existing conditions: *Provided*, That funds appropriated for "Cooperative range improvements", pursuant to section 12 of the Act of April 24, 1950 (16 U.S.C. 580h), may be advanced to this appropriation: *Provided further*, That funds appropriated for the cooperative law enforcement program shall remain available until expended.

31 USC 665.

64 Stat. 85.

Forest research: For forest research at forest and range experiment stations, the Forest Products Laboratory, or elsewhere, as authorized by law, $60,160,000.

State and private forestry cooperation: For cooperation with States in forest-fire prevention and suppression, in forest tree planting on non-Federal public and private lands, and in forest management and processing, and for advising timberland owners, associations, wood-using industries, and others in the application of forest management principles and processing of forest products, as authorized by law, $27,760,000.

CONSTRUCTION AND LAND ACQUISITION

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection and utilization of national forest resources and the acquisition of lands and interests therein necessary to these objectives, $26,443,000, to remain available until expended: *Provided*, That not more than $1,300,000 of this appropriation may be used for acquisition of land under the Act of March 1, 1911, as amended (16 U.S.C. 513–519). 36 Stat. 962.

YOUTH CONSERVATION CORPS

For expenses necessary to carry out the provisions of the Act of August 13, 1970 as amended by Public Law 92–597, $10,000,000, to remain available until the end of the fiscal year following the fiscal year for which appropriated: *Provided*, That $5,000,000 shall be available to the Secretary of the Interior and $5,000,000 shall be available to the Secretary of Agriculture. 86 Stat. 1319. 42 USC prec. 2711 note.

FOREST ROADS AND TRAILS (LIQUIDATION OF CONTRACT AUTHORITY)

For expenses necessary for carrying out the provisions of title 23, United States Code, sections 203 and 205, relating to the construction and maintenance of forest development roads and trails, $90,700,000, to remain available until expended, for liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203: *Provided*, That funds available under the Act of March 4, 1913 (16 U.S.C. 501) shall be merged with and made a part of this appropriation. 72 Stat. 906; 82 Stat. 820. 37 Stat. 843.

ACQUISITION OF LANDS FOR NATIONAL FORESTS

SPECIAL ACTS

For acquisition of land to facilitate the control of soil erosion and flood damage originating within the exterior boundaries of the following national forests, in accordance with the provisions of the following Acts, authorizing annual appropriations of forest receipts for such purposes, and in not to exceed the following amounts from such receipts, Cache National Forest, Utah, Act of May 11, 1938 (52 Stat. 347), as amended, $20,000; Uinta and Wasatch National Forest, Utah, Act of August 26, 1935 (49 Stat. 866), as amended, $20,000; Toiyabe National Forest, Nevada, Act of June 25, 1938 (52 Stat. 1205), as amended, $8,000; Angeles National Forest, California, Act of June 11, 1940 (54 Stat. 299), $14,000; San Bernardino and Cleveland National Forests, California, Act of June 15, 1938 (52 Stat. 699), as amended, $32,000; in all, $94,000: *Provided*, That no part of this appropriation shall be used for acquisition of any land which is not within the boundaries of the national forests and/or for the acquisition of any land without the approval of the local government concerned. 58 Stat. 227.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands in accordance with the Act of December 4, 1967 (16 U.S.C. 484a), to remain available until expended, $55,300, to be derived from deposits by public school authorities under said Act.

81 Stat. 531.

COOPERATIVE RANGE IMPROVEMENTS

For artificial revegetation, construction, and maintenance of range improvements, control of rodents, and eradication of poisonous and noxious plants on national forests in accordance with section 12 of the Act of April 24, 1950 (16 U.S.C. 580h), to be derived from grazing fees as authorized by said section, $700,000, to remain available until expended.

64 Stat. 85.

ASSISTANCE TO STATES FOR TREE PLANTING

For expenses necessary to carry out section 401 of the Agricultural Act of 1956, approved May 28, 1956 (16 U.S.C. 568e), $1,013,000, to remain available until expended.

70 Stat. 207.

CONSTRUCTION AND OPERATION OF RECREATION FACILITIES

For construction, operation, and maintenance of outdoor recreation facilities, including collection of special recreation use fees, to remain available until expended, $3,546,000 to be derived from the special receipt accounts established by section 1(b) of the Act of July 15, 1968 (82 Stat. 354), and section 4(e) of the Act of July 11, 1972 (86 Stat. 461): *Provided*, That not more than 40 per centum of the amount credited pursuant to section 4(e) of the Act of July 11, 1972, shall be available for the enhancement of the fee collection system established by section 4 of such Act, including the promotion and enforcement thereof.

16 USC 460*l*-5 note.

16 USC 460*l*-6a.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (a) purchase of not to exceed three hundred eight passenger motor vehicles of which two hundred sixty-two shall be for replacement only, and hire of such vehicles; operation and maintenance of aircraft and the purchase of not to exceed four for replacement only; (b) employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $100,000 for employment under 5 U.S.C. 3109; (c) uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); (d) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (e) expenses of the National Forest Reservation Commission as authorized by section 14 of the Act of March 1, 1911 (16 U.S.C. 514); (f) acquisition of land and interests therein for sites for administrative and not to exceed $75,000 for research purposes, pursuant to the Act of August 3, 1956 (7 U.S.C. 428a): *Provided*, That this limitation shall not apply to research acquisition at Madison, Wisconsin; (g) expenses incident to acquisition by donation of land, waters, or interests in land or waters, pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); and (h) not to exceed $100,000 for expenses pursuant to the Volunteers in the National Forests Act of 1972 (16 U.S.C. 558a, 558d, 558a note).

58 Stat. 742.

80 Stat. 416.

80 Stat. 508; 81 Stat. 206.

36 Stat. 963.

70 Stat. 1034.

86 Stat. 147.

Except to provide materials required in or incident to research or experimental work where no suitable domestic product is available, no part of the funds appropriated to the Forest Service shall be

expended in the purchase of twine manufactured from commodities or materials produced outside of the United States.

Funds appropriated under this Act shall not be used for acquisition of forest lands under the provisions of the Act approved March 1, 1911, as amended (16 U.S.C. 513–519, 521), where such land is not within the boundaries of an established national forest or purchase unit. 36 Stat. 962.

None of the funds made available under this Act shall be obligated or expended to change the boundaries of any region, to abolish any region, to move or close any regional office for research, State and private forestry, and National Forest System administration of the Forest Service, Department of Agriculture, without the consent of the Committee on Appropriations and Committee on Agriculture and Forestry in the U.S. Senate and U.S. House of Representatives.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), $143,000. 36 Stat. 371.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

INDIAN HEALTH SERVICES

For expenses necessary to enable the Secretary of Health, Education, and Welfare to carry out the purposes of the Act of August 5, 1954 (68 Stat. 674), as amended; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 301 (with respect to research conducted at facilities financed by this appropriation), 311, 321, 322(d), 324, 328, and 509 of the Public Health Service Act, $184,283,000. 73 Stat. 267. 42 USC 2001. 58 Stat. 691; 81 Stat. 539; 62 Stat. 1018. 42 USC 241, 243, 248, 249, 251, 254a, 227.

INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailers; and provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), $49,927,000, to remain available until expended. 73 Stat. 267.

ADMINISTRATIVE PROVISIONS, HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

SEC. 1001. Appropriations contained in this Act, available for salaries and expenses, shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem equivalent to the rate for GS–18. 80 Stat. 416. 5 USC 5332 note.

SEC. 1002. Appropriations contained in this Act, available for salaries and expenses shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902). 80 Stat. 508; 81 Stat. 206.

SEC. 1003. Appropriations contained in this Act available for salaries and expenses shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which

the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

OFFICE OF EDUCATION

INDIAN EDUCATION

For carrying out, to the extent not otherwise provided, part A ($25,000,000), part B ($12,000,000), and part C ($3,000,000) of the Indian Education Act, $40,000,000.

86 Stat. 334.
20 USC 241aa note.

INDIAN CLAIMS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U.S.C. 70), as amended (86 Stat. 115), creating an Indian Claims Commission, $1,086,000, of which not to exceed $15,000 shall be available for expenses of travel.

60 Stat. 1049.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $1,459,000: *Provided*, That none of the funds provided herein shall be used for the Temporary Pennsylvania Avenue Commission.

66 Stat. 781.
80 Stat. 416.
80 Stat. 508; 81 Stat. 206.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

SALARIES AND EXPENSES

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $105,275,000 of which $46,025,000 shall be available until expended to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups and individuals pursuant to section 5(c) of the Act; $8,250,000 shall be available until expended to the National Endowment for the Arts for assistance pursuant to section 5(g) of the Act; $44,500,000 shall be available until expended to the National Endowment for the Humanities for support of activities in the humanities pursuant to section 7(c) of the Act; and $6,500,000 shall be available for administering the provisions of the Act: *Provided*, That not to exceed 3 per centum of the funds appropriated to the National Endowment for the Arts for the purposes of sections 5(c) and 5(g) and not to exceed 3 per centum of the funds appropriated to the National Endowment for the Humanities for the purposes of section 7(c) shall be available for program development and evaluation.

79 Stat. 845; 84 Stat. 443.
20 USC 951 note.
82 Stat. 185.
20 USC 954.
20 USC 956.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $13,000,000, to remain available until expended: *Provided*, That this appropriation shall be available for obligation only in such amounts

Post, p. 465.

as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman of each Endowment under the provisions of section 10(a)(2) during the current and preceding fiscal years, for which equal amounts have not previously been appropriated.

Post, p. 465.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; purchase or rental of two passenger motor vehicles; purchase, rental, repair, and cleaning of uniforms for employees; $55,438,000.

80 Stat. 416.

MUSEUM PROGRAMS AND RELATED RESEARCH (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States, for necessary expenses for carrying out museum programs, scientific and cultural research, and related educational activities, as authorized by law, $4,500,000, to remain available until expended and to be available only to United States institutions: *Provided*, That this appropriation shall be available, in addition to other appropriations to the Smithsonian Institution, for payments in the foregoing currencies: *Provided further*, That not to exceed $1,000,000 shall be available to the Smithsonian Institution for the International Campaign To Save the Monuments of Nubia of the United Nations Educational, Scientific, and Cultural Organization for the salvage of archeological sites on the Island of Philae.

SCIENCE INFORMATION EXCHANGE

For necessary expenses of the Science Information Exchange, $1,650,000, to remain available until expended.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, $3,790,000, to remain available until expended.

RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of restoration and renovation of buildings owned or occupied by the Smithsonian Institution, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $10,000 for services as authorized by 5 U.S.C. 3109, $1,070,000, to remain available until expended.

20 USC 53a.

CONSTRUCTION

(APPROPRIATION TO LIQUIDATE CONTRACT AUTHORITY)

For construction and equipment of a building for a National Air and Space Museum, including not to exceed $100,000 for services as authorized by 5 U.S.C. 3109, $17,000,000, to remain available until expended, for liquidation of obligations incurred under the contract authorization granted in the Department of the Interior and Related Agencies Appropriation Act, 1973.

80 Stat. 416.

86 Stat. 508.

SALARIES AND EXPENSES, NATIONAL GALLERY OF ART

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards and elevator operators, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase, or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and not to exceed $70,000 for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $5,832,000.

53 Stat. 577.
20 USC 74.

80 Stat. 508;
81 Stat. 206.

SALARIES AND EXPENSES, WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356), including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $800,000, to remain available until expended.

20 USC 80e note.

NATIONAL COUNCIL ON INDIAN OPPORTUNITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Indian Opportunity, including services as authorized by 5 U.S.C. 3109, $200,000.

FEDERAL METAL AND NONMETALLIC MINE SAFETY BOARD OF REVIEW

SALARIES AND EXPENSES

For necessary expenses of the Federal Metal and Nonmetallic Mine Safety Board of Review, as authorized by law (30 U.S.C. 721) including services as authorized by 5 U.S.C. 3109, $60,000.

80 Stat. 772.

JOINT FEDERAL-STATE LAND USE PLANNING COMMISSION FOR ALASKA

SALARIES AND EXPENSES

For necessary expenses of the Joint Federal-State Land Use Planning Commission for Alaska, established by the Act of December 18, 1971 (Public Law 92–203), $694,400: *Provided*, That this appropriation shall not be available to pay more than one-half of the expenses of the Commission.

85 Stat. 688.
43 USC 1601 note.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

SALARIES AND EXPENSES

For necessary expenses, as authorized by section 17 of Public Law 92–578, $350,000, to remain available until expended.

86 Stat. 1275.
40 USC 885.

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of any appropriation under this Act shall be available to the Secretaries of the Interior and Agriculture for use for any sale hereafter made of unprocessed timber from Federal lands west of the 100th meridian in the contiguous 48 States which will be exported from the United States, or which will be used as a substitute for timber from private lands which is exported by the purchaser: *Provided*, That this limitation shall not apply to specific quantities of grades and species of timber which said Secretaries determine are surplus to domestic lumber and plywood manufacturing needs.

Unprocessed timber, sale restrictions.

SEC. 302. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein. This Act may be cited as the "Department of the Interior and Related Agencies Appropriation Act, 1974".

Short title.

Approved October 4, 1973.

Public Law 93-121

AN ACT

To amend the International Economic Policy Act of 1972 to change the membership of the Council on International Economic Policy, and for other purposes.

October 4, 1973
[S. 1636]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 205 of the International Economic Policy Act of 1972 is amended—

International Economic Policy Act of 1972, amendments.
86 Stat. 647.
22 USC 2844.

(1) by striking out "(1) The President.";

(2) by redesignating clauses (2) through (7) as clauses (1) through (6);

(3) by inserting after clause (6), as redesignated, the following: "(7) The Secretary of Transportation."; and

(4) by striking out the last sentence and inserting in lieu thereof the following: "The President shall designate the Chairman of the Council from among the members of the Council."

SEC. 2. Section 209 of the International Economic Policy Act of 1972 is amended by striking out "1973" and inserting in lieu thereof "1977".

22 USC 2848.

22 USC 2849.

SEC. 3. Section 210 of the International Economic Policy Act of 1972 is amended by striking out "1973" and inserting in lieu thereof "1974".

International Economic Report. 22 USC 2846.

SEC. 4. Section 207(a) of the International Economic Policy Act of 1972 is amended by redesignating paragraph (4) as paragraph (6), by striking out "and" at the end of paragraph (3); and by inserting immediately after paragraph (3) the following new paragraphs;

"(4) a comparative description and analysis of the following subject matter, with respect to the United States, the European Community and principal countries within the European Community, Japan, and whenever applicable, the Union of Soviet Socialist Republics—

"(A) research and development expenditures, and productivity and technological trends in major industrial and agricultural sectors;

"(B) investment patterns in new plant and equipment;

"(C) industrial manpower and training practices;

"(D) tax incentives and other governmental financial assistance;

"(E) export promotion practices;

"(F) share of the export market, by area and industrial and agricultural sectors;

"(G) environmental practices;

"(H) antitrust practices; and

"(I) long-range governmental economic planning programs, targets, and objectives;

"(5) a review of the relationship between the United States Government and American private business with respect to the categories of subject matter listed in subparagraphs (A) through (I) of paragraph (4) and any other appropriate areas of information, together with recommendations for appropriate policies and programs in order to insure that American business is competitive in international commerce; and".

Executive Director, appointment. 86 Stat. 649. 22 USC 2847.

SEC. 5. Notwithstanding the provisions of section 208(a) of the International Economic Policy Act of 1972, any future Executive Director of the Council on International Economic Policy appointed after the date of the enactment of this bill shall be appointed by the President, by and with the advice and consent of the Senate.

Approved October 4, 1973.

Public Law 93-122

October 9, 1973
[S. 2075]

AN ACT

To authorize the Secretary of the Interior to engage in feasibility investigation of certain potential water resource developments.

Water resource developments. Feasibility studies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to engage in feasibility studies of the following potential water resource developments:

1. Hood-Clay unit, American River division, Central Valley project, in Sacramento County and San Joaquin County, California;

2. McGee Creek Reservoir in Atoka County in southeastern Oklahoma;

3. Moorehead unit, Powder division, Pick-Sloan Missouri Basin program, on the Powder River in Powder River County, Montana, and Campbell County, Wyoming; and

4. Geary project on the Canadian River in Blaine and Custer Counties, Oklahoma.

Approved October 9, 1973.

Public Law 93-123

JOINT RESOLUTION

October 15, 1973
[S. J. Res. 160]

To provide for an extension of certain laws relating to the payment of interest on time and savings deposits, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

Time and savings deposits.
Interest rates, limitation.
80 Stat. 823.
12 USC 461 note.

SECTION 1. In carrying out their respective authorities under the Act of September 21, 1966 (Public Law 89-597) and under other provisions of law, the Secretary of the Treasury, the Board of Governors of the Federal Reserve System, the Board of Directors of the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board shall take action to limit the rates of interest or dividends which may be paid on time deposits of less than $100,000 by institutions regulated by them.

Approved October 15, 1973.

Public Law 93-124

JOINT RESOLUTION

October 16, 1973
[H. J. Res. 727]

Making further continuing appropriations for the fiscal year 1974, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (c) of section 102 of the joint resolution of July 1, 1973 (Public Law 93-52), is hereby amended by striking out "September 30, 1973" and inserting in lieu thereof "the sine die adjournment of the first session of the Ninety-third Congress".

Continuing appropriations, 1974.
Ante, pp. 133, 424.

SEC. 2. The third proviso of section 101(a)(4) of such joint resolution is amended to read as follows: ": *Provided further*, That the aggregate amounts made available to each State under Title I-A of the Elementary and Secondary Education Act for grants to local educational agencies within that State shall not be less than 90 per centum of such amounts as were made available for that purpose for fiscal year 1972, and the amount made available to each local educational agency under said Title I-A shall not be less than 90 per centum nor more than 115 per centum of the amount made available for that purpose for fiscal year 1973;".

79 Stat. 27.
20 USC 236.

SEC. 3. None of the funds made available by this Act shall be used by the Cost of Living Council to formulate or carry out a program which discriminates among petroleum marketers in the method of establishing prices for petroleum products.

Prohibition.

SEC. 4. The fourth unnumbered clause of section 101(b) of such joint resolution is amended by inserting immediately before the semicolon at the end thereof a comma and the following: "except for the Export-Import Bank of the United States".

Approved October 16, 1973.

Public Law 93-125

October 18, 1973
[S. 2419]

AN ACT

To correct typographical and clerical errors in Public Law 93-86.

Agriculture and Consumer Protection Act of 1973, technical amendments.
Ante, p. 221.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 93-86 is amended as follows:

(a) Paragraph (6) of section 1 is amended by—

(i) striking out "diary" and inserting "dairy",

(ii) striking the quotation marks following "articles.", and

(iii) striking "Agriculture Act of 1973" and inserting "Agriculture and Consumer Protection Act of 1973".

(b) Paragraphs (8) and (20) of section 1 are each amended by striking the comma from that part reading: "If the Secretary determines that the producers are prevented from planting, any portion".

(c) Paragraph (12) of section 1 is amended by striking "(12)(a)" and inserting "(12)".

(d) Paragraph (18) of section 1 is amended by—

(i) revising the first paragraph (C) appearing therein so that the quoted sentence contained therein is placed immediately after "follows:" and does not constitute a separate paragraph,

(ii) redesignating the second paragraph (C) appearing therein and paragraphs (D), (E), and (F) as (D), (E), (F), and (G), respectively,

(iii) inserting a comma at the end of the first paragraph (C) and at the end of paragraph (D) as so redesignated, and

(iv) striking the period at the end of paragraph (F) as so redesignated and inserting a comma and the word "and".

(e) The second paragraph of paragraph (26) of section 1 is amended by—

(i) inserting double quotation marks and "SEC. 703." at the beginning thereof,

(ii) striking the double quotation marks which precede the word "and" and inserting a single quotation mark, and

(iii) striking the period and double quotation marks at the end thereof and inserting a single quotation mark followed by a period.

(f) Quoted section 812 contained in paragraph (27)(B) of section 1 is amended by striking out the quotation marks at the end thereof.

(g) Paragraph (28) of section 1 is amended by—

(i) striking out paragraphs (1) through (4) appearing in quoted section 1001 and inserting said paragraphs in quoted section 1003(a) immediately before paragraph (5), and

(ii) changing the colon at the end of quoted section 1007(a) to a period.

(h) Section 3(b) is amended by striking "foreoging" and inserting "foregoing".

(i) Section 3(i) is amended by inserting "(1)" after the word "amended".

(j) The final sentence of section 3(k) is amended by inserting "members of" after "permit".

(k) Section 3(m) is amended by striking "for value" and inserting "for households of a given size unless the increase in the face value".

Approved October 18, 1973.

Public Law 93-126

AN ACT

October 18, 1973
[H. R. 7645]

To authorize appropriations for the Department of State, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Department of State Appropriations Authorization Act of 1973".

Department of State Appropriations Authorization Act of 1973.

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. (a) There are authorized to be appropriated for the Department of State for the fiscal year 1974, to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States, including trade negotiations, and other purposes authorized by law, the following amounts:

(1) for the "Administration of Foreign Affairs", $282,565,000;

(2) for "International Organizations and Conferences", $211,279,000;

(3) for "International Commissions", $15,568,000;

(4) for "Educational Exchange", $59,800,000;

(5) for "Migration and Refugee Assistance", $8,800,000.

(b) In addition to amounts authorized by subsection (a) of this section, there are authorized to be appropriated for the Department of State for the fiscal year 1974 the following additional or supplemental amounts:

(1) not to exceed $9,328,000 for increases in salary, pay, retirement, or other employee benefits authorized by law;

(2) not to exceed $12,307,000 for additional overseas costs resulting from the devaluation of the dollar; and

(3) not to exceed $1,165,000 for the establishment of a liaison office in the Peoples Republic of China.

Protection from terrorism.

(c) In addition to amounts otherwise authorized, there are authorized to be appropriated to the Department of State $40,000,000 for protection of personnel and facilities from threats or acts of terrorism.

Russian refugee assistance.

(d) In addition to amounts otherwise authorized, there are authorized to be appropriated to the Secretary of State for the fiscal year 1974 not to exceed $36,500,000 to carry out the provisions of section 101 (b) of the Foreign Relations Authorization Act of 1972, relating to Russian refugee assistance.

86 Stat. 489.

International Commission of Control and Supervision.

(e) In addition to amounts otherwise authorized, there are authorized to be appropriated to the Department of State for the fiscal year 1974 not to exceed $4,500,000 for payment by the United States of its share of the expenses of the International Commission of Control and Supervision as provided in article 14 of the Protocol to the Agreement on Ending the War and Restoring Peace in Vietnam Concerning the International Commission of Control and Supervision, dated January 27, 1973.

24 UST 1.

(f) Appropriations made under subsections (a), (b), and (c) of this section are authorized to remain available until expended.

INTERPARLIAMENTARY UNION

SEC. 3. The first section of the Act entitled "An Act to authorize participation by the United States in the Interparliamentary Union", approved June 28, 1935 (22 U.S.C. 276), is amended—

78 Stat. 1014; 86 Stat. 34.

(1) by striking out "$102,000" and inserting in lieu thereof "$120,000"; and

(2) by striking out "$57,000" and inserting in lieu thereof "$75,000".

STUDY COMMISSION RELATING TO FOREIGN POLICY

86 Stat. 498.

SEC. 4. Section 603(b) of the Foreign Relations Authorization Act of 1972 (22 U.S.C. 2823(b)), relating to the reporting date for the Commission on the Organization of the Government for the Conduct of Foreign Policy, is amended by striking out "June 30, 1974" and inserting in lieu thereof "June 30, 1975".

USE OF FOREIGN CURRENCY

68 Stat. 850; 78 Stat. 1015.

SEC. 5. Subsection (b) of section 502 of the Mutual Security Act of 1954 (22 U.S.C. 1754) is amended—

(1) by striking out "$50" in the first sentence of such subsection and inserting in lieu thereof "$75";

(2) by inserting immediately before "appropriate committees" the following: "Members and employees of"; and

(3) by striking out the colon and all that follows thereafter in such subsection and inserting in lieu thereof a period and the following: "Within the first ninety calendar days that Congress is in session in each calendar year, the Department of State shall submit to the chairman of each such committee a report showing the amounts and dollar equivalent values of each such foreign currency expended during the preceding calendar year by each Member and employee with respect to travel outside the United States. Such reports of that committee shall be available for public inspection in the offices of such committee."

Report to congressional committees.

AMBASSADORS AND MINISTERS

Nominees, filing of campaign contribution report.

SEC. 6. From and after the date of enactment of this Act, each person appointed by the President as ambassador or minister shall, at the time of his nomination, file with the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives a report of contributions made by such person and by members of his immediate family during the period beginning on the first day of the fourth calendar year preceding the calendar year of his nomination and ending on the date of his nomination, which report shall be verified by the oath or affirmation of such person, taken before any officer authorized to administer oaths. As used in this section, the term "contribution" has the same meaning given such term by section 301(e) of the Federal Election Campaign Act of 1971, and the term "immediate family" means a person's spouse, and any child, parent, grandparent, brother, or sister of such person and the spouses of any of them.

"Contribution."

86 Stat. 11. 2 USC 431.

"Immediate family."

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

SEC. 7. (a) Section 2(2) of the Act of September 19, 1966 (80 Stat. 808; 22 U.S.C. 277d–31), is amended by striking out "$20,000" and inserting in lieu thereof "$25,000".

(b) Section 3 of the Act of August 10, 1964 (78 Stat. 386; 22 U.S.C. 277d–28), is amended by striking out "$20,000" and inserting in lieu thereof "$30,000".

(c) The last paragraph of the Act of September 18, 1964 (78 Stat. 956; 22 U.S.C. 277d–29), is amended by striking out "$23,000" and inserting in lieu thereof "$50,000".

EXTENSION OF PUBLIC LAW 92-14

SEC. 8. Section 2 of the Act entitled "An Act to authorize the United States Postal Service to receive the fee of $2 for execution of an application for a passport", approved May 14, 1971 (85 Stat. 38; Public Law 92-14), is amended by striking out "June 30, 1973" and inserting in lieu thereof "June 30, 1974". 22 USC 214 note.

BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

SEC. 9. There is established within the Department of State a Bureau of Oceans and International Environmental and Scientific Affairs. In addition to the positions provided under the first section of the Act of May 26, 1949, as amended (22 U.S.C. 2652), there shall be an Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, appointed by the President, by and with the advice and consent of the Senate, who shall be the head of the Bureau and who shall have responsibility for matters relating to oceans, environmental, scientific, fisheries, wildlife, and conservation affairs. Establishment. 86 Stat. 490.

FOREIGN SERVICE PROMOTIONS

SEC. 10. Section 623 of the Foreign Service Act of 1946 (22 U.S.C. 996) is amended to read as follows: 60 Stat. 1014. 22 USC 993.

"RECOMMENDATIONS FOR PROMOTIONS

"SEC. 623. (a) The Secretary shall establish, with the advice of the Board of the Foreign Service, selection boards to evaluate the performance of Foreign Service officers; and upon the basis of their findings, which, except for career ambassadors and career ministers, shall be submitted to the Secretary in rank order by class or in rank order by specialization within a class, the Secretary shall make recommendations in accordance with the findings to the President for the promotion of Foreign Service officers. No person assigned to serve on any such board shall serve in such capacity for any two consecutive years. In special circumstances, however, which shall be set forth by regulations, the Secretary shall have the authority to remove individual names from the rank order list submitted by the selection boards or to delay the inclusion of individual names until a subsequent list of nominations is transmitted to the President.

"(b) The Secretary may, pursuant to a recommendation of a duly constituted grievance board or panel or an equal employment opportunity appeals examiner— Grievance board.

"(1) recommend to the President the promotion of a Foreign Service officer;

"(2) promote Foreign Service Staff personnel and Foreign Service Reserve officers with limited or unlimited tenure; and

"(3) grant to Foreign Service personnel additional step increases in salary, within the salary range established for the class in which an officer or employee is serving.

"(c) The Secretary may, in special circumstances which shall be set forth in regulations, make retroactive promotions and additional increases in salary within class made or granted under the authority of this section." Retroactive promotions.

REIMBURSEMENT FOR DETAILED STATE DEPARTMENT PERSONNEL

SEC. 11. (a) An Executive agency to which any officer or employee of the Department of State is detailed, assigned, or otherwise made

available, shall reimburse the Department for the salary and allowances of each such officer or employee for the period the officer or employee is so detailed, assigned, or otherwise made available. However, if the Department of State has an agreement with an Executive agency or agencies providing for the detailing, assigning, or otherwise making available, of substantially the same numbers of officers and employees between the Department and the Executive agency or agencies, and such numbers with respect to a fiscal year are so detailed, assigned, or otherwise made available, or if the period for which the officer or employee is so detailed, assigned, or otherwise made available does not exceed ninety days, no reimbursement shall be required to be made under this section.

(b) For purposes of this section, "Executive agency" has the same meaning given that term by section 105 of title 5, United States Code.

80 Stat. 379.

OVERSEAS KINDERGARTEN EDUCATION ALLOWANCE

80 Stat. 511.

SEC. 12. Section 5924(4)(A) of title 5, United States Code, is amended by inserting immediately before "elementary" the following: "kindergarten,".

REQUIREMENT FOR CONGRESSIONAL AUTHORIZATION FOR THE INVOLVEMENT OF AMERICAN FORCES IN FURTHER HOSTILITIES IN INDOCHINA, AND FOR EXTENDING ASSISTANCE TO NORTH VIETNAM

SEC. 13. Notwithstanding any other provision of law, on or after August 15, 1973, no funds heretofore or hereafter appropriated may be obligated or expended to finance the involvement of United States military forces in hostilities in or over or from off the shores of North Vietnam, South Vietnam, Laos, or Cambodia, unless specifically authorized hereafter by the Congress. Notwithstanding any other provision of law, upon enactment of this Act, no funds heretofore or hereafter appropriated may be obligated or expended for the purpose of providing assistance of any kind, directly or indirectly, to or on behalf of North Vietnam, unless specifically authorized hereafter by the Congress.

LIMITATION ON PUBLICITY AND PROPAGANDA PURPOSES

SEC. 14. No appropriation made available under this Act shall be used—

(1) for publicity or propaganda purposes designed to support or defeat legislation pending before Congress; or

(2) to influence in any way the outcome of a political election.

HOUSING SUPPLEMENT FOR CERTAIN EMPLOYEES ASSIGNED TO THE UNITED STATES MISSION TO THE UNITED NATIONS

59 Stat. 619; 63 Stat. 734.

SEC. 15. The United Nations Participation Act of 1945 (22 U.S.C. 287) is further amended by adding the following new section at the end thereof:

"SEC. 9. The President may, under such regulations as he shall prescribe, and notwithstanding section 3648 of the Revised Statutes (31 U.S.C. 529) and section 5536 of title 5, United States Code—

80 Stat. 484.

"(1) grant any employee of the staff of the United States Mission to the United Nations designated by the Secretary of State who is required because of important representational responsibilities to live in the extraordinarily high-rent area immediately surrounding the headquarters of the United Nations in New York, New York, an allowance to compensate for the portion of expenses necessarily incurred by the employee for quarters and utilities

which exceed the average of such expenses incurred by typical, permanent residents of the Metropolitan New York, New York, area with comparable salary and family size who are not compelled by reason of their employment to live in such high-rent area; and

"(2) provide such allowance as the President considers appropriate, to each Delegate and Alternate Delegate of the United States to any session of the General Assembly of the United Nations who is not a permanent member of the staff of the United States Mission to the United Nations, in order to compensate each such Delegate or Alternate Delegate for necessary housing and subsistence expenses incurred by him with respect to attending any such session.

Not more than forty-five employees shall be receiving an allowance under paragraph (1) of this section at any one time."

MUTUAL RESTRAINT ON MILITARY EXPENDITURES

SEC. 16. It is the sense of the Congress that the United States and the Union of Soviet Socialist Republics should, on an urgent basis and in their mutual interests, seek agreement on specific mutual reductions in their respective expenditures for military purposes so that both nations can devote a greater proportion of their available resources to the domestic needs of their respective peoples; and, the President of the United States is requested to seek such agreements for the mutual reduction of armament and other military expenditures in the course of all discussions and negotiations in extending guaranties, credits, or other forms of direct or indirect assistance to the Soviet Union.

EXPRESSION OF INDIVIDUAL VIEWS TO CONGRESS

SEC. 17. Section 502 of the Foreign Relations Authorization Act of 1972 (2 U.S.C. 194a) is amended by striking out "appointed by the President, by and with the advice and consent of the Senate, to a position in" and inserting in lieu thereof "or employee of". 86 Stat. 496.

Approved October 18, 1973.

Public Law 93-127

AN ACT

October 18, 1973
[S.1141]

To provide a new coinage design and date emblematic of the Bicentennial of the American Revolution for dollars, half dollars, and quarter dollars, to authorize the issuance of special silver coins commemorating the Bicentennial of the American Revolution, and for other purposes.

American Revolution Bicentennial.

Coinage design and date emblematic.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the reverse side of all dollar, half-dollar, and quarter-dollar coins minted for issuance on or after July 4, 1975, and until such time as the Secretary of the Treasury may determine, shall bear a design determined by the Secretary to be emblematic of the Bicentennial of the American Revolution.

SEC. 2. All dollar, half-dollar, and quarter-dollar coins minted for issuance between July 4, 1975, and January 1, 1977, shall bear "1776–1976" in lieu of the date of coinage; and all dollar, half-dollar, and quarter-dollar coins minted thereafter until such time as the Secretary of the Treasury may determine shall bear a date emblematic of the Bicentennial in addition to the date of coinage.

Manufacture and storage.

SEC. 3. Until the Secretary of the Treasury determines that the mints of the United States are adequate for the production of ample supplies of coins and medals, any facility of the Bureau of the Mint may be used for the manufacture and storage of medals and coins.

Silver-clad coins, limitations.

SEC. 4. Notwithstanding any other provision of law with respect to the design of coins, the Secretary shall mint prior to July 4, 1975, for issuance on and after such date, 45 million silver-clad alloy coins authorized under section 101(a) of the Coinage Act of 1965, commemorating the Bicentennial of the American Revolution, of such design, in such denomination, and containing such quantities of such other metals as he determines appropriate. In addition, the Secretary shall coin and issue not more than an additional 15 million such coins, if he determines such coins are needed to meet public demand. Coins minted under this section may only be distributed by the Secretary as proof or uncirculated coins at such prices as he may determine. The Secretary is authorized, by regulation, to limit the number of silver coins minted under this section which any one person may purchase. Coins minted under this section shall be treated as pieces subject to the one hundred and fifty million piece limitation contained in section 101(d) of the Coinage Act of 1965, and shall be subject to such limitation. Receipts from the sale of coins under this section shall be covered into the Treasury as miscellaneous receipts.

84 Stat. 1768.
31 USC 391.

Numismatic items, distribution.

SEC. 5. In connection with the operations of the Bureau of the Mint, the Secretary of the Treasury is authorized to manufacture and distribute numismatic items. Proceeds from the sale of numismatic items shall be reimbursed to the current appropriation for the cost of manufacturing and handling of such items.

Approved October 18, 1973.

Public Law 93-128

October 18, 1973
[H. R. 7976]

AN ACT

To amend the Act of August 31, 1965, commemorating certain historical events in the State of Kansas.

Commemoration of historical sites, Kans.
Additional appropriation authorization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of August 31, 1965 (79 Stat. 588), is amended to read as follows:

"SEC. 4. In addition to those funds heretofore authorized and appropriated, there are authorized to be appropriated for the purposes of this Act not more than $1,420,000. Such sums, when appropriated, shall be available for planning, site rehabilitation, development, and marking of historic sites pursuant to the provisions of this Act."

Approved October 18, 1973.

Public Law 93-129

October 19, 1973
[S. 1914]

AN ACT

To provide for the establishment of the Board for International Broadcasting, to authorize the continuation of assistance to Radio Free Europe and Radio Liberty, and for other purposes.

Board for International Broadcasting Act of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Board for International Broadcasting Act of 1973".

DECLARATION OF PURPOSES

SEC. 2. The Congress hereby finds and declares—

(1) that it is the policy of the United States to promote the right of freedom of opinion and expression, including the freedom "to seek, receive, and impart information and ideas through any media and regardless of frontiers," in accordance with article 19 of the Universal Declaration of Human Rights;

(2) that open communication of information and ideas among the peoples of the world contributes to international peace and stability, and that the promotion of such communication is in the interests of the United States;

(3) that Free Europe, Incorporated, and the Radio Liberty Committee, Incorporated (hereinafter referred to as Radio Free Europe and Radio Liberty), have demonstrated their effectiveness in furthering the open communication of information and ideas in Eastern Europe and the Union of Soviet Socialist Republics;

(4) that the continuation of Radio Free Europe and Radio Liberty as independent broadcast media, operating in a manner not inconsistent with the broad foreign policy objectives of the United States and in accordance with high professional standards, is in the national interest; and

(5) that in order to provide an effective instrumentality for the continuation of assistance to Radio Free Europe and Radio Liberty and to encourage a constructive dialog with the peoples of the Union of Soviet Socialist Republics and Eastern Europe, it is desirable to establish a Board for International Broadcasting.

ESTABLISHMENT AND ORGANIZATION

SEC. 3. (a) There is established a Board for International Broadcasting (hereinafter referred to as the "Board").

(b)(1) COMPOSITION OF BOARD.—The Board shall consist of seven members, two of whom shall be ex officio members. The President shall appoint, by and with the advice and consent of the Senate, five voting members, one of whom he shall designate as chairman. Not more than three of the members of the Board appointed by the President shall be of the same political party. The chief operating executive of Radio Free Europe and the chief operating executive of Radio Liberty shall be ex officio members of the Board and shall participate in the activities of the Board, but shall not vote in the determinations of the Board.

(2) SELECTION.—Members of the Board appointed by the President shall be citizens of the United States who are not concurrently regular full-time employees of the United States Government. Such members shall be selected by the President from among Americans distinguished in the fields of foreign policy or mass communications.

(3) TERM OF OFFICE OF PRESIDENTIALLY APPOINTED MEMBERS.—In appointing the initial voting members of the Board, the President shall designate three of the members appointed by him to serve for a term of three years and two members to serve for a term of two years. Thereafter, the term of office of each member of the Board so appointed shall be three years. The President shall appoint, by and with the advice and consent of the Senate, members to fill vacancies occurring prior to the expiration of a term, in which case the members so

appointed shall serve for the remainder of such term. Any member whose term has expired may serve until his successor has been appointed and qualified.

(4) TERM OF OFFICE OF EX OFFICIO MEMBERS.—Ex officio members of the Board shall serve on the Board during their terms of service as chief operating executives of Radio Free Europe or Radio Liberty.

(5) COMPENSATION.—Members of the Board appointed by the President shall, while attending meetings of the Board or while engaged in duties relating to such meetings or in other activities of the Board pursuant to this section, including traveltime, be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code. While away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently. Ex officio members of the Board shall not be entitled to any compensation under this Act, but may be allowed travel expenses as provided in the preceding sentence.

80 Stat. 463; 83 Stat. 864.

80 Stat. 499; 83 Stat. 190.

FUNCTIONS

SEC. 4. (a) The Board is authorized:

(1) to make grants to Radio Free Europe and to Radio Liberty in order to carry out the purposes set forth in section 2 of this Act;

(2) to review and evaluate the mission and operation of Radio Free Europe and Radio Liberty, and to assess the quality, effectiveness and professional integrity of their broadcasting within the context of the broad foreign policy objectives of the United States;

(3) to encourage the most efficient utilization of available resources by Radio Free Europe and Radio Liberty and to undertake, or request that Radio Free Europe or Radio Liberty undertake, such studies as may be necessary to identify areas in which the operations of Radio Free Europe and Radio Liberty may be made more efficient and economical;

(4) to develop and apply such financial procedures, and to make such audits of Radio Free Europe and Radio Liberty as the Board may determine are necessary, to assure that grants are applied in accordance with the purposes for which such grants are made;

(5) to develop and apply such evaluative procedures as the Board may determine are necessary to assure that grants are applied in a manner not inconsistent with the broad foreign policy objectives of the United States Government;

(6) to appoint such staff personnel as may be necessary, subject to the provisions of section 5, United States Code, governing appointments in the competitive service, and to fix their compensation in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;

5 USC 101 *et seq.*

5 USC 5101, 5331.

(7) (A) to procure temporary and intermittent personal services to the same extent as is authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the rate provided for GS–18; and

80 Stat. 416.
5 USC 5332 note.

(B) to allow those providing such services, while away from their homes or their regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently, while so employed; Travel expenses.

80 Stat. 499; 83 Stat. 190.

(8) to report annually to the President and the Congress on or before the 30th day of October, summarizing the activities of the Board during the year ending the preceding June 30, and reviewing and evaluating the operation of Radio Free Europe and Radio Liberty during such year; and Annual report to President and Congress.

(9) to prescribe such regulations as the Board deems necessary to govern the manner in which its functions shall be carried out. Regulations.

(b) In carrying out the foregoing functions, the Board shall bear in mind the necessity of maintaining the professional independence and integrity of Radio Free Europe and Radio Liberty.

RECORDS; AUDIT; CONTRIBUTORS

SEC. 5. (a) The Board shall require that Radio Free Europe and Radio Liberty keep records which fully disclose the amount and disposition of assistance provided under this Act, the total cost of the undertakings or programs in connection with which such assistance is given or used, that portion of the cost of the undertakings or programs supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Board and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of Radio Free Europe and Radio Liberty which, in the opinion of the Board or the Comptroller General, may be related or pertinent to the assistance provided under this Act.

(c) No grant may be made under this Act unless the radio to which the grant is to be made agrees to make available, and does make available, for public inspection, during normal business hours at its principal office in the United States, a complete list of every person and government making a contribution to that radio during the fiscal year preceding the making of the grant and the fiscal year in which the grant is to be made, the address of the person or government making the contribution, the amount of each such contribution, and the date the contribution was made.

ROLE OF THE SECRETARY OF STATE

SEC. 6. To assist the Board in carrying out its functions, the Secretary of State shall provide the Board with such information regarding the foreign policy of the United States as the Secretary may deem appropriate.

PUBLIC SUPPORT

SEC. 7. The Board is authorized to receive donations, bequests, devises, gifts, and other forms of contributions of cash, services, and other property, from persons, corporations, foundations, and all other groups and entities both within the United States and abroad, and, pursuant to the Federal Property Administrative Services Act of 1949, as amended, to use, sell, or otherwise dispose of such property for the carrying out of its functions. For the purposes of sections 170, 2055, and 2522 of the Internal Revenue Code of 1954, as amended (26 U.S.C. 170, 2055, or 2522), the Board shall be deemed to be a corporation described in section 170(c)(2), 2055(a)(2), or 2522(a)(2) of the Code, as the case may be.

63 Stat. 377.
40 USC 471 note.
68A Stat. 58, 390, 410.
83 Stat. 549, 561, 562.

FINANCING AND IMPLEMENTATION

Appropriation.

SEC. 8. (a) There are authorized to be appropriated, to remain available until expended, $50,209,000 for fiscal year 1974. There are authorized to be appropriated for fiscal year 1974 such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law and for other nondiscretionary costs.

Grants, terms and conditions.

(b) To allow for the orderly implementation of this Act, the Secretary of State is authorized to make grants to Radio Free Europe and to Radio Liberty under such terms and conditions as he deems appropriate for their continued operation until a majority of the voting members of the Board have been appointed and qualified, and until funds authorized to be appropriated under this Act are available to the Board.

Approved October 19, 1973.

Public Law 93-130

October 19, 1973
[H. R. 7699]

AN ACT

To provide for the filling of vacancies in the Legislature of the Virgin Islands.

Virgin Islands legislature.
68 Stat. 500.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6(h) of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1572(h)) is amended to read as follows:

"(h) The Legislature of the Virgin Islands shall by law provide the procedure for filling any vacancy in the office of member of the legislature."

Effective date.

SEC. 2. The amendment made by the first section of this Act shall apply with respect to vacancies occurring on or after the date of enactment of this Act.

Approved October 19, 1973.

Public Law 93-131

October 19, 1973
[H. R. 6628]

AN ACT

To amend section 101(b) of the Micronesian Claims Act of 1971 to enlarge the class of persons eligible to receive benefits under the claims program established by that Act.

Micronesian Claims Act of 1971, amendments.
85 Stat. 92.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101(b) of the Micronesian Claims Act of 1971 (50 App. U.S.C. 2019(b)) is amended to read as follows:

Definition.

"(b) A 'Micronesian inhabitant of the Trust Territory of the Pacific Islands' is defined for the purposes of this Act as a person who—

"(1) became a citizen of the Trust Territory of the Pacific Islands on July 18, 1947, and who remains a citizen of the Trust Territory of the Pacific Islands, or is a citizen of the United States, as of the date of filing a claim; or

"(2) if then living, would have been eligible to become a citizen of the Trust Territory of the Pacific Islands on July 18, 1947; or

"(3) is the successor, heir, or assignee of a person eligible under paragraph (1) or (2) and who is a citizen of the Trust Territory of the Pacific Islands, or of the United States, as of the date of filing a claim.".

SEC. 2. The fifth sentence of section 104(a) of the Micronesian Claims Act of 1971 (50 App. U.S.C. 2019c(a)) is amended to read as follows: "As claims are adjudicated, the Commission shall certify them to the Secretary for payment in such manner as he may direct."

Payment of claims.
85 Stat. 94.

Approved October 19, 1973.

Public Law 93-132

AN ACT

To provide for the striking of medals in commemoration of Jim Thorpe.

October 19, 1973
[H. R. 4507]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of the outstanding achievements of Jim Thorpe as an athlete and as a great American, the Secretary of the Treasury is authorized to strike and furnish to the Jim Thorpe Memorial-Oklahoma Athletic Hall of Fame Commission not more than one hundred thousand medals with suitable emblems, devices, and inscriptions to be determined by the Secretary, after consultation with the commission. The medals, which may be disposed of by the commission at a premium, shall be delivered at such times as may be required by the commission in quantities of not less than two thousand.

Jim Thorpe.
Commemoration medals.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such costs.

Cost.

SEC. 3. The medals authorized to be struck and delivered under this Act shall be of such size or sizes and of such various metals as shall be determined by the Secretary of the Treasury in consultation with the commission.

Size.

SEC. 4. No medals shall be made under the authority of this Act after December 31, 1974.

Expiration of authority.

SEC. 5. At the option of the commission, the Secretary may release the dies to a private manufacturer for production of some or all of the medals authorized under this Act.

SEC. 6. The medals, whether produced by the Secretary or by a private manufacturer from dies prepared by the Department of the Treasury, shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

Approved October 19, 1973.

Public Law 93-133

AN ACT

To amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

October 19, 1973
[S. 795]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Foundation on the Arts and the Humanities Amendments of 1973".

National Foundation on the Arts and the Humanities Amendments of 1973.

AMENDMENTS TO THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

79 Stat. 845. 20 USC 951 note.

SEC. 2. (a) The National Foundation on the Arts and the Humanities Act of 1965 is amended in the following respects:

(1) Clause (7) of section 2 of such Act is amended by striking out all that appears after "a National Foundation on the Arts and the Humanities" and inserting in lieu thereof a period.

20 USC 952.

(2) Subsection (d) of section 3 of such Act is amended by striking out ", purchase, renovation, or construction" and inserting in lieu thereof "or purchase", and by adding at the end thereof the following new sentence: "Such term also includes—

"(1) the renovation of facilities if (A) the amount of the expenditure of Federal funds for such purpose in the case of any project does not exceed $250,000, or (B) two-thirds of the members of the National Council on the Arts (who are present and voting) approve of the grant or contract involving an expenditure for such purpose; and

"(2) the construction of facilities if (A) such construction is for demonstration purposes or under unusual circumstances where there is no other manner in which to accomplish an artistic purpose, and (B) two-thirds of the members of the National Council on the Arts (who are present and voting) approve of the grant or contract involving an expenditure for such purpose.".

National Endowment for the Arts. 82 Stat. 185. 20 USC 954.

(3) (A) That part of subsection (c) of section 5 of such Act which precedes clause (1) is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) In clauses (1) and (2) of such subsection (c) such Act is amended by striking out "production" each time it appears and inserting in lieu thereof "projects and productions"; and, in clause (3) of such subsection, such Act is amended by striking out "projects" and inserting in lieu thereof "projects and productions".

(C) Clause (2) of such subsection (c) is further amended by striking out "in many areas of the country" and inserting in lieu thereof "for geographic or economic reasons".

(D) Clause (5) of such subsection (c) is amended by striking out "and planning in the arts" and inserting in lieu thereof ", planning, and publications relating to the purposes of this subsection".

(E) Such subsection (c) is amended by adding at the end thereof the following new sentence: "In the case of publications under clause (5) of this subsection such publications may be supported without regard for the provisions of section 501 of title 44, United States Code, only if the Chairman consults with the Joint Committee on Printing of the Congress and the Chairman submits to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives a report justifying any exemption from such section 501.".

82 Stat. 1243.

State allotments. 79 Stat. 847; 84 Stat. 443. 20 USC 954.

(4) (A) Paragraph (1) of subsection (g) of section 5 of such Act is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) That part of paragraph (2) which precedes clause (A) of such subsection (g) is amended (i) by striking out "such assistance" and inserting in lieu thereof "assistance under this subsection" and (ii) by

striking out "prior to the first day of such fiscal year" and inserting in lieu thereof "at such time as shall be specified by the Chairman".

(C) Clause (B) of paragraph (2) of such subsection (g) is amended by striking out "except that in the case of the first fiscal year in which the State is allotted funds after the enactment of this Act, a plan may provide that not to exceed $25,000 of such funds may be expended to conduct a study to plan the development of a State agency in the State and to establish such an agency;". 79 Stat. 847; 84 Stat. 443. 20 USC 954.

(D) Such subsection (g) is amended by striking out paragraphs (3) and (4) and inserting in lieu thereof the following:

"(3) Of the sums available to carry out this subsection for any fiscal year, each State which has a plan approved by the Chairman shall be allotted at least $200,000. If the sums appropriated are insufficient to make the allotments under the preceding sentence in full, such sums shall be allotted among such States in equal amounts. In any case where the sums available to carry out this subsection for any fiscal year are in excess of the amount required to make the allotments under the first sentence of this paragraph—

"(A) the amount of such excess which is no greater than 25 per centum of the sums available to carry out this subsection for any fiscal year shall be available only to the Chairman for making grants under this subsection to States and regional groups, and

"(B) the amount of such excess, if any, which remains after reserving in full for the Chairman the amount required under clause (A) shall be allotted among the States which have plans approved by the Chairman in equal amounts

but in no event shall any State be allotted less than $200,000.

"(4) (A) The amount of any allotment made under paragraph (3) for any fiscal year which exceeds $125,000 shall be available, at the discretion of the Chairman, to pay up to 100 per centum of such cost of projects and productions if such project and productions would otherwise be unavailable to the residents of that State: *Provided*, That the total amount of any such allotment for any fiscal year which is exempted from such 50 per centum limitation shall not exceed 20 per centum of the total of such allotment for such fiscal year.

"(B) Any amount allotted to a State under the first sentence of paragraph (3) for any fiscal year which is not obligated by the State prior to 60 days prior to the end of the fiscal year for which such sums are appropriated shall be available for making grants to regional groups.

"(C) Funds made available under this subsection shall not be used to supplant non-Federal funds.

"(D) For the purpose of paragraph (3) and paragraph (4) of this section the term 'regional group' means any multistate group, whether or not representative of contiguous States." "Regional group."

(E) Paragraph (5) of such subsection (g) is amended by inserting after "allotted" the following: "or made available".

(5) Subsection (f) of section 6 of such Act is amended, in the third sentence thereof— National Council on the Arts, grants without recommendation. 84 Stat. 444. 20 USC 955.

(A) by striking out "$10,000" and inserting in lieu thereof "$17,500"; and

(B) by striking out the period at the end thereof and inserting in lieu thereof the following: "; *Provided*, That the terms of any

such delegation of authority shall not permit obligations for expenditure of funds under such delegation for any fiscal year which exceed an amount equal to 10 per centum of the sums appropriated for that fiscal year pursuant to subparagraph (A) of paragraph (1) of section 11(a).".

Post, p. 465.

National Endowment for the Humanities.
79 Stat. 850.
20 USC 956.
84 Stat. 445.

(6) (A) That part of subsection (c) of section 7 of such Act which precedes clause (1) is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) Clause (2) of such subsection is amended by adding at the end thereof the following: "any loans made by the Endowment shall be made in accordance with terms and conditions approved by the Secretary of the Treasury;".

(C) Clause (6) of such subsection (c) is amended by striking out all that follows "the humanities" and inserting in lieu thereof a period.

(D) Such subsection (c) is amended by striking out "and" at the end of paragraph (5), by striking out the period at the end of paragraph (6) and inserting in lieu thereof a semicolon and the word "and", and by adding after paragraph (6) the following new paragraph:

"(7) insure that the benefit of its programs will also be available to our citizens where such programs would otherwise be unavailable due to geographic or economic reasons."

(E) Such subsection (c) is further amended by adding at the end thereof the following new sentence: "In the case of publications under clause (6) of this subsection such publications may be supported without regard for the provisions of section 501 of title 44, United States Code, only if the Chairman consults with the Joint Committee on Printing of the Congress and the Chairman submits to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives a report justifying any exemption from such section 501.".

82 Stat. 1243.

National Council on the Humanities, grants without recommendation.
82 Stat. 185.
20 USC 957.

(7) Subsection (f) of section 8 of such Act is amended, in the third sentence thereof—

(A) by striking out "$10,000" and inserting in lieu thereof "$17,500,"; and

(B) by striking out the period at the end thereof and inserting in lieu thereof the following: ": *Provided*, That the terms of any such delegation of authority shall not permit obligations for expenditure of funds under such delegation for any fiscal year which exceed an amount equal to 10 per centum of the sums appropriated for that fiscal year pursuant to subparagraph (B) of paragraph (1) of section 11(a).".

Post, p. 465.

Federal Council on the Arts and the Humanities, membership.
79 Stat. 851; 84 Stat. 446.
20 USC 958.

(8) Section 9(b) of such Act is amended to read as follows:

"(b) The Council shall be composed of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the United States Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, the Director of the National Gallery of Art, the Chairman of the Commission of Fine Arts, the Archivist of the United States, the Commissioner, Public Buildings Service, General Services Administration, a member designated by the Secretary of State, and a member designated by the Secretary of the Interior, a member designated by the Chairman of the Senate Commission on Art and Antiquities, and a member designated by the Speaker of the House. The President shall designate the Chairman of the Council from among the members. The President is authorized to change the membership of the Council from time to time as he deems necessary to meet changes in Federal programs or executive branch organization.".

(9) Clause (2) of subsection (a) of section 10 of such Act is amended by inserting after "purposes of the gift" the following: ", except that a Chairman may receive a gift without a recommendation from the Council to provide support for any application or project which can be approved without Council recommendation under the provisions of sections 6(f) and 8(f), and may receive a gift of $15,000, or less, without Council recommendation in the event the Council fails to provide such recommendation within a reasonable period of time". Gifts. 82 Stat. 186. 20 USC 959. *Ante*, pp. 463, 464.

(10) Clause (4) of subsection (a) of section 10 is amended by deleting the semicolon at the end thereof and by inserting in lieu thereof the following: ": *Provided, however*, That any advisory panel appointed to review or make recommendations with respect to the approval of applications or projects for funding shall have broad geographic representation;". 79 Stat. 852; 82 Stat. 186.

(11) Section 11 of such Act is amended by striking out subsections (a) and (b) and inserting in lieu thereof the following: 79 Stat. 853; 82 Stat. 187. 20 USC 960.

"SEC. 11. (a)(1)(A) For the purpose of carrying out section 5(c), there are authorized to be appropriated to the National Endowment for the Arts, $54,000,000 for the fiscal year ending June 30, 1974, $90,000,000 for the fiscal year ending June 30, 1975, and $113,500,000 for the fiscal year ending June 30, 1976. For the purpose of carrying out section 5(g), there are authorized to be appropriated to the National Endowment for the Arts $11,000,000 for the fiscal year ending June 30, 1974. Not less than 20 per centum of the funds appropriated under the first sentence of this paragraph for the fiscal years ending June 30, 1975, and June 30, 1976, may be used only for the purpose of carrying out section 5(g). *Ante*, p. 462. *Ante*, p. 462.

"(B) For the purposes of carrying out section 7(c), there are authorized to be appropriated to the National Endowment for the Humanities $65,000,000 for the fiscal year ending June 30, 1974, $90,000,000 for the fiscal year ending June 30, 1975, and $113,500,000 for the fiscal year ending June 30, 1976. *Ante*, p. 464.

"(2) There are authorized to be appropriated for each fiscal year ending prior to July 1, 1976, to the National Endowment for the Arts and to the National Endowment for the Humanities, an amount equal to the total amounts received by each Endowment under section 10(a)(2), except that the amount so appropriated for any fiscal year shall not exceed the following limitations: *Supra*.

"(A) For the fiscal year ending June 30, 1974, $15,000,000.

"(B) For the fiscal year ending June 30, 1975, $20,000,000.

"(C) For the fiscal year ending June 30, 1976, $25,000,000.

"(b)(1) Sums appropriated pursuant to subsection (a) for any fiscal year shall remain available for obligation and expenditure until expended.

"(2) In order to afford adequate notice to interested persons of available assistance under this Act, appropriations authorized under subsection (a) are authorized to be included in the measure making appropriations for the fiscal year preceding the fiscal year for which such appropriations become available for obligation.".

(12) Sections 13 and 14 of such Act are repealed. Repeals. 79 Stat. 855. 20 USC 962, 963.

(b) The amendments made by subsection (a) shall be effective on and after July 1, 1973. Effective date.

HUMANITIES GRANTS

SEC. 3. Section 7(d) of the National Foundation on the Arts and the Humanities Act of 1965 is amended by adding after the phrase "Federal programs" a comma and then the words "designated State humanities agencies". 79 Stat. 850. 20 USC 956.

AMENDMENT TO THE LIBRARY SERVICES CONSTRUCTION ACT, INCLUDING RESEARCH LIBRARIES IN THE DEFINITION OF "PUBLIC LIBRARY"

70 Stat. 293. 20 USC 351a.

SEC. 4. (a) Section 3(5) of the Library Services and Construction Act is amended by adding at the end thereof the following new sentence: "Such term also includes a research library, which, for the purposes of this sentence, means a library which—

"(A) makes its services available to the public free of charge;

"(B) has extensive collections of books, manuscripts, and other materials suitable for scholarly research which are not available to the public through public libraries;

"(C) engages in the dissemination of humanistic knowledge through services to readers, fellowships, educational and cultural programs, publication of significant research, and other activities; and

"(D) is not an integral part of an institution of higher education.".

Effective date.

(b) The amendment made by subsection (a) shall be effective on June 30, 1973, and only with respect to appropriations for fiscal years beginning after such date.

Approved October 19, 1973.

Public Law 93-134

October 19, 1973
[S. 1016]

AN ACT

To provide for the use or distribution of funds appropriated in satisfaction of certain judgments of the Indian Claims Commission and the Court of Claims, and for other purposes.

Indians.
Judgment funds, distribution.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other law, all use or distribution of funds appropriated in satisfaction of a judgment of the Indian Claims Commission or the Court of Claims in favor of any Indian tribe, band, group, pueblo, or community (hereinafter referred to as "Indian tribe"), together with any interest earned thereon, after payment of attorney fees and litigation expenses, shall be made pursuant to the provisions of this Act.

Plan, submittal to Congress.

SEC. 2. (a) Within one hundred and eighty days after the appropriation of funds to pay a judgment of the Indian Claims Commission or the Court of Claims to any Indian tribe, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall prepare and submit to the Congress a plan for the use or distribution of such funds: *Provided, however*, That with respect to judgments for which funds have been appropriated and for which legislation authorizing use or distribution has not been enacted prior to enactment of this Act, the one hundred and eighty-day period shall begin upon the date of enactment of this Act. In any case where the Secretary determines that the circumstances do not permit the preparation and submission of a plan as provided in this Act, he shall submit, within such one hundred and eighty-day period, proposed legislation as provided in section 5(b).

Extension request, submittal to congressional committees.

(b) An extension of the one hundred and eighty-day period, not to exceed ninety days, may be requested by the Secretary or by the affected Indian tribe submitting such request to the committees through the Secretary, and any such request will be subject to the approval of both the Senate and House of Representatives Committees on Interior and Insular Affairs.

Notification.

(c) The Secretary shall notify the affected Indian tribe on the date of submission of such plan and provide it with a copy thereof.

Prerequisites to final preparation.

SEC. 3. (a) The Secretary shall prepare a plan which shall best serve the interests of all those entities and individuals entitled to receive funds of each Indian judgment. Prior to the final preparation of the plan, the Secretary shall—

(1) receive and consider any resolution or communication, together with any suggested use or distribution plan, which any affected Indian tribe may wish to submit to him; and

(2) hold a hearing of record, after appropriate public notice, to obtain the testimony of leaders and members of the Indian tribe which may receive any portion, or be affected by the use or distribution, of such funds, in the area in which such Indian tribe is located and at a time which shall best serve the convenience of the eligible members thereof.

Guidelines for plan formulation.

(b) In preparing a plan for the use or distribution of the funds of each Indian judgment, the Secretary shall, among other things, be assured that—

(1) legal, financial, and other expertise of the Department of the Interior has been made fully available in an advisory capacity to the Indian tribe which is entitled to such funds to assist it to develop and communicate to the Secretary pursuant to clause (1) of subsection (a) of this section its own suggested plan for the distribution and use of such funds;

(2) the needs and desires of any groups or individuals who are in a minority position, but who are also entitled to receive such funds, have been fully ascertained and considered;

(3) the interests of minors and other legally incompetent persons who are entitled to receive any portion of such funds as are subsequently distributed to them are and will be protected and preserved;

(4) any provision, including enrollment provisions, of the constitution, bylaws, rules, and procedures of such tribe which may affect the distribution or other use of such funds are in full accord with the principles of fairness and equity;

(5) a significant portion of such funds shall be set aside and programed to serve common tribal needs, educational requirements, and such other purposes as the circumstances of the affected Indian tribe may justify, except not less than 20 per centum of such funds shall be so set aside and programed unless the Secretary determines that the particular circumstances of the pertinent Indian tribe clearly warrant otherwise; and

(6) methods exist and will be employed to insure the proper performance of the plan once it becomes effective under section 5 of this Act.

Hearing transcripts and tribal support statements, submittal to Congress.

SEC. 4. When submitting the plan as provided in section 2, the Secretary shall also submit to the Congress with such plan—

(1) copies of the transcripts of hearings held by him concerning the Indian judgment pursuant to clause (2) of section 3(a) and all other papers and documents considered by him in the preparation of such plan, including any resolution, communication, or suggested use or distribution plan of the pertinent Indian tribe submitted pursuant to clause (1) of section 3(a); and

(2) a statement of the extent to which such plan reflects the desires of the Indian tribe or individuals who are entitled to such funds, which statement shall specify the alternatives, if any, proposed by such Indian tribe or individuals in lieu of such plan, together with an indication of the degree of support among the interested parties for each such alternative.

Effective date.

SEC. 5. (a) The plan prepared by the Secretary shall become effective, and he shall take immediate action to implement the plan for the use or distribution of such judgment funds, at the end of the sixty-day period (excluding days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days to a day certain) beginning on the day such plan is submitted to the Congress, unless during such sixty-day period either House adopts a resolution disapproving such plans.

Proposed legislation, report to Congress.

(b) Within thirty calendar days after the date of adoption of a resolution disapproving a plan, the Secretary shall submit to the Congress proposed legislation, together with a report thereon, authorizing use or distribution of such funds.

Rules and regulations.

SEC. 6. (a) The Secretary shall promulgate rules and regulations to implement this Act no later than the end of the one hundred and eighty-day period beginning on the date of enactment of this Act. Among other things, such rules and regulations shall provide for adequate notice to all entities and persons who may receive funds under any Indian judgment of all relevant procedures pursuant to this Act concerning any such judgment.

Publication in Federal Register.

(b) No later than sixty days prior to the promulgation of such rules and regulations the Secretary shall publish the proposed rules and regulations in the Federal Register.

Hearings.

(c) No later than thirty days prior to the promulgation of such rules and regulations, the Secretary shall provide, with adequate public notice, the opportunity for hearings on the proposed rules and regulations, once published, to all interested parties.

Tax exemption.

SEC. 7. None of the funds distributed per capita or held in trust under the provisions of this Act shall be subject to Federal or State income taxes, and the per capita payments shall not be considered as income or resources when determining the extent of eligibility for assistance under the Social Security Act.

49 Stat. 620. 42 USC 1305.

Approved October 19, 1973.

Public Law 93-135

October 24, 1973 [H. R. 8619]

AN ACT

Making appropriations for Agriculture-Environmental and Consumer Protection programs for the fiscal year ending June 30, 1974, and for other purposes.

Agriculture-Environmental and Consumer Protection Appropriation Act, 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture-Environmental and Consumer Protection programs for the fiscal year ending June 30, 1974, and for other purposes; namely:

TITLE I—AGRICULTURAL PROGRAMS

DEPARTMENT OF AGRICULTURE

DEPARTMENTAL MANAGEMENT

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of Agriculture, including the dissemination of agricultural information and the coordination of informational work and programs authorized by

Congress in the Department, and for general administration of the Department of Agriculture, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department of Agriculture, and not to exceed $15,000 for employment under 5 U.S.C. 3109, $10,822,000, of which $3,029,000 shall be available for the Office of Communication and, of which total appropriation not to exceed $612,000 may be used for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be available to be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct (7 U.S.C. 417), and not less than two hundred and thirty-two thousand two hundred and fifty copies for the use of the Senate and House of Representatives of part 2 of the annual report of the Secretary (known as the Yearbook of Agriculture) as authorized by 44 U.S.C. 1301: *Provided*, That this appropriation shall be reimbursed from applicable appropriations for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: *Provided further*, That not to exceed $2,500 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided*, That in the preparation of motion pictures or exhibits by the Department, this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

80 Stat. 416.

34 Stat. 690.

82 Stat. 1265.

80 Stat. 381; 81 Stat. 54.

58 Stat. 742.

None of the funds provided by this Act shall be used to pay the salaries of any personnel which carries out the provisions of section 610 of the Agricultural Act of 1970, except for research in an amount not to exceed $3,000,000; projects to be approved by the Secretary as provided by law.

84 Stat. 1378. 7 USC 2119.

None of the funds provided by this Act shall be used to pay the salaries of personnel who formulate or carry out programs for the 1974 crop year which exceed the limitations provided by section 101 of Public Law 93–86, enacted on August 10, 1973, which provides as follows:

Ante, p. 221.

"SEC. 101. Notwithstanding any other provision of law—

"(1) The total amount of payments which a person shall be entitled to receive under one or more of the annual programs established by titles IV, V, and VI of this Act for the 1974 through 1977 crops of the commodities shall not exceed $20,000.

"(2) The term 'payments' as used in this section shall not include loans or purchases, or any part of any payment which is determined by the Secretary to represent compensation for resource adjustment or public access for recreation.

"Payments."

"(3) If the Secretary determines that the total amount of payments which will be earned by any person under the program in effect for any crop will be reduced under this section, the set-aside acreage for the farm or farms on which such person will be sharing in payments earned under such program shall be reduced to such extent and in such manner as the Secretary determines will be fair and reasonable in relation to the amount of the payment reduction.

Set-aside acreage reduction.

"(4) The Secretary shall issue regulations defining the term 'person' and prescribing such rules as he determines necessary to assure a fair

Regulations.

and reasonable application of such limitation: *Provided*, That the provisions of this Act which limit payments to any person shall not be applicable to lands owned by States, political subdivisions, or agencies thereof, so long as such lands are farmed primarily in the direct furtherance of a public function, as determined by the Secretary. The rules for determining whether corporations and their stockholders may be considered as separate persons shall be in accordance with the regulations issued by the Secretary on December 18, 1970."

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $10,000, for employment under 5 U.S.C. 3109, $14,501,000, and in addition, $4,250,000 shall be derived by transfer from the appropriation, "Food Stamp Program" and merged with this appropriation.

58 Stat. 742.
80 Stat. 416.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses, including payment of fees or dues for the use of law libraries by attorneys in the field service, $6,666,000.

OFFICE OF MANAGEMENT SERVICES

For necessary expenses to enable the Office of Management Services to provide management support services to selected agencies and offices of the Department of Agriculture, $4,147,000.

SCIENCE AND EDUCATION PROGRAMS

AGRICULTURAL RESEARCH SERVICE

For expenses necessary to enable the Agricultural Research Service to perform agricultural research and demonstrations relating to production, utilization, marketing, and distribution (not otherwise provided for), home economics or nutrition and consumer use, and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100; $175,938,400, and in addition not to exceed $15,000,000 from funds available under section 32 of the Act of August 24, 1935, pursuant to Public Law 88–250 shall be transferred to and merged with this appropriation: *Provided*, That appropriations hereunder shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That of the appropriations hereunder, not less than $10,526,600 shall be available to conduct marketing research: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250, for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building (except headhouses connecting

49 Stat. 774.
7 USC 612c.
77 Stat. 820.

58 Stat. 742.

greenhouses) shall not exceed $40,000, except for six buildings to be constructed or improved at a cost not to exceed $80,000 each, and the cost of altering any one building during the fiscal year shall not exceed $15,000, or 15 per centum of the cost of the building, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to a total of $100,000 for facilities at Beltsville, Maryland: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a). 62 Stat. 198.

Special fund: To provide for additional labor, subprofessional, and junior scientific help to be employed under contracts and cooperative agreements to strengthen the work at research installations in the field, not more than $2,000,000 of the amount appropriated under this head for the previous fiscal year may be used by the Administrator of the Agricultural Research Service in departmental research programs in the current fiscal year, the amount so used to be transferred to and merged with the appropriation otherwise available under "Agricultural Research Service". Special fund.

SCIENTIFIC ACTIVITIES OVERSEAS

(SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies owed to or owned by the United States for market development research authorized by section 104(b)(1) and for agricultural and forestry research and other functions related thereto authorized by section 104(b)(3) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b) (1), (3)), $5,000,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations for these purposes, for payments in the foregoing currencies: *Provided further*, That funds appropriated herein shall be used for payments in such foreign currencies as the Department determines are needed and can be used most effectively to carry out the purposes of this paragraph: *Provided further*, That not to exceed $25,000 of this appropriation shall be available for payments in foreign currencies for expenses of employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), as amended by 5 U.S.C. 3109. 80 Stat. 1528. 58 Stat. 742. 80 Stat. 416.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947, as amended (21 U.S.C. 114b–c) necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine and regulatory activities; to carry on services related to consumer protection; and to protect the environment, as authorized by law, $285,925,000 of which $1,500,000 shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended, for the control of outbreaks of insects, plant diseases and animal diseases to the extent necessary to meet emergency conditions: *Provided*, That $1,000,000 of the funds for control of the fire ant shall be placed in reserve for matching purposes with States which may come into the program: *Provided further*, That no 61 Stat. 7; 85 Stat. 418. 31 USC 665.

funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by any State of at least 40 per centum: *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $60,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only, and for acquisition without cost of not to exceed 67 aircraft to be obtained by transfer: *Provided further*, That this appropriation shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building (except headhouses connecting greenhouses) shall not exceed $40,000, except for one building to be constructed or improved at a cost of not to exceed $80,000, and the cost of altering any one building during the fiscal year shall not exceed $15,000, or 15 per centum of the cost of the building, whichever is greater: *Provided further*, That, in addition, in emergencies which threaten the livestock or poultry industries of the country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as he may deem necessary, to be available only in such emergencies for the arrest and eradication of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious diseases of animals, or European fowl pests and similar diseases in poultry, and for expenses in accordance with the Act of February 28, 1947, as amended, and any unexpended balances of funds transferred for such emergency purposes in the next preceding fiscal year shall be merged with such transferred amounts.

58 Stat. 742.
80 Stat. 416.
58 Stat. 742.
61 Stat. 7; 85 Stat. 418.
21 USC 114b.

COOPERATIVE STATE RESEARCH SERVICE

For payments to agricultural experiment stations, for grants for cooperative forestry and other research, for facilities, and for other expenses, including $70,104,000 to carry into effect the provisions of the Hatch Act, approved March 2, 1887, as amended by the Act approved August 11, 1955 (7. U.S.C. 361a–361i), and further amended by Public Law 92–318 approved June 23, 1972, including administration by the United States Department of Agriculture, and penalty mail costs of agricultural experiment stations under section 6 of the Hatch Act of 1887, as amended; $6,203,000 for grants for cooperative forestry research under the Act approved October 10, 1962 (16 U.S.C. 582a–582a–7), as amended by Public Law 92–318 approved June 23, 1972; $11,583,000, in addition to funds otherwise available for contracts and grants for scientific research under the Act of August 4, 1965 (7 U.S.C. 450i); $1,500,000 for Rural Development Research as authorized under the Rural Development Act of 1972 (Public Law 92–419), including administrative expenses; and $490,000 for necessary expenses of the Cooperative State Research Service, including administration of payments to State agricultural experiment stations. funds for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 for employment under 5 U.S.C. 3109; in all $89,880,000.

69 Stat. 671; 86 Stat. 351.
86 Stat. 235.
20 USC 1001 note.
69 Stat. 673.
7 USC 361f.
76 Stat. 806; 86 Stat. 351.
79 Stat. 431.
86 Stat. 657.
7 USC 1921 note.

EXTENSION SERVICE

Payments to States, Puerto Rico, Guam, and the Virgin Islands: For payments for cooperative agricultural extension work under the Smith-Lever Act, as amended by the Act of June 26, 1953, the Act of August 11, 1955, the Act of October 5, 1962 (7 U.S.C. 341–349), and section 506 of the Act of June 23, 1972, to be distributed under sections 3(b) and 3(c) of the Act, for retirement and employees' compensation costs for extension agents, and for costs of penalty mail for cooperative extension agents and State extension directors, $137,717,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $50,560,000; payments for extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326, 328) and Tuskegee Institute under section 3(d) of the Act, $6,000,000; payments for rural development work under section 3(d) of the Act, $1,000,000; payments for the pest management program under section 3(d) of the Act, $500,000; payments and contracts for such work under section 204(b)–205 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623–1624), $1,450,000; and payments for extension work under section 109 of the District of Columbia Public Education Act, as added by the Act of June 20, 1968, and amended by the Act of January 5, 1971 (D.C. Code, 31–1609), $800,000, and $1,500,000 for Rural Development Education as authorized under the Rural Development Act of 1972 (Public Law 92–419); in all, $199,527,000: *Provided further*, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, shall not be paid to any State, Puerto Rico, Guam, and the Virgin Islands prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

67 Stat. 83.
69 Stat. 683.
76 Stat. 745.
86 Stat. 350.
26 Stat. 417.
60 Stat. 1089.
82 Stat. 241.
86 Stat. 657.
7 USC 1921 note.

Federal administration and coordination: For administration of the Smith-Lever Act, as amended by the Act of June 26, 1953, the Act of August 11, 1955, the Act of October 5, 1962 (7 U.S.C. 341–349), and section 506 of the Act of June 23, 1972, and extension aspects of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627), the District of Columbia Public Education Act, as added by the Act of June 20, 1968, and amended by the Act of January 5, 1971 (D.C. Code 31–1609), and the Rural Development Act of 1972 (Public Law 92–419) and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, $4,546,000.

60 Stat. 1087.

NATIONAL AGRICULTURAL LIBRARY

For necessary expenses of the National Agricultural Library, $4,226,750: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $35,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That not to exceed $100,000 shall be available pursuant to 7 U.S.C. 2250 for the alteration and repair of buildings and improvements.

58 Stat. 742.
80 Stat. 416.
58 Stat. 742.

AGRICULTURAL ECONOMICS

STATISTICAL REPORTING SERVICE

For necessary expenses of the Statistical Reporting Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, and marketing surveys, as authorized by the Agricultural Marketing Act

60 Stat. 1087.

of 1946 (7 U.S.C. 1621–1627) and other laws, $22,859,200: *Provided*, That no part of the funds herein appropriated shall be available for any expense incident to publishing estimates of apple production for other than the commercial crop: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109.

58 Stat. 742.

80 Stat. 416.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and service relating to agricultural production, marketing, and distribution, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627), and other laws, including economics of marketing; analyses relating to farm prices, income and population, and demand for farm products, use of resources in agriculture, adjustments, cost and returns in farming, and farm finance; and for analyses of supply and demand for farm products in foreign countries and their effect on prospects for United States exports. progress in economic development and its relation to sales of farm products, assembly and analysis of agricultural trade statistics and analysis of international financial and monetary programs and policies as they affect the competitive position of United States farm products: $15,780,000, of which not less than $200,000 shall be available for investigation, determination and finding as to the effect upon the production of food and upon the agricultural economy of any proposed action affecting such subject matter pending before the Administrator of the Environmental Protection Agency for presentation, in the public interest, before said administrator, other agencies or before the courts: *Provided*, That not less than $350,000 of the funds contained in this appropriation shall be available to continue to gather statistics and conduct a special study on the price spread between the farmer and consumer: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That not less than $145,000 of the funds contained in this appropriation shall be available for analysis of statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis.

MARKETING SERVICES

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For expenses necessary to carry on services related to consumer protection, agricultural marketing and distribution, and regulatory programs, other than Packers and Stockyards Act, as authorized by law, and for administration and coordination of payments to States; including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $45,000 for employment under 5 U.S.C. 3109; $34,865,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but, unless otherwise provided, the cost of altering any one building during the fiscal year shall not exceed $7,500 or 7.5 per centum of the cost of the building, whichever is greater.

42 Stat. 159.
7 USC 181.

58 Stat. 742.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,600,000. 60 Stat. 1089.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; (3) not more than $3,314,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961; and (4) in addition to other amounts provided in this Act, not more than $508,560,000 (including not to exceed $2,000,000 for State administrative expenses) for (a) child feeding programs and nutritional programs authorized by law in the School Lunch Act and the Child Nutrition Act, as amended, of which $60,600,000 shall be available for the nonschool feeding program; and (b) additional direct distribution or other programs, without regard to whether such area is under the food stamp program or a system of direct distribution, to provide, in the immediate vicinity of their place of permanent residence, either directly or through a State or local welfare agency, an adequate diet to other needy children and low-income persons determined by the Secretary of Agriculture to be suffering, through no fault of their own, from general and continued hunger resulting from insufficient food. 49 Stat. 774. 70 Stat. 1119. 16 USC 742a note. 50 Stat. 246. 7 USC 674 note. 75 Stat. 294. 7 USC 1911 note. 60 Stat. 230; 80 Stat. 885. 42 USC 1751 note, 1771 note.

COMMODITY EXCHANGE AUTHORITY

For necessary expenses to carry into effect the provisions of the Commodity Exchange Act, as amended (7 U.S.C. 1–17b), including not to exceed $20,000 for employment under 5 U.S.C. 3109, $3,257,000. 42 Stat. 998; 49 Stat. 1491; 82 Stat. 26. 80 Stat. 416.

PACKERS AND STOCKYARDS ADMINISTRATION

For expenses necessary for administration of the Packers and Stockyards Act, as authorized by law, including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $5,000 for employment under 5 U.S.C. 3109, $4,054,650. 42 Stat. 159. 7 USC 181. 58 Stat. 742.

FARMER COOPERATIVE SERVICE

For necessary expenses to carry out the Act of July 2, 1926 (7 U.S.C. 451–457), and for conducting research relating to the economic and marketing aspects of farmer cooperatives, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627), $1,955,000. 44 Stat. 802. 60 Stat. 1087.

INTERNATIONAL PROGRAMS

FOREIGN AGRICULTURAL SERVICE

For necessary expenses for the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761–1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed 60 Stat. 908.

70 Stat. 1034.

$35,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $25,805,000: *Provided*, That not less than $255,000 of the funds contained in this appropriation shall be available to obtain statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis: *Provided further*, That, in addition, not to exceed $3,117,000 of the funds appropriated by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c), shall be merged with this appropriation and shall be available for all expenses of the Foreign Agricultural Service.

49 Stat. 774.

PUBLIC LAW 480

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1701–1710, 1721–1725, 1731–1736d), to remain available until expended, as follows: (1) sale of agricultural commodities for foreign currencies and for dollars on credit terms pursuant to title I of said Act, $239,051,000; and (2) commodities supplied in connection with dispositions abroad, pursuant to title II of said Act, $314,587,000.

80 Stat. 1526; 84 Stat. 1379.

80 Stat. 1534. 7 USC 1721.

COMMODITY PROGRAMS

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

SALARIES AND EXPENSES

For necessary administrative expenses of the Agricultural Stabilization and Conservation Service, including expenses to formulate and carry out programs authorized by title III of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301–1393); Sugar Act of 1948, as amended (7 U.S.C. 1101–1161); sections 7 to 15, 16(a), 16(d), 16(e), 16(f), 16(i), and 17 of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590g–590q); subtitles B and C of the Soil Bank Act (7 U.S.C. 1831–1837, 1802–1814, and 1816); the Water Bank Act (16 U.S.C. 1301–1311); and laws pertaining to the Commodity Credit Corporation $169,235,000: *Provided*, That, in addition, not to exceed $78,346,000 may be transferred to and merged with this appropriation from the Commodity Credit Corporation fund (including not to exceed $33,213,000 under the limitation on Commodity Credit Corporation administrative expenses): *Provided further*, That other funds made available to the Agricultural Stabilization and Conservation Service for authorized activities may be advanced to and merged with this appropriation: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $100,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That no part of the funds appropriated or made available under this Act shall be used (1) to influence the vote in any referendum; (2) to influence agricultural legislation, except as permitted in 18 U.S.C. 1913; or (3) for salaries or other expenses of members of county and community committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, for engaging in any activities other than advisory and supervisory duties and delegated program functions prescribed in administrative regulations.

52 Stat. 38.

85 Stat. 379.

49 Stat. 1148; 86 Stat. 676.

70 Stat. 191; 73 Stat. 552; 79 Stat. 1206.

84 Stat. 1468.

58 Stat. 742. 80 Stat. 416.

62 Stat. 792.

86 Stat. 676. 16 USC 590h.

SUGAR ACT PROGRAM

For necessary expenses to carry into effect the provisions of the Sugar Act of 1948 (7 U.S.C. 1101–1161), $88,500,000, to remain available until June 30 of the next succeeding fiscal year. 61 Stat. 922; 85 Stat. 379.

CROPLAND ADJUSTMENT PROGRAM

For necessary expenses to carry into effect a cropland adjustment program as authorized by the Food and Agriculture Act of 1965 (7 U.S.C. 1838), $51,900,000. 79 Stat. 1206.

CORPORATIONS

The following corporations and agencies are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided: 61 Stat. 584. 31 USC 849.

FEDERAL CROP INSURANCE CORPORATION

ADMINISTRATIVE AND OPERATING EXPENSES

For administrative and operating expenses, $12,000,000.

FEDERAL CROP INSURANCE CORPORATION FUND

Not to exceed $3,632,000 of administrative and operating expenses may be paid from premium income.

COMMODITY CREDIT CORPORATION

REIMBURSEMENT FOR NET REALIZED LOSSES

To reimburse the Commodity Credit Corporation for net realized losses sustained in prior years, but not previously reimbursed, pursuant to the Act of August 17, 1961 (15 U.S.C. 713a–11, 713a–12), $3,301,940,000: *Provided*, That no funds appropriated by this Act shall be used to formulate or administer programs for the sale of agricultural commodities pursuant to title I of Public Law 480, 83d Congress, as amended, to any nation which sells or furnishes or which permits ships or aircraft under its registry to transport to North Vietnam any equipment, materials, or commodities, so long as North Vietnam is governed by a Communist regime. 75 Stat. 391. North Vietnam, assistance, prohibition. 80 Stat. 1526. 7 USC 1701.

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $39,900,000 shall be available for administrative expenses of the Commodity Credit Corporation: *Provided*, That $945,000 of this authorization shall be available only to expand and strengthen the sales program of the Corporation pursuant to authority contained in the Corporation's charter: *Provided further*, That not less that 7 per centum of this authorization shall be placed in reserve to be apportioned pursuant to section 3679 of the Revised Statutes, as amended, for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided further*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other 31 USC 665.

personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof.

TITLE II—RURAL DEVELOPMENT PROGRAMS

DEPARTMENT OF AGRICULTURE

RURAL DEVELOPMENT SERVICE

For necessary expenses, not otherwise provided for, of the Rural Development Service in providing leadership, coordination, research, and related services in carrying out the rural development activities of the Department of Agriculture, $2,661,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $3,000 shall be available for employment under 5 U.S.C. 3109.

58 Stat. 742.
80 Stat. 416.

RURAL DEVELOPMENT GRANTS AND TECHNICAL ASSISTANCE

For grants and technical assistance authorized by the Rural Development Act of 1972 (Public Law 92-419), in addition to funds otherwise provided for such assistance, $10,000,000.

86 Stat. 657.
7 USC 1921 note.

SOIL CONSERVATION SERVICE

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development, and for sound land use, pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011; 76 Stat. 607), and the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), $17,217,000, to remain available until expended: *Provided*, $3,600,000 in loans may be insured, or made to be sold and insured, under the Agricultural Credit Insurance Fund of the Farmers Home Administration (86 Stat. 663): *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 shall be available for employment under 5 U.S.C. 3109.

49 Stat. 163; 58 Stat. 738.

RURAL ELECTRIFICATION ADMINISTRATION

To carry into effect the provisions of the Rural Electrification Act of 1936, as amended (7 U.S.C. 901–950(b); Public Law 93-32), as follows:

Ante, p. 65.

RURAL ELECTRIFICATION AND TELEPHONE REVOLVING FUND

LOAN AUTHORIZATIONS

Insured loans pursuant to the authority of section 305 of Public Law 93-32 shall be made as follows: rural electrification loans, not less than $618,000,000, but not more than $750,000,000 and rural telephone loans, not less than $140,000,000, but not more than $200,000,000, to remain available until expended: *Provided*, That loans made pursuant to section 306 of that Act are in addition to these amounts.

Ante, p. 68.

CAPITALIZATION OF RURAL TELEPHONE BANK

For the purchase of Class A stock of the Rural Telephone Bank, $30,000,000, to remain available until expended (7 U.S.C. 901–950(b) as amended by Public Law 93–32). *Ante*, p. 65.

RURAL TELEPHONE BANK

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out its authorized programs for the current fiscal year. 61 Stat. 584. 31 USC 849.

SALARIES AND EXPENSES

For administrative expenses, including not to exceed $500 for financial and credit reports, funds for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $150,000 for employment under 5 U.S.C. 3109, $16,720,000. 58 Stat. 742. 80 Stat. 416.

FARMERS HOME ADMINISTRATION

RURAL HOUSING INSURANCE FUND

For direct loans and related advances pursuant to section 517(m) of the Housing Act of 1949, as amended, $10,000,000 shall be available from funds in the rural housing insurance fund, and for insured loans as authorized by title V of the Housing Act of 1949, as amended, $2,144,000,000, of which not less than $1,200,000,000 shall be available for subsidized interest loans to low-income borrowers as determined by the Secretary: *Provided*, That the Secretary may, on an insured basis or otherwise, sell any notes in the fund or sell certificates of beneficial ownership therein to the Secretary of the Treasury, to the private market, or to such other sources as the Secretary may determine. Any sale by the Secretary of notes or of beneficial ownership therein shall be treated as a sale of assets for the purpose of the Budget and Accounting Act, 1921, notwithstanding the fact that the Secretary, under an agreement with the purchaser or purchasers, holds the debt instruments evidencing the loans and holds or reinvests payments thereon for the purchaser or purchasers of the notes or of the certificates of beneficial ownership therein: *Provided further*, That such loans may not be made after September 30, 1973, unless the authorizing legislation is extended. Hereafter, farmer applicants for direct or insured rural housing loans shall be required to provide only such collateral security as is required of owners of nonfarm tracts. 83 Stat. 399. 42 USC 1487. 42 USC 1471. 42 Stat. 20. 31 USC 1.

For an additional amount to reimburse the rural housing insurance fund for losses sustained in prior years, but not previously reimbursed, in carrying out the provisions of title V of the Housing Act of 1949, as amended (42 U.S.C. 1483, 1487e, and 1490a(c)), including $53,342,000 as authorized by section 521(c) of the Act, $89,170,000. 63 Stat. 438; 79 Stat. 498; 82 Stat. 551.

AGRICULTURAL CREDIT INSURANCE FUND

For an additional amount to reimburse the agricultural credit insurance fund for losses sustained in prior years, but not previously reimbursed, in carrying out the provisions of the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1988(a)), $74,554,000. 75 Stat. 316; 80 Stat. 167.

Loans may be insured, or made to be sold and insured, under this Fund in accordance with and subject to the provisions of 7 U.S.C. 1928–1929, as follows: real estate loans, $370,000,000, including not less than $350,000,000 for farmownership loans; operating loans, $350,000,000; and emergency loans in amounts necessary to meet the needs resulting from natural disasters: *Provided*, That the Secretary may, on an insured basis or otherwise, sell any notes in the fund or sell certificates of beneficial ownership therein to the Secretary of the Treasury, to the private market, or to such other sources as the Secretary may determine. Any sale by the Secretary of notes or of beneficial ownership therein shall be treated as a sale of assets for the purpose of the Budget and Accounting Act, 1921, notwithstanding the fact that the Secretary, under an agreement with the purchaser or purchasers, holds the debt instruments evidencing the loans and holds or reinvests payments thereon for the purchaser or purchasers of the notes or of the certificates of beneficial ownership therein.

75 Stat. 308; 82 Stat. 770.

42 Stat. 20. 31 USC 1.

RURAL WATER AND WASTE DISPOSAL GRANTS

For grants pursuant to sections 306(a)(2) and 306(a)(6) of the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1926), $150,000,000 to remain available until expended, pursuant to section 306(d) of the above Act, of which $120,000,000 shall be derived from the unexpended balance of amounts appropriated under this head in the fiscal year 1973, largely to meet the expanding need for areas not now covered.

79 Stat. 931; 82 Stat. 770. 84 Stat. 1383.

RURAL HOUSING FOR DOMESTIC FARM LABOR

For financial assistance to public nonprofit organizations for housing for domestic farm labor, pursuant to section 516 of the Housing Act of 1949, as amended (42 U.S.C. 1486), $7,500,000, to remain available until expended: *Provided*, That this appropriation is not available after September 30, 1973, unless the authorizing legislation is extended.

78 Stat. 797; 84 Stat. 1806.

MUTUAL AND SELF-HELP HOUSING

For grants pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $4,000,000, to remain available until expended: *Provided*, That this appropriation shall be available only within the limits of amounts authorized by law for fiscal year 1974.

82 Stat. 553.

RURAL DEVELOPMENT INSURANCE FUND

For loans to be insured, or made to be sold and insured, under this Fund in accordance with and subject to the provisions of 7 U.S.C. 1928 and 86 Stat. 661–664, as follows: water and sewer facility loans, $470,000,000; industrial development loans, $200,000,000; and community facility loans, $50,000,000: *Provided*, That the Secretary may, on an insured basis or otherwise, sell any notes in the fund or sell certificates of beneficial ownership therein to the Secretary of the Treasury, to the private market, or to such other sources as the Secretary may determine. Any sale by the Secretary of notes or of beneficial ownership therein shall be treated as a sale of assets for the purpose of the Budget and Accounting Act, 1921, notwithstanding the fact that the Secretary, under an agreement with the purchaser or purchasers, holds the debt instruments evidencing the loans and holds or invests payments thereon for the purchaser or purchasers of the notes or of the certificates of beneficial ownership therein.

42 Stat. 20. 31 USC 1.

PAYMENT OF PARTICIPATION SALES INSUFFICIENCIES

For payment to the Government National Mortgage Association, as trustee, such insufficiencies as may be required by the trustee on account of outstanding beneficial interests or participations authorized by Title II, Public Law 90–113, issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act, as amended (12 U.S.C. 1717(c)), such sums as may be necessary, to be available without fiscal year limitations. 81 Stat. 331. 78 Stat. 800; 80 Stat. 164.

SALARIES AND EXPENSES

For necessary expenses of the Farmers Home Administration, not otherwise provided for, in administering the programs authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1921–1991, 86 Stat. 657–667), as amended; title V of the Housing Act of 1949, as amended (42 U.S.C. 1471–1490d); the Rural Rehabilitation Corporation Trust Liquidation Act, approved May 3, 1950 (40 U.S.C. 440–444), for administering the loan program authorized by title IIIA of the Economic Opportunity Act of 1964 (Public Law 88–452, approved August 20, 1964), as amended, and for carrying out the responsibilities of the Secretary of Agriculture under sections 235 and 236 of the National Housing Act, as amended (12 U.S.C. 1715z–1715z–1), and section 701 of the Housing Act of 1954, as amended (40 U.S.C. 461), $112,500,000, together with not more than $3,000,000 of the charges collected in connection with the insurance of loans as authorized by section 309(e) of the Consolidated Farm and Rural Development Act, as amended, and sections 514(b)(3) and 517(i) of the Housing Act of 1949, as amended: *Provided*, That, in addition, not to exceed $500,000 of the funds available for the various programs administered by this agency may be transferred to this appropriation for temporary field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), to meet unusual or heavy workload increases: *Provided further*, That no part of any funds in this paragraph may be used to administer a program which makes rural housing grants pursuant to section 504 of the Housing Act of 1949, as amended. 75 Stat. 307. 63 Stat. 432. 64 Stat. 98. 78 Stat. 508. 42 USC 2701 note. 84 Stat. 1770–1776. 84 Stat. 1780, 1804. 7 USC 1929. 75 Stat. 187; 79 Stat. 499. 42 USC 1484, 1487. 58 Stat. 742. 63 Stat. 434; 84 Stat. 1806. 42 USC 1474.

INDEPENDENT AGENCIES

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $5,810,000 (from assessments collected from farm credit agencies) shall be obligated during the current fiscal year for administrative expenses, including the hire of one passenger motor vehicle.

TITLE III—ENVIRONMENTAL PROGRAMS

INDEPENDENT AGENCIES

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For expenses necessary for the Council on Environmental Quality and the Office of Environmental Quality, in carrying out their functions under the National Environmental Policy Act of 1969 (Public Law 91–190) and the National Environmental Improvement Act of 1970 (Public Law 91–224), including official reception and repre- 42 USC 4321 note. 42 USC 4371 note.

sentation expenses (not to exceed $1,000), hire of passenger vehicles, and support of the Citizens' Advisory Committee on Environmental Quality established by Executive Order 11472 of May 29, 1969, as amended by Executive Order 11514 of March 5, 1970, $2,466,000.

42 USC 4321 note.

ENVIRONMENTAL PROTECTION AGENCY

AGENCY AND REGIONAL MANAGEMENT

For agency and regional management expenses, including official reception and representation expenses (not to exceed $2,000); hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; $49,675,000.

80 Stat. 508; 81 Stat. 206. 80 Stat. 416. 5 USC 5332 note.

For an amount to provide for the preparation of Environmental Impact Statements as required by section 102(2)(C) of the National Environmental Policy Act on all proposed actions by the Environmental Protection Agency, except where prohibited by law, $5,000,000.

83 Stat. 853. 42 USC 4332.

RESEARCH AND DEVELOPMENT

For research and development activities, including hire of passenger motor vehicles; hire, maintenance, and operation of aircraft and the purchase of not to exceed one for replacement only; uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate of GS–18; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; $161,775,000, to remain available until expended, of which $9,000,000 shall be derived from the unexpended balance of amounts appropriated under this head in fiscal year 1973.

For an amount to provide for research on and testing of substitute chemicals, $5,000,000.

ABATEMENT AND CONTROL

For abatement and control activities, including hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; to remain available until expended, $257,100,000, of which $3,700,000 shall be derived from the unexpended balance of amounts appropriated under this head in fiscal year 1973: *Provided*, That these funds shall be available to carry out the activities authorized by sections 104(g) (1) and (2) of the Federal Water Pollution Control Act.

86 Stat. 821. 33 USC 1254.

For an amount for a study by the National Academy of Sciences, $5,000,000, in connection with the Environmental Protection Agency.

For an amount to provide for conservation and pollution abatement practices including animal waste storage and diversion facilities and disposal of solid waste, to be transferred to and merged with the authority of the Agricultural Conservation Program (REAP) of the

Department of Agriculture for the 1974 program, $15,000,000, to remain available until expended.

Not to exceed 7 per centum of any appropriation made available to the Environmental Protection Agency by this Act (except appropriations for "Construction Grants" and "Scientific Activities Overseas") may be transferred to any other such appropriation.

ENFORCEMENT

For enforcement activities, including hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; $46,150,000.

80 Stat. 508; 81 Stat. 206.
80 Stat. 416.
5 USC 5332 note.

CONSTRUCTION GRANTS

For liquidation of obligations incurred pursuant to authority contained in section 203 of the Federal Water Pollution Control Act, as amended, $600,000,000, to remain available until expended.

86 Stat. 835.
33 USC 1283.

SCIENTIFIC ACTIVITIES OVERSEAS

(SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Environmental Protection Agency in the conduct of scientific activities overseas in connection with environmental pollution, as authorized by law, $2,000,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such Agency, for payments in the foregoing currencies.

NATIONAL COMMISSION ON WATER QUALITY

SALARIES AND EXPENSES

For an additional amount for the National Commission on Water Quality authorized by section 315 of the Federal Water Pollution Control Act Amendments of 1972 (86 Stat. 816–904), $10,000,000 to remain available until June 30, 1975: *Provided*, That no part of these funds shall be used to delay existing projects heretofore authorized.

33 USC 1251 note.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

GRANTS FOR BASIC WATER AND SEWER FACILITIES

For grants authorized by section 702 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3102), $400,000,000, to remain available until expended, which shall be derived from the unexpended balance of amounts appropriated under this head in Public Law 92–73 and continued to be available by Public Law 92–399: *Provided*, That $100,000,000 of these funds shall be available for transfer to the Environmental Protection Agency to fund storm and combined sewer projects for the Great Lakes area.

79 Stat. 490; 84 Stat. 886.
85 Stat. 195.
86 Stat. 606.

DEPARTMENT OF THE TREASURY

BUREAU OF ACCOUNTS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Accounts, $1,188,000.

ENVIRONMENTAL FINANCING AUTHORITY FUND

ADVANCES TO THE ENVIRONMENTAL FINANCING AUTHORITY FUND

For advances by the Secretary of the Treasury to provide initial capital for the Environmental Financing Authority, $100,000,000, to remain available without fiscal year limitation. In addition, the Secretary of the Treasury is authorized to purchase not to exceed $200,000,000 of the obligations of the Authority issued pursuant to subsection (g) of the Environmental Financing Act of 1972 (section 12 of Public Law 92–500), and to purchase such further amounts of such obligations as may be necessary to permit the Authority to make timely payment of principal and interest on its obligations sold to purchasers other than the Secretary of the Treasury.

86 Stat. 899.
33 USC 1281 note.

DEPARTMENT OF AGRICULTURE

SOIL CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–590f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; purchase and erection or alteration of permanent buildings; and operation and maintenance of aircraft, to remain available until expended, $160,000,000: *Provided*, That the cost of any permanent building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same to any such building and with the exception of buildings acquired in conjunction with land being purchased for other purposes, shall not exceed $2,500, except for one building to be constructed at a cost not to exceed $25,000 and eight buildings to be constructed or improved at a cost not to exceed $15,000 per building and except that alterations or improvements to other existing permanent buildings costing $2,500 or more may be made in any fiscal year in an amount not to exceed $500 per building: *Provided further*, That no part of this appropriation shall be available for the construction of any such building on land not owned by the Government: *Provided further*, That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 (16 U.S.C. 590a–590f) in demonstration projects: *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not

49 Stat. 163.

58 Stat. 742.

to exceed $5,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the service. 80 Stat. 416.

RIVER BASIN SURVEYS AND INVESTIGATIONS

For necessary expenses to conduct research, investigations and surveys of the watersheds of rivers and other waterways, in accordance with section 6 of the Watershed Protection and Flood Prevention Act, approved August 4, 1954, as amended (16 U.S.C. 1006), to remain available until expended, $12,351,000: *Provided*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $60,000 shall be available for employment under 5 U.S.C. 3109. 68 Stat. 668. 58 Stat. 742.

WATERSHED PLANNING

For necessary expenses for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1001–1008), to remain available until expended, $10,000,000: *Provided*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 shall be available for employment under 5 U.S.C. 3109. 68 Stat. 666; 72 Stat. 1088; 86 Stat. 667.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act, approved August 4, 1954, as amended (16 U.S.C. 1001–1005, 1007–1008), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, to remain available until expended, $134,000,000 (of which $24,000,000 shall be available for the watersheds authorized under the Flood Control Act, approved June 22, 1936 (33 U.S.C. 701, 16 U.S.C. 1006a), as amended and supplemented): *Provided*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $200,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That $20,400,000 in loans may be insured, or made to be sold and insured under the Agricultural Credit Insurance Fund of the Farmers Home Administration (86 Stat. 663). 49 Stat. 163. 49 Stat. 1570. 70 Stat. 1090; 74 Stat. 131.

GREAT PLAINS CONSERVATION PROGRAM

For necessary expenses to carry into effect a program of conservation in the Great Plains area, pursuant to section 16(b) of the Soil Conservation and Domestic Allotment Act, as added by the Act of August 7, 1956, as amended (16 U.S.C. 590p), $18,172,000, to remain available until expended. 70 Stat. 1115; 83 Stat. 194.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

AGRICULTURAL CONSERVATION PROGRAM (REAP)

For necessary expenses to carry into effect the program authorized in sections 7 to 15, 16(a), and 17 of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended (16 U.S.C. 590g–590o, 590p(a), and 590q), including not to exceed $15,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States, $15,000,000, to remain available until December 31 of the next succeeding fiscal year for compliance with the programs of soil-building and soil- and water-conserving practices authorized under this head in the Acts making appropriations for Agriculture-Environmental and Consumer Protection Programs, 1972 and 1973, carried out during the period July 1, 1971, to December 31, 1973, inclusive: *Provided*. That none of the funds herein appropriated shall be used to pay the salaries or expenses of any regional information employees or any State information employees, but this shall not preclude the answering of inquiries or supplying of information at the county level to individual farmers: *Provided further*, That no portion of the funds for the current year's program may be utilized to provide financial or technical assistance for drainage on wetlands now designated as Wetland Types 3(III), 4(IV), and 5(V) in United States Department of the Interior, Fish and Wildlife Circular 39, Wetlands of the United States, 1956: *Provided further*, That necessary amounts shall be available for administrative expenses in connection with the formulation and administration of the 1974 program of soil-building and soil- and water-conserving practices, including related wildlife conserving practices and pollution abatement practices, under the Act of February 29, 1936, as amended (amounting to $160,000,000, excluding administration, except that no participant shall receive more than $2,500, except where the participants from two or more farms or ranches join to carry out approved practices designed to conserve or improve the agricultural resources of the community): *Provided further*, That not to exceed 5 per centum of the allocation for the current year's program for any county may, on the recommendation of such county committee and approval of the State committee, be withheld and allotted to the Soil Conservation Service for services of its technicians in formulating and carrying out the Agricultural Conservation Program (REAP) in the participating counties, and shall not be utilized by the Soil Conservation Service for any purpose other than technical and other assistance in such counties, and in addition, on the recommendation of such county committee and approval of the State committee, not to exceed 1 per centum may be made available to any other Federal, State, or local public agency for the same purpose and under the same conditions: *Provided further*, That for the current year's program $2,500,000 shall be available for technical assistance in formulating and carrying out rural environmental practices: *Provided further*, That such amounts shall be available for the purchase of seeds, fertilizers, lime, trees, or any other farming material, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary under programs provided for herein: *Provided further*, That no part of any funds available to the Department, or any bureau, office, corporation, or other agency constituting a part

49 Stat. 1148.

85 Stat. 183; 86 Stat. 591

49 Stat. 1148; 86 Stat. 676. 16 USC 590g.

of such Department, shall be used in the current fiscal year for the payment of salary or travel expenses of any person who has been convicted of violating the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939, as amended, or who has been found in accordance with the provisions of Title 18 U.S.C. 1913, to have violated or attempted to violate such section which prohibits the use of Federal appropriations for the payment of personal services or other expenses designed to influence in any manner a Member of Congress to favor or oppose any legislation or appropriation by Congress except upon request of any Member or through the proper official channels.

53 Stat. 1147.
62 Stat. 792.

WATER BANK PROGRAM

For necessary expenses to carry into effect the provisions of the Water Bank Act (16 U.S.C. 1301–1311), $10,000,000, to remain available until expended.

84 Stat. 1468.

EMERGENCY CONSERVATION MEASURES

For emergency conservation measures, to be used for the same purposes and subject to the same conditions as funds appropriated under this head in the Third Supplemental Appropriations Act, 1957, to remain available until expended, $10,000,000, with which shall be merged the unexpended balances of funds heretofore appropriated for emergency conservation measures.

71 Stat. 176.

TITLE IV—CONSUMER PROGRAMS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF CONSUMER AFFAIRS

For necessary expenses of the Office of Consumer Affairs, established by Executive Order 11583 of February 24, 1971, as amended, $1,140,000, including services authorized by 5 U.S.C. 3109.

3 CFR, 1971 Comp., p. 136.
80 Stat. 416.

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Food and Drug Administration in carrying out the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the Fair Packaging and Labeling Act (15 U.S.C. 1451 et seq.), the Import Milk Act (21 U.S.C. 141 et seq.), the Import Tea Act (21 U.S.C. 41 et seq.), the Federal Caustic Poison Act (44 Stat. 1406 et seq.), and sections 301, 311, 314, 351, 352, 354 through 360F, and 361 of the Public Health Service Act (42 U.S.C. 241, 243, 246, 262, 263, 263b through 263n, and 264), including payment in advance for special tests and analyses and adverse reaction reporting by contract; for studies of new developments pertinent to food and drug enforcement operations; for payment for publication of technical and informational materials in professional and trade journals; for payment of salaries and expenses for services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; for

52 Stat. 1040.
80 Stat. 1296.
44 Stat. 1101.
29 Stat. 604.
15 USC 401 note.
58 Stat. 691, 693, 702;
80 Stat. 1181;
82 Stat. 1173.
5 USC 5332 note.

rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed $10,000; $160,590,000. No part of the appropriation made by the preceding sentence may be expended for studies and similar activities respecting sections 409(c)(3)(A), 512(d)(1)(H), or 706(b)(5)(B) of the Federal Food, Drug, and Cosmetic Act, but such language shall not restrict existing research efforts or the assimilation of existing developments in this area: *Provided*, That funds made available by this section for the Food and Drug Administration tea inspection program shall not exceed the amount of fees collected during the same period in accordance with the Tea Import Act (21 U.S.C. 41), as amended.

72 Stat. 1785; 74 Stat. 399; 82 Stat. 343. 21 USC 348, 360b, 376.

29 Stat. 604.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment of facilities of or used by the Food and Drug Administration, where not otherwise provided, $5,000,000, to remain available until expended, and to be derived from funds heretofore appropriated under this appropriation and not used; and for necessary expenses in connection with "Salaries and Expenses", $3,000,000, to be derived from funds heretofore appropriated under this appropriation and not used, and to be transferred to and merged with the fiscal year 1974 appropriation for "Salaries and Expenses"

GENERAL SERVICES ADMINISTRATION

CONSUMER INFORMATION CENTER

For necessary expenses of the Consumer Information Center, including services authorized by 5 U.S.C. 3109, $635,000.

80 Stat. 416.

CONSUMER PRODUCT SAFETY COMMISSION

For necessary expenses of the Consumer Product Safety Commission established by the Consumer Product Safety Act (Public Law 92–573), including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18, $30,900,000.

86 Stat. 1207. 15 USC 2051 note. 5 USC 5332 note.

FEDERAL TRADE COMMISSION

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $30,600,000.

80 Stat. 508; 81 Stat. 206.

DEPARTMENT OF AGRICULTURE

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

For necessary expenses to carry out the provisions of the National School Lunch Act, as amended (42 U.S.C. 1751–1761); Public Law 91–248 and the applicable provisions other than section 3 of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1773–1785); $696,918,000, of which $135,306,000 shall be derived by transfer from funds available

60 Stat. 230; 85 Stat. 85. 84 Stat. 207. 84 Stat. 336.

under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided*, That of the foregoing total amount there shall be available $237,040,000 for special assistance to needy schoolchildren, $60,000,000 for the school breakfast program, $22,110,000 for the nonfood assistance program, $1,500,000 for State administrative expenses, and $20,000,000 for special food service programs for children: *Provided further*, That funds provided herein shall remain available until expended in accordance with section 3 of the National School Lunch Act, as amended: *Provided further*, That no part of this appropriation shall be used for nonfood assistance under section 5 of the National School Lunch Act, as amended: *Provided further*, That an additional $64,325,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act, as amended: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment under 5 U.S.C. 3109.

49 Stat. 774.
76 Stat. 944; 84 Stat. 208. 42 USC 1752. 42 USC 1754.
60 Stat. 231; 84 Stat. 209. 42 USC 1755.
58 Stat. 742.
80 Stat. 416.

SPECIAL MILK PROGRAM

For necessary expenses to carry out the provisions of the special milk program, as authorized by section 3 of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1772), $97,123,000.

84 Stat. 336.

FOOD STAMP PROGRAM

For necessary expenses of the food stamp program pursuant to the Food Stamp Act of 1964, as amended, $2,500,000,000: *Provided*, That the availability of this appropriation is contingent upon the enactment of necessary legislative authorization.

78 Stat. 703; 84 Stat. 2048. 7 USC 2011 note.

TITLE V—GENERAL PROVISIONS

SEC. 501. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed seven hundred and twenty-six (726) passenger motor vehicles, of which five hundred and forty-five (545) shall be for replacement only, and for the hire of such vehicles.

Passenger motor vehicles.

SEC. 502. Provisions of law prohibiting or restricting the employment of aliens shall not apply to employment under the appropriations for the Foreign Agricultural Service.

Aliens, employment.

SEC. 503. Funds available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

Uniforms.
80 Stat. 508; 81 Stat. 206.

SEC. 504. No part of the funds appropriated by this Act shall be used for the payment of any officer or employee of the Department of Agriculture who, as such officer or employee, or on behalf of the Department or any division, commission, or bureau thereof, issues, or causes to be issued, any prediction, oral or written, or forecast, except as to damage threatened or caused by insects and pests with respect to future prices of cotton or the trend of same.

Cotton price forecast, prohibition.

SEC. 505. Except to provide materials required in or incident to research or experimental work where no suitable domestic product is

Twine.

available, no part of the funds appropriated by this Act shall be expended in the purchase of twine manufactured from commodities or materials produced outside of the United States.

Contracting, minimum sum.

SEC. 506. Not less than $1,500,000 of the appropriations of the Department of Agriculture for research and service work authorized by the Acts of August 14, 1946, July 28, 1954, and September 6, 1958 (7 U.S.C. 427, 1621–1629; 42 U.S.C. 1891–1893), shall be available for contracting in accordance with said Acts.

60 Stat. 1082; 68 Stat. 574; 72 Stat. 1793

SEC. 507. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Marihuana.

SEC. 508. No part of the funds contained in this Act may be used to make production or other payments to a person, persons, or corporations who harvest or knowingly permit to be harvested for illegal use, marihuana, or other such prohibited drug-producing plants on any part of lands owned or controlled by such persons or corporations.

Short title.

This Act may be cited as the "Agriculture-Environmental and Consumer Protection Appropriation Act, 1974".

Approved October 24, 1973.

Public Law 93-136

AN ACT

October 24, 1973
[H. R. 3799]

To liberalize eligibility for cost-of-living increases in civil service retirement annuities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8340(c) of title 5, United States Code, is amended—

Civil-service retirement.
Cost-of-living increases, eligibility.
80 Stat. 576; 83 Stat. 139.

(1) by renumbering paragraphs (1) and (2) thereof as paragraphs (2) and (3), respectively; and

(2) by inserting immediately above paragraph (2) (renumbered as such by paragraph (1) of this section), the following new paragraph:

"(1) An annuity (except a deferred annuity under section 8338 of this title or any other provision of law) which—

"(A) is payable from the Fund to an employee or Member who retires, or to the widow or widower of a deceased employee or Member; and

"(B) has a commencing date after the effective date of the then last preceding annuity increase under subsection (b) of this section:

shall not be less than the annuity which would have been payable if the commencing date of such annuity had been the effective date of the then last preceding annuity increase under subsection (b) of this section. In the administration of this paragraph, an employee or a deceased employee shall be deemed, for the purposes of section 8339(n) of this title, to have to his credit, on the effective date of the then last preceding annuity increase under subsection (b) of this section, a number of days of unused sick leave equal to the number of days of unused sick leave to his credit on the date of his separation from the service.".

86 Stat. 144.

Effective date.

SEC. 2. The amendments made by this Act shall apply only with respect to annuities which commence on or after July 2, 1973.

Approved October 24, 1973.

Public Law 93-137

AN ACT

October 26, 1973
[H. R. 8825]

Making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, and corporations for the fiscal year ending June 30, 1974, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, and corporations for the fiscal year ending June 30, 1974, and for other purposes, namely:

Department of Housing and Urban Development; Space, Science, Veterans, and Certain Other Independent Agencies Appropriation Act, 1974.

TITLE I

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING PRODUCTION AND MORTGAGE CREDIT

SALARIES AND EXPENSES, HOUSING PRODUCTION AND MORTGAGE CREDIT PROGRAMS

For necessary administrative expenses of housing production and mortgage credit, not otherwise provided for, $5,120,000.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

PAYMENT OF PARTICIPATION SALES INSUFFICIENCIES

For the payment of such insufficiencies as may be required by the Government National Mortgage Association, as trustee, on account of outstanding beneficial interests or participations in assets of the Department of Housing and Urban Development (including the Government National Mortgage Association) authorized by the Independent Offices and Department of Housing and Urban Development Appropriation Act, 1968, to be issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act, as amended, $19,821,000.

81 Stat. 341.

78 Stat. 800; 80 Stat. 164. 12 USC 1717.

HOUSING MANAGEMENT

HOUSING PAYMENTS

For the payment of annual contributions to public housing agencies in accordance with section 10 of the United States Housing Act of 1937, as amended (42 U.S.C. 1410); for payments authorized by title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749 et seq.); for rent supplement payments authorized by section 101 of the Housing and Urban Development Act of 1965, as amended (12 U.S.C. 1701s); and for homeownership and interest reduction payments as authorized by sections 235 and 236, of the National Housing Act, as amended (12 U.S.C. 1715z, 1715z–1), $2,020,000,000, of which, not less than $280,000,000 shall be used only for the payment of operating subsidies to local housing authorities.

50 Stat. 891; 84 Stat. 1776. 64 Stat. 77; 84 Stat. 1777.

79 Stat. 451; 84 Stat. 1771.

82 Stat. 477, 498; 84 Stat. 1770.

SALARIES AND EXPENSES, HOUSING MANAGEMENT PROGRAMS

For necessary administrative expenses of programs of housing management, not otherwise provided for, $23,900,000: *Provided*, That administrative expenses in connection with the Revolving fund (liquidating programs) shall be exclusive of expenses necessary in the case of defaulted obligations to protect the interests of the Government.

COMMUNITY PLANNING AND MANAGEMENT

COMPREHENSIVE PLANNING GRANTS

For comprehensive planning grants as authorized by section 701 of the Housing Act of 1954, as amended (40 U.S.C. 461), $75,000,000, to remain available until expended.

82 Stat. 526; 84 Stat. 1804; 86 Stat. 405.

SALARIES AND EXPENSES, COMMUNITY PLANNING AND MANAGEMENT PROGRAMS

For necessary administrative expenses of programs of community planning and management, not otherwise provided for, $10,134,000.

COMMUNITY DEVELOPMENT

MODEL CITIES PROGRAMS

For financial assistance in connection with planning and carrying out comprehensive city demonstration programs, as authorized by title I of the Demonstration Cities and Metropolitan Development Act of 1966, as amended (42 U.S.C. 3301), $150,000,000, to remain available until June 30, 1975.

80 Stat. 1255.

URBAN RENEWAL PROGRAMS

For grants for urban renewal, fiscal year 1974, as an additional amount for urban renewal programs, as authorized by title I of the Housing Act of 1949, as amended (42 U.S.C. 1450 et seq.), and section 314 of the Housing Act of 1954, as amended (42 U.S.C. 1452a), $600,000,000, to remain available until expended: *Provided*, That no part of any appropriation in this Act shall be used for administrative expenses in connection with commitments for grants aggregating more than the total of amounts available in the current year from the amounts authorized for making such commitments through June 30, 1967, plus the additional amounts appropriated therefor.

63 Stat. 414; 82 Stat. 518. 68 Stat. 629; 84 Stat. 1785.

OPEN SPACE LAND PROGRAMS

For grants as authorized by title VII of the Housing Act of 1961, as amended (42 U.S.C. 1500–1500e), and the provision of technical assistance to State and local public bodies, $25,000,000, to remain available until expended: *Provided*, That no part of this appropriation may be used for financing a grant in excess of 50 per centum of the cost of any activity or project, except that grants made pursuant to section 706 of the Housing Act of 1961, as amended (42 U.S.C. 1500), may be made in an amount not to exceed 75 per centum.

84 Stat. 1781.

42 USC 1500c-2.

SALARIES AND EXPENSES, COMMUNITY DEVELOPMENT PROGRAMS

For necessary administrative expenses of programs of community development, not otherwise provided for, $22,413,000.

FEDERAL INSURANCE ADMINISTRATION

FLOOD INSURANCE

For necessary administrative expenses, not otherwise provided for, in carrying out the National Flood Insurance Act of 1968, as amended (42 U.S.C. Chap. 50), $20,000,000. 82 Stat. 572. 42 USC 4001 note.

RESEARCH AND TECHNOLOGY

RESEARCH AND TECHNOLOGY

For contracts, grants and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $65,000,000, to remain available until June 30, 1975: *Provided*, That not to exceed $3,925,000 of the foregoing amount shall be available for administrative expenses. 84 Stat. 1784. 82 Stat. 1369. 49 USC 1608 note.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING AND EQUAL OPPORTUNITY

For expenses necessary to carry out the functions of the Secretary pursuant to title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601), section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), and Executive Orders 11063 (27 Fed. Reg. 11527), 11246, as amended (30 Fed. Reg. 12319, 32 Fed. Reg. 14303), 11625 (36 Fed. Reg. 19967), and 11478 (34 Fed. Reg. 12985), $9,546,000. 82 Stat. 81. 83 Stat. 395. 78 Stat. 252. 42 USC 1982 note, 2000e notes; 15 USC 631 note.

DEPARTMENTAL MANAGEMENT

GENERAL DEPARTMENTAL MANAGEMENT

For necessary administrative expenses of the Secretary, not otherwise provided for, in overall program planning and direction in the Department, including not to exceed $2,500 for official reception and representation expenses, $6,042,000.

SALARIES AND EXPENSES, OFFICE OF GENERAL COUNSEL

For necessary expenses of the Office of General Counsel, not otherwise provided for, $3,166,000.

SALARIES AND EXPENSES, OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, not otherwise provided for, $6,534,000.

ADMINISTRATION AND STAFF SERVICES

For administrative expenses necessary in providing general administration and staff services within the Department, not otherwise provided for, $11,460,000.

REGIONAL MANAGEMENT AND SERVICES

For necessary administrative expenses, not otherwise provided for, of management and program coordination in the regional offices of the Department, $19,780,000.

TITLE II

SPACE, SCIENCE, VETERANS, AND CERTAIN OTHER INDEPENDENT AGENCIES

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Federal Communications Commission, as authorized by law, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); not to exceed $125,000 for land and structures; not to exceed $30,000 for improvement and care of grounds and repairs to buildings; not to exceed $1,500 for official reception and representation expenses; purchase (not to exceed eight) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109; $39,860,000, and that not to exceed $800,000 shall be available for travel expenses: *Provided*, That not to exceed $500,000 of the foregoing amount shall remain available until June 30, 1975, for research and policy studies.

80 Stat. 508; 81 Stat. 206.

80 Stat. 416.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

RESEARCH AND DEVELOPMENT

For necessary expenses, not otherwise provided for, including research, development, operations, services, minor construction, maintenance, repair, rehabilitation and modification of real and personal property; and purchase, hire, maintenance, and operation of other than administrative aircraft, necessary for the conduct and support of aeronautical and space research and development activities of the National Aeronautics and Space Administration, $2,194,000,000, to remain available until expended.

CONSTRUCTION OF FACILITIES

For advance planning, design, rehabilitation, modification and construction of facilities for the National Aeronautics and Space Administration, and for the acquisition or condemnation of real property, as authorized by law, $101,100,000, including (1) $660,000 for replacement of transportation facility, Goddard Space Flight Center; (2) $710,000 for rehabilitation of vibration laboratory, Goddard Space Flight Center; (3) $740,000 for modifications of and addition to 25-foot space simulator building, H. Allen Smith Jet Propulsion Laboratory; (4) $580,000 for modification of planetary mission support facilities, H. Allen Smith Jet Propulsion Laboratory; (5) $2,410,000 for rehabilitation and modification of 600 p.s.i. air supply system, Langley Research Center; (6) $1,620,000 for construction of systems engineering building, Langley Research Center; (7) $570,000

for rehabilitation of airfield pavement, Wallops Station; (8) $575,000 for rehabilitation of communication system, Wallops Station; (9) $1,885,000 for modification for fire protection improvements at various tracking and data stations; (10) $980,000 for modification of space launch complex 2 West, Vandenberg Air Force Base; (11) $1,085,000 for modification of power system, Slidell Computer Complex; (12) $56,300,000 for Space Shuttle facilities at various locations, as follows: (A) modifications for auxiliary propulsion and power systems test facilities, White Sands Test Facility, (B) modifications for Shuttle avionics integration laboratory, Lyndon B. Johnson Space Center, (C) modifications for radiant heating verification facility, Lyndon B. Johnson Space Center, (D) modifications for the Orbiter propulsion system test facilities, Mississippi Test Facility, (E) modifications for external tank structural test facilities, Marshall Space Flight Center, (F) modification of manufacturing and subassembly facilities for the Orbiter, NASA Industrial Plant, Downey, Calif., (G) modification of and addition to final assembly and checkout facilities for the Orbiter, Air Force Plant No. 42, Palmdale, Calif., (H) modification of manufacturing and final assembly facilities for external tanks, Michoud Assembly Facility, (I) construction of Orbiter landing facilities, John F. Kennedy Space Center; (13) $14,785,000 for minor rehabilitation and modification of facilities at various locations; (14) $4,600,000 for minor construction of new facilities and additions to existing facilities at various locations; (15) $13,600,000 for facility planning and design not otherwise provided for; to remain available for obligation until June 30, 1976: *Provided*, That, notwithstanding the limitations on the availability of funds appropriated under this head by this or the corresponding appropriation acts for the fiscal years 1973 (86 Stat. 544–545) and 1972 (85 Stat. 277), and except with respect to items (13) through (15) above, items (22) through (24) of the cited fiscal year 1973 act, and the items for "rehabilitation and modification of facilities" and "facility planning and design" of the cited fiscal year 1972 act, when any activity, for which appropriations under this head made by this or the cited acts are available, has been initiated by the incurrence of obligations therefor, the amount available for such activity shall remain available until expended.

RESEARCH AND PROGRAM MANAGEMENT

For necessary expenses of research in Government laboratories, management of programs and other activities of the National Aeronautics and Space Administration, not otherwise provided for, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); awards; hire, maintenance and operation of administrative aircraft; purchase (not to exceed twenty-six for replacement only) and hire of passenger motor vehicles; and maintenance and repair of real and personal property, and not in excess of $10,000 per project for construction of new facilities and additions to existing facilities, and not in excess of $25,000 per project for rehabilitation and modification of facilities; $707,000,000: *Provided*, That contracts may be entered into under this appropriation for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year: *Provided further*, That not to exceed $35,000 of the foregoing amount shall be available for scientific consultations or extraordinary expense, to be expended upon the approval or authority of the Administrator and his determination shall be final and conclusive.

80 Stat. 508; 81 Stat. 206.

NATIONAL SCIENCE FOUNDATION

SALARIES AND EXPENSES

64 Stat. 149.
72 Stat. 1601.
73 Stat. 431.
80 Stat. 416.
80 Stat. 508; 81 Stat. 206.

For expenses necessary to carry out the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), title IX of the National Defense Education Act of 1958 (42 U.S.C. 1876–1879), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881), including award of graduate fellowships; services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; hire of passenger motor vehicles; not to exceed $5,000 for official reception and representation expenses; not to exceed $29,000,000 for program development and management; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); rental of conference rooms in the District of Columbia; and reimbursement of the General Services Administration for security guard services; $566,600,000: *Provided*, That funds remaining unobligated as of June 30, 1973, shall be merged with and also be available for the general purposes of this appropriation: *Provided further*, That of the foregoing total amount, not less than $12,500,000 shall be used only for Graduate Student Support; not less than $65,000,000 shall be used only for Science Education Improvement; and not more than $72,000,000 shall be available for Research Applied to National Needs: *Provided further*, That receipts for scientific support services and materials furnished by the National Research Centers may be credited to this appropriation: *Provided further*, That if an institution of higher education receiving funds hereunder determines after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has, after the date of enactment of this Act, willfully refused to obey a lawful regulation or order of such institution and that such refusal was of a serious nature and contributed to the disruption of the administration of such institution, then the institution shall deny any further payment to, or for the benefit of, such individual.

Funds to campus disrupters, prohibition.

SCIENTIFIC ACTIVITIES (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for scientific activities, as authorized by law, $3,000,000, to remain available until June 30, 1975: *Provided*, That this appropriation shall be available in addition to other appropriations to the National Science Foundation, for payments in the foregoing currencies.

RENEGOTIATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Renegotiation Board, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, $4,690,000.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, $34,027,000, and that not to exceed $840,000 shall be available for travel expenses.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For expenses necessary for the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by law (5 U.S.C. 4101–4118) for civilian employees; and expenses of the National Selective Service Appeal Board; and not to exceed $1,000 for official reception and representation expenses; $47,500,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of subsection (c) of section 3679 of the Revised Statutes, as amended, whenever he deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

80 Stat. 432.

31 USC 665.

VETERANS ADMINISTRATION

COMPENSATION AND PENSIONS

For the payment of compensation, pensions, gratuities, and allowances, including burial awards, burial flags, emergency and other officers' retirement pay, adjusted-service credits and certificates, and other benefits as authorized by law; and for payment of amounts of compromises or settlements under 28 U.S.C. 2677 of tort claims potentially subject to the offset provisions of 38 U.S.C. 351, $6,506,000,000, to remain available until expended.

80 Stat. 307.

72 Stat. 1124; 76 Stat. 950; 83 Stat. 33.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 31, and 33–39), $2,526,000,000, to remain available until expended.

72 Stat. 1167; 85 Stat. 320; 86 Stat. 1074.

VETERANS INSURANCE AND INDEMNITIES

38 USC 801, 1501, 1601.

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and soldiers' and sailors' civil relief, to remain available until expended, $6,000,000, which shall be derived from the Veterans Special Life Insurance Fund.

MEDICAL CARE

For expenses necessary for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Veterans Administration, including care and treatment in facilities not under the jurisdiction of the Veterans Administration, and furnishing recreational facilities, supplies and equipment; maintenance and operation of burial grounds; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Veterans Administration, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms or allowance therefor as authorized by law (5 U.S.C. 5901–5902); and aid to State homes as authorized by

80 Stat. 508; 81 Stat. 206.

Ante, p. 196.

law (38 U.S.C. 641); $2,676,261,000, plus reimbursements: *Provided*, That allotments and transfers may be made from this appropriation to the Public Health Service of the Department of Health, Education, and Welfare, and the Army, Navy, and Air Force of the Department of Defense, for disbursements by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans Administration.

MEDICAL AND PROSTHETIC RESEARCH

For expenses necessary for carrying out programs of medical and prosthetic research and development, as authorized by law, to remain available until expended, $75,500,000, plus reimbursements.

ASSISTANCE FOR HEALTH MANPOWER TRAINING INSTITUTIONS

For pilot programs for assistance in the establishment of new State medical schools, as authorized by title 38, United States Code, chapter 82, $25,000,000, to remain available for pilot programs under section 5072 of title 38, United States Code, until June 30, 1979.

86 Stat. 1101.
38 USC 5070.

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

For expenses necessary for administration of the medical, hospital, domiciliary, construction and supply, research, employee education and training activities, as authorized by law, and for carrying out the provisions of section 5055, title 38, United States Code, relating to pilot programs and grants for exchange of medical information, $32,600,000, plus reimbursements.

80 Stat. 1375;
85 Stat. 178.

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Veterans Administration, not otherwise provided for, including uniforms or allowances therefor, as authorized by law; not to exceed $2,500 for official reception and representation expenses; purchase of one passenger motor vehicle (medium sedan for replacement only) and hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services; $310,000,000.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities under the jurisdiction or for the use of the Veterans Administration, or for any of the purposes set forth in sections 5001, 5002 and 5004 of title 38, United States Code, including planning, architectural and engineering services, and site acquisition, where the estimated cost of a project is $1,000,000 or more, $68,343,000, to remain available until expended: *Provided*, That none of these funds shall be used for any project which has not been considered and approved by the Congress in the budgetary process.

72 Stat. 1251;
80 Stat. 1372;
Ante, p. 194.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities under the jurisdiction or for the use of the Veterans Administration, including planning, architectural and engineering services, and site acquisition, or for any of the purposes set forth in sections 5001,

5002 and 5004 of title 38, United States Code, where the estimated cost of a project is less than $1,000,000, and for necessary expenses of the Office of Construction, $39,703,000, to remain available until expended: *Provided*, That funds appropriated under this head shall be available for contributions to local authorities toward, or for the construction of, necessary safety traffic controls adjacent to Veterans Administration hospitals.

72 Stat. 1251; 80 Stat. 1372; *Ante*, p. 194.

GRANTS TO THE REPUBLIC OF THE PHILIPPINES

For payment to the Republic of the Philippines of grants, as authorized by law (38 U.S.C. 631–634), $2,000,000.

72 Stat. 1145; 80 Stat. 859; *Ante*, p. 184.

PAYMENT OF PARTICIPATION SALES INSUFFICIENCIES

For the payment of such insufficiencies as may be required by the Government National Mortgage Association, as trustee, on account of outstanding beneficial interests or participations in Direct loan revolving fund assets or Loan guaranty revolving fund assets, authorized by the Independent Offices and Department of Housing and Urban Development Appropriation Act, 1968, to be issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act, as amended (12 U.S.C. 1717(c)), $4,400,000.

81 Stat. 352.

78 Stat. 800; 80 Stat. 164.

LOAN GUARANTY REVOLVING FUND

During the current fiscal year, the Loan guaranty revolving fund shall be available for expenses, but not to exceed $500,000,000, for property acquisitions and other loan guaranty and insurance operations under Chapter 37, title 38, United States Code, except administrative expenses, as authorized by section 1824 of such title: *Provided*, That the unobligated balances including retained earnings of the Direct loan revolving fund shall be available, during the current fiscal year, for transfer to the Loan guaranty revolving fund in such amounts as may be necessary to provide for the timely payment of obligations of such fund and the Administrator of Veterans Affairs shall not be required to pay interest on amounts so transferred after the time of such transfer.

72 Stat. 1203; 82 Stat. 116; 84 Stat. 1576. 38 USC 1801. 74 Stat. 532.

ADMINISTRATIVE PROVISIONS

Not to exceed 5 per centum of any appropriation for the current fiscal year for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred to any other of the mentioned appropriations, but not to exceed 10 per centum of the appropriations so augmented.

Transfer of funds.

Appropriations available to the Veterans Administration for the current fiscal year for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

80 Stat. 416.

The appropriation available to the Veterans Administration for the current fiscal year for "Medical care" shall be available for funeral, burial, and other expenses incidental thereto (except burial awards authorized by 38 U.S.C. 902), for beneficiaries of the Veterans Administration receiving care under such appropriations.

72 Stat. 1169; 80 Stat. 29.

No part of the appropriations in this Act for the Veterans Administration (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

No part of the foregoing appropriations shall be available for hospitalization or examination of any persons except beneficiaries entitled under the laws bestowing such benefits to veterans, unless reimbursement of cost is made to the appropriation at such rates as may be fixed by the Administrator of Veterans Affairs.

TITLE III

CORPORATIONS

The following corporations and agencies, respectively, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency except as hereinafter provided:

61 Stat. 584.
31 USC 849.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

LIMITATION ON ADMINISTRATIVE AND NONADMINISTRATIVE EXPENSES, FEDERAL HOUSING ADMINISTRATION

For administrative expenses in carrying out duties imposed by or pursuant to law, not to exceed $15,080,000 of the various funds of the Federal Housing Administration shall be available, in accordance with the National Housing Act, as amended (12 U.S.C. 1701): *Provided*, That funds shall be available for contract actuarial services (not to exceed $1,500): *Provided further*, That nonadministrative expenses classified by section 2 of Public Law 387, approved October 25, 1949, shall not exceed $175,851,000.

48 Stat. 1246.

63 Stat. 905.
12 USC 1702.

LIMITATION ON ADMINISTRATIVE EXPENSES, GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

Not to exceed $7,750,000 shall be available for administrative expenses, which shall be on an accrual basis, and shall be exclusive of interest paid, expenses (including expenses for fiscal agency services performed on a contract or fee basis) in connection with the issuance and servicing of securities, depreciation, properly capitalized expenditures, fees for servicing mortgages, expenses (including services performed on a force account, contract or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to said Association or in which it has an interest, cost of salaries, wages, travel, and other expenses of persons employed outside of the continental United States, and all administrative expenses reimbursable from other Government agencies and from the Federal National Mortgage Association: *Provided*, That the distribution of administrative expenses to the accounts of the Association shall be made in accordance with generally recognized accounting principles and practices.

FEDERAL HOME LOAN BANK BOARD

LIMITATION ON ADMINISTRATIVE AND NONADMINISTRATIVE EXPENSES, FEDERAL HOME LOAN BANK BOARD

Not to exceed a total of $9,250,000 shall be available for administrative expenses of the Federal Home Loan Bank Board, which may procure services as authorized by 5 U.S.C. 3109, and contracts for such services with one organization may be renewed annually, and uniforms or allowances therefor in accordance with law (5 U.S.C. 5901–5902), and said amount shall be derived from funds available to the Federal Home Loan Bank Board, including those in the Federal Home Loan Bank Board revolving fund and receipts of the Board for the current fiscal year and prior fiscal years, and the Board may utilize and may make payment for services and facilities of the Federal home loan banks, the Federal Reserve banks, the Federal Savings and Loan Insurance Corporation, the Federal Home Loan Mortgage Corporation, and other agencies of the Government (including payment for office space): *Provided*, That all necessary expenses in connection with the conservatorship or liquidation of institutions insured by the Federal Savings and Loan Insurance Corporation, liquidation or handling of assets of or derived from such insured institutions, payment of insurance, and action for or toward the avoidance, termination, or minimizing of losses in the case of such insured institutions, or activities relating to section 5A(f) or 6(i) of the Federal Home Loan Bank Act, section 5(d) of the Home Owners' Loan Act of 1933, or section 406(c), 407, or 408 of the National Housing Act and all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the handling, including the purchase, sale, and exchange, of securities on behalf of Federal home loan banks, and the sale, issuance, and retirement of, or payment of interest on, debentures or bonds, under the Federal Home Loan Bank Act, as amended, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That members and alternates of the Federal Savings and Loan Advisory Council shall be entitled to reimbursement from the Board as approved by the Board for transportation expenses incurred in attendance at meetings of or concerned with the work of such Council and may be paid not to exceed $25 per diem in lieu of subsistence: *Provided further*, That expenses of any functions of supervision (except of Federal home loan banks) vested in or exercisable by the Board shall be considered as nonadministrative expenses: *Provided further*, That not to exceed $1,000 shall be available for official reception and representation expenses: *Provided further*, That, notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of the Board shall be incurred, allowed, and paid in accordance with the provisions of the Federal Home Loan Bank Act of July 22, 1932, as amended (12 U.S.C. 1421–1449): *Provided further*, That the nonadministrative expenses (except those included in the first proviso hereof) for the supervision and examination of Federal and State chartered institutions (other than special examinations determined by the Board to be necessary) shall not exceed $18,100,000.

80 Stat. 416.

80 Stat. 508; 81 Stat. 206.

82 Stat. 856; 47 Stat. 727; 69 Stat. 640. 12 USC 1425a, 1426. 12 USC 1464. 12 USC 1729-1730a.

47 Stat. 725.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Not to exceed $740,000 shall be available for administrative expenses, which shall be on an accrual basis and shall be exclusive of interest paid, depreciation, properly capitalized expenditures, expenses in connection with liquidation of insured institutions or activities relating to section 406(c), 407, or 408 of the National Housing Act, liquidation or handling of assets of or derived from insured institutions, payment of insurance, and action for or toward the avoidance, termination, or minimizing of losses in the case of insured institutions, legal fees and expenses and payments for expenses of the Federal Home Loan Bank Board determined by said Board to be properly allocable to said Corporation, and said Corporation may utilize and may make payments for services and facilities of the Federal home loan banks, the Federal Reserve banks, the Federal Home Loan Bank Board, the Federal Home Loan Mortgage Corporation, and other agencies of the Government: *Provided*, That, notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of said Corporation shall be incurred, allowed, and paid in accordance with title IV of the Act of June 27, 1934, as amended (12 U.S.C. 1724–1730b).

48 Stat. 1259; 82 Stat. 295. 80 Stat. 1036. 82 Stat. 5. 12 USC 1729-1730a.

48 Stat. 1255; 78 Stat. 805; 85 Stat. 776.

TITLE IV

GENERAL PROVISIONS

SEC. 401. Where appropriations in titles I and II of this Act are expendable for travel expenses of employees and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amounts set forth therefor in the budget estimates submitted for the appropriations: *Provided*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Veterans Administration; or to payments to interagency motor pools where separately set forth in the budget schedules.

Uniforms.

SEC. 402. Appropriations and funds available for the administrative expenses of the Department of Housing and Urban Development and the Selective Service System shall be available in the current fiscal year for purchase of uniforms, or allowances thereof, as authorized by law (5 U.S.C. 5901–5902); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109.

80 Stat. 508; 81 Stat. 206. 80 Stat. 416. "Legal and banking services."

SEC. 403. Funds made available for the Department of Housing and Urban Development under title III of this Act shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of Federal National Mortgage Association or Government National Mortgage Association, Federal Reserve banks or any member thereof, Federal home loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

64 Stat. 813; 84 Stat. 1114.

Research projects.

SEC. 404. None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients that do not share in the cost of conducting research resulting from proposals for projects

not specifically solicited by the Government: *Provided*, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research.

SEC. 405. Notwithstanding any other provision of this Act, not to exceed $425,000 of the amount herein made available for the Federal Communications Commission may be used for land and structures.

SEC. 406. No part of any appropriations contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein. Fiscal year limitation.

This Act may be cited as the "Department of Housing and Urban Development; Space, Science, Veterans, and Certain Other Independent Agencies Appropriation Act, 1974". Short title.

Approved October 26, 1973.

Public Law 93-138

JOINT RESOLUTION

October 26, 1973
[S. J. Res. 164]

To permit the Secretary of the Senate to use his franked mail privilege for a limited period to send certain matters on behalf of former Vice President Spiro T. Agnew.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, through November 10, 1973, the Secretary of the Senate may, on behalf of former Vice President Spiro T. Agnew, send as franked mail, matter to a Government official (not to exceed 4 pounds in weight) and correspondence to any person (not exceeding 4 ounces in weight), and send and receive as franked mail, public documents printed by order of Congress, with respect to official business occurring as the result of his having held the office of Vice President. Postage on mail sent and received under this joint resolution is postage sent and received under the franking privilege for purposes of section 3216 of title 39, United States Code. Former Vice President Spiro T. Agnew. Franking privileges, extension. 84 Stat. 754; 85 Stat. 132.

Approved October 26, 1973.

Public Law 93-139

AN ACT

October 26, 1973
[S. 2486]

To provide that the project referred to as the Trotters Shoals Dam and Lake on the Savannah River, Georgia and South Carolina, shall hereafter be known and designated as the "Richard B. Russell Dam and Lake".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in honor of the late Richard B. Russell, and in recognition of his long and outstanding service as a Member of the United States Senate, the Trotters Shoals Dam and Lake, Savannah River, Georgia and South Carolina, shall hereafter be known and designated as the "Richard B. Russell Dam and Lake", and shall be dedicated as a monument to his distinguished public service. Any law, regulation, map, document, or record of the United States in which such project is referred to shall be held and considered to refer to such project by the name of the "Richard B. Russell Dam and Lake". Trotters Shoals Dam and Lake, Ga. - S.C. Name change.

Approved October 26, 1973.

Public Law 93-140

October 26, 1973
[H. R. 8250]

AN ACT

To authorize certain programs and activities of the government of the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

District of Columbia government.
Programs and activities, authorization.

EXPENDITURES FOR EMERGENCIES

SECTION 1. When required by the public exigencies to meet conditions caused by emergencies such as riot, pestilence, public insanitary conditions, flood, fire, storm, and similar disasters, the Commissioner of the District of Columbia, pursuant to regulations prescribed by the District of Columbia Council, is authorized to expend such amounts as may be necessary without regard to advertising provisions of section 3709 of the Revised Statutes (41 U.S.C. 5).

D. C. Code 1-808.

OFFICIAL USE OF MOTOR VEHICLES

SEC. 2. All passenger motor vehicles and watercraft owned by the District of Columbia shall be operated and utilized in conformity with section 5 of the Act of July 16, 1914, as amended by section 16 of the Act of August 2, 1946 (31 U.S.C. 638a), and shall be under the direction and control of the Commissioner of the District of Columbia. The Commissioner is authorized to alter or change the assignment or direct the alteration or interchangeable use of any passenger motor vehicles or watercraft by officers and employees of the District of Columbia except as otherwise provided in such Act. Limitations on the official use of passenger motor vehicles, as set out in section 5 of such Act, shall not apply to the Commissioner or, with the approval of the Commissioner, to officers and employees of the District government the character of whose duties make such transportation necessary.

60 Stat. 810; 84 Stat. 879.

FUNERAL AND BURIAL SERVICES

SEC. 3. (a) The Commissioner of the District of Columbia is hereby authorized, pursuant to regulations prescribed by the District of Columbia Council, to provide for the payment of reasonable funeral and burial expenses of indigent residents of the District of Columbia and of persons under the care and custody of the District of Columbia government institutions.

(b) Nothing in this section shall be construed as repealing or in any way modifying any provision of the Acts approved April 29, 1902 (D.C. Code, secs. 2–201 through 2–209) and April 20, 1906 (D.C. Code, secs. 27–129 through 27–131), or of the District of Columbia Public Assistance Act of 1962 (D.C. Code, sec. 3–201 et seq.).

32 Stat. 173.
34 Stat. 123; 81 Stat. 532.
76 Stat. 914.

PAYMENTS TO PATIENTS

SEC. 4. The Commissioner of the District of Columbia, pursuant to regulations prescribed by the District of Columbia Council, is authorized to furnish cash payments to needy patients in hospitals operated by or under contract (relating to the care of needy patients) with the District of Columbia in such amounts and at such times as he may determine.

CARE OF PATIENTS IN SECTARIAN AND NONSECTARIAN INSTITUTIONS

SEC. 5. Notwithstanding any other provision of law, the Commissioner of the District of Columbia, pursuant to regulations prescribed by the District of Columbia Council, is authorized from time to time to enter into contracts with institutions under sectarian and nonsectarian control, and to make payments to such institutions, for the care of indigent and medically indigent patients in hospitals and for the care and maintenance of persons who are a responsibility of the District of Columbia. The Council shall, in determining the level of payment to sectarian and nonsectarian institutions, take into consideration average costs in caring for like persons in area institutions, and in no event shall such payment for medical services exceed reasonable costs as determined under the District of Columbia medicaid program. Contract authority.

STIPENDS FOR PATIENTS

SEC. 6. The Commissioner of the District of Columbia is authorized, pursuant to regulations prescribed by the District of Columbia Council, to provide for the payment of stipends to patients and residents employed in institutions of or under programs sponsored by the government of the District of Columbia as an aid to their rehabilitation or for training purposes. Nothing contained herein shall be construed as conferring employee status on any person covered by this section.

BENEFITS FURNISHED WORKERS IN DISTRICT FACILITIES

SEC. 7. Notwithstanding any other provision of law, the Commissioner of the District of Columbia is authorized to furnish, pursuant to regulations prescribed by the District of Columbia Council, subsistence, living quarters, and laundry in lieu of salary to persons authorized by the Commissioner to work in facilities of the government of the District of Columbia for the purposes of securing training and experience in their future vocations. Nothing contained herein shall be construed as conferring employee status on any person covered by this section, nor as superseding the requirements of sections 5352 and 5353 of title 5, United States Code, relating to student employees specified therein who are assigned or attached to a hospital, clinic, or medical or dental laboratory. 80 Stat. 472; 82 Stat. 1312.

FIRE PROTECTION SERVICES

SEC. 8. The Commissioner of the District of Columbia is authorized to make provisions and payment for the furnishing of fire prevention and fire protection services to District of Columbia government institutions located outside the District of Columbia.

FUNDS FOR THE PREVENTION AND DETECTION OF CRIME

SEC. 9. The Chief of Police of the Metropolitan Police Department is authorized, with the approval of the Commissioner of the District of Columbia and within the limits of appropriations therefor, to make expenditures for the prevention and detection of crime under his certificate. The certificate of the Chief of Police for such expenditures shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

ATTENDANCE AT PISTOL MATCHES

SEC. 10. The Commissioner of the District of Columbia is authorized to pay the expenses of officers and members of the Metropolitan Police Department and the Department of Corrections for attending pistol matches, including entrance fees, and is further authorized to permit officers and members to attend such matches without loss of pay or time.

PAYMENT OF REWARDS

SEC. 11. The Commissioner of the District of Columbia, pursuant to regulations prescribed by the District of Columbia Council, is authorized to provide for the payment of rewards for the capture, or for information leading to the apprehension, of fugitives from District of Columbia penal, correctional, and welfare institutions and of conditional release and parole violators. Funds appropriated pursuant to this section shall be apportioned and expended in the discretion of, and upon such conditions as may be imposed by, the Commissioner of the District of Columbia. No reward money shall be paid to any officer or employee of the Metropolitan Police Department, or of any penal, correctional, or welfare institution, or of any court, legal agency, or other agency closely involved in the criminal justice system.

Restriction.

DISCHARGE AND RELEASE PAYMENTS

SEC. 12. The Commissioner of the District of Columbia is authorized to furnish each prisoner upon his release from a penal or correctional institution under the jurisdiction of the government of the District of Columbia with suitable clothing and, in the discretion of the Commissioner, a sum of money, which shall not exceed $100.

CONSTRUCTION SERVICES WORKING FUND

Establishment.

SEC. 13. (a) There is established in the Treasury of the United States a permanent working fund, without fiscal year limitation, to be known as the Construction Services Fund, Department of General Services, District of Columbia. The Commissioner is authorized to transfer to such fund from capital outlay appropriations for public building construction such amounts as he may deem necessary to carry out the purposes of this section, and, subject to subsequent adjustment, advances and reimbursements may be made to such fund from appropriations for services to other departments and agencies of the District government, without reference to fiscal year limitations on such appropriations. The fund shall be available for expenses incurred in the initial planning for construction projects, for work performed under contract or otherwise, including, but not limited to, preliminary planning and related expenses, surveys, preparation of plans and specifications, soil investigation, administration, overhead, planning design, engineering, inspection, and contract management.

Transfer of funds.

Budget, annual review.

(b) The District of Columbia Council shall annually review the budget of the Construction Services Fund within ninety days after the annual District of Columbia Appropriations Act is enacted into law.

(c) The District of Columbia Council, the Board of Higher Education, the Board of Vocational Education, the Board of Education, the Public Library Board, and the Executive Director of the District of Columbia Court System shall be kept fully advised, at least semiannually, of the status of projects and activities within their respective areas of concern which are financed from the Construction Services Fund.

SNOW AND ICE REMOVAL

SEC. 14. Notwithstanding any other provision of law, appropriations for the Department of Highways and Traffic and the Department of Environmental Services of the government of the District of Columbia shall be available for purposes of snow and ice removal when so ordered by the Commissioner of the District of Columbia.

FEDERAL-AID HIGHWAY PROJECTS

SEC. 15. The Commissioner of the District of Columbia is authorized to enter into contracts in connection with projects undertaken as Federal-aid highway projects under the provisions of the Federal Aid Highway Act of 1944 in such amounts as shall be approved by the Federal Highway Administration, Department of Transportation. Contract authority. 58 Stat. 838.

GRADE-CROSSING ELIMINATION PROJECTS

SEC. 16. The Commissioner of the District of Columbia is authorized to construct grade-crossing elimination and other wholly District construction projects or those authorized under section 8 of the Act of June 16, 1936 (49 Stat. 1521), and section 1(b) of the Federal Aid Highway Act of 1938, in accordance with the provisions of such Acts. Pursuant to this authority, the Commissioner may make payment to contractors and payment for other expenses in connection with the costs of surveys, design, construction, and inspection pending reimbursement to the District of Columbia by the Federal Highway Administration, Department of Transportation, or other parties participating in such projects. 52 Stat. 633.

CIVIL DEFENSE MATCHING FUNDS

SEC. 17. Section 3(h) of the Act entitled "An Act to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes", approved August 11, 1950 (D.C. Code, sec. 6–1203(h)), is amended by striking the semicolon and inserting in lieu thereof a comma and the following: "and, when authorized by the Commissioner, appropriations available to the District of Columbia may be used to match financial contributions made by any department or agency of the United States to the government of the District for the purchase of civil defense equipment and supplies;". 64 Stat. 439.

ACQUISITION OF LAND FOR WASHINGTON AQUEDUCT

SEC. 18. Appropriations are hereby authorized for the acquisition, by gift, dedication, exchange, purchase, or condemnation, of land or rights in or on land or easements therein for the Washington aqueduct by the Chief of Engineers, Corps of Engineers, United States Army, or his designated agents.

ADMINISTRATIVE EXPENSES OF WORKMEN'S COMPENSATION LAW

SEC. 19. The Act entitled "An Act to provide compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, and for other purposes", approved May 17, 1928 (D.C. Code. secs. 36–501, 502), is amended by renumbering section 3 as section 4 and by inserting the following new section immediately after section 2: 45 Stat. 600; 52 Stat. 689.

"SEC. 3. There are authorized to be appropriated such sums as may

be necessary to pay the expenses incurred by the United States Department of Labor in the administration of this Act."

DRIVER EDUCATION PROGRAM

SEC. 20. The Board of Education is authorized, within the limits of appropriations therefor, to accept, on a loan basis, and to maintain and provide for insurance of motor vehicles, for use in the driver education programs of the public schools.

SUBSISTENCE AND TRANSPORTATION FOR HANDICAPPED CHILDREN

SEC. 21. The Board of Education is authorized to provide for the furnishing of subsistence supplies and transportation for severely handicapped children attending special education schools or classes established for their benefit in the public school system of the District of Columbia.

SUMMER SCHOOL COMPENSATION

SEC. 22. Compensation payable to personnel employed in the summer school program of the public school system of the District of Columbia is hereby authorized to be charged to the appropriation for the fiscal year in which the pay periods end.

SUMMER EMPLOYMENT OF DISTRICT SCHOOL TEACHERS

80 Stat. 483.

SEC. 23. Subsection (e) of section 5533 of title 5, United States Code, is amended (a) by inserting "(1)" immediately following "(e)"; and (b) by adding the following new paragraph:

"(2) Subsection (c) of this section does not apply to pay received by a teacher of the public schools of the District of Columbia for employment in a position during the summer vacation period.".

SCHOOL CEREMONIAL EXPENSES

SEC. 24. The President of the Federal City College, the President of the Washington Technical Institute, the President of the District of Columbia Teachers College, and the Superintendent of Schools are hereby authorized to utilize moneys appropriated for the purposes of this section for such expenses as they may respectively deem necessary to conduct such official ceremonial, and graduation activities as are normally associated with the programs of educational institutions.

AMENDMENT OF LAWS RELATING TO ADVERTISING

32 Stat. 632; 44 Stat. 834.

SEC. 25. (a) The second sentence of the first section of the Act approved February 28, 1898 (D.C. Code, sec. 47–1001), is amended to read as follows: "The notice of sale and the delinquent tax list shall be advertised according to regulations prescribed by the District of Columbia Council in not less than two major daily newspapers published in the District.".

45 Stat. 650.

(b) Section 7 of the Act approved February 28, 1898 (D.C. Code, sec. 47–1008), is amended to read as follows:

"SEC. 7. The expenses of advertising the notice of sale and delinquent tax list for real property taxes, water charges, sanitary sewer service charges, and special assessments in arrears together with penalties and costs, shall be reimbursed to the District by a charge to be fixed annually by the Commissioner and assessed against each lot or piece

of property advertised. The amounts so received shall be deposited to such fund of the District as the Commissioner shall from time to time determine."

(c) The first sentence of section 5 of the Act approved June 11, 1878 (D.C. Code, sec. 7–601), is amended by striking "and if the total cost shall exceed $5,000, then in one newspaper in each of the cities of New York, Philadelphia, and Baltimore also for one week," and inserting in lieu thereof: "but not elsewhere, unless the need for advertising outside the District shall have been specifically approved by the Commissioner". Notice; bids. 20 Stat. 105.

(d) Appropriations authorized by this Act or any Act of Congress shall be available to the Commissioner for general advertising authorized by law, and for the publication of notices of public hearings, orders, regulations, amendments of orders and regulations, tax and school notices, and similar matters of public interest, in the District of Columbia Register, and, except as otherwise provided by law, in such newspapers, legal periodicals, trade journals, and other printed media at such times and in such places as may be approved by the said Commissioner. Publication in District of Columbia Register.

OFFICIAL FUNDS

SEC. 26. The Commissioner of the District of Columbia, the Chairman of the District of Columbia Council, the Superintendent of Schools, the President of the Federal City College, the President of the Washington Technical Institute, and the President of the District of Columbia Teachers College are hereby authorized to provide for the expenditure, within the limits of specified annual appropriations, of funds for appropriate purposes related to their official capacity as they may respectively deem necessary. Their determination thereof shall be final and conclusive, and their certificate shall be sufficient voucher for the expenditure of appropriations made pursuant to this section.

TAXI SERVICE STUDY

SEC. 27. (a) Notwithstanding any other provision of law, the Public Service Commission of the District of Columbia is authorized and directed to conduct a study of the adequacy of service and regulation of the taxicab industry in the District of Columbia. The study shall include the feasibility of allowing the installation of meters in taxicabs in the District of Columbia.

(b) Within six months following the date of enactment of this Act, the Public Service Commission shall transmit the final report of the results of such investigation and study, including its finding and recommendations, to the Commissioner of the District of Columbia and the District of Columbia Council, and the District of Columbia government shall within ninety days consider the same, and transmit its recommendations and the final report of the Public Service Commission to the Congress. Report to Commissioner, Council, and government.

AUTHORIZATIONS

SEC. 28. Appropriations to carry out the purposes of this Act and the amendments made by this Act are hereby authorized.

Approved October 26, 1973.

Public Law 93-141

October 26, 1973
[S. 2282]

AN ACT

To change the name of the New Hope Dam and Lake, North Carolina, to the B. Everett Jordan Dam and Lake.

New Hope Dam and Lake, N.C. Name change.

77 Stat. 840.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the New Hope Dam and Lake on the Haw River, North Carolina, a part of the project of the Cape Fear River Basin, North Carolina, authorized by the Act approved December 30, 1963 (Public Law 88–253), shall hereafter be known as the B. Everett Jordan Dam and Lake, and any law, regulation, document, or record of the United States in which such New Hope Dam and Lake are designated or referred to shall be held to refer to such dam and lake under and by the name of "B. Everett Jordan Dam and Lake".

Approved October 26, 1973.

Public Law 93-142

October 26, 1973
[H. J. Res. 748]

JOINT RESOLUTION

Making an appropriation for special payments to international financial institutions for the fiscal year 1974, and for other purposes.

International financial institutions. Appropriation.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sum is appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1974, namely:

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

SPECIAL PAYMENTS TO INTERNATIONAL FINANCIAL INSTITUTIONS

For payments by the Secretary of the Treasury to maintain the value in terms of gold of the holdings of United States dollars of the International Monetary Fund, the International Bank for Reconstruction and Development, the Inter-American Development Bank, the International Development Association, and the Asian Development Bank, to the extent provided in the articles of agreement of such institutions, as authorized by Section 3 of the Par Value Modification Act (Public Law 92–268 as amended), such amounts as may be necessary (but not to exceed $2,203,000,000), to remain available until expended.

86 Stat. 117.
31 USC 449a.

Approved October 26, 1973.

Public Law 93-143

October 30, 1973
[H. R. 9590]

AN ACT

Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending June 30, 1974, and for other purposes.

Treasury, Postal Service, and General Government Appropriation Act, 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise

appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending June 30, 1974, and for other purposes, namely:

TITLE I—TREASURY DEPARTMENT

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses in the Office of the Secretary, including the operation and maintenance of the Treasury Building and Annex thereof; hire of passenger motor vehicles; and not to exceed $7,500 for official reception and representation expenses; $17,892,000, of which not to exceed $100,000 shall be available for unforeseen emergencies of a confidential character, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including the hire of passenger motor vehicles, $2,200,000.

BUREAU OF ACCOUNTS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Accounts, $70,000,000.

PAYMENT OF GOVERNMENT LOSSES IN SHIPMENT

For an additional amount for payment of Government losses in shipment, in accordance with section 2 of the Act approved July 8, 1937 (40 U.S.C. 722), $800,000, to remain available until expended. 50 Stat. 479.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms including purchase of (not to exceed one hundred and eighty-three for replacement only, for police-type use), and hire of passenger motor vehicles; hire of aircraft; and services of expert witnesses at such rate as may be determined by the Director, $72,250,000.

BUREAU OF CUSTOMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Customs, including purchase of two hundred and twenty-one passenger motor vehicles (of which seventy-eight shall be for replacement only), including two hundred and eleven for police-type use; acquisition (purchase of one), operation, and maintenance of aircraft; hire of passenger motor

67 Stat. 577.

vehicles and aircraft; and awards of compensation to informers as authorized by the Act of August 13, 1953 (22 U.S.C. 401); $221,200,000: *Provided*, That none of the funds appropriated under this heading shall be available for transfer to any other account or agency, or for the performance of any activities other than those specifically authorized under this heading.

BUREAU OF THE MINT

SALARIES AND EXPENSES

For necessary expenses of the Bureau of the Mint, including purchase of one passenger motor vehicle for replacement only; and not to exceed $2,500 for the expenses of the annual assay commission; $23,375,000.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $77,000,000.

INTERNAL REVENUE SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Internal Revenue Service, not otherwise provided for, including executive direction, administrative support, and internal audit and security; hire of passenger motor vehicles; and services of expert witnesses at such rates as may be determined by the Commissioner; $34,687,000.

ACCOUNTS, COLLECTION AND TAXPAYER SERVICE

For necessary expenses of the Internal Revenue Service for processing tax returns, revenue accounting, providing assistance to taxpayers, securing unfiled tax returns, and collecting unpaid taxes; hire of passenger motor vehicles; and services of expert witnesses at such rates as may be determined by the Commissioner, including not to exceed $53,600,000 for temporary employment and not to exceed $143,000 for salaries of personnel engaged in preemployment training of data transcriber applicants; $531,683,000.

COMPLIANCE

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities, and for investigation and enforcement activities, including purchase (not to exceed two hundred and twenty-three of which one hundred shall be for replacement only, for police-type use), and hire of passenger motor vehicles; and services of expert witnesses at such rates as may be determined by the Commissioner; $620,430,000.

OFFICE OF THE TREASURER

SALARIES AND EXPENSES

For necessary expenses of the Office of the Treasurer, $12,400,000.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Secret Service, including purchase (not to exceed seventy-seven for police-type use for replacement only) and hire of passenger motor vehicles; hire of aircraft; and training and assistance requested by State and local governments which may be provided without reimbursement; $63,500,000.

GENERAL PROVISIONS—TREASURY DEPARTMENT

SEC. 101. Appropriations in this Act to the Treasury Department shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–2) including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries, and services as authorized by title 5, United States Code, section 3109. 80 Stat. 508; 81 Stat. 206. 80 Stat. 416.

This title may be cited as the "Treasury Department Appropriation Act, 1974". Citation of title.

TITLE II—UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for public service costs and for revenue foregone on free and reduced-rate mail, pursuant to 39 U.S.C. 2401 (b) and (c), and for meeting the liabilities of the former Post Office Department to the Employees' Compensation Fund and to postal employees for earned and unused annual leave as of June 30, 1971, pursuant to 39 U.S.C. 2004, $1,373,000,000, of which $142,333,500 shall be available only for transfer to the Civil Service Retirement and Disability Fund. 84 Stat. 743. 84 Stat. 739.

This title may be cited as the "Postal Service Appropriation Act, 1974". Citation of title.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102, $250,000. 63 Stat. 4; 83 Stat. 3.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $1,376,000. 60 Stat. 23.

DISASTER RELIEF

For expenses necessary to carry out the functions of the Department of Housing and Urban Development under the Disaster Relief Act of 1970 (Public Law 91–606, as amended, and Reorganization Plan 42 USC 4401 note.

5 USC app. II.

No. 1 of 1973), authorizing assistance to States and local governments in major disasters, $400,000,000, to remain available until expended: *Provided*, That not to exceed 3 per centum of the foregoing amount shall be available for administrative expenses.

DOMESTIC COUNCIL

SALARIES AND EXPENSES

80 Stat. 416.

5 USC 5332 note.

For necessary expenses of the Domestic Council, including services as authorized by title 5, United States Code, section 3109, but at rates for individuals not to exceed the per diem equivalent of the rate for grade GS–18; and other personal services without regard to the provisions of law regulating the employment and compensation of persons in the Government service; $1,100,000.

ECONOMIC STABILIZATION ACTIVITIES

SALARIES AND EXPENSES

84 Stat. 799. 12 USC 1904 note.

For expenses necessary to carry out the Economic Stabilization Act of 1970, as amended, including activities under Executive Order No. 11695 of January 11, 1973; hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem equivalent of the rate for GS–18, $55,000,000: *Provided*, That advances or repayments or transfers from the above amounts may be made to any department or agency for expenses of carrying out such activities.

EMERGENCY FUND FOR THE PRESIDENT

For expenses necessary to enable the President, through such officers or agencies of the Government as he may designate, and without regard to such provisions of law regarding the expenditure of Government funds or the compensation and employment of persons in the Government service as he may specify, to provide in his discretion for emergencies affecting the national interest, security, or defense which may arise at home or abroad during the current fiscal year, $1,000,000: *Provided*, That no part of this appropriation shall be available for allocation to finance a function or project for which function or project a budget estimate of appropriation was transmitted pursuant to law during the Ninety-second Congress or the first session of the Ninety-third Congress and such appropriation denied after consideration thereof by the Senate or House of Representatives or by the Committee on Appropriations of either body.

EXECUTIVE RESIDENCE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Residence, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of this or any other Act, and official entertainment expenses of the President, to be accounted for solely on his certificate, $1,370,000.

EXPENSES OF MANAGEMENT IMPROVEMENT

For expenses necessary to assist the President in improving the management of executive agencies and in obtaining greater economy and efficiency through the establishment of more efficient business

methods in Government operations, including services as authorized by title 5, United States Code, section 3109, by allocation to any agency or office in the executive branch for the conduct, under the general direction of the Office of Management and Budget, of examinations and appraisals of, and the development and installation of improvements in, the organization and operations of such agency or of other agencies in the executive branch, $350,000, to remain available until expended, and to be available without regard to the provisions of subsection (c) of section 3679 of the Revised Statutes, as amended. 80 Stat. 416. 31 USC 665.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For expenses necessary for the National Security Council, including services as authorized by title 5, United States Code, section 3109, $2,802,000.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For expenses necessary for the Office of Management and Budget, including hire of passenger motor vehicles, and services as authorized by title 5, United States Code, section 3109, $18,500,000.

OFFICE OF TELECOMMUNICATIONS POLICY

SALARIES AND EXPENSES

For expenses necessary for the conduct of telecommunications functions assigned to the Director of Telecommunications policy, including services as authorized by 5 U.S.C. 3109, $2,070,000.

SPECIAL ACTION OFFICE FOR DRUG ABUSE PREVENTION

SALARIES AND EXPENSES

For necessary expenses of the Special Action Office for Drug Abuse Prevention, $5,000,000.

PHARMACOLOGICAL RESEARCH

For necessary expenses in connection with activities authorized by section 224 of the Drug Abuse Office and Treatment Act of 1972 (Public Law 92–255), $20,000,000. 86 Stat. 71. 21 USC 1134.

SPECIAL FUND FOR DRUG ABUSE

For the "Special fund" established by section 223 of the Drug Abuse Office and Treatment Act of 1972 (Public Law 92–255), $26,000,000. 21 USC 1133.

SPECIAL ASSISTANCE TO THE PRESIDENT

For expenses necessary to enable the Vice President to provide assistance to the President in connection with specially assigned functions, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem equivalent of the rate for grade GS–18, compensation for one position at a rate not to exceed the rate of level II of the Executive schedule, and other personal services without regard to the provisions of law regulating the employment and compensation of persons in the Government service, $675,000. 5 USC 5332 note. 83 Stat. 863. 5 USC 5313 note.

THE WHITE HOUSE OFFICE

SALARIES AND EXPENSES

For expenses necessary for the White House Office, including not to exceed $2,250,000 for services as authorized by title 5, United States Code, section 3109, at such per diem rates for individuals as the President may specify, and other personal services without regard to the provisions of law regulating the employment and compensation of persons in the Government service; newspapers, periodicals, teletype news service, and travel (not to exceed $75,000), and official entertainment expenses of the President, to be accounted for solely on his certificate; $9,110,000.

80 Stat. 416.

Citation of title.

This title may be cited as the "Executive Office Appropriation Act, 1974".

TITLE IV—INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, established by the Administrative Conference Act, as amended (5 U.S.C. 571 et seq.), $600,000.

80 Stat. 388.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Act of September 24, 1959 (73 Stat. 703–706), and the provisions of Section 7(e) of the Act of August 16, 1973 (Public Law 93–100), $1,036,000.

80 Stat. 1162.
42 USC 4271 *et seq.*
Ante, p. 347.

ADVISORY COMMITTEE ON FEDERAL PAY

SALARIES AND EXPENSES

For necessary expenses of the Advisory Committee on Federal Pay, established by 5 U.S.C. 5306, $130,000.

84 Stat. 1949.

CIVIL SERVICE COMMISSION

SALARIES AND EXPENSES

For necessary expenses, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; and advances or reimbursements to applicable funds of the Commission and the Federal Bureau of Investigation for expenses incurred under Executive Order 10422 of January 9, 1953, as amended; $65,774,000, together with not to exceed $14,000,000 for current fiscal year administrative expenses for the retirement and insurance programs to be transferred from the appropriate trust funds of the Commission in amounts determined by the Commission without regard to other statutes: *Provided*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds for administrative expenses of effecting statutory annuity adjustments. No part of the appropriation herein made to the Civil Service Commission shall be available for the salaries and expenses of the Legal Examining Unit of the Com-

22 USC 287 note.

mission, established pursuant to Executive Order 9358 of July 1, 1943 or any successor unit of like purpose. 3 CFR 1943-1948 Comp., p. 256.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, $125,114,000, to remain available until expended. 80 Stat. 599; 84 Stat. 869. 5 USC 8901.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special acts, to be credited to the Civil Service retirement and disability fund, $589,905,000: *Provided*, That annuities authorized by the Act of May 29, 1944, as amended (2 C.Z.C. 181) and the Act of August 19, 1950, as amended (33 U.S.C. 771–775) may hereafter be paid out of the Civil Service retirement and disability fund. 80 Stat. 584; 83 Stat. 137. 76A Stat. 20. 64 Stat. 465; 81 Stat. 520.

FEDERAL LABOR RELATIONS COUNCIL

SALARIES AND EXPENSES

For expenses necessary to carry out functions of the Civil Service Commission under Executive Order No. 11491 of October 29, 1969, as amended, $720,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation at the rate of not to exceed the per diem rate equivalent to the rate for grade GS–18. 5 USC 7301 note. 80 Stat. 499; 83 Stat. 190. 5 USC 5332 note.

INTERGOVERNMENTAL PERSONNEL ASSISTANCE

For grants to improve State and local personnel administration, as authorized by the Intergovernmental Personnel Act of 1970, $10,000,000, to remain available until expended. 84 Stat. 1928. 42 USC 4769.

COMMITTEE FOR PURCHASE OF PRODUCTS AND SERVICES OF THE BLIND AND OTHER SEVERELY HANDICAPPED

SALARIES AND EXPENSES

For expenses necessary for the Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped, established by the Act of June 23, 1971 (Public Law 92–28), including hire of passenger motor vehicles, $240,000. 85 Stat. 82; *Ante*, p. 176. 41 USC 48c.

GENERAL SERVICES ADMINISTRATION

PUBLIC BUILDINGS SERVICE

OPERATING EXPENSES

For necessary expenses, not otherwise provided for, of real property management and related activities as provided by law; rental of buildings in the District of Columbia; restoration of leased premises; moving Government agencies (including space adjustments) in connection with the assignment, allocation, and transfer of building space; acquisition by purchase or otherwise of real estate and interests

therein; and contractual services incident to cleaning or servicing buildings and moving; $480,582,000: *Provided*, That this appropriation shall be available, after submission to the House and Senate Committees on Appropriations, to provide such fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to title 18, U.S.C. 3056: *Provided further*, That none of the funds made available under this head shall be available for the acquisition of unimproved real property or real property having improvements of negligible value for Government purposes: *Provided further*, That the Committees on Appropriations of the Senate and House of Representatives shall be furnished quarterly with a detailed accounting of expenditures made from these funds on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to title 18, U.S.C. 3056.

65 Stat. 122; 84 Stat. 1892.

Quarterly expenditure account, submittal to congressional committees.

REPAIR AND IMPROVEMENT OF PUBLIC BUILDINGS

For expenses, not otherwise provided for, necessary to alter public buildings pursuant to the Public Buildings Act of 1959, as amended (40 U.S.C. 601–615), and to alter other federally owned buildings, including grounds, approaches and appurtenances, wharves and piers, together with the necessary dredging adjacent thereto; and care and safeguarding of sites; preliminary planning of projects by contract or otherwise; maintenance, preservation, demolition, and equipment; to remain available until expended, $82,000,000, to be derived by transfer from the appropriation "Public Buildings Service, Operating Expenses": *Provided*, That for the purposes of this appropriation, buildings constructed pursuant to the Public Buildings Purchase Contract Act of 1954 (40 U.S.C. 356) and the Public Buildings Amendments of 1972 (86 Stat. 216), and buildings under the control of another department or agency where alteration of such buildings is required in connection with the moving of such other department or agency from buildings then, or thereafter to be, under the control of General Services Administration shall be considered to be public buildings: *Provided further*, That none of the funds made available under this head shall be available for the acquisition of unimproved real property or real property having improvements of negligible value for Government purposes.

86 Stat. 216.

68 Stat. 518; 84 Stat. 782. 40 USC 603 note.

CONSTRUCTION, PUBLIC BUILDINGS PROJECTS

For an additional amount for expenses, not otherwise provided for, for construction, pursuant to the Public Buildings Act of 1959, as amended (40 U.S.C. 601–615), in addition to the sums heretofore appropriated for such projects, $2,572,000, as follows: Border Station, Alaska Highway, Alaska, $732,000; courthouse and Federal office building, Fayetteville, Arkansas, $140,000; Border Station, San Diego, California, $1,100,000; and Federal office building, Buffalo, New York, $600,000; to remain available until expended: *Provided*, That the foregoing limits of costs may be exceeded to the extent that savings are effected in other projects, but by not to exceed 10 per centum: *Provided further*, That the appropriation granted under this heading for fiscal year 1973 in the amount of $203,312,000 shall revert to the Treasury.

SITES AND EXPENSES, PUBLIC BUILDINGS PROJECTS

For an additional amount for expenses necessary in connection with the construction of public buildings projects not otherwise provided for, including preliminary planning by contract or otherwise, and the alteration of public buildings and other federally owned buildings (including buildings constructed pursuant to the Public Buildings Purchase Contract Act of 1954 (40 U.S.C. 356) and the Public Buildings Amendments of 1972 (86 Stat. 216), and buildings under the control of another department or agency where alteration of such buildings is required in connection with the moving of such department or agency from buildings then, or thereafter to be, under the control of the General Services Administration) not otherwise provided for, $500,000 to remain available until expended.

68 Stat. 518; 84 Stat. 782. 40 USC 603 note.

PAYMENTS, PUBLIC BUILDINGS PURCHASE CONTRACTS

For payments of principal, interest, taxes, and any other obligations under contracts entered into pursuant to the Public Buildings Purchase Contract Act of 1954 (40 U.S.C. 356) and the Public Buildings Amendments of 1972 (86 Stat. 216), $7,300,000.

EXPENSES, UNITED STATES COURT FACILITIES

For necessary expenses, not otherwise provided for, to provide directly or indirectly, additional space for the United States Courts incident to expansion of facilities (including rental of buildings in the District of Columbia and elsewhere and moving and space adjustments), and furniture and furnishings, $7,000,000.

FEDERAL SUPPLY SERVICE

OPERATING EXPENSES

For expenses, not otherwise provided, necessary for supply distribution (including contractual services incident to receiving, handling and shipping supply items), procurement, inspection, standardization, transportation and public utility activities, and other supply management and related activities, as authorized by law, $96,000,000.

NATIONAL ARCHIVES AND RECORDS SERVICE

OPERATING EXPENSES

For necessary expenses in connection with Federal records management and related activities, as provided by law, including reimbursement for security guard services, contractual services incident to movement or disposal of records, and acceptance and utilization of voluntary and uncompensated services, $33,230,000, of which $730,000 for allocations and grants for historical publications as authorized by 44 U.S.C. 2504, as amended, shall remain available until expended.

86 Stat. 155.

RECORDS DECLASSIFICATION

For expenses necessary for the review and declassification of documents, and related records management activities, pursuant to Executive Order 11652, directives issued pursuant thereto, and other applicable authorities, including expenses not otherwise provided for, and acceptance and utilization of voluntary and uncompensated services, $1,000,000.

50 USC 401 note.

AUTOMATED DATA AND TELECOMMUNICATIONS SERVICE

OPERATING EXPENSES

For expenses, not otherwise provided, necessary for carrying out Government-wide responsibilities relating to automated data management, telecommunications and related activities, as authorized by law, including services as authorized by 5 U.S.C. 3109, $6,600,000.

80 Stat. 416.

PROPERTY MANAGEMENT AND DISPOSAL SERVICE

OPERATING EXPENSES

For expenses, not otherwise provided for, necessary for carrying out the functions of the Administrator with respect to the utilization of excess property; the disposal of surplus property; the rehabilitation of personal property; the appraisal of real and personal property; the national stockpile established by the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h); the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456, as amended by 73 Stat. 607); including services as authorized by 5 U.S.C. 3109 and reimbursement for security guard services, $33,000,000, to be derived from proceeds from transfers of excess property, disposal of surplus property, and sales of stockpile materials: *Provided*, That none of the funds available under this heading shall be available for transfer to any other account nor for the funding of any activities other than those specifically authorized under this heading: *Provided further*, That during the current fiscal year the General Services Administration is authorized to acquire leasehold interests in property, for periods not in excess of twenty years, for the storage, security, and maintenance of strategic, critical, and other materials in the national and supplemental stockpiles provided said leasehold interests are at nominal cost to the Government: *Provided further*, That during the current fiscal year there shall be no limitation on the value of surplus strategic and critical materials which, in accordance with section 6 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98e), may be transferred without reimbursement to the national stockpile: *Provided further*, That during the current fiscal year materials in the inventory maintained under the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061–2166), and excess materials in the national stockpile and the supplemental stockpile, the disposition of which is authorized by law, shall be available, without reimbursement, for transfer at fair market value to contractors as payment for expenses (including transportation and other accessorial expenses) of acquisition of materials, or of refining, processing, or otherwise beneficiating materials, or of rotating materials, pursuant to section 3 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b), and of processing and refining materials pursuant to section 303(d) of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2093(d)).

60 Stat. 596.

80 Stat. 1528.
7 USC 1704.

64 Stat. 798.

65 Stat. 134;
78 Stat. 235.

OFFICE OF ADMINISTRATOR

SALARIES AND EXPENSES

For expenses of executive direction for activities under the control of the General Services Administration, $2,750,000: *Provided*, That not to exceed $2,500 shall be available for reception and representation expenses.

INDIAN TRIBAL CLAIMS

For expenses necessary to provide accounting, records management, and other support incident to adjudication of Indian Tribal claims by the Indian Claims Commission, $2,200,000.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), $60,000: *Provided*, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of sections (a) and (e) of such Act. 72 Stat. 838; 84 Stat. 1963.

EMERGENCY PREPAREDNESS

SALARIES AND EXPENSES

For expenses necessary for emergency preparedness functions, including services as authorized by 5 U.S.C. 3109 and expenses of attendance of cooperating officials and individuals at meetings concerned with the work of emergency planning, $4,846,000. 80 Stat. 416.

DEFENSE MOBILIZATION FUNCTIONS OF FEDERAL AGENCIES

For expenses necessary to assist other Federal agencies to perform civil defense mobilization functions, including payments by the Department of Labor to State employment security agencies for the full cost of administration of defense manpower mobilization activities, $3,000,000.

ADMINISTRATIVE OPERATIONS FUND

Funds available to General Services Administration for administrative operations, in support of program activities, shall be expended and accounted for, as a whole, through a single fund: *Provided*, That costs and obligations for such administrative operations for the respective program activities shall be accounted for in accordance with systems approved by the General Accounting Office: *Provided further*, That the total amount obligated in said account for the current fiscal year from funds made available to General Services Administration from any source except obligations for reimbursable work performed for other agencies under Section 601 of the Economy Act of 1932, as amended (31 U.S.C. 686), shall not exceed $42,350,000: *Provided further*, That amounts deposited into said account for administrative operations for each program shall not exceed the amounts included in the respective program appropriations for such purposes. 47 Stat. 417; 57 Stat. 219.

GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

SEC. 1. The appropriate appropriation or fund available to the General Services Administration shall be credited with (1) cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129); and (2) appropriations or funds available to other agencies, and transferred to the General Services Administration, in connection with property transferred to the General Services Administration pursuant to the Act of July 2, 1948 (50 U.S.C. 451ff), and such appropriations or funds may be so transferred, with the approval of the Office of Management and Budget. 61 Stat. 584. 62 Stat. 1225. 50 USC 451 and note.

SEC. 2. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 3. No appropriation contained in this Act for the General Services Administration shall be available for administrative expenses in connection with the execution of a purchase contract under section 5 of the Public Buildings Amendments of 1972 unless such proposed purchase contract has been presented to the Committees on Appropriations of the Senate and House of Representatives, respectively, and the Congress within a period of sixty days thereafter has not passed an appropriation for the acquisition of an equivalent amount of space or, alternatively, during such period the proposed contract has been approved by the Committees on Appropriations of the Senate and House of Representatives, respectively.

86 Stat. 216.
40 USC 603 note.

SEC. 4. Not to exceed 2 per centum of any appropriation made available to the General Services Administration for the current fiscal year by this Act may be transferred to any other such appropriation, but no such appropriation shall be increased thereby more than 2 per centum: *Provided*, That such transfers shall apply only to operating expenses, and shall not exceed in the aggregate the amount of $2,000,000.

SEC. 5. No appropriated funds shall be available for the purpose of defraying any expenses (including expenses for the payment of the salary of any person) incurred in connection with the transfer of title of all (or any portion) of the Sand Point Naval Facility, Seattle, Washington, to any person or entity for aviation use unless and until (A) the Administrator of General Services has transferred to the National Oceanic and Atmospheric Administration title to that portion of such facility as has been requested by the National Oceanic and Atmospheric Administration; and (B) the City of Seattle, Washington, and the County of King in the State of Washington, and the State of Washington have each approved a plan for aviation use of a portion of such facility.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract stenographic reporting, and other services as authorized by 5 U.S.C. 3109, $5,760,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge: *Provided further*, That $1,280,000 of this appropriation shall remain available until expended for equipment, furniture, furnishings and accessories, required for the new Tax Court building and, whenever determined by the Court to be necessary, without compliance with Section 3709 of the Revised Statutes, as amended (41 U.S.C. 5).

80 Stat. 416.

DEPARTMENT OF DEFENSE

DEFENSE CIVIL PREPAREDNESS AGENCY

OPERATION AND MAINTENANCE

For expenses, not otherwise provided for, necessary for carrying out civil defense activities, including the hire of motor vehicles; and financial contributions to the States for civil defense purposes, as authorized by law; $60,000,000: *Provided*, That not to exceed $27,200,000 shall be available for allocation under section 205 of the Federal Civil Defense Act of 1950, as amended.

72 Stat. 533; 86 Stat. 503.
50 USC app. 2286.

RESEARCH, SHELTER SURVEY, AND MARKING

For expenses, not otherwise provided for, necessary for studies and research to develop measures and plans for civil defense; continuing shelter surveys, marking, and equipping surveyed spaces; and financial contributions to the States under section 201(i) of the Federal Civil Defense Act, which shall be equally matched, for emergency operating centers and civil defense equipment; $22,000,000, to remain available until expended. 64 Stat. 1248; 75 Stat. 820. 50 USC app. 2281.

GENERAL PROVISIONS—CIVIL DEFENSE

SEC. 1. Appropriations contained in this Act for carrying out civil defense activities shall not be available in excess of the limitations on appropriations contained in section 408 of the Federal Civil Defense Act, as amended (50 U.S.C. App. 2260). 72 Stat. 534; 86 Stat. 503.

SEC. 2. No part of any appropriation in this Act shall be available for the construction of warehouses or for the lease of warehouse space in any building which is to be constructed specifically for civil defense activities.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

EMERGENCY HEALTH

For expenses necessary for carrying out emergency planning and preparedness functions of the Health Services and Mental Health Administration, and procurement, storage (including underground storage), distribution, and maintenance of emergency civil defense medical supplies and equipment, as authorized by section 201(h) of the Federal Civil Defense Act of 1950 (50 U.S.C. App. 2281(h)), and, except as otherwise provided, sections 301 and 311 of the Public Health Service Act with respect to emergency health services, $6,000,000, of which $3,000,000 shall be available only for transfer to the General Services Administration for the purpose of disposal of the medical stockpile. 82 Stat. 175; 86 Stat. 503. 58 Stat. 691, 693. 42 USC 241, 243.

COMMISSION OF THE REVIEW OF NATIONAL POLICY TOWARD GAMBLING

SALARIES AND EXPENSES

For expenses necessary to carry out functions of the Commission on the Review of the National Policy Toward Gambling, established by section 804 of the Organized Crime Control Act of 1970 (P.L. 91–452; 84 Stat. 938), $250,000. 18 USC 1955 note.

TITLE V—GENERAL PROVISIONS

THIS ACT

SEC. 501. Where appropriations in this Act are expendable for travel expenses of employees and no specific limitation has been place thereon, the expenditures for such travel expenses may not exceed the amounts set forth therefor in the budget estimates submitted for the appropriations: *Provided*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel per-

formed directly in connection with care and treatment of medical beneficiaries of the Veterans Administration; or to payments to interagency motor pools where separately set forth in the budget schedules.

Employees, military leave, position restoration.

SEC. 502. No part of any appropriation contained in this Act shall be available to pay the salary of any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service and has within ninety days after his release from such service or from hospitalization continuing after discharge for a period of not more than one year made application for restoration to his former position and has been certified by the Civil Service Commission as still qualified to perform the duties of his former position and has not been restored thereto.

Offices outside D.C., limitation.

SEC. 503. No part of any appropriation made available in this Act shall be used for the purchase or sale of real estate or for the purpose of establishing new offices outside the District of Columbia: *Provided*, That this limitation shall not apply to programs which have been approved by the Congress and appropriations made therefor.

Fiscal year limitation.

SEC. 504. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Foreign-made tools, procurement restriction.

SEC. 505. No part of any appropriation contained in this Act shall be available for the procurement of or for the payment of the salary of any person engaged in the procurement of any hand or measuring tool(s) not produced in the United States or its possessions except to the extent that the Administrator of General Services or his designee shall determine that a satisfactory quality and sufficient quantity of hand or measuring tools produced in the United States or its possessions cannot be procured as and when needed from sources in the United States and its possessions or except in accordance with procedures prescribed by section 6-104.4(b) of Armed Services Procurement Regulation dated January 1, 1969, as such regulation existed on June 15, 1970. This section shall be applicable to all solicitations for bids opened after its enactment.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

Motor vehicle purchase.

31 USC 638a.

SEC. 601. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses and ambulances), is hereby fixed at $2,100 except station wagons for which the maximum shall be $2,400: *Provided*, That these limits may be exceeded by not to exceed $900 for police-type vehicles.

Police-type vehicles.

Employee compensation, U.S. citizenship requirement.

SEC. 602. Unless otherwise specified and during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United

States) whose post of duty is in continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act, who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date, (3) is a person who owes allegiance to the United States, or (4) is an alien from Cuba, Poland, or the Baltic countries lawfully admitted to the United States for permanent residence: *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined not more than $4,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of the Republic of the Philippines or to nationals of those countries allied with the United States in the current defense effort, or to temporary employment of translators, or to temporary employment in the field service (not to exceed sixty days) as a result of emergencies.

Penalty.

Exceptions.

SEC. 603. Appropriations of the executive departments and independent establishments for the current fiscal year, available for expenses of travel or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

Quarters allowances.

80 Stat. 510; 85 Stat. 644.

SEC. 604. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 605. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to the Government Corporation Control Act, as amended (31 U.S.C. 841), shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

59 Stat. 597.

80 Stat. 416.

SEC. 606. Pursuant to section 1415 of the Act of July 15, 1952 (66 Stat. 662), foreign credits (including currencies) owed to or owned by the United States may be used by Federal agencies for any purpose for which appropriations are made for the current fiscal year (including the carrying out of Acts requiring or authorizing the use of such credits), only when reimbursement therefor is made to the Treasury from applicable appropriations of the agency concerned: *Provided*, That such credits received as exchange allowances or proceeds of sales of personal property may be used in whole or part payment for acqui-

Foreign credits.

31 USC 724.

sition of similar items, to the extent and in the manner authorized by law, without reimbursement to the Treasury.

SEC. 607. (a) No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any corporation or agency, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress.

U.S. Postal Service employees, communication with Congress.

(b) No part of any appropriation contained in this Act shall be available for the payment of the salary of any officer or employee of the United States Postal Service, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any officer or employee of the United States Postal Service from having any direct oral or written communication or contact with any Member or committee of Congress in connection with any matter pertaining to the employment of such officer or employee or pertaining to the United States Postal Service in any way, irrespective of whether such communication or contact is at the initiative of such officer or employee or in response to the request or inquiry of such Member or committee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any officer or employee of the United States Postal Service, or attempts or threatens to commit any of the foregoing actions with respect to such officer or employee, by reason of any communication or contact of such officer or employee with any Member or committee of Congress as described in paragraph (1) of this subsection.

Interdepartmental groups, expenses.

59 Stat. 134.

SEC. 608. No part of any appropriation contained in this or any other Act, shall be available to finance interdepartmental boards, commissions, councils, committees, or similar groups under section 214 of the Independent Offices Appropriations Act, 1946 (31 U.S.C. 691) which do not have prior and specific congressional approval of such method of financial support.

SEC. 609. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for (a) reimbursement to the General Services Administration for those expenses of renovation and alteration of buildings and facilities which constitute public improvements, performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749) or other applicable law, and (b) transfer or reimbursement to applicable appropriations to said Administration for rents and related expenses, not otherwise provided for, of providing subject to Executive Order 11512, dated February 27, 1970, directly or indirectly, suitable general purpose space for any such department or agency, in the District of Columbia or elsewhere.

73 Stat. 479.
40 USC 601 note.

40 USC 490 note.

U.S. or Postal Service guards, funds.
86 Stat. 218.
84 Stat. 739.

SEC. 610. Funds made available by this or any other Act to the "Buildings management fund" (40 U.S.C. 490(f)), and the "Postal Service fund" (39 U.S.C. 2003), shall be available for employment of guards for all buildings and areas owned or occupied by the United States or the Postal Service and under the charge and control of the General Services Administration or the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948

(62 Stat. 281; 40 U.S.C. 318), but shall not be restricted to certain Federal property as otherwise required by the proviso contained in said section, and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948 (622 Stat. 281; 40 U.S.C. 318a, 318b) attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948 (62 Stat. 281; 40 U.S.C. 318c).

Short title.

This Act may be cited as the "Treasury, Postal Service, and General Government Appropriation Act, 1974".

Approved October 30, 1973.

Public Law 93-144

AN ACT

November 1, 1973
[S. 907]

To authorize the appropriation of $150,000 to assist in financing the arctic winter games to be held in the State of Alaska in 1974.

Arctic winter games, 1974.
Appropriation authorization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated to the Secretary of Commerce the sum of $150,000 for the purpose of assisting the financing of the arctic winter games to be held in Alaska in 1974. The Secretary shall provide for the disbursement of such funds (including the making of grants to appropriate persons or organizations) on such terms and under such conditions as he deems appropriate, including the submission to him of such reports from persons or organizations to which such funds are disbursed as the Secretary considers necessary to protect the interests of the United States and assure that such funds have been used for the purpose for which they were disbursed.

Reports.

Approved November 1, 1973.

Public Law 93-145

AN ACT

November 1, 1973
[H. R. 6691]

Making appropriations for the legislative branch for the fiscal year ending June 30, 1974, and for other purposes.

Legislative Branch Appropriation Act, 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for the legislative branch for the fiscal year ending June 30, 1974, and for other purposes, namely:

SENATE

COMPENSATION AND MILEAGE OF THE VICE PRESIDENT AND SENATORS AND EXPENSE ALLOWANCES OF THE VICE PRESIDENT AND LEADERS OF THE SENATE

COMPENSATION AND MILEAGE OF THE VICE PRESIDENT AND SENATORS

For compensation and mileage of the Vice President and Senators of the United States, $4,781,505.

EXPENSE ALLOWANCES OF THE VICE PRESIDENT AND MAJORITY AND MINORITY LEADERS

For expense allowance of the Vice President, $10,000; Majority Leader of the Senate, $3,000; and Minority Leader of the Senate, $3,000; in all, $16,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, clerks to Senators, and others as authorized by law, including agency contributions and longevity compensation as authorized, which shall be paid from this appropriation without regard to the below limitations, as follows:

OFFICE OF THE VICE PRESIDENT

For clerical assistance to the Vice President, $430,200.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For offices of the Majority and Minority Leaders, $206,165.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For offices of the Majority and Minority Whips, $104,640.

OFFICE OF THE CHAPLAIN

For office of the Chaplain, $23,818: *Provided*, That effective July 1, 1973, the compensation of the Chaplain shall be $15,232 per annum in lieu of $10,064 per annum.

OFFICE OF THE SECRETARY

For office of the Secretary, $2,374,930, including $99,974 required for the purpose specified and authorized by section 74b of title 2, United States Code: *Provided*, That effective July 1, 1973, the Secretary may appoint and fix the compensation of a superintendent, public records office at not to exceed $25,568 per annum in lieu of a registration clerk at not to exceed $19,312 per annum; a clerk, public records office at not to exceed $12,240 per annum in lieu of a clerk at not to exceed $10,064 per annum; a chief auditor, public records office at not to exceed $13,872 per annum; an assistant superintendent, public records office at not to exceed $18,768 per annum; a secretary, public records office at not to exceed $13,872 per annum; and three technical assistants, public records office at not to exceed $11,152 per annum

60 Stat. 839.

each: *Provided further*, That effective July 1, 1973, the allowance for clerical assistance and readjustment of salaries in the disbursing office is increased by $28,832.

COMMITTEE EMPLOYEES

For professional and clerical assistance to standing committees and the Select Committee on Small Business, $7,745,665, including herein, from and after July 1, 1973, an additional clerical assistant for the Committee on Armed Services made permanent by Public Law 92–136, approved October 11, 1971: *Provided*, That effective July 1, 1973, the Committee on Rules and Administration is authorized to employ an additional assistant chief clerk: *Provided further*, That the Committee on Rules and Administration may authorize its chairman to designate one committee employee to approve in his behalf, all vouchers making payments from the contingent fund of the Senate, such approval to be deemed and held to be approval by the Committee on Rules and Administration for all intents and purposes.

85 Stat. 378.
2 USC 72a.

CONFERENCE COMMITTEES

For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, $153,070.

For clerical assistance to the Conference of the Minority, at rates of compensation to be fixed by the chairman of said committee, $153,070.

ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

For administrative and clerical assistants to Senators, $39,210,700.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

For office of the Sergeant at Arms and Doorkeeper, $9,577,985: *Provided*, That effective July 1, 1973, the Sergeant at Arms may appoint and fix the compensation of a chief video engineer at not to exceed $27,744 per annum in lieu of a video engineer at not to exceed $24,480 per annum; a computer center manager at not to exceed $26,656 per annum; four senior programer analysts at not to exceed $21,488 per annum each in lieu of two senior programer analysts at not to exceed such rate; two senior programer supervisors at not to exceed $25,568 per annum each; a lead analyst at not to exceed $22,032 per annum; a technical writer at not to exceed $16,048 per annum; a system supervisor at not to exceed $23,936 per annum; three systems programers at not to exceed $19,856 per annum each in lieu of one systems programer at not to exceed such rate; four computer specialists at not to exceed $18,224 per annum each; three support operators at not to exceed $12,512 per annum each; a supervisor operator at not to exceed $15,232 per annum; a systems clerk at not to exceed $10,064 per annum; four printing press operators at not to exceed $12,512 per

annum each; an assistant foreman, duplicating department at not to exceed $13,328 per annum; a senior pressman at not to exceed $12,512 per annum; a cameraman, duplicating department at not to exceed $12,512 per annum; eight folding machine operators at not to exceed $9,520 per annum each; eleven inserting machine operators at not to exceed $8,976 per annum each in lieu of ten inserting machine operators at not to exceed such rate; an assistant night foreman, duplicating department at not to exceed $9,792 per annum; eleven addressograph operators at not to exceed $9,520 per annum each in lieu of eight addressograph operators at not to exceed such rate; seventeen laborers, service department at not to exceed $7,888 per annum each in lieu of eight laborers at not to exceed such rate; a night foreman at not to exceed $10,064 per annum; six automatic typewriter repairmen at not to exceed $12,512 per annum each in lieu of four automatic typewriter repairmen at not to exceed such rate; fifty-seven mail carriers at not to exceed $9,520 per annum each in lieu of fifty-two mail carriers at not to exceed such rate; two mail specialists at not to exceed $10,336 per annum each; two inspectors, police force at not to exceed $22,304 per annum each, three additional captains, police force at not to exceed $19,312 per annum each, three additional lieutenants, police force at not to exceed $16,320 per annum each, fifteen additional sergeants, police force at not to exceed $13,600 per annum each, and four detectives, police force at not to exceed $11,968 per annum each in lieu of twenty-seven privates, police force at not to exceed $10,336 per annum each; and the Sergeant at Arms may fix the per annum compensation of the superintendent, service department at not to exceed $26,928 in lieu of $25,568, the per annum compensation of the assistant superintendent, service department at not to exceed $17,952 in lieu of $16,864, the per annum compensation of the night supervisor, service department at not to exceed $13,056 in lieu of $11,696, the per annum compensation of the chief machine operator at not to exceed $13,328 in lieu of $12,512, the per annum compensation of the assistant chief machine operator at not to exceed $11,968 in lieu of $11,152, the per annum compensation of the supervisor, addressograph section at not to exceed $12,512 in lieu of $11,696, the per annum compensation of the foreman, duplicating department at not to exceed $15,232 in lieu of $13,872, the per annum compensation of the night foreman, duplicating department at not to exceed $13,328 in lieu of $12,784, and the per annum compensation of the foreman of warehouse, service department at not to exceed $12,512 in lieu of $11,424.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For offices of the Secretary for the Majority and the Secretary for the Minority, $248,120.

AGENCY CONTRIBUTIONS AND LONGEVITY COMPENSATION

For agency contributions for employee benefits and longevity compensation, as authorized by law, $3,000,000.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the office of the Legislative Counsel of the Senate, $474,375.

CONTINGENT EXPENSES OF THE SENATE

SENATE POLICY COMMITTEES

For salaries and expenses of the Majority Policy Committee and the Minority Policy Committee, $310,215 for each such committee; in all, $620,430.

AUTOMOBILES AND MAINTENANCE

For purchase, lease, exchange, maintenance, and operation of vehicles, one for the Vice President, one for the President pro tempore, one for the Majority Leader, one for the Minority Leader, one for the Majority Whip, one for the Minority Whip, for carrying the mails, and for official use of the offices of the Secretary and Sergeant at Arms, $36,000.

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, including $511,710 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, $13,443,230, of which amount not to exceed $500,000 shall be available for obligations incurred in fiscal year 1973. 60 Stat. 831. 2 USC 190b.

FOLDING DOCUMENTS

For the employment of personnel for folding speeches and pamphlets at a gross rate of not exceeding $3.51 per hour per person, $74,475.

MISCELLANEOUS ITEMS

For miscellaneous items, $8,310,850.

POSTAGE STAMPS

For postage stamps for the offices of the Secretaries for the Majority and Minority, $320; Chaplain, $100; and for air mail and special delivery stamps for the office of the Secretary, $610; office of the Sergeant at Arms, $240; and the President of the Senate as authorized by law, $1,215; in all, $2,485.

STATIONERY (REVOLVING FUND)

For stationery for the President of the Senate, $3,600; for Senators under authority of section 506(f) of Public Law 92-607, approved October 31, 1972, $190; and for committees and officers of the Senate, $21,850; in all, $25,640. 86 Stat. 1507.

ADMINISTRATIVE PROVISIONS

Effective July 1, 1973, (1) the provisos contained in the paragraph "Office of the President pro tempore" under the heading "SENATE" in the Legislative Branch Appropriation Act, 1971, and the second proviso contained in the paragraph "Office of the Secretary" under the heading "SENATE" in the Legislative Branch Appropriation Act, 1970, insofar as it relates to the positions of Comptroller and Secretary to the Comptroller, are repealed, and (2) section 6(c) of the District of Columbia Traffic Act, 1925 (D.C. Code, sec. 40-603(c)), is amended by striking out "Comptroller of the Senate,". Repeals. 84 Stat. 807. 83 Stat. 340. 46 Stat. 1424; 83 Stat. 343.

The last full paragraph under the heading "Administrative Provisions" in the appropriations for the Senate in the Legislative Branch
85 Stat. 128. Appropriation Act, 1972, is amended by inserting immediately before "captains" the following: "inspectors,".

The Secretary of the Senate is hereafter authorized to designate, in writing, employees of the Disbursing Office of the Senate to administer oaths and affirmations, with respect to matters relating to that Office, authorized or required by law or rules or orders of the Senate (including the oath of office required by section 3331 of title 5, United States
80 Stat. 424. Code). During any period in which he is so designated, any such employee may administer such oaths and affirmations.

84 Stat. 1195. Subsection (c) of section 5533 of title 5, United States Code, is amended—

(1) by inserting in paragraph (1), immediately after "paragraph (2)", the following "or (4)"; and

(2) by adding at the end thereof the following new paragraph:

"(4) Paragraph (1) of this subsection does not apply to pay on a when-actually-employed basis received from more than one consultant or expert position if the pay is not received for the same day."

Effective January 1, 1973, and thereafter, section 506 of the Supplemental Appropriations Act, 1973, is amended (1) by inserting in subsection (a)(7), immediately after "subscriptions to", the following: "newspapers,", and (2) by inserting in subsection (h)(4), immediately before the semicolon at the end thereof, a comma and the following: "insofar as such section has application to Senators".

Section 105(e)(2)(B) of the Legislative Branch Appropriation
81 Stat. 143. Act, 1968, as amended, and as modified by the Orders of the President pro tempore of the Senate (2 U.S.C. 61–1(e)(2)(B)), is amended by striking out "$20,400" and inserting in lieu thereof "$18,224".

Effective July 1, 1973, (1) the table contained in section 105(d)(1)
85 Stat. 633. of the Legislative Branch Appropriation Act, 1968, as amended and modified, is amended to read as follows:

"$352,240 if the population of his State is less than 2,000,000;

"$362,848 if such population is 2,000,000 but less than 3,000,000;

"$388,416 if such population is 3,000,000 but less than 4,000,000;

"$421,328 if such population is 4,000,000 but less than 5,000,000;

"$448,256 if such population is 5,000,000 but less than 7,000,000;

"$476,544 if such population is 7,000,000 but less than 9,000,000;

"$507,280 if such population is 9,000,000 but less than 10,000,000;

"$530,944 if such population is 10,000,000 but less than 11,000,000;

"$561,952 if such population is 11,000,000 but less than 12,000,000;

"$585,616 if such population is 12,000,000 but less than 13,000,000;

"$615,808 if such population is 13,000,000 but less than 15,000,000;

"$646,000 if such population is 15,000,000 but less than 17,000,000;

"$676,192 if such population is 17,000,000 or more."

and (2) section 105(d)(2) of such Act is amended (A) by striking out clauses (i) and (ii), (B) by striking out "(iii)" and "two employees" in clause (iii) and inserting in lieu thereof "(i)" and "five employees", respectively, and (C) by striking out "(iv)" and inserting in lieu thereof "(ii)".

Effective January 1, 1974, section 105(d)(1) of the Legislative Branch Appropriation Act, 1968, as amended by the preceding paragraph, is amended to read as follows: *Ante*, p. 532.

"(1)(A) Commencing January 1, 1974, the aggregate of gross compensation paid employees in the office of a Senator shall not exceed during each calendar year the following:

"$352,240 if the population of his State is less than 2,000,000;

"$362,848 if such population is 2,000,000 but less than 3,000,000;

"$388,416 if such population is 3,000,000 but less than 4,000,000;

"$421,328 if such population is 4,000,000 but less than 5,000,000;

"$448,256 if such population is 5,000,000 but less than 7,000,000;

"$476,544 if such population is 7,000,000 but less than 9,000,000;

"$507,280 if such population is 9,000,000 but less than 10,000,000;

"$530,944 if such population is 10,000,000 but less than 11,000,000;

"$561,952 if such population is 11,000,000 but less than 12,000,000;

"$585,616 if such population is 12,000,000 but less than 13,000,000;

"$615,808 if such population is 13,000,000 but less than 15,000,000;

"$646,000 if such population is 15,000,000 but less than 17,000,000;

$676,192 if such population is 17,000,000 or more.

In any calendar year in which a Senator does not hold the office of Senator at least part of each month of that year, the aggregate amount available for gross compensation of employees in the office of that Senator shall be the applicable amount contained in the table included in this subparagraph, divided by 12, and multiplied by the number of months the Senator holds such office during that calendar year, counting any fraction of a month as a full month.

"(B) The aggregate of payments of gross compensation made to employees in the office of a Senator during each calendar year shall not exceed at any time during such calendar year one-twelfth of the applicable amount contained in the table included in subparagraph (A) of this paragraph multiplied by the number of months (counting a fraction of a month as a month) elapsing from the first month in that calendar year in which the Senator holds the office of Senator through the end of the current month for which the payment of gross compensation is to be made."

Effective October 1, 1973, any rate of compensation increased or established under the headings "Office of the Chaplain", "Office of the Secretary", and "Office of Sergeant at Arms and Doorkeeper", and any new dollar limitation contained in amendments made by the sixth and seventh full unnumbered paragraphs under this heading "ADMINISTRATIVE PROVISIONS", are increased in accordance with the Order of the President pro tempore of the Senate of October 4, 1973. Effective January 1, 1974, the dollar limitations contained in the amendment made by the eighth full unnumbered paragraph under this heading "ADMINISTRATIVE PROVISIONS" are increased in accordance with the applicable dollar limitations contained in such order.

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Norma Lea Mills, widow of William O. Mills, late a Representative from the State of Maryland, $42,500.

SALARIES, MILEAGE FOR THE MEMBERS, AND EXPENSE ALLOWANCE OF THE SPEAKER

COMPENSATION OF MEMBERS

For compensation of Members, as authorized by law (wherever used herein the term "Member" shall include Members of the House of Representatives, the Resident Commissioner from Puerto Rico, the Delegate from the District of Columbia, the Delegate from Guam, and the Delegate from the Virgin Islands), $20,365,720.

MILEAGE OF MEMBERS AND EXPENSE ALLOWANCE OF THE SPEAKER

For mileage of Members and expense allowance of the Speaker, as authorized by law, $220,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers and employees, as authorized by law, as follows:

OFFICE OF THE SPEAKER

For the Office of the Speaker, $243,145.

OFFICE OF THE PARLIAMENTARIAN

For the Office of the Parliamentarian, $182,020, including the Parliamentarian and $2,000 for preparing the Digest of the Rules, as authorized by law.

COMPILATION OF PRECEDENTS OF HOUSE OF REPRESENTATIVES

For compiling the precedents of the House of Representatives, $25,000.

OFFICE OF THE CHAPLAIN

For the Office of the Chaplain, $19,770.

OFFICE OF THE CLERK

For the Office of the Clerk, including not to exceed $265,572 for the House Recording Studio, $3,264,730.

OFFICE OF THE SERGEANT AT ARMS

For the Office of the Sergeant at Arms, $6,166,935.

OFFICE OF THE DOORKEEPER

For the Office of the Doorkeeper, $2,793,565.

OFFICE OF THE POSTMASTER

For the Office of the Postmaster, including $14,490 for employment of substitute messengers and extra services of regular employees when required at the salary rate of not to exceed $7,919 per annum each, $857,535.

COMMITTEE EMPLOYEES

For committee employees, including the Committee on Appropriations, $8,125,000.

SPECIAL AND MINORITY EMPLOYEES

For six minority employees, $205,725.

For the House Democratic Steering Committee, $66,440.

For the House Republican Conference, $66,440.

For the office of the majority floor leader, including $3,000 for official expenses of the majority leader, $149,805.

For the office of the minority floor leader, including $3,000 for official expenses of the minority leader, $133,190.

For the office of the majority whip, $107,810.

For the office of the minority whip, $107,810.

For two printing clerks, one for the majority caucus room and one for the minority caucus room, to be appointed by the majority and minority leaders, respectively, $24,455, to be equally divided.

For a technical assistant in the office of the attending physician, to be appointed by the attending physician, subject to the approval of the Speaker, $21,975.

OFFICIAL REPORTERS OF DEBATES

For official reporters of debates, $415,455.

OFFICIAL REPORTERS TO COMMITTEES

For official reporters to committees, $502,425.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses, studies and examinations of executive agencies, by the Committee on Appropriations, and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act, 1946, and to be available for reimbursement to agencies for services performed, $1,612,000.

60 Stat. 834.
2 USC 72a.

OFFICE OF THE LEGISLATIVE COUNSEL

For salaries and expenses of the Office of the Legislative Counsel of the House, $958,000.

MEMBERS' CLERK HIRE

For staff employed by each Member in the discharge of his official and representative duties, $63,262,000.

CONTINGENT EXPENSES OF THE HOUSE

FURNITURE

For purchase and repair of furniture, carpets and draperies, including supplies, tools and equipment for repair shops; and for purchase of packing boxes, $733,000.

MISCELLANEOUS ITEMS

For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including such amounts for transfer to the House of Representatives Restaurant Fund as may be necessary for the purposes authorized by section 2 of House Resolution 317, Ninety-second Congress; purchase, exchange, operation, maintenance, and repair of the Clerk's motor vehicles, the publications

and distribution service motor truck, and the post office motor vehicles for carrying the mails; the sum of $850 for hire of automobile for the Sergeant at Arms; not to exceed $5,000 for the purposes authorized by section 1 of House Resolution 348, approved June 29, 1961; purposes authorized by House Resolution 416, Eighty-ninth Congress; materials for folding; and for stationery for the use of committees, departments, and officers of the House; $8,500,000.

GOVERNMENT CONTRIBUTIONS

For contributions to employees life insurance fund, retirement fund, and health benefits fund, as authorized by law, $5,770,000, and in addition, such amount as may be necessary may be transferred from the preceding appropriation for "miscellaneous items".

REPORTING HEARINGS

For stenographic reports of hearings of committees other than special and select committees, $422,500.

SPECIAL AND SELECT COMMITTEES

For salaries and expenses of special and select committees authorized by the House, $12,675,000.

TELEGRAPH AND TELEPHONE

For telegraph and telephone service, exclusive of personal services, $4,500,000.

STATIONERY (REVOLVING FUND)

For a stationery allowance for each Member for the second session of the Ninety-third Congress, as authorized by law, $1,865,750, to remain available until expended.

POSTAGE STAMP ALLOWANCES

Postage stamp allowances for the second session of the Ninety-third Congress, as follows: Clerk, $1,460; Sergeant at Arms, $1,090; Doorkeeper, $910; Postmaster, $730; each Member, the Speaker, the majority and minority leaders, the majority and minority whips, and each standing committee, as authorized by law; $419,330.

REVISION OF LAWS

For preparation and editing of the laws as authorized by 1 U.S.C. 202, 203, 213, $39,980, to be expended under the direction of the Committee on the Judiciary.

61 Stat. 637.

LEADERSHIP AUTOMOBILES

For purchase, exchange, hire, driving, maintenance, repair, and operation of an automobile for the Speaker, $18,780.

For purchase, exchange, hire, driving, maintenance, repair, and operation of an automobile for the majority leader of the House, $18,780.

For purchase, exchange, hire, driving, maintenance, repair, and operation of an automobile for the minority leader of the House, $18,780.

NEW EDITION OF THE UNITED STATES CODE

For preparation of a new edition of the United States Code, $100,000 to remain available until expended, and to be expended under the direction of the Committee on the Judiciary.

ADMINISTRATIVE PROVISIONS

The provisions of House Resolution 13, Ninety-third Congress, relating to compensation for the employment of one additional official reporter of debates, House of Representatives, shall be the permanent law with respect thereto.

The provisions of House Resolution 92, Ninety-third Congress, relating to the appointment, compensation and expenses of special counsel to represent the Clerk and the interests of the House, shall be the permanent law with respect thereto.

JOINT ITEMS

For joint committees, as follows:

JOINT COMMITTEE ON REDUCTION OF FEDERAL EXPENDITURES

For an amount to enable the Joint Committee on Reduction of Federal Expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the Committee, $72,760, to be disbursed by the Secretary of the Senate. 79 Stat. 1026.

CONTINGENT EXPENSES OF THE SENATE

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $768,415.

For an amount (to be disbursed by the Secretary of the Senate on vouchers signed by the chairman or vice chairman and the chairman of the subcommittee) additional to amounts heretofore appropriated to enable the Subcommittee on Fiscal Policy, under authority of the Employment Act of 1946 (60 Stat. 23, sec. 5), to undertake a study to develop reliable, comprehensive, and factual information concerning welfare programs and needs in the United States, $50,000; and in addition not to exceed $135,000 of the unobligated balance of the appropriation for this purpose for the fiscal year 1971, continued available until June 30, 1973, is hereby continued available until June 30, 1974. 81 Stat. 4. 15 USC 1024.

JOINT COMMITTEE ON ATOMIC ENERGY

For salaries and expenses of the Joint Committee on Atomic Energy, $499,410.

JOINT COMMITTEE ON PRINTING

For salaries and expenses of the Joint Committee on Printing, $300,620.

JOINT COMMITTEE ON INAUGURAL CEREMONIES, 1973

For expenses of the Joint Committee on Inaugural Ceremonies, 1973, $10,000, to remain available through September 30, 1973.

CONTINGENT EXPENSES OF THE HOUSE

JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

For salaries and expenses of the Joint Committee on Internal Revenue Taxation, $937,720.

JOINT COMMITTEE ON DEFENSE PRODUCTION

64 Stat. 798. 50 USC app. 2061.

For salaries and expenses of the Joint Committee on Defense Production as authorized by the Defense Production Act of 1950, as amended, $139,980.

JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

For salaries and expenses of the Joint Committee on Congressional Operations, including the Office of Placement and Office Management, $530,000.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the attending physician and his assistants, including (1) an allowance of one thousand dollars per month to the attending physician; (2) an allowance of six hundred dollars per month to one senior medical officer while on duty in the attending physician's office; (3) an allowance of two hundred dollars per month each to two medical officers while on duty in the attending physician's office; (4) an allowance of two hundred dollars per month each to not exceed eight assistants on the basis heretofore provided for such assistants; and (5) an allowance of $12,000 to be available for a medical consultant, $97,700.

CAPITOL POLICE

GENERAL EXPENSES

For purchasing and supplying uniforms; the purchase, maintenance, and repair of police motor vehicles, including two-way police radio equipment; contingent expenses, including $25 per month for extra services performed for the Capitol Police Board by such member of the staff of the Sergeant at Arms of the Senate or the House as may be designated by the Chairman of the Board; $304,295.

CAPITOL POLICE BOARD

To enable the Capitol Police Board to provide additional protection for the Capitol Buildings and Grounds, including the Senate and House Office Buildings and the Capitol Power Plant, $1,214,255. Such sum shall be expended only for payment of salaries and other expenses of personnel detailed from the Metropolitan Police of the District of Columbia, and the Commissioner of the District of Columbia is authorized and directed to make such details upon the request of the Board. Personnel so detailed shall, during the period of such detail, serve under the direction and instructions of the Board and are authorized to exercise the same authority as members of such Metropolitan Police and members of the Capitol Police and to perform such other duties as may be assigned by the Board. Reimbursement for salaries and other expenses of such detail personnel shall be made

Detailed personnel.

Reimbursement.

to the government of the District of Columbia, and any sums so reimbursed shall be credited to the appropriation or appropriations from which such salaries and expenses are payable and shall be available for all the purposes thereof: *Provided*, That any person detailed under the authority of this paragraph or under similar authority in the Legislative Branch Appropriation Act, 1942, and the Second Deficiency Appropriation Act, 1940, from the Metropolitan Police of the District of Columbia shall be deemed a member of such Metropolitan Police during the period or periods of any such detail for all purposes of rank, pay, allowances, privileges, and benefits to the same extent as though such detail had not been made, and at the termination thereof any such person shall have a status with respect to rank, pay, allowances, privileges, and benefits which is not less than the status of such person in such police at the end of such detail: *Provided further*, That the Commissioner of the District of Columbia is directed (1) to elevate and pay the deputy chief detailed under the authority of this paragraph and serving as Chief of the Capitol Police, to the rank and salary of assistant chief plus $2,000 and such increases in basic compensation as may be subsequently provided by law so long as this position is held by the present incumbent, (2) to elevate and pay the two acting inspectors detailed under the authority of this paragraph and serving as assistants to the Chief of the Capitol Police to the rank and salary of deputy chief and such increases in basic compensation as may be subsequently provided by law so long as these positions are held by the present incumbents, (3) to elevate and pay the captain detailed under the authority of this paragraph to the rank and salary of inspector plus $1,625 and such increases in basic compensation as may be subsequently provided by law so long as this position is held by the present incumbent, (4) to elevate and pay the lieutenant detailed under the authority of this Act and supervising the plainclothes officers, the rank and salary of captain plus $1,625 per annum and such increases in basic compensation as may be subsequently provided by law so long as this position is held by the present incumbent, (5) to pay the lieutenant detailed under the authority of this Act the salary of lieutenant plus $1,625 and such increases in basic compensation as may be subsequently provided by law so long as this position is held by the present incumbent, (6) to pay the four detective sergeants serving under the authority of this Act the salary of the rank of detective sergeant and such increases in basic compensation as may be provided by law so long as these positions are held by the present incumbents, (7) to pay the two sergeants of the uniform force serving under the authority of this Act, the salary of sergeants and such increases in basic compensation as may be subsequently provided by law so long as these two positions are held by the present incumbents, and (8) to elevate and pay the acting desk sergeant permanently detailed under the authority of this Act, the salary of the rank of sergeant and such increases in basic compensation as may be subsequently provided by law so long as this position is held by the present incumbent.

55 Stat. 456.
54 Stat. 629.

No part of any appropriation contained in this Act shall be paid as compensation to any person appointed after June 30, 1935, as an officer or member of the Capitol Police who does not meet the standards to be prescribed for such appointees by the Capitol Police Board: *Provided*, That the Capitol Police Board is hereby authorized to detail police from the House Office, Senate Office, and Capitol buildings for police duty on the Capitol Grounds and on the Library of Congress Grounds.

EDUCATION OF PAGES

For education of congressional pages and pages of the Supreme Court, pursuant to part 9 of title IV of the Legislative Reorganization Act, 1970, and section 243 of the Legislative Reorganization Act, 1946, $161,100, which amount shall be advanced and credited to the applicable appropriation of the District of Columbia, and the Board of Education of the District of Columbia is hereby authorized to employ such personnel for the education of pages as may be required and to pay compensation for such services in accordance with such rates of compensation as the Board of Education may prescribe.

84 Stat. 1198.
2 USC 88b-1 and note; 40 USC 184a.
60 Stat. 839.
2 USC 88a.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs pursuant to title 39, U.S.C., section 3216, $30,500,000, to be available immediately.

The foregoing amounts under "other joint items" shall be disbursed by the Clerk of the House.

84 Stat. 754; 85 Stat. 132.

CAPITOL GUIDE SERVICE

For salaries and expenses of the Capital Guide Service $320,225, to be disbursed by the Secretary of the Senate: *Provided*, That none of these funds shall be used to employ more than twenty-eight individuals.

STATEMENTS OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives, of the statements for the first session of the Ninety-third Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills as required by law, $13,000, to be paid to the persons designated by the chairman of such committees to supervise the work.

OFFICE OF TECHNOLOGY ASSESSMENT

SALARIES AND EXPENSES

For salaries and expenses necessary to carry out the provisions of the Technology Assessment Act of 1972 (Public Law 92-484), $2,000,000.

86 Stat. 797.
2 USC 471 note.

ARCHITECT OF THE CAPITOL

OFFICE OF THE ARCHITECT OF THE CAPITOL

SALARIES

For the Architect of the Capitol; the Assistant Architect of the Capitol; the Executive Assistant; and other personal services; at rates of pay provided by law, $1,250,000.

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of $20,000.

CONTINGENT EXPENSES

To enable the Architect of the Capitol to make surveys and studies and to meet unforeseen expenses in connection with activities under his care, $75,000.

CAPITOL BUILDINGS AND GROUNDS

CAPITOL BUILDINGS

For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including improvements, maintenance, repair, equipment, supplies, material, fuel, oil, waste, and appurtenances; furnishings and office equipment; special and protective clothing for workmen; uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902); personal and other services; cleaning and repairing works of art without regard to section 3709 of the Revised Statutes, as amended; purchase or exchange, maintenance and operation of a passenger motor vehicle; purchase of necessary reference books and periodicals; for expenses of attendance, when specifically authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol, $4,535,000.

80 Stat. 508; 81 Stat. 206.

41 USC 5.

Not to exceed $10,000 of the unobligated balance of the appropriation under this head for the fiscal year 1973 is hereby continued available until June 30, 1974.

Not to exceed $105,000 of the unobligated balance of that part of the appropriation under this head for the fiscal year 1971, continued available until June 30, 1973, is hereby continued available until June 30, 1974.

CAPITOL GROUNDS

For care and improvement of grounds surrounding the Capitol, the Senate and House Office Buildings, and the Capitol Power Plant; personal and other services; care of trees; planting; fertilizer; repairs to pavements, walks, and roadways; waterproof wearing apparel; maintenance of signal lights; and for snow removal by hire of men and equipment or under contract without regard to section 3709 of the Revised Statutes, as amended; $1,337,000 of which $250,000 shall be available for modifications to and replacement of existing traffic signals and installation of additional traffic signals and all items appurtenant thereto in the Capitol Grounds and also at street intersections in the vicinity of such grounds and buildings under the jurisdiction of the Architect of the Capitol deemed necessary for proper coordination of traffic control, conforming to similar installations planned by the District government for other areas of the District of Columbia designed in accordance with the 1971 edition of the Manual on Uniform Control Devices for Streets and Highways approved by the Federal Highway Administrator under title 23, United States Code.

72 Stat. 885. 23 USC 101 *et seq.*

SENATE OFFICE BUILDINGS

For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel, and for personal and other services; for the care and operation of the Senate Office Buildings; including the subway and subway transportation systems connecting the Senate Office Buildings with the Capitol; uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902), prevention and eradication of insect and other pests without regard to section 3709 of the Revised Statutes as amended; to be expended under the control and supervision of the Architect of the Capitol in all, $6,460,200.

EXTENSION OF ADDITIONAL SENATE OFFICE BUILDING SITE

The unobligated balance of $174,000 on June 30, 1973, of the appropriation under this head in the Legislative Branch Appropriation Act, 1970, unavailable for obligation beyond such date under the provisions of the Legislative Branch Appropriation Act, 1973, is hereby continued available until expended.

83 Stat. 352.
86 Stat. 432.

SENATE GARAGE

For maintenance, repairs, alterations, personal and other services, and all other necessary expenses, $97,000.

HOUSE OFFICE BUILDINGS

For maintenance, including equipment; waterproof wearing apparel; uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902); prevention and eradication of insect and other pests without regard to section 3709 of the Revised Statutes, as amended; miscellaneous items; and for all necessary services, including the position of Superintendent of Garages as authorized by law, $8,828,700.

80 Stat. 508; 81 Stat. 206. 41 USC 5.

From and after April 1, 1973, the compensation of the Superintendent of Garages shall be at the gross annual rate of $25,000 subject to the further increases authorized under 5 U.S.C. 5307(a)(1)(B) relating to the implementation of salary comparability policy.

84 Stat. 1950.

Not to exceed $100,000 of the unobligated balance of the appropriation under this head for the fiscal year 1972, continued available until June 30, 1973, is hereby continued available until June 30, 1974.

CAPITOL POWER PLANT

For lighting, heating, and power (including the purchase of electrical energy) for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, Senate garage, and for air-conditioning refrigeration not supplied from plants in any of such buildings; for heating the Government Printing Office, Washington City Post Office, and Folger Shakespeare Library, reimbursement for which shall be made and covered into the Treasury; personal and other services, fuel, oil, materials, waterproof wearing apparel, and all other necessary expenses in connection with the maintenance and operation of the plant; $5,206,700.

Not to exceed $80,000 of the unobligated balance of the appropriation under this head for the fiscal year 1972, continued available until June 30, 1973, is hereby continued available until June 30, 1974.

LIBRARY BUILDINGS AND GROUNDS

STRUCTURAL AND MECHANICAL CARE

For necessary expenditures for mechanical and structural maintenance, including improvements, equipment, supplies, waterproof wearing apparel, and personal and other services, $1,593,800.

Not to exceed $196,000 of the unobligated balance of the appropriation under this head for the fiscal year 1973 is hereby continued available until June 30, 1974.

BOTANIC GARDEN

SALARIES AND EXPENSES

For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden and the nurseries, buildings, grounds, collections, and equipment pertaining thereto, including personal services; waterproof wearing apparel; not to exceed $25 for emergency medical supplies; traveling expenses, including bus fares, not to exceed $275; the prevention and eradication of insect and other pests and plant diseases by purchase of materials and procurement of personal services by contract without regard to the provisions of any other Act; purchase and exchange of motor trucks; purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; purchase of botanical books, periodicals, and books of reference, not to exceed $100; all under the direction of the Joint Committee on the Library; $860,200.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress, not otherwise provided for, including development and maintenance of the Union Catalogs; custody, care, and maintenance of the Library Buildings; special clothing; cleaning, laundering, and repair of uniforms; preservation of motion pictures in the custody of the Library; for the National Program for acquisition and cataloging of Library material; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $39,458,000, including $397,000 to be available for reimbursement to the General Services Administration for rental of suitable space in the District of Columbia or its immediate environs for the Library of Congress.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, including publication of the decisions of the United States courts involving copyrights, $5,139,000.

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946, as amended by section 321 of the Legislative Reorganization Act of 1970, (2 U.S.C. 166), $10,927,000: *Provided*, That no part of this appropriation may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration or the Senate Committee on Rules and Administration. 84 Stat. 1181.

DISTRIBUTION OF CATALOG CARDS

SALARIES AND EXPENSES

For necessary expenses for the preparation and distribution of catalog cards and other publications of the Library, $10,343,000: *Provided*, That $200,000 of this appropriation shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), only to the extent necessary to provide for expenses (excluding permanent personal services) for workload increases not anticipated in the budget estimates and which cannot be provided for by normal budgetary adjustments.

BOOKS FOR THE GENERAL COLLECTIONS

For necessary expenses (except personal services) for acquisition of books, periodicals, and newspapers, and all other material for the increase of the Library, $1,194,650, to remain available until expended, including $25,000 to be available solely for the purchase, when specifically approved by the Librarian, of special and unique materials for additions to the collections.

BOOKS FOR THE LAW LIBRARY

For necessary expenses (except personal services) for acquisition of books, legal periodicals, and all other material for the increase of the law library, $208,500, to remain available until expended.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the provisions of the Act approved March 3, 1931 (2 U.S.C. 135a), as amended, $9,805,000.

80 Stat. 330.

COLLECTION AND DISTRIBUTION OF LIBRARY MATERIALS

(SPECIAL FOREIGN CURRENCY PROGRAM)

For necessary expenses for carrying out the provisions of section 104(b)(5) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704), to remain available until expended, $2,267,000, of which $1,971,400 shall be available only for payments in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States.

80 Stat. 1528.

FURNITURE AND FURNISHINGS

For necessary expenses for the purchase and repair of furniture, furnishings, office and library equipment, $2,868,000, of which $2,325,000 shall be available until expended only for the purchase and supply of furniture, book stacks, shelving, furnishings, and related costs necessary for the initial outfitting of the James Madison Memorial Library Building.

REVISION OF ANNOTATED CONSTITUTION

SALARIES AND EXPENSES

For necessary expenses to enable the Librarian to revise and extend the Annotated Constitution of the United States of America, $29,000, to remain available until expended.

REVISION OF HINDS' AND CANNON'S PRECEDENTS

SALARIES AND EXPENSES

For necessary expenses to enable the Librarian to assist the Parliamentarian of the House of Representatives to revise and update Hinds' and Cannon's Precedents, $132,000.

ADMINISTRATIVE PROVISIONS

Appropriations in this Act available to the Library of Congress for salaries shall be available for expenses of investigating the loyality of Library employees; special and temporary services (including employees engaged by day or hour or in piecework); and services as authorized by 5 U.S.C. 3109. 80 Stat. 416.

Not to exceed fifteen positions in the Library of Congress may be exempt from the provisions of appropriation Acts concerning the employment of aliens during the current fiscal year, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointments a person in any of the categories specified in such provisions who possesses the special qualifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress. Aliens, employment.

Funds available to the Library of Congress may be expended to reimburse the Department of State for medical services rendered to employees of the Library of Congress stationed abroad and for contracting on behalf of and hiring alien employees for the Library of Congress under compensation plans comparable to those authorized by section 444 of the Foreign Service Act of 1946, as amended (22 U.S.C. 889(a)); for purchase or hire of passenger motor vehicles; for payment of travel, storage and transportation of household goods, and transportation and per diem expenses for families en route (not to exceed twenty-four); for benefits comparable to those payable under sections 911(9), 911(11), and 941 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1136(9), 1136(11), and 1156, respectively); and travel benefits comparable with those which are now or hereafter may be granted single employees of the Agency for International Development, including single Foreign Service personnel assigned to A.I.D. projects, by the Administrator of the Agency for International Development—or his designee—under the authority of section 636(b) of the Foreign Assistance Act of 1961 (Public Law 87–195, 22 U.S.C. 2396(b)); subject to such rules and regulations as may be issued by the Librarian of Congress. 74 Stat. 831. 75 Stat. 464; 81 Stat. 671; 70 Stat. 706. 75 Stat. 457.

Payments in advance for subscriptions or other charges for bibliographical data, publications, materials in any other form, and services may be made by the Librarian of Congress whenever he determines it to be more prompt, efficient, or economical to do so in the interest of carrying out required Library programs. Advance payments.

Appropriations in this Act available to the Library of Congress shall be available, in an amount not to exceed $50,000, when specifically authorized by the Librarian, for expenses of attendance at meetings concerned with the function or activity for which the appropriation is made.

GOVERNMENT PRINTING OFFICE

PRINTING AND BINDING

For authorized printing and binding for the Congress; for printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional

82 Stat. 1256. Record, as authorized by law (44 U.S.C. 902); printing, binding, and distribution of the Federal Register (including the Code of Federal
82 Stat. 1277. Regulations) as authorized by law (44 U.S.C. 1509, 1510); and printing and binding of Government publications authorized by law to be distributed without charge to the recipients; $64,000,000: *Provided*, That this appropriation shall not be available for printing and binding part 2 of the annual report of the Secretary of Agriculture (known as the Yearbook of Agriculture): *Provided further*, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years.

Hereafter, appropriations for authorized printing and binding for Congress shall not be available under the authority of the Act of
82 Stat. 1256; October 22, 1968 (44 U.S.C. 906) for the printing, publication, and
84 Stat. 303. distribution of more than one copy of the bound permanent editions of the Congressional Record for the Vice President and each Member of the Senate and House of Representatives.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

For necessary expenses of the Office of Superintendent of Documents, including compensation of all employees in accordance with
82 Stat. 1240; the provisions of 44 U.S.C. 305; travel expenses (not to exceed
84 Stat. 693. $88,300); price lists and bibliographies; repairs to buildings, elevators, and machinery; and supplying books to depository libraries; $36,471,000: *Provided*, That $200,000 of this appropriation shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), with the approval of the Public Printer, only to the extent necessary to provide for expenses (excluding permanent personal services) for workload increases not anticipated in the budget estimates and which cannot be provided for by normal budgetary adjustments.

ACQUISITION OF SITE

For necessary expenses for acquisition of site for the Government Printing Office, $4,600,000, to remain available until expended.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

For payment to the "Government Printing Office revolving fund"; $7,400,000, to remain available until expended, for improving electrical and air-conditioning systems, and building structures.

The Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Govern-
61 Stat. 584. ment Corporation Control Act, as amended, as may be necessary in
31 USC 849. carrying out the programs and purposes set forth in the budget for the current fiscal year for the "Government Printing Office revolving fund": *Provided*, That not to exceed $3,500 may be expended on the certification of the Public Printer in connection with special studies of governmental printing, binding, and distribution practices and procedures: *Provided further*, That during the current fiscal year the revolving fund shall be available for the hire of two passenger motor vehicles and the purchase of one passenger motor vehicle.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

For necessary expenses of the General Accounting Office, including not to exceed $3,500 to be expended on the certification of the Comptroller General of the United States in connection with special studies of governmental financial practices and procedures; services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for grade GS–18; hire of one passenger motor vehicle; advance payments in foreign countries notwithstanding section 3648, Revised Statutes, as amended (31 U.S.C. 529); benefits comparable to those payable under section 911(9), 911 (11) and 942(a) of the Foreign Service Act of 1946, as amended (22 U.S.C. 1136(9), 1136(11) and 1157(a), respectively); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries and travel benefits comparable with those which are now or hereafter may be granted single employees of the Agency for International Development, including single Foreign Service personnel assigned to A.I.D. projects, by the Administrator of the Agency for International Development—or his designee—under the authority of section 636(b) of the Foreign Assistance Act of 1961 (Public Law 87–195, 22 U.S.C. 2396(b)), $103,850,000.

80 Stat. 416.
5 USC 5332 note.
75 Stat. 464; 81 Stat. 671.
75 Stat. 457.

COST-ACCOUNTING STANDARDS BOARD

SALARIES AND EXPENSES

For expenses of the Cost-Accounting Standards Board necessary to carry out the provisions of section 719 of the Defense Production Act of 1950, as amended (Public Law 91–379, approved August 15, 1970), $1,500,000.

84 Stat. 796.
50 USC app. 2168.

GENERAL PROVISIONS

SEC. 102. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations issued by the House of Representatives Select Committee To Regulate Parking on the House Side of the Capitol.

SEC. 103. Whenever any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for herein or whenever the rate of compensation or designation of any position appropriated for herein is different from that specifically established for such position by such Act, the rate of compensation and the designation of the position, or either, appropriated for or provided herein, shall be the permanent law with respect thereto: *Provided*, That the provisions herein for the various items of official expenses of Members, officers, and committees of the Senate and House, and clerk hire for Senators and Members shall be the permanent law with respect thereto.

46 Stat. 32.
2 USC 60a note.

SEC. 104. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Fiscal year limitation.

This Act may be cited as the "Legislative Branch Appropriation Act, 1974".

Short title.

Approved November 1, 1973.

Public Law 93-146

November 3, 1973
[S. 2016]

AN ACT

To amend the Rail Passenger Service Act of 1970 to provide financial assistance to the National Railroad Passenger Corporation, and for other purposes.

Amtrak Improvement Act of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Amtrak Improvement Act of 1973".

84 Stat. 1328.

SEC. 2. Section 102 of the Rail Passenger Service Act of 1970 (45 U.S.C. 502), relating to definitions, is amended—

(1) by striking out paragraph (5), relating to the definition of intercity rail passenger service, and inserting in lieu thereof the following:

"Intercity rail passenger service."

"(5) 'Intercity rail passenger service' means all rail passenger service other than commuter and other short-haul service in metropolitan and suburban areas, usually characterized by reduced fare, multiple-ride and commutation tickets, and by morning and evening peak period operations."; and

(2) by adding at the end thereof the following new paragraph:

"Auto-ferry service."

"(9) 'Auto-ferry service' means intercity rail passenger service characterized by transportation of automobiles and their occupants.".

Board of directors.
84 Stat. 1330.

SEC. 3. (a) Section 303(a) of the Rail Passenger Service Act of 1970 (45 U.S.C. 543(a)), relating to the board of directors, is amended to read as follows:

"(a)(1) The Corporation shall have a board of directors consisting of seventeen individuals who are citizens of the United States selected as follows:

"(A) The Secretary of Transportation, ex officio.

"(B) Nine members appointed by the President, by and with the advice and consent of the Senate, to serve for terms of four years or until their successors have been appointed and qualified, of whom not more than five shall be appointed from the same political party.

"(C) Three members elected annually by the common stockholders of the Corporation.

"(D) Four members elected annually by the preferred stockholders of the Corporation, which members shall be elected as soon as practicable after the first issuance of preferred stock by the Corporation.

Vacancy.

"(2) Any vacancy in the membership of the board shall be filled in the same manner as in the case of the original selection; except that any member appointed by the President under paragraph (1)(B) of this subsection to fill a vacancy shall be appointed only for the unexpired term of the member he is appointed to succeed.

Chairman.

"(3) The board shall elect one of its members annually to serve as Chairman.

"(4) Not less than three members appointed by the President shall be designated by him, at the time of their appointment, to serve as consumer representatives, of whom not more than two shall be members of the same political party.

"(5) Each member not employed by the Federal Government shall receive compensation at the rate of $300 for each meeting of the board he attends. In addition, each member shall be reimbursed for necessary travel and subsistence expenses incurred in attending meetings of the board.

"(6) No member elected by railroads shall vote on any action of the board relating to any contract or operating relationship between the Corporation and a railroad, but he may be present at meetings of the

board at which such matters are voted upon, and he may be included for purposes of determining a quorum and may participate in discussions at any such meeting.

Prohibitions.

"(7) No member appointed by the President may—

"(A) have any direct or indirect financial or employment relationship with any railroad, nor

"(B) have any significant direct or indirect financial relationship, or any direct or indirect employment relationship, with any person engaged in the transportation of passengers in competition with the Corporation, during the time that he serves on the board.

Quorum.

"(8) Pending the election of the four members by the preferred stockholders of the Corporation under paragraph (1)(D) of this subsection, seven members shall constitute a quorum for the purpose of conducting the business of the board.

"(9) Any vacancy in the membership of the board of directors required to be filled by appointment by the President under paragraph (1)(B) of this subsection shall be filled by the President not more than one hundred and twenty days after such vacancy occurs.".

Term.

(b)(1) Notwithstanding any other provision of law, the term of each member of the board of directors appointed by the President under section 303(a) of the Rail Passenger Service Act of 1970 (as in effect on the day before the date of enactment of this Act) who is serving under such appointment on such date of enactment, shall expire on the thirtieth day after such date of enactment, except that each such member so serving shall continue to serve until his successor is appointed and qualified or until the expiration of the one-hundred-twenty-day period beginning on the thirtieth day after such date of enactment, whichever first occurs. No member of the board of directors referred to in the preceding sentence shall be ineligible for appointment as such a member after the date of enactment of this Act solely by reason of the enactment of such preceding sentence.

Ante, p. 548.

(2) Notwithstanding section 303(a)(1)(B) of the Rail Passenger Service Act of 1970, of the members of the board of directors first appointed by the President under such section 303(a)(1)(B), three shall be appointed to serve for terms of two years and three shall be appointed to serve for terms of three years.

SEC. 4. (a) Section 305(a) of the Rail Passenger Service Act of 1970 (45 U.S.C. 545(a)), relating to general powers of the Corporation, is amended by striking out the second sentence thereof.

84 Stat. 1332; 86 Stat. 228.

Auto-ferry service.

SEC. 5. Section 305(b) of the Rail Passenger Service Act of 1970 (45 U.S.C. 545(b)), relating to general powers of the Corporation, is amended by striking out the second sentence and inserting in lieu thereof the following: "In order to increase revenues and to better accomplish the purposes of this Act, the Corporation is authorized to modify its services to provide auto-ferry service as a part of the basic passenger services authorized by this Act, except that nothing contained in this Act shall prevent any other person, other than a railroad (except that for purposes of this section a person primarily engaged in auto-ferry service shall not be deemed to be a railroad), from providing such auto-ferry service over any route in accordance with a certificate issued by the Commission if—

"(1) the Commission finds that such auto-ferry service—

"(A) will not impair the ability of the Corporation to reduce its losses or to increase its revenues, and

"(B) is required to meet the demands of the public, or

"(2) such auto-ferry service is being performed by such person on the date of enactment of this paragraph under contracts entered into before October 30, 1970.

Nothing in this section shall be construed to restrict the right of a railroad that has not entered into a contract with the Corporation for the provision of rail passenger service from performing auto-ferry service over its own lines. The Corporation is authorized to acquire, lease, modify, or develop the equipment and facilities required for the efficient provision of mail, express, and auto-ferry service, or to enter into contracts for the provision of such service.".

Ante, p. 549.

SEC. 6. Section 305 of the Rail Passenger Service Act of 1970 (45 U.S.C. 545), relating to general powers of the Corporation, is amended by adding at the end thereof the following new subsections:

Elderly or handicapped individuals.

"(c) The Corporation is authorized to take all steps necessary to insure that no elderly or handicapped individual is denied intercity transportation on any passenger train operated by or on behalf of the Corporation, including but not limited to, acquiring special equipment and devices and conducting special training for employees; designing and acquiring new equipment and facilities and eliminating architectural and other barriers in existing equipment and facilities to comply with the highest standards for the design, construction, and alteration of property for the accommodation of elderly and handicapped individuals; and providing special assistance while boarding and alighting and in terminal areas to elderly and handicapped individuals.

Acquisition of property.

"(d)(1) The Corporation is authorized, to the extent financial resources are available, to acquire any right-of-way, land, or other property (except right-of-way, land, or other property of a railroad or property of a State or political subdivision thereof or of any other governmental agency), which is required for the construction of tracks or other facilities necessary to provide intercity rail passenger service, by the exercise of the right of eminent domain, in accordance with the provisions of this subsection, in the district court of the United States in which such property is located or in any such court if a single piece of property is located in more than one judicial district: *Provided*, That such right may only be exercised when the Corporation cannot acquire such property by contract or is unable to agree with the owner as to the amount of compensation to be paid.

"(2) The Corporation shall file with the complaint, or at any time before judgment, a declaration of taking containing or having annexed thereto—

"(A) a statement of the public use for which the property is taken;

"(B) a description of the property taken sufficient for the identification thereof;

"(C) a statement of the estate or interest in the property taken;

"(D) a plan showing the property taken; and

"(E) a statement of the amount of money estimated by the Corporation to be just compensation for the property taken.

Compensation for property.

"(3) Upon the filing of the declaration of taking and the depositing in the court of the amount of money estimated in such declaration to be just compensation for the property, the property shall be deemed to be condemned and taken for the use of the Corporation. Title to such property shall thereupon vest in the Corporation in fee simple absolute or in any lesser estate or interest specified in the declaration of taking, and the right to the money deposited as estimated just compensation shall immediately vest in the persons entitled thereto. The court, after a hearing, shall make a finding as to the amount of money which constitutes just compensation for such property and shall make an award and enter judgment accordingly. Such judgment shall include, as part of the just compensation awarded, interest on the

amount finally awarded as the value of the property on the date of taking minus the amount deposited in the court on such date, at the rate of 6 per centum per annum from the date of taking to the date of payment.

"(4) Upon the application of the parties in interest, the court may order that the money deposited in the court, or any part thereof, be paid forthwith for or on account of the just compensation to be awarded in the proceeding. If the compensation finally awarded exceeds the amount of the money received by any person entitled to compensation, the court shall enter judgment against the Corporation for the amount of the deficiency.

"(5) Upon the filing of a declaration of taking, the court may fix the time within which, and the terms upon which, the parties in possession are required to surrender possession to the Corporation. The court may make such orders in respect to encumbrances, liens, rents, taxes, assessments, insurance, and other charges, if any, as shall be just and equitable.

"(e) The Corporation is authorized to take all steps necessary to—

"(1) establish improved reservations systems and advertising;

"(2) service, maintain, repair, and rehabilitate railroad passenger equipment;

"(3) conduct research and development and demonstration programs respecting new rail passenger services;

"(4) develop and demonstrate improved rolling stock;

"(5) establish and maintain essential fixed facilities for the operation of passenger trains on lines and routes included in the basic system, over which no through passenger trains are being operated at the time of enactment of this Act, including necessary track connections between lines on the same or different railroads;

"(6) purchase or lease railroad rolling stock;

"(7) develop and operate international intercity rail passenger service between points within the United States and points in Canada and Mexico, including Montreal, Canada; Vancouver, Canada; and Nuevo Laredo, Mexico (for purposes of section 404(b) of this Act, such international rail passenger service is service included within the basic system); and

"(8) to carry out other corporate purposes.".

84 Stat. 1336.
45 USC 564.

SEC. 7. Section 306 of the Rail Passenger Service Act of 1970 (45 U.S.C. 546), relating to the applicability of the Interstate Commerce Act and other laws, is amended by adding at the end thereof the following new subsection:

Auto-ferry service, preemption of State law.
84 Stat. 1332; 86 Stat. 228.

"(h) No common carrier by railroad may refuse to participate with the Corporation in providing auto-ferry service on the grounds that a State or local law or regulation makes the service unlawful; and neither the Corporation nor such railroad shall be subject to any fine, penalty, or other sanction for violation of a State or local law or regulation which has the effect of prohibiting or impairing the provision of auto-ferry service.".

SEC. 8. Section 308(b) of the Rail Passenger Service Act of 1970 (45 U.S.C. 548(b)), relating to reports to the Congress, is amended by striking out "January 15" and inserting in lieu thereof "February 15".

86 Stat. 228.

SEC. 9. Section 401(c) of the Rail Passenger Service Act of 1970 (45 U.S.C. 561(c)), relating to the prohibition against other persons conducting intercity rail passenger service, is amended by striking out "No railroad or any other person" and inserting in lieu thereof "Except as provided in section 305(b) of this Act concerning auto-ferry service, no railroad or any other person".

Ante, p. 549.

Facilities and services agreements.
84 Stat. 1335; 86 Stat. 229.

SEC. 10. Section 402 of the Rail Passenger Service Act of 1970 (45 U.S.C. 562), relating to facility and service agreements, is amended—

(1) by inserting immediately after the second sentence of subsection (a) the following new sentence: "In fixing just and reasonable compensation for the provision of services ordered by the Commission under the preceding sentence, the Commission shall, in fixing compensation in excess of incremental costs, consider quality of service as a major factor in determining the amount (if any) of such compensation."; and

(2) by adding at the end thereof the following new subsections:

Disagreement procedures.

"(d)(1) If the Corporation and a railroad are unable to agree upon terms for the sale to the Corporation of property (including interests in property) owned by the railroad and required for the construction of tracks or other facilities necessary to provide intercity rail passenger service, the Corporation may apply to the Commission for an order establishing the need of the Corporation for the property at issue and requiring the conveyance thereof from the railroad to the Corporation on reasonable terms and conditions, including just compensation. Unless the Commission finds that—

"(A) conveyance of the property to the Corporation would significantly impair the ability of the railroad to carry out its obligations as a common carrier; and

"(B) the obligations of the Corporation to provide modern, efficient, and economical rail passenger service can adequately be met by the acquisition of alternative property (including interests in property) which is available for sale on reasonable terms to the Corporation, or available to the Corporation by the exercise of its authority under section 305(d) of this Act;

Ante, p. 550.

the need of the Corporation for the property shall be deemed to be established and the Commission shall order the conveyance of the property to the Corporation on such reasonable terms and conditions as it may prescribe, including just compensation.

"(2) The Commission shall expedite proceedings under this subsection and, in any event, issue its order within one hundred and twenty days from receipt of the application from the Corporation. If just compensation has not been determined on the date of the order, the order shall require, as part of just compensation, interest at the rate of 6 per centum per annum from the date prescribed for conveyance until just compensation is paid.

Intercity passenger train preference.

"(e)(1) Except in an emergency, intercity passenger trains operated by or on behalf of the Corporation shall be accorded preference over freight trains in the use of any given line of track, junction, or crossing, unless the Secretary has issued an order to the contrary in accordance with paragraph (2) of this subsection.

"(2) Any railroad whose rights with regard to freight train operation are affected by paragraph (1) of this subsection may file an application with the Secretary requesting appropriate relief. If, after hearing under section 553 of title 5 of the United States Code, the Secretary finds that adherence to such paragraph (1) will materially lessen the quality of freight service provided to shippers, the Secretary shall issue an order fixing rights of trains, on such terms and conditions as are just and reasonable.

80 Stat. 383.

Accelerated speeds.

"(f) If, upon request of the Corporation, a railroad refuses to permit accelerated speeds by trains operated by or on behalf of the Corporation, the Corporation may apply to the Secretary for an order requiring the railroad to permit such accelerated speeds. The Secretary shall make findings as to whether such accelerated speeds are unsafe or otherwise impracticable, and with respect to the nature and extent

of improvements to track, signal systems, and other facilities that would be required to make such accelerated speeds safe and practicable. After hearing, the Secretary shall issue an order fixing maximum permissible speeds of Corporation trains, on such terms and conditions as he shall find to be just and reasonable.".

Experimental routes. 84 Stat. 1335.

SEC. 11. (a) Section 403 of the Rail Passenger Service Act of 1970 (45 U.S.C. 563), relating to new service, is amended by adding at the end thereof the following new subsection:

"(d) The Corporation shall initiate not less than one experimental route each year, such route to be designated by the Secretary, and shall operate such route for not less than two years. After such two-year period, the Secretary shall terminate such route if he finds that it has attracted insufficient patronage to serve the public convenience and necessity, or he may designate such route as a part of the basic system.".

Discontinuance of service.

(b) Section 404(b) of the Rail Passenger Service Act of 1970 (45 U.S.C. 564(b)), relating to discontinuance of service, is amended—

(1) by striking out "July 1, 1973" in paragraph (1) and inserting in lieu thereof "July 1, 1974";

(2) by amending paragraph (2) to read as follows:

"(2) Except as otherwise provided in this paragraph and in section 403(a) of this Act, service beyond that prescribed for the basic system undertaken by the Corporation upon its own initiative may be discontinued at any time. No such service undertaken by the Corporation on or after January 1, 1973, shall be discontinued until the expiration of the one-year period beginning on the date of enactment of this sentence."; and

86 Stat. 229.

(3) by striking out "July 1, 1973" in paragraph (3) and inserting in lieu thereof "July 1, 1974".

SEC. 12. Section 601 of the Rail Passenger Service Act of 1970 (45 U.S.C. 601), relating to Federal grants, is amended to read is follows:

"SEC. 601. AUTHORIZATION FOR APPROPRIATIONS.

"(a) There are authorized to be appropriated to the Secretary for the benefit of the Corporation in fiscal year 1971, $40,000,000, and in subsequent fiscal years a total of $334,300,000. Funds appropriated pursuant to such authorization shall be made available to the Secretary during the fiscal year for which appropriated and shall remain available until expended. Such sums shall be paid by the Secretary to the Corporation for expenditure by it in accordance with spending plans approved by Congress at the time of appropriation and general guidelines established annually by the Secretary.

"(b)(1) Whenever the Corporation submits any budget estimate or request to the President, the Department of Transportation, or the Office of Management and Budget, it shall concurrently transmit a copy of that estimate or request to the Congress.

"(2) Whenever the Corporation submits any legislative recommendation, proposed testimony, or comments on legislation to the President, the Department of Transportation, or the Office of Management and Budget, it shall concurrently transmit a copy thereof to the Congress. No officer or agency of the United States shall have any authority to require the Corporation to submit its legislative recommendations, proposed testimony, or comments on legislation to any officer or agency of the United States for approval, comments, or review, prior to the submission of such recommendations, testimony, or comments to the Congress.".

Loan guarantees.

SEC. 13. Section 602 of the Rail Passenger Service Act of 1970 (45 U.S.C. 602), relating to guarantee of loans, is amended—

(1) by inserting "and with the approval of the Secretary of the Treasury," immediately after "prescribe," in subsection (a);

(2) by amending the first sentence of subsection (d) to read as follows: "The aggregate unpaid principal amount of securities, obligations, or loans outstanding at any one time, which are guaranteed by the Secretary under this section, may not exceed $500,000,000."; and

(3) by adding at the end thereof the following new subsection:

"(g) Notwithstanding any other provision of this Act, a guarantee may not be made of any security, obligation, or loan, if the nature of such security, obligation, or loan is such that the income therefrom is not includable in gross income for the purposes of chapter 1 of the Internal Revenue Code of 1954.".

68A Stat. 5.
26 USC 1.

SEC. 14. Section 801 of the Rail Passenger Service Act of 1970 (45 U.S.C. 641) is amended to read as follows:

84 Stat. 1339.

"SEC. 801. ADEQUACY OF SERVICE

"(a) The Commission shall promulgate, within 60 days from the date of enactment of the Amtrak Improvement Act of 1973, and shall from time to time revise, such regulations as it considers necessary to provide adequate service, equipment, tracks, and other facilities for quality intercity rail passenger service. The Corporation may contract with railroads or with regional transportation agencies for the improvement of service, equipment, tracks and other facilities necessary to meet such regulations promulgated by the Commission. In the event of a failure to agree, the Commission shall by rule establish procedures for allocating between the Corporation and a railroad any costs required to be incurred to meet the regulations establishing adequate service, equipment, tracks, and other facilities.

Penalty.

"(b) Any person who violates a regulation issued under this section shall be subject to a civil penalty of not to exceed $500 for each violation. Each day a violation continues shall constitute a separate offense.".

Approved November 3, 1973.

Public Law 93-147

November 3, 1973
[H. R. 689]

AN ACT

To amend section 712 of title 18 of the United States Code, to prohibit persons attempting to collect their own debts from misusing names in order to convey the false impression that any agency of the Federal Government is involved in such collection.

Debt collection.
Use of Federal symbols, prohibition.
73 Stat. 570.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 712 of title 18 of the United States Code is amended to read as follows:

"§ 712. Misuse of names, words, emblems, or insignia

"Whoever, in the course of collecting or aiding in the collection of private debts or obligations, or being engaged in furnishing private police, investigation, or other private detective services, uses or employs in any communication, correspondence, notice, advertisement, or circular the words 'national', 'Federal', or 'United States', the initials 'U.S.', or any emblem, insignia, or name, for the purpose of conveying and in a manner reasonably calculated to convey the false impression that such communication is from a department, agency, bureau, or instrumentality of the United States or in any manner represents the United States, shall be fined not more than $1,000 or imprisoned not more than one year, or both.".

(b) The table of sections for chapter 33 of title 18 of the United States Code is amended by striking out of the item designated

"712. Misuse of names by collecting agencies to indicate Federal agency."

and inserting in lieu thereof

"712. Misuse of names, words, emblems, or insignia.".

Approved November 3, 1973.

Public Law 93-148

JOINT RESOLUTION

November 7, 1973
[H. J. Res. 542]

Concerning the war powers of Congress and the President.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

War Powers Resolution.

SHORT TITLE

SECTION 1. This joint resolution may be cited as the "War Powers Resolution".

PURPOSE AND POLICY

SEC. 2. (a) It is the purpose of this joint resolution to fulfill the intent of the framers of the Constitution of the United States and insure that the collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations.

(b) Under article I, section 8, of the Constitution, it is specifically provided that the Congress shall have the power to make all laws necessary and proper for carrying into execution, not only its own powers but also all other powers vested by the Constitution in the Government of the United States, or in any department or officer thereof.

USC prec. title 1.

(c) The constitutional powers of the President as Commander-in-Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are exercised only pursuant to (1) a declaration of war, (2) specific statutory authorization, or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces.

CONSULTATION

SEC. 3. The President in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and after every such introduction shall consult regularly with the Congress until United States Armed Forces are no longer engaged in hostilities or have been removed from such situations.

REPORTING

SEC. 4. (a) In the absence of a declaration of war, in any case in which United States Armed Forces are introduced—

(1) into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances;

(2) into the territory, airspace or waters of a foreign nation, while equipped for combat, except for deployments which relate solely to supply, replacement, repair, or training of such forces; or

(3) in numbers which substantially enlarge United States Armed Forces equipped for combat already located in a foreign nation;

the President shall submit within 48 hours to the Speaker of the House of Representatives and to the President pro tempore of the Senate a report, in writing, setting forth—

(A) the circumstances necessitating the introduction of United States Armed Forces;

(B) the constitutional and legislative authority under which such introduction took place; and

(C) the estimated scope and duration of the hostilities or involvement.

(b) The President shall provide such other information as the Congress may request in the fulfillment of its constitutional responsibilities with respect to committing the Nation to war and to the use of United States Armed Forces abroad.

(c) Whenever United States Armed Forces are introduced into hostilities or into any situation described in subsection (a) of this section, the President shall, so long as such armed forces continue to be engaged in such hostilities or situation, report to the Congress periodically on the status of such hostilities or situation as well as on the scope and duration of such hostilities or situation, but in no event shall he report to the Congress less often than once every six months.

CONGRESSIONAL ACTION

SEC. 5. (a) Each report submitted pursuant to section 4(a)(1) shall be transmitted to the Speaker of the House of Representatives and to the President pro tempore of the Senate on the same calendar day. Each report so transmitted shall be referred to the Committee on Foreign Affairs of the House of Representatives and to the Committee on Foreign Relations of the Senate for appropriate action. If, when the report is transmitted, the Congress has adjourned sine die or has adjourned for any period in excess of three calendar days, the Speaker of the House of Representatives and the President pro tempore of the Senate, if they deem it advisable (or if petitioned by at least 30 percent of the membership of their respective Houses) shall jointly request the President to convene Congress in order that it may consider the report and take appropriate action pursuant to this section.

(b) Within sixty calendar days after a report is submitted or is required to be submitted pursuant to section 4(a)(1), whichever is earlier, the President shall terminate any use of United States Armed Forces with respect to which such report was submitted (or required to be submitted), unless the Congress (1) has declared war or has enacted a specific authorization for such use of United States Armed Forces, (2) has extended by law such sixty-day period, or (3) is physically unable to meet as a result of an armed attack upon the United States. Such sixty-day period shall be extended for not more than an additional thirty days if the President determines and certifies to the Congress in writing that unavoidable military necessity respecting the safety of United States Armed Forces requires the continued use of such armed forces in the course of bringing about a prompt removal of such forces.

(c) Notwithstanding subsection (b), at any time that United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of

war or specific statutory authorization, such forces shall be removed by the President if the Congress so directs by concurrent resolution.

CONGRESSIONAL PRIORITY PROCEDURES FOR JOINT RESOLUTION OR BILL

SEC. 6. (a) Any joint resolution or bill introduced pursuant to section 5(b) at least thirty calendar days before the expiration of the sixty-day period specified in such section shall be referred to the Committee on Foreign Affairs of the House of Representatives or the Committee on Foreign Relations of the Senate, as the case may be, and such committee shall report one such joint resolution or bill, together with its recommendations, not later than twenty-four calendar days before the expiration of the sixty-day period specified in such section, unless such House shall otherwise determine by the yeas and nays.

(b) Any joint resolution or bill so reported shall become the pending business of the House in question (in the case of the Senate the time for debate shall be equally divided between the proponents and the opponents), and shall be voted on within three calendar days thereafter, unless such House shall otherwise determine by yeas and nays.

(c) Such a joint resolution or bill passed by one House shall be referred to the committee of the other House named in subsection (a) and shall be reported out not later than fourteen calendar days before the expiration of the sixty-day period specified in section 5(b). The joint resolution or bill so reported shall become the pending business of the House in question and shall be voted on within three calendar days after it has been reported, unless such House shall otherwise determine by yeas and nays.

(d) In the case of any disagreement between the two Houses of Congress with respect to a joint resolution or bill passed by both Houses, conferees shall be promptly appointed and the committee of conference shall make and file a report with respect to such resolution or bill not later than four calendar days before the expiration of the sixty-day period specified in section 5(b). In the event the conferees are unable to agree within 48 hours, they shall report back to their respective Houses in disagreement. Notwithstanding any rule in either House concerning the printing of conference reports in the Record or concerning any delay in the consideration of such reports, such report shall be acted on by both Houses not later than the expiration of such sixty-day period.

CONGRESSIONAL PRIORITY PROCEDURES FOR CONCURRENT RESOLUTION

SEC. 7. (a) Any concurrent resolution introduced pursuant to section 5(c) shall be referred to the Committee on Foreign Affairs of the House of Representatives or the Committee on Foreign Relations of the Senate, as the case may be, and one such concurrent resolution shall be reported out by such committee together with its recommendations within fifteen calendar days, unless such House shall otherwise determine by the yeas and nays.

(b) Any concurrent resolution so reported shall become the pending business of the House in question (in the case of the Senate the time for debate shall be equally divided between the proponents and the opponents) and shall be voted on within three calendar days thereafter, unless such House shall otherwise determine by yeas and nays.

(c) Such a concurrent resolution passed by one House shall be referred to the committee of the other House named in subsection (a) and shall be reported out by such committee together with its recommendations within fifteen calendar days and shall thereupon become the pending business of such House and shall be voted upon within

three calendar days, unless such House shall otherwise determine by yeas and nays.

(d) In the case of any disagreement between the two Houses of Congress with respect to a concurrent resolution passed by both Houses, conferees shall be promptly appointed and the committee of conference shall make and file a report with respect to such concurrent resolution within six calendar days after the legislation is referred to the committee of conference. Notwithstanding any rule in either House concerning the printing of conference reports in the Record or concerning any delay in the consideration of such reports, such report shall be acted on by both Houses not later than six calendar days after the conference report is filed. In the event the conferees are unable to agree within 48 hours, they shall report back to their respective Houses in disagreement.

INTERPRETATION OF JOINT RESOLUTION

SEC. 8. (a) Authority to introduce United States Armed Forces into hostilities or into situations wherein involvement in hostilities is clearly indicated by the circumstances shall not be inferred—

(1) from any provision of law (whether or not in effect before the date of the enactment of this joint resolution), including any provision contained in any appropriation Act, unless such provision specifically authorizes the introduction of United States Armed Forces into hostilities or into such situations and states that it is intended to constitute specific statutory authorization within the meaning of this joint resolution; or

(2) from any treaty heretofore or hereafter ratified unless such treaty is implemented by legislation specifically authorizing the introduction of United States Armed Forces into hostilities or into such situations and stating that it is intended to constitute specific statutory authorization within the meaning of this joint resolution.

(b) Nothing in this joint resolution shall be construed to require any further specific statutory authorization to permit members of United States Armed Forces to participate jointly with members of the armed forces of one or more foreign countries in the headquarters operations of high-level military commands which were established prior to the date of enactment of this joint resolution and pursuant to the United Nations Charter or any treaty ratified by the United States prior to such date.

59 Stat. 1031.

"Introduction of United States Armed Forces."

(c) For purposes of this joint resolution, the term "introduction of United States Armed Forces" includes the assignment of members of such armed forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government when such military forces are engaged, or there exists an imminent threat that such forces will become engaged, in hostilities.

(d) Nothing in this joint resolution—

(1) is intended to alter the constitutional authority of the Congress or of the President, or the provisions of existing treaties; or

(2) shall be construed as granting any authority to the President with respect to the introduction of United States Armed Forces into hostilities or into situations wherein involvement in hostilities is clearly indicated by the circumstances which authority he would not have had in the absence of this joint resolution.

SEPARABILITY CLAUSE

SEC. 9. If any provision of this joint resolution or the application thereof to any person or circumstance is held invalid, the remainder of the joint resolution and the application of such provision to any other person or circumstance shall not be affected thereby.

EFFECTIVE DATE

SEC. 10. This joint resolution shall take effect on the date of its enactment.

CARL ALBERT

Speaker of the House of Representatives.

JAMES O. EASTLAND

President of the Senate pro tempore.

IN THE HOUSE OF REPRESENTATIVES, U.S.,

November 7, 1973.

The House of Representatives having proceeded to reconsider the resolution (H. J. Res. 542) entitled "Joint resolution concerning the war powers of Congress and the President", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said resolution pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

W. PAT JENNINGS

Clerk.

I certify that this Joint Resolution originated in the House of Representatives.

W. PAT JENNINGS

Clerk.

IN THE SENATE OF THE UNITED STATES

November 7, 1973.

The Senate having proceeded to reconsider the joint resolution (H. J. Res. 542) entitled "Joint resolution concerning the war powers of Congress and the President", returned by the President of the United States with his objections to the House of Representatives, in which it originated, it was

Resolved, That the said joint resolution pass, two-thirds of the Senators present having voted in the affirmative.

Attest:

FRANCIS R. VALEO
Secretary.

Public Law 93-149

November 7, 1973
[H. R. 5943]

AN ACT

To amend the law authorizing the President to extend certain privileges to representatives of member states on the Council of the Organization of American States.

Council of the Organization of American States. Diplomatic privileges.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 10, 1952 (66 Stat. 516, 22 U.S.C. 288g), is amended as follows:

(a) The title of the Act is amended to read as follows:

"An Act to extend certain privileges to the representatives of member states and permanent observers to the Organization of American States."

(b) The body of the Act is amended to read as follows:

"That, under such terms and conditions as he shall determine, the President is hereby authorized to extend, or to enter into an agreement extending, to the representatives of member states (other than the United States) to the Organization of American States and to permanent observers to the Organization of American States, and to members of the staffs of said representatives and permanent observers, the same privileges and immunities, subject to corresponding conditions and obligations, as are enjoyed by diplomatic envoys accredited to the United States."

Approved November 7, 1973.

Public Law 93-150

November 7, 1973
[H. R. 9639]

AN ACT

To amend the National School Lunch and Child Nutrition Acts for the purpose of providing additional Federal financial assistance to the school lunch and school breakfast programs.

National School Lunch and Child Nutrition Act Amendments of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National School Lunch and Child Nutrition Act Amendments of 1973".

REIMBURSEMENT

86 Stat. 726.
42 USC 1753.

SEC. 2. (a) Section 4 of the National School Lunch Act is amended to delete the phrase "8 cents per lunch" as it appears in said section and substitute the phrase "10 cents per lunch".

60 Stat. 232;
86 Stat. 729.
42 USC 1757.

(b) Section 8 of the National School Lunch Act is amended by inserting before the last sentence thereof the following new sentence: "In any fiscal year in which the national average payment per lunch determined under section 4 is increased above the amount prescribed in the previous fiscal year, the maximum Federal food-cost contribution rate, for the type of lunch served, shall be increased by a like amount."

SPECIAL ASSISTANCE FUNDS

SEC. 3. (a) Section 11 of the National School Lunch Act is amended by redesignating subsections (g) and (h) as subsections (d) and (e), respectively, and by striking out subsections (a), (b), (c), (d), (e), and (f), and inserting in lieu thereof the following: 84 Stat. 211. 42 USC 1759a.

"(a) Except as provided in section 10 of this Act, in each fiscal year each State educational agency shall receive special-assistance payments in an amount equal to the sum of the product obtained by multiplying the number of lunches (consisting of a combination of foods which meet the minimum nutritional requirements prescribed by the Secretary pursuant to subsection 9(a) of this Act) served free to children eligible for such lunches in schools within that State during such fiscal year by the special-assistance factor for free lunches prescribed by the Secretary for such fiscal year and the product obtained by multiplying the number of lunches served at a reduced price to children eligible for such reduced-price lunches in schools within that State during such fiscal year by the special-assistance factor for reduced-price lunches prescribed by the Secretary for such fiscal year. For the fiscal year beginning July 1, 1973, the Secretary shall prescribe a special-assistance factor for free lunches of not less than 45 cents and a special-assistance factor for reduced-price lunches which shall be 10 cents less than the special-assistance factor for free lunches. The Secretary shall prescribe on July 1 of each fiscal year, and on January 1, of each fiscal year, semiannual adjustments in the national average rates for lunches served under section 4 of the National School Lunch Act and the special-assistance factor for the lunches served under section 11 of the National School Lunch Act, and the national average rates for breakfasts served under section 4 of the Child Nutrition Act of 1966, as amended, that shall reflect changes in the cost of operating a school lunch and breakfast program under these Acts, as indicated by the change in the series for food away from home of the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor: *Provided*, That the initial such adjustment shall reflect the change in the series for food away from home during the period September 1973, through November 1973: *Provided further*, That each subsequent adjustment shall reflect the changes in the series for food away from home for the most recent six-month period for which such data are available: *Provided further*, That such adjustments shall be computed to the nearest one-fourth cent. Notwithstanding the foregoing two sentences, (1) for the fiscal year beginning July 1, 1973, no special assistance factor under this section 11 shall, for any State, be less than the average reimbursement paid for each free lunch (in the case of the special assistance factor for free lunches), or for each reduced price lunch (in the case of the special assistance factor for reduced price lunches), in such State under this section in the fiscal year beginning July 1, 1972; and (2) adjustments required by the sentence immediately preceding this sentence shall be based on the special assistance factors for the fiscal year beginning July 1, 1973, as determined without regard to any increase required by the application of this sentence. State educational agencies. 60 Stat. 233; 86 Stat. 726. 42 USC 1759. 42 USC 1758. *Ante*, p. 560. *Supra*. *Post*, p. 562.

"(b) Except as provided in section 10 of the Child Nutrition Act of 1966, the special-assistance payments made to each State agency during each fiscal year under the provisions of this section shall be used by such State agency to assist schools of that State in financing the cost of providing free and reduced-price lunches served to children pursuant to subsection 9(b) of this Act. The amount of such special assistance funds that a school shall from time to time receive, within a maximum per lunch amount established by the Secretary for all States, shall be based on the need of the school for such special 80 Stat. 889; 84 Stat. 212; 86 Stat. 729. 42 USC 1779. 86 Stat. 727. 42 USC 1758.

assistance. Such maximum per lunch amount established by the Secretary shall not be less than 60 cents.

"(c) Special assistance payments to any State under this section shall be made as provided in the last sentence of section 7 of this Act."

60 Stat. 232; 86 Stat. 731. 42 USC 1756.

(b) The proviso of section 10 of the National School Lunch Act is amended by inserting "and section 11" after section 4".

60 Stat. 233; 86 Stat. 726. 42 USC 1759.

SCHOOL BREAKFAST PROGRAMS

80 Stat. 866; 85 Stat. 85; 86 Stat. 725. 42 USC 1773.

SEC. 4. (a) The first sentence of section 4(c) of the Child Nutrition Act of 1966 is amended to read as follows: "Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency to assist such schools in financing the costs of operating a breakfast program and for the purpose of subsection (d)."

(b) The second sentence of section 4(c) of the Child Nutrition Act of 1966 is deleted.

86 Stat. 724.

(c) Section 4(b) of the Child Nutrition Act of 1966 is amended by adding the following sentences at the end of such section: "The national average payment established by the Secretary for all breakfasts served to eligible children shall not be less than 8 cents; an amount of not less than 15 cents shall be added for each reduced-price breakfast; and an amount of not less than 20 cents shall be added for each free breakfast. In cases of severe need, a payment of up to 45 cents may be made for each breakfast served to children qualifying for a free breakfast."

CASH IN LIEU OF COMMODITIES

Ante, p. 10.

SEC. 5. (a) Section 6 of the National School Lunch Act is amended by striking the present subsections (b), (c), and (d) and by substituting in lieu thereof the following new subsections;

"(b) As of February 15 of each fiscal year, the Secretary shall make an estimate of the value of agricultural commodities and other foods that will be delivered during that fiscal year to States for school food service programs under the provisions of this section, section 416 of the Agricultural Act of 1949, and section 32 of the Act of August 24, 1935. If such estimated value is less than 90 per centum of the value of such deliveries initially programed for that fiscal year, the Secretary shall pay to State educational agencies, by not later than March 15 of that fiscal year, an amount of funds that is equal to the difference between the value of such deliveries initially programed for such fiscal year and the estimated value as of February 15 of such fiscal year of the commodities and other foods to be delivered in such fiscal year. The share of such funds to be paid to each State educational agency shall bear the same ratio to the total of such payment to all such agencies as the number of meals served under the provisions of section 9(a) of this Act and section 4(e) of the Child Nutrition Act of 1966 during the preceding fiscal year bears to the total of all such meals served in all the States during such fiscal year: *Provided*, That in any State in which the Secretary directly administers school food service programs in the nonprofit private schools of such State, the Secretary shall withhold from the funds to be paid to any such State under the provisions of this subsection an amount that bears the same ratio to the total of such payment as the number of meals served in nonprofit private schools under the provisions of section 9(a) of this Act and section 4(e) of the Child Nutrition Act of 1966 during that fiscal year bears to the total of such meals served in all the schools in such State in such fiscal year. Each State educational agency, and the Secretary in the case of nonprofit private schools in which he directly administers

68 Stat. 458. 7 USC 1431. 49 Stat. 774. 7 USC 612c.

60 Stat. 233; 86 Stat. 726. 42 USC 1758. 86 Stat. 725. 42 USC 1773.

Nonprofit private schools.

school food service programs, shall promptly and equitably disburse such funds to schools participating in the lunch and breakfast programs under this Act and the Child Nutrition Act of 1966 and such disbursements shall be used by such schools to obtain agricultural commodities and other foods for their food service program. Such food shall be limited to the requirements for lunches and breakfasts for children as provided for in the regulations by the Department of Agriculture under title 7, subtitle (b), chapter II, subchapter (a), parts 210 and 220.

80 Stat. 885. 42 USC 1771 note.

"(c) Notwithstanding any other provision of law, the Secretary, until such time as a supplemental appropriation may provide additional funds for the purpose of subsection (b) of this section, shall use funds appropriated by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) to make any payments to States authorized under such subsection. Any section 32 funds utilized to make such payments shall be reimbursed out of any supplemental appropriation hereafter enacted for the purpose of carrying out subsection (b) of this section and such reimbursement shall be deposited into the fund established pursuant to section 32 of the Act of August 24, 1935, to be available for the purposes of said section 32.

49 Stat. 774.

"(d) Any funds made available under subsection (b) or (c) of this section shall not be subject to the State matching provisions of section 7 of this Act."

60 Stat. 232; 86 Stat. 731. 42 USC 1756.

SPECIAL SUPPLEMENTAL FOOD PROGRAM EXTENSION

SEC. 6. (a) The first sentence of section 17(a) of the Child Nutrition Act of 1966 is amended by striking out "and June 30, 1974," and inserting in lieu thereof the following: "June 30, 1974, and June 30, 1975,"; and by inserting after the word "State" each place it occurs the following: "; Indian tribe, band, or group recognized by the Department of the Interior; or the Indian Health Service of the Department of Health, Education, and Welfare". The second sentence of such section 17(a) is amended by striking out "two-year" and inserting in lieu thereof "three-year".

86 Stat. 729. 42 USC 1786.

(b) Section 17(b) of such Act is amended by inserting immediately after the second sentence thereof the following: "In order to carry out such program during the fiscal year ending June 30, 1975, there is authorized to be appropriated the sum of $40,000,000, but in the event that such sum has not been appropriated for such purpose by August 1, 1974, the Secretary shall use $40,000,000, or, if any amount has been appropriated for such program, the difference, if any, between the amount directly appropriated for such purpose and $40,000,000, out of funds appropriated by section 32 of the Act of August 24, 1935 (7 U.S.C. 612(c))."

49 Stat. 774.

(c) The second sentence of section 17(e) of such Act is amended by striking out "October 1, 1973" and "March 30, 1974" and inserting in lieu thereof "October 1, 1974" and "March 30, 1975", respectively.

ELIGIBILITY FOR SPECIAL MILK PROGRAM

SEC. 7. Section 3 of the Child Nutrition Act of 1966 is amended by adding at the end thereof the following: "Any school or nonprofit child care institution shall receive the special milk program upon their request. Children that qualify for free lunches under guidelines set forth by the Secretary shall also be eligible for free milk."

84 Stat. 336. 42 USC 1772.

NATIONAL ADVISORY COUNCIL

84 Stat. 213.
42 USC 1763.

SEC. 8. Section 14 of the National School Lunch Act is amended as follows:

(1) In subsection (a) strike the word "thirteen" and insert the word "fifteen" and insert after the phrase "(or the equivalent thereof)," the first time it appears the following: "one member shall be a supervisor of a school lunch program in a school system in an urban area (or the equivalent thereof), one member shall be a supervisor of a school lunch program in a school system in a rural area,".

(2) The first sentence of subsection (b) is amended by striking out "nine" and inserting in lieu thereof "eleven", and by striking "such" and inserting "the nine".

(3) In subsection (e), strike the word "Seven" and insert in lieu thereof the word "Eight".

INCOME GUIDELINES FOR REDUCED PRICE LUNCHES

86 Stat. 726.
42 USC 1758.

SEC. 9. Section 9(b) of the National School Lunch Act is amended by adding the following at the end of said subsection: "*Provided further*, That, for the fiscal year ending June 30, 1974, State educational agencies are authorized to establish income guidelines for reduced price lunches at not more than 75 per centum above the applicable family size income levels in the income poverty guidelines as prescribed by the Secretary."

COMPREHENSIVE STUDY OF BENEFITS OF PROGRAMS

60 Stat. 230.
42 USC 1751 note.
80 Stat. 885.
42 USC 1771 note.

SEC. 10. The Secretary of Agriculture is authorized and directed to carry out a comprehensive study to determine if the benefits of programs carried out under the National School Lunch Act and Child Nutrition Act are accruing to the maximum extent possible to all of the nation's school children, including a study to determine if those most in need are receiving free lunches, and to determine if significant regional cost differentials exist in Alaska and other States so as to require additional reimbursement. The Secretary shall report his findings, together with any recommendations he may have with respect to additional legislation, to the Congress no later than June 30, 1974. The Secretary shall consider any recommendations made by the Department of Health, Education, and Welfare, the General Accounting Office, the National Advisory Council on Child Nutrition, and interested professional organizations or individuals in the field of child care and nutrition. Alternatives to the present structure, including but not limited to the universal feeding program, shall be included in the study.

Report to Congress.

PAYMENTS TO LOCAL EDUCATIONAL AGENCIES UNDER PUBLIC LAW 874, EIGHTY-FIRST CONGRESS

82 Stat. 1097.
20 USC 240.

SEC. 11. Section 5(d)(2) of the Act of September 30, 1950 (Public Law 874, 81st Congress), shall not operate to deprive any local educational agency of payments under such Act during the fiscal year ending June 30, 1974, if such local educational agency is in a State which after June 30, 1972, has adopted a program of State aid for free public education which is designed to equalize expenditures for education among local educational agencies in that State. This section shall be effective on and after July 1, 1973, and shall be deemed to have been enacted on June 30, 1973.

Effective date.

Approved November 7, 1973.

Public Law 93-151

AN ACT

November 9, 1973
[S. 607]

To amend the Lead Based Paint Poisoning Prevention Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 101(a) of the Lead Based Paint Poisoning Prevention Act is amended by striking out "units of general local government in any State" and inserting in lieu thereof "public agencies of units of general local government in any State and to private nonprofit organizations in any State".

Lead Based Paint Poisoning Prevention Act, amendments.
84 Stat. 2078.
42 USC 4801.
Grants for detection and treatment, extension.

(b) Section 101(b) of such Act is amended by striking out "75 per centum" and inserting in lieu thereof "90 per centum".

(c) Section 101 of such Act is amended by adding at the end thereof the following new subsection:

"(e) The Secretary is also authorized to make grants to State agencies for the purpose of establishing centralized laboratory facilities for analyzing biological and environmental lead specimens obtained from local lead based paint poisoning detection programs.".

Centralized laboratory facilities.

(d) Section 101 of such Act is further amended by adding at the end thereof the following new subsection:

"(f) No grant may be made under this section unless the Secretary determines that there is satisfactory assurance that (A) the services to be provided will constitute an addition to, or a significant improvement in quality (as determined in accordance with criteria of the Secretary) in, services that would otherwise be provided, and (B) Federal funds made available under this section for any period will be so used as to supplement and, to the extent practical, increase the level of State, local, and other non-Federal funds that would, in the absence of such Federal funds, be made available for the program described in this section, and will in no event supplant such State, local, and other non-Federal funds.".

Prohibition.

SEC. 2. (a) Section 201 of the Lead Based Paint Poisoning Prevention Act is amended by striking out "units of general local government in any State" and inserting in lieu thereof "public agencies of units of general local government in any State and to private nonprofit organizations in any State".

Grants for hazard elimination, extension.

(b) Section 201(a)(2) of such Act is amended to read as follows:

42 USC 4811.

"(2) the development and carrying out of procedures to remove from exposure to young children all interior surfaces of residential housing, porches, and exterior surfaces of such housing to which children may be commonly exposed, in those areas that present a high risk for the health of residents because of the presence of lead based paints. Such programs should include those surfaces on which non-lead-based paints have been used to cover surfaces to which lead based paints were previously applied; and".

(c) Section 201 of such Act is amended by adding at the end thereof the following new subsection:

"(c) Any public agency, of a unit of local government or private nonprofit organization which receives assistance under this Act shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for purposes of audit and examination, any books, documents, papers, and records that are pertinent to the assistance received by such public agency of a unit of local government or private nonprofit organization under this Act."

Books and records, availability.

84 Stat. 2079.
42 USC 4821.

SEC. 3. Section 301 of the Lead Based Paint Poisoning Prevention Act is amended to read as follows:

"FEDERAL DEMONSTRATION AND RESEARCH PROGRAM

"SEC. 301. (a) The Secretary of Housing and Urban Development, in consultation with the Secretary of Health, Education, and Welfare, shall develop and carry out a demonstration and research program to determine the nature and extent of the problem of lead based paint poisoning in the United States, particularly in urban areas, including the methods by which the lead based paint hazard can most effectively be removed from interior surfaces, porches, and exterior surfaces of residential housing to which children may be exposed.

Safe level of lead.

"(b) The Chairman of the Consumer Product Safety Commission shall conduct appropriate research on multiple layers of dried paint film, containing the various lead compounds commonly used, in order to ascertain the safe level of lead in residential paint products. No later than December 31, 1974, the Chairman shall submit to Congress a full and complete report of his findings and recommendations as developed pursuant to such programs, together with a statement of any legislation which should be enacted or any changes in existing law which should be made in order to carry out such recommendations."

Report to Congress.

SEC. 4. (a) Title III of the Lead Based Paint Poisoning Prevention Act is amended—

(1) by adding at the end thereof the following:

"FEDERAL HOUSING ADMINISTRATION REQUIREMENTS

"SEC. 302. The Secretary of Housing and Urban Development (hereafter in this section referred to as the 'Secretary') shall establish procedures to eliminate as far as practicable the hazards of lead based paint poisoning with respect to any existing housing which may present such hazards and which is covered by an application for mortgage insurance or housing assistance payments under a program administered by the Secretary. Such procedures shall apply to all such housing constructed prior to 1950 and shall as a minimum provide for (1) appropriate measures to eliminate as far as practicable immediate hazards due to the presence of paint which may contain lead and to which children may be exposed, and (2) assured notification to purchasers and tenants of such housing of the hazards of lead based paint, of the symptoms and treatment of lead based paint poisoning, and of the importance and availability of maintenance and removal techniques for eliminating such hazards. Such procedures may apply to housing constructed during or after 1950 if the Secretary determines, in his discretion, that such housing presents hazards of lead based paint. The Secretary may establish such other procedures as may be appropriate to carry out the purposes of this section. Further, the Secretary shall establish and implement procedures to eliminate the hazards of lead based paint poisoning in all federally owned properties prior to the sale of such properties when their use is intended for residential habitation."; and

Housing constructed prior to 1950.

Housing constructed during or after 1950.

Federally owned property for residential habitation.

(2) by inserting after "PROGRAM", in the caption of such title, a semicolon and the following: "FEDERAL HOUSING ADMINISTRATION REQUIREMENTS".

Effective date.

(b) The amendments made by subsection (a) of this section become effective upon the expiration of ninety days following the date of enactment of this Act.

42 USC 4831.

SEC. 5. Section 401 of the Lead Based Paint Poisoning Prevention Act is amended to read as follows:

"PROHIBITION AGAINST USE OF LEAD BASED PAINT IN CONSTRUCTION OF FACILITIES AND THE MANUFACTURE OF CERTAIN TOYS AND UTENSILS

"SEC. 401. The Secretary of Health, Education, and Welfare, in consultation with the Secretary of Housing and Urban Development, shall take such steps and impose such conditions as may be necessary or appropriate—

"(1) to prohibit the use of lead based paint in residential structures constructed or rehabilitated by the Federal Government, or with Federal assistance in any form, after the date of enactment of this Act, and

"(2) to prohibit the application of lead based paint to any toy, furniture, cooking utensil, drinking utensil, or eating utensil manufactured and distributed after the date of enactment of this Act."

SEC. 6. Section 501(3) of the Lead Based Paint Poisoning Prevention Act is amended to read as follows:

84 Stat. 2080.
42 USC 4841.
"Lead based paint."

"(3) the term 'lead based paint' means—

"(A) prior to December 31, 1974, any paint containing more than five-tenths of 1 per centum lead by weight (calculated as lead metal) in the total nonvolatile content of liquid paints or in the dried film of paint already applied;

"(B) after December 31, 1974, any paint containing more than six one-hundredths of 1 per centum lead by weight (calculated as lead metal) in the total nonvolatile content of liquid paints or in the dried film of paint already applied, except that if prior to December 31, 1974, the Chairman of the Consumer Product Safety Commission, based on studies conducted in accordance with section 301(b) of this Act, determines that another level of lead, not to exceed five-tenths of 1 per centum, is safe, then such other level shall be effective after December 31, 1974.".

Ante, p. 566.

SEC. 7. (a) Section 503(a) of the Lead Based Paint Poisoning Prevention Act is amended (1) by striking out the word "and" and inserting in lieu thereof a comma, and (2) by inserting before the period a comma and the following: "and $25,000,000 for each of the fiscal years 1974 and 1975".

Appropriation.
42 USC 4843.

(b) Section 503(b) of such Act is amended (1) by striking out the word "and" and inserting in lieu thereof a comma, and (2) by inserting before the period a comma and the following: "and $35,000,000 for each of the fiscal years 1974 and 1975".

(c) Section 503(c) of such Act is amended (1) by striking out the word "and" and by inserting in lieu thereof a comma, and (2) by inserting before the period a comma and the following: "and $3,000,000 for each of the fiscal years 1974 and 1975".

(d) Section 503(d) of such Act is amended by striking out all matter after the semicolon and inserting in lieu thereof "and any amounts authorized for one fiscal year but not appropriated may be appropriated for the succeeding fiscal year.".

(e) Title V of the Lead Based Paint Poisoning Prevention Act is amended by adding at the end thereof the following new sections:

"ELIGIBILITY OF CERTAIN STATE AGENCIES

"SEC. 504. Notwithstanding any other provision of this Act, grants authorized under sections 101 and 201 of this Act may be made to an

Ante, p. 565.

agency of State government in any case where State government provides direct services to citizens in local communities or where units of general local government within the State are prevented by State law from implementing or receiving such grants or from expending such grants in accordance with their intended purpose.

"ADVISORY BOARDS

National Childhood Lead Based Paint Poisoning Advisory Board. Establishment.

Membership.

"SEC. 505. (a) The Secretary of Health, Education, and Welfare, in consultation with the Secretary of Housing and Urban Development, is authorized to establish a National Childhood Lead Based Paint Poisoning Advisory Board to advise the Secretary on policy relating to the administration of this Act. Members of the Board shall include residents of communities and neighborhoods affected by lead based paint poisoning. Each member of the National Advisory Board who is not an officer of the Federal Government is authorized to receive an amount equal to the minimum daily rate prescribed for GS–18, under section 5332 of title 5, United States Code, for each day he is engaged in the actual performance of his duties (including traveltime) as a member of the Board. All members shall be reimbursed for travel, subsistence, and necessary expenses incurred in the performance of their duties.

5 USC 5332 note.

Expenses, reimbursement.

Regulations.

"(b) The Secretary of Health, Education, and Welfare, in consultation with the Secretary of Housing and Urban Development, shall promulgate regulations for establishment of an advisory board for each local program assisted under this Act to assist in carrying out this program. Two-thirds of the members of the board shall be residents of communities and neighborhoods affected by lead based paint poisoning. A majority of the board shall be appointed from among parents, who, when appointed, have at least one child under six years of age. Each member of a local advisory board shall only be reimbursed for necessary expenses incurred in the actual performance of his duties as a member of the board.

"EFFECT UPON STATE LAW

"SEC. 506. It is hereby expressly declared that it is the intent of the Congress to supersede any and all laws of the States and units of local government insofar as they may now or hereafter provide for a requirement, prohibition, or standard relating to the lead content in paints or other similar surface-coating materials which differs from the provisions of this Act or regulations issued pursuant to this Act. Any law, regulation, or ordinance purporting to establish such different requirement, prohibition, or standard shall be null and void.".

80 Stat. 1186; 84 Stat. 1306. 42 USC 246.

SEC. 8. Section 314(e) of the Public Health Service Act is amended by inserting at the end thereof the following new paragraph:

"No funds appropriated pursuant to the authorization of this subsection shall be available for lead based paint poisoning control of the type authorized under the Lead Based Paint Poisoning Prevention Act (84 Stat. 2078)."

42 USC 4801 note.

Approved November 9, 1973.

Public Law 93-152

AN ACT

November 13, 1973
[S. 11]

To grant the consent of the United States to the Arkansas River Basin compact, Arkansas-Oklahoma.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the Arkansas River Basin compact, Arkansas-Oklahoma, 1970, as ratified by the States of Arkansas and Oklahoma as follows:

Arkansas River Basin compact, Arkansas-Oklahoma, 1970.
Consent of Congress.

"ARTICLE I

"The major purposes of this Compact are:

"A. To promote interstate comity between the States of Arkansas and Oklahoma;

"B. To provide for an equitable apportionment of the waters of the Arkansas River between the States of Arkansas and Oklahoma and to promote the orderly development thereof;

"C. To provide an agency for administering the water apportionment agreed to herein;

"D. To encourage the maintenance of an active pollution abatement program in each of the two States and to seek the further reduction of both natural and man-made pollution in the waters of the Arkansas River Basin; and

"E. To facilitate the cooperation of the water administration agencies of the States of Arkansas and Oklahoma in the total development and management of the water resources of the Arkansas River Basin.

"ARTICLE II

Definitions.

"As used in this Compact:

"A. The term 'State' means either State signatory hereto and shall be construed to include any person or persons, entity or agency of either State who, by reason of official responsibility or by designation of the Governor of that State, is acting as an official representative of that State.

"B. The term 'Arkansas-Oklahoma Arkansas River Compact Commission,' or the term 'Commission' means the agency created by this Compact for the administration thereof.

"C. The term 'Arkansas River Basin' means all of the drainage basin of the Arkansas River and its tributaries from a point immediately below the confluence of the Grand-Neosho River with the Arkansas River near Muskogee, Oklahoma, to a point immediately below the confluence of Lee Creek with the Arkansas River near Van Buren, Arkansas, together with the drainage basin of Spavinaw Creek in Arkansas, but excluding that portion of the drainage basin of the Canadian River above Eufaula Dam.

"D. The term 'Spavinaw Creek Sub-basin' means the drainage area of Spavinaw Creek in the State of Arkansas.

"E. The term 'Illinois River Sub-basin' means the drainage area of Illinois River in the State of Arkansas.

"F. The term 'Lee Creek Sub-basin' means the drainage area of Lee Creek in the State of Arkansas and the State of Oklahoma.

"G. The term 'Poteau River Sub-basin' means the drainage area of Poteau River in the State of Arkansas.

"H. The term 'Arkansas River Sub-basin' means all areas of the Arkansas River Basin except the four sub-basins described above.

"I. The term 'water-year' means a twelve-month period beginning on October 1, and ending September 30.

"J. The term 'annual yield' means the computed annual gross runoff from any specified sub-basin which would have passed any certain point on a stream and would have originated within any specified area under natural conditions, without any man-made depletion or accretion during the water year.

"K. The term 'pollution' means contamination or other alterations of the physical, chemical, biological or radiological properties of water or the discharge of any liquid, gaseous, or solid substances into any waters which creates, or is likely to result in a nuisance, or which renders or is likely to render the waters into which it is discharged harmful, detrimental or injurious to public health, safety, or welfare, or which is harmful, detrimental or injurious to beneficial uses of the water.

"ARTICLE III

"A. The physical and other conditions peculiar to the Arkansas River Basin constitute the basis of this Compact, and neither of the States hereby, nor the Congress of the United States by its consent hereto, concedes that this Compact established any general principle with respect to any other interstate stream.

"B. By this Compact, neither State signatory hereto is relinquishing any interest or right it may have with respect to any waters flowing between them which do not originate in the Arkansas River Basin as defined by this Compact.

"ARTICLE IV

"The States of Arkansas and Oklahoma hereby agree upon the following apportionment of the waters of the Arkansas River Basin;

"A. The State of Arkansas shall have the right to develop and use the waters of the Spavinaw Creek Sub-basin subject to the limitation that the annual yield shall not be depleted by more than fifty percent (50%).

"B. The State of Arkansas shall have the right to develop and use the waters of the Illinois River Sub-basin subject to the limitation that the annual yield shall not be depleted by more than sixty percent (60%).

"C. The State of Arkansas shall have the right to develop and use all waters originating within the Lee Creek Sub-basin in the State of Arkansas, or the equivalent thereof.

"D. The State of Oklahoma shall have the right to develop and use all waters originating within the Lee Creek Sub-basin in the State of Oklahoma, or the equivalent thereof.

"E. The State of Arkansas shall have the right to develop and use the waters of the Poteau River Sub-basin subject to the limitation that the annual yield shall not be depleted by more than sixty percent (60%).

"F. The State of Oklahoma shall have the right to develop and use the waters of the Arkansas River Sub-basin subject to the limitation that the annual yield shall not be depleted by more than sixty percent (60%).

"ARTICLE V

"A. On or before December 31 of each year, following the effective date of this Compact, the Commission shall determine the stateline yields of the Arkansas River Basin for the previous water year.

"B. Any depletion of annual yield in excess of that allowed by the provisions of this Compact shall, subject to the control of the Commission, be delivered to the downstream State, and said delivery shall consist of not less than sixty percent (60%) of the current runoff of the basin.

"C. Methods for determining the annual yield of each of the sub-basins shall be those developed and approved by the Commission.

"ARTICLE VI

"A. Each State may construct, own and operate for its needs water storage reservoirs in the other State: *Provided, however*, That nothing contained in this Compact or its ratification by Arkansas or Oklahoma shall be interpreted as granting either State or the parties hereto the right or power of eminent domain in any manner whatsoever outside the borders of its own State.

"B. Depletion in annual yield of any sub-basin of the Arkansas River Basin caused by the operation of any water storage reservoir either heretofore or hereafter constructed by the United States or any of its agencies, instrumentalities or wards, or by a State, political subdivision thereof, or any person or persons shall be charged against the State in which the yield therefrom is utilized.

"C. Each State shall have the free and unrestricted right to utilize the natural channel of any stream within the Arkansas River Basin for conveyance through the other State of waters released from any water storage reservoir for an intended downstream point of diversion or use without loss of ownership of such waters: *Provided, however*, That a reduction shall be made in the amount of water which can be withdrawn at point of removal, equal to the transmission losses.

"ARTICLE VII

"The States of Arkansas and Oklahoma mutually agree to:

"A. The principle of individual State effort to abate man-made pollution within each State's respective borders, and the continuing support of both States in an active pollution abatement program;

"B. The cooperation of the appropriate State agencies in the States of Arkansas and Oklahoma to investigate and abate sources of alleged interstate pollution within the Arkansas River Basin;

"C. Enter into joint programs for the identification and control of sources of pollution of the waters of the Arkansas River and its tributaries which are of interstate significance;

"D. The principle that neither State may require the other to provide water for the purpose of water quality control as a substitute for adequate waste treatment;

"E. Utilize the provisions of all Federal and State water pollution laws and to recognize such water quality standards as may be now or hereafter established under the Federal Water Pollution Control Act in the resolution of any pollution problems affecting the waters of the Arkansas River Basin.

86 Stat. 816.
33 USC 1251 note.

"ARTICLE VIII

Arkansas-Oklahoma Arkansas River Compact Commission. Establishment.

"A. There is hereby created an interstate administrative agency to be known as the 'Arkansas-Oklahoma Arkansas River Compact Commission.' The Commission shall be composed of three Commissioners representing the State of Arkansas and three Commissioners representing the State of Oklahoma, selected as provided below; and, if designated by the President or an authorized Federal agency, one Commissioner representing the United States. The President, or the Federal agency authorized to make such appointments, is hereby requested to designate a Commissioner and an alternate representing the United States. The Federal Commissioner, if one be designated, shall be the Chairman and presiding officer of the Commission, but shall not have the right to vote in any of the deliberations of the Commission.

"B. One Arkansas Commissioner shall be the Director of the Arkansas Soil and Water Conservation Commission, or such other agency as may be hereafter responsible for administering water law in the State. The other two Commissioners shall reside in the Arkansas River drainage area in the State of Arkansas and shall be appointed by the Governor, by and with the advice and consent of the Senate, to four-year staggered terms with the first two Commissioners being appointed simultaneously to terms of two (2) and four (4) years, respectively.

"C. One Oklahoma Commissioner shall be the Director of the Oklahoma Water Resources Board, or such other agency as may be hereafter responsible for administering water law in the State. The other two Commissioners shall reside within the Arkansas River drainage area in the State of Oklahoma and shall be appointed by the Governor, by and with the advice and consent of the Senate, to four-year staggered terms, with the first two Commissioners being appointed simultaneously to terms of two (2) and four (4) years, respectively.

"D. A majority of the Commissioners of each State and the Commissioner or his alternate representing the United States, if they are so designated, must be present to constitute a quorum. In taking any Commission action, each signatory State shall have a single vote representing the majority opinion of the Commissioners of that State.

"E. In the case of a tie vote on any of the Commission's determinations, order, or other actions, a majority of the Commissioners of either State may, upon written request to the Chairman, submit the question to arbitration. Arbitration shall not be compulsory, but on the event of arbitration, there shall be three arbitrators:

"(1) One named by resolution duly adopted by the Arkansas Soil and Water Conservation Commission, or such other State agency as may be hereafter responsible for administering water law in the State of Arkansas; and

"(2) One named by resolution duly adopted by the Oklahoma Water Resources Board, or such other State agency as may be hereafter responsible for administering water law in the State of Oklahoma; and

"(3) The third chosen by the two arbitrators who are selected as provided above.

If the arbitrators fail to select a third within sixty (60) days following their selection, then he shall be chosen by the Chairman of the Commission.

"F. The salaries and personal expenses of each Commissioner shall be paid by the Government which he represents. All other expenses which are incurred by the Commission incident to the administration of this Compact shall be borne equally by the two States and shall be paid by the Commission out of the 'Arkansas-Oklahoma Arkansas River Compact Fund,' initiated and maintained as provided in Article IX(B)(5) below. The States hereby mutually agree to appropriate sums sufficient to cover its share of the expenses incurred in the administration of this Compact, to be paid into said fund. Disbursements shall be made from said fund in such manner as may be authorized by the Commission. Such funds shall not be subject to the audit and accounting procedures of the States; however, all receipts and disbursements of funds handled by the Commission shall be audited by a qualified independent public accountant at regular intervals, and the report of such audit shall be included in and become a part of the annual report of the Commission, provided by Article IX(B)(6) below. The Commission shall not pledge the credit of either State and shall not incur any obligations prior to the availability of funds adequate to meet the same.

"ARTICLE IX

"A. The Commission shall have the power to:

"(1) Employ such engineering, legal, clerical and other personnel as in its judgment may be necessary for the performance of its functions under this Compact;

"(2) Enter into contracts with appropriate State or Federal agencies for the collection, correlation, and presentation of factual data, for the maintenance of records and for the preparation of reports;

"(3) Establish and maintain an office for the conduct of its affairs;

"(4) Adopt and procure a seal for its official use;

"(5) Adopt rules and regulations governing its operations. The procedures employed for the administration of this Compact shall not be subject to any Administrative Procedures Act of either State, but shall be subject to the provisions hereof and to the rules and regulations of the Commission: *Provided, however*, All rules and regulations of the Commission shall be filed with the Secretary of State of the signatory States.

"(6) Cooperate with Federal and State agencies and political subdivisions of the signatory States in developing principles, consistent with the provisions of this Compact and with Federal and State policy, for the storage and release of water from reservoirs, both existing and future within the Arkansas River Basin, for the purpose of assuring their operation in the best interests of the States and the United States;

"(7) Hold hearings and compel the attendance of witnesses for the purpose of taking testimony and receiving other appropriate and proper evidence and issuing such appropriate orders as it deems necessary for the proper administration of this Compact, which orders shall be enforceable upon the request by the Commission or any other interested party in any court of competent jurisdiction within the county wherein the subject matter to which the order relates is in existence, subject to the right of review through the appellate courts of the State of situs. Any hearing held for the promulgation and issuance of orders shall be in the county and State of the subject matter of said hearing;

"(8) Make and file official certified copies of any of its findings, recommendations or reports with such officers or agencies of either State, or the United States as may have any interest in or jurisdiction over the subject matter. Findings of fact made by the Commission shall be admissible in evidence and shall constitute prima facie evidence of such fact in any court or before any agency of competent jurisdiction. The making of findings, recommendations, or reports by the Commission shall not be a condition precedent to instituting or maintaining any action or proceeding of any kind by a signatory State in any court, or before any tribunal agency or officer, for the protection of any right under this Compact or for the enforcement of any of its provisions;

"(9) Secure from the head of any department or agency of the Federal or State government such information, suggestions, estimates and statistics as it may need or believe to be useful for carrying out its functions and as may be available to or procurable by the department or agency to which the request is addressed;

"(10) Print or otherwise reproduce and distribute all of its proceedings and reports; and

"(11) Accept, for the purposes of this Compact, any and all private donations and gifts and Federal grants of money.

"B. The Commission shall:

"(1) Cause to be established, maintained and operated such stream, reservoir or other gaging stations as may be necessary for the proper administration of this Compact;

"(2) Collect, analyze and report on data as to stream flows, water quality, annual yields and such other information as is necessary for the proper administration of this Compact;

"(3) Continue research for developing methods of determining total basin yields;

"(4) Perform all other functions required of it by the Compact and do all things necessary, proper or convenient in the performance of its duties thereunder;

"(5) Establish and maintain the 'Arkansas-Oklahoma Arkansas River Compact Fund,' consisting of any and all funds received by the Commission under the authority of this Compact and deposited in one or more banks qualifying for the deposit of public funds of the signatory States;

Report.

"(6) Prepare and submit an annual report to the Governor of each signatory State and to the President of the United States covering the activities of the Commission for the preceding fiscal year, together with an accounting of all funds received and expended by it in the conduct of its work;

"(7) Prepare and submit to the Governor of each of the States of Arkansas and Oklahoma an annual budget covering the anticipated expenses of the Commission for the following fiscal year; and

"(8) Make available to the Governor or any State agency of either State or to any authorized representative of the United States, upon request, any information within its possession.

"ARTICLE X

"A. The provisions hereof shall remain in full force and effect until changed or amended by unanimous action of the States acting through their Commissioners and until such changes are ratified by the legislatures of the respective States and consented to by the Congress of the United States in the same manner as this Compact is required to be ratified to become effective.

"B. This Compact may be terminated at any time by the appropriate action of the legislature of both signatory States.

"C. In the event of amendment or termination of the Compact, all rights established under the Compact shall continue unimpaired.

"ARTICLE XI

"Nothing in this Compact shall be deemed:

"A. To impair or affect the powers, rights or obligations of the United States, or those claiming under its authority in, over, and to the waters of the Arkansas River Basin;

"B. To interfere with or impair the right or power of either signatory State to regulate within its boundaries of appropriation, use and control of waters within that State not inconsistent with its obligations under this Compact.

"ARTICLE XII

"If any part or application of this Compact should be declared invalid by a court of competent jurisdiction, all other provisions and application of this Compact shall remain in full force and effect.

"ARTICLE XIII

"A. This Compact shall become binding and obligatory when it shall have been ratified by the legislature of each State and consented to by the Congress of the United States, and when the Congressional Act consenting to this Compact includes the consent of Congress to name and join the United States as a party in any litigation in the United States Supreme Court, if the United States is an indispensable party, and if the litigation arises out of this Compact or its application, and if a signatory State is a party thereto.

"B. The States of Arkansas and Oklahoma mutually agree and consent to be sued in the United States District Court under the provisions of Public Law 87-830 as enacted October 15, 1962, or as may be thereafter amended. 76 Stat. 957. 33 USC 466g-1 and note.

"C. Notice of ratification by the legislature of each State shall be given by the Governor of that State to the Governor of the other State, and to the President of the United States, and the President is hereby requested to give notice to the Governor of each State of consent by the Congress of the United States.

"IN WITNESS WHEREOF, the authorized representatives have executed three counterparts hereof such of which shall be and constitute an original, one of which will be deposited with the Administrator of General Services of the United States, and one of which shall be forwarded to the Governor of each State.

"Done at the City of Little Rock, State of Arkansas, this 16th day of March A.D., 1970.

"FOR ARKANSAS:

"S. KEITH JACKSON,
"Committee Member.

"JOHN LUCE,
"Committee Member.

"FOR OKLAHOMA:

"GLADE R. KIRKPATRICK,
"Committee Member.

"MILTON CRAIG,
"Committee Member.

"Approved: TRIGG TWICHELL, Representative, United States of America.

"Attest: WILLARD B. MILLS, Secretary."

SEC. 2. In order to carry out the purposes of this Act, and the purposes of article XIII of this compact consented to by Congress by this Act, the congressional consent to this compact includes and expressly gives the consent of Congress to have the United States of America named and joined as a party litigant in any litigation in the United States Supreme Court, if the United States of America is an indispensable party to such litigation, and if the litigation arises out of this compact, or its application, and if a signatory State to this compact is a party litigant, in the litigation.

SEC. 3. The right to alter, amend, or repeal this Act, is expressly reserved.

Approved November 13, 1973.

Public Law 93-153

November 16, 1973
[S. 1081]

AN ACT

To amend section 28 of the Mineral Leasing Act of 1920, and to authorize a trans-Alaska oil pipeline, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Mineral Leasing Act of 1920, amendments and trans-Alaska oil pipeline authorization.

TITLE I

SECTION 101. Section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), is further amended to read as follows:

67 Stat. 557.

"Grant of Authority

"SEC. 28. (a) Rights-of-way through any Federal lands may be granted by the Secretary of the Interior or appropriate agency head for pipeline purposes for the transportation of oil, natural gas, synthetic liquid or gaseous fuels, or any refined product produced therefrom to any applicant possessing the qualifications provided in section 1 of this Act, as amended, in accordance with the provisions of this section.

60 Stat. 950; 74 Stat. 790. 30 USC 181.

"Definitions

"(b)(1) For the purposes of this section 'Federal lands' means all lands owned by the United States except lands in the National Park System, lands held in trust for an Indian or Indian tribe, and lands on the Outer Continental Shelf. A right-of-way through a Federal reservation shall not be granted if the Secretary or agency head determines that it would be inconsistent with the purposes of the reservation.

"(2) 'Secretary' means the Secretary of the Interior.

"(3) 'Agency head' means the head of any Federal department or independent Federal office or agency, other than the Secretary of the Interior, which has jurisdiction over Federal lands.

"Inter-Agency Coordination

"(c)(1) Where the surface of all of the Federal lands involved in a proposed right-of-way or permit is under the jurisdiction of one Federal agency, the agency head, rather than the Secretary, is authorized to grant or renew the right-of-way or permit for the purposes set forth in this section.

"(2) Where the surface of the Federal lands involved is administered by the Secretary or by two or more Federal agencies, the Secretary is authorized, after consultation with the agencies involved, to grant or renew rights-of-way or permits through the Federal lands involved. The Secretary may enter into interagency agreements with all other Federal agencies having jurisdiction over Federal lands for the purpose of avoiding duplication, assigning responsibility, expediting review of rights-of-way or permit applications, issuing joint regulations, and assuring a decision based upon a comprehensive review of all factors involved in any right-of-way or permit application. Each agency head shall administer and enforce the provisions of this section, appropriate regulations, and the terms and conditions of rights-of-way or permits insofar as they involve Federal lands under the agency head's jurisdiction.

"Width Limitations

"(d) The width of a right-of-way shall not exceed fifty feet plus the ground occupied by the pipeline (that is, the pipe and its related facilities) unless the Secretary or agency head finds, and records the reasons for his finding, that in his judgment a wider right-of-way is necessary for operation and maintenance after construction, or to protect the environment or public safety. Related facilities include but are not limited to valves, pump stations, supporting structures, bridges, monitoring and communication devices, surge and storage tanks, terminals, roads, airstrips and campsites, and they need not necessarily be connected or contiguous to the pipe and may be the subjects of separate rights-of-way.

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"Temporary Permits

"(e) A right-of-way may be supplemented by such temporary permits for the use of Federal lands in the vicinity of the pipeline as the Secretary or agency head finds are necessary in connection with construction, operation, maintenance, or termination of the pipeline, or to protect the natural environment or public safety.

"Regulatory Authority

"(f) Rights-of-way or permits granted or renewed pursuant to this section shall be subject to regulations promulgated in accord with the provisions of this section and shall be subject to such terms and conditions as the Secretary or agency head may prescribe regarding extent, duration, survey, location, construction, operation, maintenance, use, and termination.

"Pipeline Safety

"(g) The Secretary or agency head shall impose requirements for the operation of the pipeline and related facilities in a manner that will protect the safety of workers and protect the public from sudden ruptures and slow degradation of the pipeline.

"Environmental Protection

"(h)(1) Nothing in this section shall be construed to amend, repeal, modify, or change in any way the requirements of section 102(2)(C) or any other provision of the National Environmental Policy Act of 1969 (Public Law 91-190, 83 Stat. 852).

42 USC 4332.

"(2) The Secretary or agency head, prior to granting a right-of-way or permit pursuant to this section for a new project which may have a significant impact on the environment, shall require the applicant to submit a plan of construction, operation, and rehabilitation for such right-of-way or permit which shall comply with this section. The Secretary or agency head shall issue regulations or impose stipulations which shall include, but shall not be limited to: (A) requirements for restoration, revegetation, and curtailment of erosion of the surface of the land; (B) requirements to insure that activities in connection with the right-of-way or permit will not violate applicable air and water quality standards nor related facility siting standards established by or pursuant to law; (C) requirements designed to control or prevent (i) damage to the environment (including damage to fish and wildlife habitat), (ii) damage to public or private property, and (iii) hazards to public health and safety; and (D) requirements to protect the interests of individuals living in the general area of the right-of-way or permit who rely on the fish, wildlife, and biotic resources of the area for subsistence purposes. Such regulations shall be applicable to every right-of-way or permit granted pursuant to this section, and may be made applicable by the Secretary or agency head to existing rights-of-way or permits, or rights-of-way or permits to be renewed pursuant to this section.

Construction, operation, and rehabilitation plan, submittal. Regulations or stipulations.

"Disclosure

"(i) If the applicant is a partnership, corporation, association, or other business entity, the Secretary or agency head shall require the applicant to disclose the identity of the participants in the entity. Such disclosure shall include where applicable (1) the name and address of each partner, (2) the name and address of each shareholder owning 3 per centum or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote, and (3) the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and, in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.

"Technical and Financial Capability

"(j) The Secretary or agency head shall grant or renew a right-of-way or permit under this section only when he is satisfied that the applicant has the technical and financial capability to construct, operate, maintain, and terminate the project for which the right-of-way or permit is requested in accordance with the requirements of this section.

"Public Hearings

"(k) The Secretary or agency head by regulation shall establish procedures, including public hearings where appropriate, to give Federal, State, and local government agencies and the public adequate notice and an opportunity to comment upon right-of-way applications filed after the date of enactment of this subsection.

"Reimbursement of Costs

"(l) The applicant for a right-of-way or permit shall reimburse the United States for administrative and other costs incurred in processing the application, and the holder of a right-of-way or permit shall reimburse the United States for the costs incurred in monitoring the construction, operation, maintenance, and termination of any pipeline and related facilities on such right-of-way or permit area and shall pay annually in advance the fair market rental value of the right-of-way or permit, as determined by the Secretary or agency head.

"Bonding

"(m) Where he deems it appropriate the Secretary or agency head may require a holder of a right-of-way or permit to furnish a bond, or other security, satisfactory to the Secretary or agency head to secure all or any of the obligations imposed by the terms and conditions of the right-of-way or permit or by any rule or regulation of the Secretary or agency head.

"Duration of Grant

"(n) Each right-of-way or permit granted or renewed pursuant to this section shall be limited to a reasonable term in light of all circumstances concerning the project, but in no event more than thirty years. In determining the duration of a right-of-way the Secretary or agency head shall, among other things, take into consideration the cost of the facility, its useful life, and any public purpose it serves. The Secretary or agency head shall renew any right-of-way, in accordance with the provisions of this section, so long as the project is in commercial operation and is operated and maintained in accordance with all of the provisions of this section.

"Suspension or Termination of Right-of-Way

"(o)(1) Abandonment of a right-of-way or noncompliance with any provision of this section may be grounds for suspension or termination of the right-of-way if (A) after due notice to the holder of the right-of-way, (B) a reasonable opportunity to comply with this section, and (C) an appropriate administrative proceeding pursuant to title 5, United States Code, section 554, the Secretary or agency head determines that any such ground exists and that suspension or termination is justified. No administrative proceeding shall be required where the right-of-way by its terms provides that it terminates on the occurrence of a fixed or agreed upon condition, event, or time.

80 Stat. 384.

"(2) If the Secretary or agency head determines that an immediate temporary suspension of activities within a right-of-way or permit area is necessary to protect public health or safety or the environment, he may abate such activities prior to an administrative proceeding.

"(3) Deliberate failure of the holder to use the right-of-way for the purpose for which it was granted or renewed for any continuous two-year period shall constitute a rebuttable presumption of abandonment of the right-of-way: *Provided*, That where the failure to use the right-of-way is due to circumstances not within the holder's control the Secretary or agency head is not required to commence proceedings to suspend or terminate the right-of-way.

"Joint Use of Rights-of-Ways

"(p) In order to minimize adverse environmental impacts and the proliferation of separate rights-of-way across Federal lands, the utilization of rights-of-way in common shall be required to the extent practical, and each right-of-way or permit shall reserve to the Secretary or agency head the right to grant additional rights-of-way or permits for compatible uses on or adjacent to rights-of-way or permit area granted pursuant to this section.

"Statutes

"(q) No rights-of-way for the purposes provided for in this section shall be granted or renewed across Federal lands except under and subject to the provisions, limitations, and conditions of this section. Any application for a right-of-way filed under any other law prior to the effective date of this provision may, at the applicant's option, be considered as an application under this section. The Secretary or agency head may require the applicant to submit any additional information he deems necessary to comply with the requirements of this section.

"Common Carriers

"(r)(1) Pipelines and related facilities authorized under this section shall be constructed, operated, and maintained as common carriers.

"(2)(A) The owners or operators of pipelines subject to this section shall accept, convey, transport, or purchase without discrimination all oil or gas delivered to the pipeline without regard to whether such oil or gas was produced on Federal or non-Federal lands.

"(B) In the case of oil or gas produced from Federal lands or from the resources on the Federal lands in the vicinity of the pipeline, the Secretary may, after a full hearing with due notice thereof to the interested parties and a proper finding of facts, determine the proportionate amounts to be accepted, conveyed, transported or purchased.

Notice, hearing requirements.

"(3)(A) The common carrier provisions of this section shall not apply to any natural gas pipeline operated by any person subject to regulation under the Natural Gas Act or by any public utility subject to regulation by a State or municipal regulatory agency having jurisdiction to regulate the rates and charges for the sale of natural gas to consumers within the State or municipality.

52 Stat. 821. 15 USC 717w.

"(B) Where natural gas not subject to State regulatory or conservation laws governing its purchase by pipelines is offered for sale, each such pipeline shall purchase, without discrimination, any such natural gas produced in the vicinity of the pipeline.

"(4) The Government shall in express terms reserve and shall provide in every lease of oil lands under this Act that the lessee, assignee, or beneficiary, if owner or operator of a controlling interest in any pipeline or of any company operating the pipeline which may be operated accessible to the oil derived from lands under such lease, shall at reasonable rates and without discrimination accept and convey the oil of the Government or of any citizen or company not the owner of any pipeline operating a lease or purchasing gas or oil under the provisions of this Act.

"(5) Whenever the Secretary has reason to believe that any owner or operator subject to this section is not operating any oil or gas pipeline in complete accord with its obligations as a common carrier hereunder, he may request the Attorney General to prosecute an appropriate proceeding before the Interstate Commerce Commission or Federal Power Commission or any appropriate State agency or the United States district court for the district in which the pipeline or any part thereof is located, to enforce such obligation or to impose any penalty provided therefor, or the Secretary may, by proceeding as provided in this section, suspend or terminate the said grant of right-of-way for noncompliance with the provisions of this section.

Jurisdiction. Interstate Commerce Commission, Federal Power Commission, United States district court.

"(6) The Secretary or agency head shall require, prior to granting or renewing a right-of-way, that the applicant submit and disclose all plans, contracts, agreements, or other information or material which he deems necessary to determine whether a right-of-way shall be granted or renewed and the terms and conditions which should be included in the right-of-way. Such information may include, but is not limited to: (A) conditions for, and agreements among owners or operators, regarding the addition of pumping facilities, looping, or otherwise increasing the pipeline or terminal's throughput capacity in response to actual or anticipated increases in demand; (B) conditions for adding or abandoning intake, offtake, or storage points or facilities; and (C) minimum shipment or purchase tenders.

Right-of-way renewal requirements.

"Right-of-Way Corridors

"(s) In order to minimize adverse environmental impacts and to prevent the proliferation of separate rights-of-way across Federal lands, the Secretary shall, in consultation with other Federal and State agencies, review the need for a national system of transportation and utility corridors across Federal lands and submit a report of his findings and recommendations to the Congress and the President by July 1, 1975.

Report to Congress and President.

"Existing Rights-of-Way

"(t) The Secretary or agency head may ratify and confirm any right-of-way or permit for an oil or gas pipeline or related facility that was granted under any provision of law before the effective date of this subsection, if it is modified by mutual agreement to comply to the extent practical with the provisions of this section. Any action taken by the Secretary or agency head pursuant to this subsection shall not be considered a major Federal action requiring a detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1970 (Public Law 90–190; 42 U.S.C. 4321).

83 Stat. 853.
42 USC 4332.

"Limitations on Export

"(u) Any domestically produced crude oil transported by pipeline over rights-of-way granted pursuant to section 28 of the Mineral Leasing Act of 1920, except such crude oil which is either exchanged in similar quantity for convenience or increased efficiency of transportation with persons or the government of an adjacent foreign state, or which is temporarily exported for convenience or increased efficiency of transportation across parts of an adjacent foreign state and reenters the United States, shall be subject to all of the limitations and licensing requirements of the Export Administration Act of 1969 (Act of December 30, 1969; 83 Stat. 841) and, in addition, before any crude oil subject to this section may be exported under the limitations and licensing requirements and penalty and enforcement provisions of the Export Administration Act of 1969 the President must make and publish an express finding that such exports will not diminish the total quantity or quality of petroleum available to the United States, and are in the national interest and are in accord with the provisions of the Export Administration Act of 1969: *Provided*, That the President shall submit reports to the Congress containing findings made under this section, and after the date of receipt of such report Congress shall have a period of sixty calendar days, thirty days of which Congress must have been in session, to consider whether exports under the terms of this section are in the national interest. If the Congress within this time period passes a concurrent resolution of disapproval stating disagreement with the President's finding concerning the national interest, further exports made pursuant to the aforementioned Presidential findings shall cease.

86 Stat. 644.
50 USC app. 2401 note.

Presidential publication.

Reports to Congress.

"State Standards

"(v) The Secretary or agency head shall take into consideration and to the extent practical comply with State standards for right-of-way construction, operation, and maintenance.

"Reports

"(w)(1) The Secretary and other appropriate agency heads shall report to the House and Senate Committees on Interior and Insular Affairs annually on the administration of this section and on the safety and environmental requirements imposed pursuant thereto.

"(2) The Secretary or agency head shall notify the House and Senate Committees on Interior and Insular Affairs promptly upon receipt of an application for a right-of-way for a pipeline twenty-four inches or more in diameter, and no right-of-way for such a pipeline shall be granted until sixty days (not counting days on which the House of Representatives or the Senate has adjourned for more than three days) after a notice of intention to grant the right-of-way, together with the Secretary's or agency head's detailed findings as to terms and conditions he proposes to impose, has been submitted to such committees, unless each committee by resolution waives the waiting period.

"(3) Periodically, but at least once a year, the Secretary of the Department of Transportation shall cause the examination of all pipelines and associated facilities on Federal lands and shall cause the prompt reporting of any potential leaks or safety problems.

"(4) The Secretary of the Department of Transportation shall report annually to the President, the Congress, the Secretary of the Interior, and the Interstate Commerce Commission any potential dangers of or actual explosions, or potential or actual spillage on Federal lands and shall include in such report a statement of corrective action taken to prevent such explosion or spillage.

"Liability

"(x)(1) The Secretary or agency head shall promulgate regulations and may impose stipulations specifying the extent to which holders of rights-of-way and permits under this Act shall be liable to the United States for damage or injury incurred by the United States in connection with the right-of-way or permit. Where the right-of-way or permit involves lands which are under the exclusive jurisdiction of the Federal Government, the Secretary or agency head shall promulgate regulations specifying the extent to which holders shall be liable to third parties for injuries incurred in connection with the right-of-way or permit. Regulations and stipulations.

"(2) The Secretary or agency head may, by regulation or stipulation, impose a standard of strict liability to govern activities taking place on a right-of-way or permit area which the Secretary or agency head determines, in his discretion, to present a foreseeable hazard or risk of danger to the United States.

"(3) Regulations and stipulations pursuant to this subsection shall not impose strict liability for damage or injury resulting from (A) an act of war, or (B) negligence of the United States.

"(4) Any regulation or stipulation imposing liability without fault shall include a maximum limitation on damages commensurate with the foreseeable risks or hazards presented. Any liability for damage or injury in excess of this amount shall be determined by ordinary rules of negligence.

"(5) The regulations and stipulations shall also specify the extent to which such holders shall indemnify or hold harmless the United States for liability, damage, or claims arising in connection with the right-of-way or permit.

"(6) Any regulation or stipulation promulgated or imposed pursuant to this section shall provide that all owners of any interest in, and all affiliates or subsidiaries of any holder of, a right-of-way or permit shall be liable to the United States in the event that a claim for damage or injury cannot be collected from the holder.

"(7) In any case where liability without fault is imposed pursuant to this subsection and the damages involved were caused by the negligence of a third party, the rules of subrogation shall apply in accordance with the law of the jurisdiction where the damage occurred.

"Antitrust Laws

"(y) The grant of a right-of-way or permit pursuant to this section shall grant no immunity from the operation of the Federal antitrust laws."

TITLE II

SHORT TITLE

Citation of title.

SEC. 201. This title may be cited as the "Trans-Alaska Pipeline Authorization Act".

CONGRESSIONAL FINDINGS

SEC. 202. The Congress finds and declares that:

(a) The early development and delivery of oil and gas from Alaska's North Slope to domestic markets is in the national interest because of growing domestic shortages and increasing dependence upon insecure foreign sources.

(b) The Department of the Interior and other Federal agencies, have, over a long period of time, conducted extensive studies of the technical aspects and of the environmental, social, and economic impacts of the proposed trans-Alaska oil pipeline, including consideration of a trans-Canada pipeline.

(c) The earliest possible construction of a trans-Alaska oil pipeline from the North Slope of Alaska to Port Valdez in that State will make the extensive proven and potential reserves of low-sulfur oil available for domestic use and will best serve the national interest.

(d) A supplemental pipeline to connect the North Slope with a trans-Canada pipeline may be needed later and it should be studied now, but it should not be regarded as an alternative for a trans-Alaska pipeline that does not traverse a foreign country.

CONGRESSIONAL AUTHORIZATION

SEC. 203. (a) The purpose of this title is to insure that, because of the extensive governmental studies already made of this project and the national interest in early delivery of North Slope oil to domestic markets, the trans-Alaska oil pipeline be constructed promptly without further administrative or judicial delay or impediment. To accomplish this purpose it is the intent of the Congress to exercise its constitutional powers to the fullest extent in the authorizations and directions herein made and in limiting judicial review of the actions taken pursuant thereto.

(b) The Congress hereby authorizes and directs the Secretary of the Interior and other appropriate Federal officers and agencies to issue and take all necessary action to administer and enforce rights-of way, permits, leases, and other authorizations that are necessary for or related to the construction, operation, and maintenance of the trans-Alaska oil pipeline system, including roads and airstrips, as that

system is generally described in the Final Environmental Impact Statement issued by the Department of the Interior on March 20, 1972. The route of the pipeline may be modified by the Secretary to provide during construction greater environmental protection.

(c) Rights-of-way, permits, leases, and other authorizations issued pursuant to this title by the Secretary shall be subject to the provisions of section 28 of the Mineral Leasing Act of 1920, as amended by title I of this Act (except the provisions of subsections (h)(1), (k), (q), (w)(2), and (x)); all authorizations issued by the Secretary and other Federal officers and agencies pursuant to this title shall include the terms and conditions required, and may include the terms and conditions permitted, by the provisions of law that would otherwise be applicable if this title had not been enacted, and they may waive any procedural requirements of law or regulation which they deem desirable to waive in order to accomplish the purposes of this title. The direction contained in section 203(b) shall supersede the provisions of any law or regulation relating to an administrative determination as to whether the authorizations for construction of the trans-Alaska oil pipeline shall be issued.

Ante, p. 576.

(d) The actions taken pursuant to this title which relate to the construction and completion of the pipeline system, and to the applications filed in connection therewith necessary to the pipeline's operation at full capacity, as described in the Final Environmental Impact Statement of the Department of the Interior, shall be taken without further action under the National Environmental Policy Act of 1969; and the actions of the Federal officers concerning the issuance of the necessary rights-of-way, permits, leases, and other authorizations for construction and initial operation at full capacity of said pipeline system shall not be subject to judicial review under any law except that claims alleging the invalidity of this section may be brought within sixty days following its enactment, and claims alleging that an action will deny rights under the Constitution of the United States, or that the action is beyond the scope of authority conferred by this title, may be brought within sixty days following the date of such action. A claim shall be barred unless a complaint is filed within the time specified. Any such complaint shall be filed in a United States district court, and such court shall have exclusive jurisdiction to determine such proceeding in accordance with the procedures hereinafter provided, and no other court of the United States, of any State, territory, or possession of the United States, or of the District of Columbia, shall have jurisdiction of any such claim whether in a proceeding instituted prior to or on or after the date of the enactment of this Act. Any such proceeding shall be assigned for hearing at the earliest possible date, shall take precedence over all other matters pending on the docket of the district court at that time, and shall be expedited in every way by such court. Such court shall not have jurisdiction to grant any injunctive relief against the issuance of any right-of-way, permit, lease, or other authorization pursuant to this section except in conjunction with a final judgment entered in a case involving a claim filed pursuant to this section. Any review of an interlocutory or final judgment, decree, or order of such district court may be had only upon direct appeal to the Supreme Court of the United States.

83 Stat. 852.
42 USC 4321 note.

1 USC prec. title 1.

Hearings.

(e) The Secretary of the Interior and the other Federal officers and agencies are authorized at any time when necessary to protect the public interest, pursuant to the authority of this section and in accordance with its provisions, to amend or modify any right-of-way, permit, lease, or other authorization issued under this title.

Amendments; modifications.

LIABILITY

SEC. 204. (a)(1) Except when the holder of the pipeline right-of-way granted pursuant to this title can prove that damages in connection with or resulting from activities along or in the vicinity of the proposed trans-Alaskan pipeline right-of-way were caused by an act of war or negligence of the United States, other government entity, or the damaged party, such holder shall be strictly liable to all damaged parties, public or private, without regard to fault for such damages, and without regard to ownership of any affected lands, structures, fish, wildlife, or biotic or other natural resources relied upon by Alaska Natives, Native organizations, or others for subsistence or economic purposes. Claims for such injury or damages may be determined by arbitration or judicial proceedings.

Limitation.

(2) Liability under paragraph (1) of this subsection shall be limited to $50,000,000 for any one incident, and the holders of the right-of-way or permit shall be liable for any claim allowed in proportion to their ownership interest in the right-of-way or permit. Liability of such holders for damages in excess of $50,000,000 shall be in accord with ordinary rules of negligence.

(3) In any case where liability without fault is imposed pursuant to this subsection and the damages involved were caused by the negligence of a third party, the rules of subrogation shall apply in accordance with the law of the jurisdiction where the damage occurred.

(4) Upon order of the Secretary, the holder of a right-of-way or permit shall provide emergency subsistence and other aid to an affected Alaska Native, Native organization, or other person pending expeditious filing of, and determination of, a claim under this subsection.

(5) Where the State of Alaska is the holder of a right-of-way or permit under this title, the State shall not be subject to the provisions of subsection 204(a), but the holder of the permit or right-of-way for the trans-Alaska pipeline shall be subject to that subsection with respect to facilities constructed or activities conducted under rights-of-way or permits issued to the State to the extent that such holder engages in the construction, operation, maintenance, and termination of facilities, or in other activities under rights-of-way or permits issued to the State.

(b) If any area within or without the right-of-way or permit area granted under this title is polluted by any activities conducted by or on behalf of the holder to whom such right-of-way or permit was granted, and such pollution damages or threatens to damage aquatic life, wildlife, or public or private property, the control and total removal of the pollutant shall be at the expense of such holder, including any administrative and other costs incurred by the Secretary or any other Federal officer or agency. Upon failure of such holder to adequately control and remove such pollutant, the Secretary, in cooperation with other Federal, State, or local agencies, or in cooperation with such holder, or both, shall have the right to accomplish the control and removal at the expense of such holder.

(c)(1) Notwithstanding the provisions of any other law, if oil that has been transported through the trans-Alaska pipeline is loaded on a vessel at the terminal facilities of the pipeline, the owner and operator of the vessel (jointly and severally) and the Trans-Alaska Pipeline Liability Fund established by this subsection, shall be strictly liable without regard to fault in accordance with the provisions of this subsection for all damages, including clean-up costs, sustained by any person or entity, public or private, including residents of Canada, as the result of discharges of oil from such vessel.

(2) Strict liability shall not be imposed under this subsection if the owner or operator of the vessel, or the Fund, can prove that the damages were caused by an act of war or by the negligence of the United States or other governmental agency. Strict liability shall not be imposed under this subsection with respect to the claim of a damaged party if the owner or operator of the vessel, or the Fund, can prove that the damage was caused by the negligence of such party.

Limitation.

(3) Strict liability for all claims arising out of any one incident shall not exceed $100,000,000. The owner and operator of the vessel shall be jointly and severally liable for the first $14,000,000 of such claims that are allowed. Financial responsibility for $14,000,000 shall be demonstrated in accordance with the provisions of section 311(p) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1321(p)) before the oil is loaded. The Fund shall be liable for the balance of the claims that are allowed up to $100,000,000. If the total claims allowed exceed $100,000,000, they shall be reduced proportionately. The unpaid portion of any claim may be asserted and adjudicated under other applicable Federal or state law.

86 Stat. 862.

Trans-Alaska Pipeline Liability Fund.
Establishment.

(4) The Trans-Alaska Pipeline Liability Fund is hereby established as a non-profit corporate entity that may sue and be sued in its own name. The Fund shall be administered by the holders of the trans-Alaska pipeline right-of-way under regulations prescribed by the Secretary. The Fund shall be subject to an annual audit by the Comptroller General, and a copy of the audit shall be submitted to the Congress.

Fee per barrel.

(5) The operator of the pipeline shall collect from the owner of the oil at the time it is loaded on the vessel a fee of five cents per barrel. The collection shall cease when $100,000,000 has been accumulated in the Fund, and it shall be resumed when the accumulation in the Fund falls below $100,000,000.

(6) The collections under paragraph (5) shall be delivered to the Fund. Costs of administration shall be paid from the money paid to the Fund, and all sums not needed for administration and the satisfaction of claims shall be invested prudently in income-producing securities approved by the Secretary. Income from such securities shall be added to the principal of the Fund.

(7) The provisions of this subsection shall apply only to vessels engaged in transportation between the terminal facilities of the pipeline and ports under the jurisdiction of the United States. Strict liability under this subsection shall cease when the oil has first been brought ashore at a port under the jurisdiction of the United States.

(8) In any case where liability without regard to fault is imposed pursuant to this subsection and the damages involved were caused by the unseaworthiness of the vessel or by negligence, the owner and operator of the vessel, and the Fund, as the case may be, shall be subrogated under applicable State and Federal laws to the rights under said laws of any person entitled to recovery hereunder. If any subrogee brings an action based on unseaworthiness of the vessel or negligence of its owner or operator, it may recover from any affiliate of the owner or operator, if the respective owner or operator fails to satisfy any claim by the subrogee allowed under this paragraph.

(9) This subsection shall not be interpreted to preempt the field of strict liability or to preclude any State from imposing additional requirements.

(10) If the Fund is unable to satisfy a claim asserted and finally determined under this subsection, the Fund may borrow the money needed to satisfy the claim from any commercial credit source, at the lowest available rate of interest, subject to approval of the Secretary.

"Affiliate."

(11) For purposes of this subsection only, the term "affiliate" includes—

(A) Any person owned or effectively controlled by the vessel owner or operator; or

(B) Any person that effectively controls or has the power effectively to control the vessel owner or operator by—

(i) stock interest, or

(ii) representation on a board of directors or similar body, or

(iii) contract or other agreement with other stockholders, or

(iv) otherwise; or

(C) Any person which is under common ownership or control with the vessel owner or operator.

"Person."

(12) The term "person" means an individual, a corporation, a partnership, an association, a joint-stock company, a business trust, or an unincorporated organization.

ANTITRUST LAWS

SEC. 205. The grant of a right-of-way, permit, lease, or other authorization pursuant to this title shall grant no immunity from the operation of the Federal anti-trust laws.

ROADS AND AIRPORTS

SEC. 206. A right-of-way, permit, lease, or other authorization granted under section 203(b) for a road or airstrip as a related facility of the trans-Alaska pipeline may provide for the construction of a public road or airstrip.

TITLE III—NEGOTIATIONS WITH CANADA

SEC. 301. The President of the United States is authorized and requested to enter into negotiations with the Government of Canada to determine—

(a) the willingness of the Government of Canada to permit the construction of pipelines or other transportation systems across Canadian territory for the transport of natural gas and oil from Alaska's North Slope to markets in the United States, including the use of tankers by way of the Northwest Passage;

(b) the need for intergovernmental understandings, agreements, or treaties to protect the interests of the Governments of Canada and the United States and any party or parties involved with the construction, operation, and maintenance of pipelines or other transportation systems for the transport of such natural gas or oil;

(c) the terms and conditions under which pipelines or other transportation systems could be constructed across Canadian territory;

(d) the desirability of undertaking joint studies and investigations designed to insure protection of the environment, reduce legal and regulatory uncertainty, and insure that the respective energy requirements of the people of Canada and of the United States are adequately met;

(e) the quantity of such oil and natural gas from the North Slope of Alaska for which the Government of Canada would guarantee transit; and

(f) the feasibility, consistent with the needs of other sections of the United States, of acquiring additional energy from other sources that would make unnecessary the shipment of oil from the Alaska pipeline by tanker into the Puget Sound area.

Presidential report to congressional committees.

The President shall report to the House and Senate Committees on Interior and Insular Affairs the actions taken, the progress achieved, the areas of disagreement, and the matters about which more information is needed, together with his recommendations for further action.

Study.

SEC. 302. (a) The Secretary of the Interior is authorized and directed to investigate the feasibility of one or more oil or gas pipelines from the North Slope of Alaska to connect with a pipeline through Canada that will deliver oil or gas to United States markets.

Investigation costs.

(b) All costs associated with making the investigations authorized by subsection (a) shall be charged to any future applicant who is granted a right-of-way for one of the routes studied. The Secretary shall submit to the House and Senate Committees on Interior and Insular Affairs periodic reports of his investigation, and the final report of the Secretary shall be submitted within two years from the date of this Act.

Reports to congressional committees.

SEC. 303. Nothing in this title shall limit the authority of the Secreary of the Interior or any other Federal official to grant a gas or oil pipeline right-of-way or permit which he is otherwise authorized by law to grant.

TITLE IV—MISCELLANEOUS

VESSEL CONSTRUCTION STANDARDS

Effective dates.

SEC. 401. Section 4417a of the Revised Statutes of the United States (46 U.S.C. 391a), as amended by the Ports and Waterways Safety Act of 1972 (86 Stat. 424, Public Law 92-340), is hereby amended as follows:

"(C) Rules and regulations published pursuant to subsection (7)(A) shall be effective not earlier than January 1, 1974, with respect to foreign vessels and United States-flag vessels operating in the foreign trade, unless the Secretary shall earlier establish rules and regulations consonant with international treaty, convention, or agreement, which generally address the regulation of similar topics for the protection of the marine environment. In absence of the promulgation of such rules and regulations consonant with international treaty, convention, or agreement, the Secretary shall establish an effective date not later than January 1, 1976, with respect to foreign vessels and United States-flag vessels operating in the foreign trade, for rules and regulations previously published pursuant to this subsection (7) which he then deems appropriate. Rules and regulations published pursuant to subsection (7)(A) shall be effective not later than June 30, 1974, with respect to United States-flag vessels engaged in the coastwise trade.".

VESSEL TRAFFIC CONTROL

SEC. 402. The Secretary of the Department in which the Coast Guard is operating is hereby directed to establish a vessel traffic control system for Prince William Sound and Valdez, Alaska, pursuant to authority contained in title I of the Ports and Waterways Safety Act of 1972 (86 Stat. 424, Public Law 92-340).

33 USC 1221.

CIVIL RIGHTS

SEC. 403. The Secretary of the Interior shall take such affirmative action as he deems necessary to assure that no person shall, on the grounds of race, creed, color, national origin, or sex, be excluded from receiving, or participating in any activity conducted under, any permit, right-of-way, public land order, or other Federal authorization granted or issued under title II. The Secretary of the Interior shall promulgate such rules as he deems necessary to carry out the purposes of this subsection and may enforce this subsection, and any rules promulgated under this subsection, through agency and department provisions and rules which shall be similar to those established and in effect under title VI of the Civil Rights Act of 1964.

Rules and regulations.

78 Stat. 252.
42 USC 2000d.

CONFIRMATION OF THE DIRECTOR OF THE ENERGY POLICY OFFICE

SEC. 404. The Director of the Energy Policy Office in the Executive Office of the President shall be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That if any individual who is serving in this office on the date of enactment of this Act is nominated for such position, he may continue to act unless and until such nomination shall be disapproved by the Senate.

CONFIRMATION OF THE HEAD OF THE MINING ENFORCEMENT AND SAFETY ADMINISTRATION

SEC. 405. The head of the Mining Enforcement and Safety Administration established pursuant to Order Numbered 2953 of the Secretary of the Interior issued in accordance with the authority provided by section 2 of Reorganization Plan Numbered 3 of 1950 (64 Stat. 1262) shall be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That if any individual who is serving in this office on the date of enactment of this Act is nominated for such position, he may continue to act unless and until such nomination shall be disapproved by the Senate.

5 USC app. II.

EXEMPTION OF FIRST SALE OF CRUDE OIL AND NATURAL GAS OF CERTAIN LEASES FROM PRICE RESTRAINTS AND ALLOCATION PROGRAMS

SEC. 406. (a) The first sale of crude oil and natural gas liquids produced from any lease whose average daily production of such substances for the preceding calendar month does not exceed ten barrels per well shall not be subject to price restraints established pursuant to the Economic Stabilization Act of 1970, as amended, or to any allocation program for fuels or petroleum established pursuant to that Act or to any Federal law for the allocation of fuels or petroleum.

84 Stat. 796.
12 USC 1904 note.

(b) To qualify for the exemption under this section, a lease must be operating at the maximum feasible rate of production and in accord with recognized conservation practices.

Lease exemption qualification.

(c) The agency designated by the President or by law to implement any such fuels or petroleum allocation program is authorized to conduct inspections to insure compliance with this section and shall promulgate and cause to be published regulations implementing the provisions of this section.

Agency inspections.

Regulations.

ADVANCE PAYMENTS TO ALASKA NATIVES

SEC. 407. (a) In view of the delay in construction of a pipeline to transport North Slope crude oil, the sum of $5,000,000 is authorized to be appropriated from the United States Treasury into the Alaska Native Fund every six months of each fiscal year beginning with the fiscal year ending June 30, 1976, as advance payments chargeable against the revenues to be paid under section 9 of the Alaska Native Claims Settlement Act, until such time as the delivery of North Slope crude oil to a pipeline is commenced. Appropriation. *Infra.*

(b) Section 9 of the Alaskan Native Claims Settlement Act is amended by striking the language in subsection (g) thereof and substituting the following language: "The payments required by this section shall continue only until a sum of $500,000,000 has been paid into the Alaska Native Fund less the total of advance payments paid into the Alaska Native Fund pursuant to section 407 of the Trans-Alaska Pipeline Authorization Act. Thereafter, payments which would otherwise go into the Alaska Native Fund will be made to the United States Treasury as reimbursement for the advance payments authorized by section 407 of the Trans-Alaskan Pipeline Authorization Act. The provisions of this section shall no longer apply, and the reservation required in patents under this section shall be of no further force and effect, after a total sum of $500,000,000 has been paid to the Alaska Native Fund and to the United States Treasury pursuant to this subsection.". Fund payments, cessation. 85 Stat. 694. 43 USC 1608.

FEDERAL TRADE COMMISSION AUTHORITY

SEC. 408. (a)(1) The Congress hereby finds that the investigative and law enforcement responsibilities of the Federal Trade Commission have been restricted and hampered because of inadequate legal authority to enforce subpenas and to seek preliminary injunctive relief to avoid unfair competitive practices.

(2) The Congress further finds that as a direct result of this inadequate legal authority significant delays have occurred in a major investigation into the legality of the structure, conduct, and activities of the petroleum industry, as well as in other major investigations designed to protect the public interest.

(b) It is the purpose of this Act to grant the Federal Trade Commission the requisite authority to insure prompt enforcement of the laws the Commission administers by granting statutory authority to directly enforce subpenas issued by the Commission and to seek preliminary injunctive relief to avoid unfair competitive practices.

(c) Section 5(l) of the Federal Trade Commission Act (15 U.S.C. 45(l)) is amended by striking subsection (l) and inserting in lieu thereof: Violations. 52 Stat. 114; 64 Stat. 21.

"(l) Any person, partnership, or corporation who violates an order of the Commission after it has become final, and while such order is in effect, shall forfeit and pay to the United States a civil penalty of not more than $10,000 for each violation, which shall accrue to the United States and may be recovered in a civil action brought by the Attorney General of the United States. Each separate violation of such an order shall be a separate offense, except that in the case of a violation through continuing failure to obey or neglect to obey a final order of the Commission, each day of continuance of such failure or neglect shall be deemed a separate offense. In such actions, the United States district courts are empowered to grant mandatory injunctions and such other and further equitable relief as they deem appropriate in the enforcement of such final orders of the Commission." Penalty.

52 Stat. 114; 64 Stat. 21.

(d) Section 5 of the Federal Trade Commission Act (15 U.S.C. 45) is amended by adding at the end thereof the following new subsection:

"(m) Whenever in any civil proceeding involving this Act the Commission is authorized or required to appear in a court of the United States, or to be represented therein by the Attorney General of the United States, the Commission may elect to appear in its own name by any of its attorneys designated by it for such purpose, after formally notifying and consulting with and giving the Attorney General 10 days to take the action proposed by the Commission."

38 Stat. 721.

(e) Section 6 of the Federal Trade Commission Act (15 U.S.C. 46), is amended by adding at the end thereof the following proviso:

Investigative powers.

"*Provided*, That the exception of 'banks and common carriers subject to the Act to regulate commerce' from the Commission's powers defined in clauses (a) and (b) of this section, shall not be construed to limit the Commission's authority to gather and compile information, to investigate, or to require reports or answers from, any such corporation to the extent that such action is necessary to the investigation of any corporation, group of corporations, or industry which is not engaged or is engaged only incidentally in banking or in business as a common carrier subject to the Act to regulate commerce."

Temporary restraining orders; injunctions. 52 Stat. 114.

(f) Section 13 of the Federal Trade Commission Act (15 U.S.C. 53) is amended by redesignating "(b)" as "(c)" and inserting the following new subsection:

"(b) Whenever the Commission has reason to believe—

"(1) that any person, partnership, or corporation is violating, or is about to violate, any provision of law enforced by the Federal Trade Commission, and

"(2) that the enjoining thereof pending the issuance of a complaint by the Commission and until such complaint is dismissed by the Commission or set aside by the court on review, or until the order of the Commission made thereon has become final, would be in the interest of the public—

the Commission by any of its attorneys designated by it for such purpose may bring suit in a district court of the United States to enjoin any such act or practice. Upon a proper showing that, weighing the equities and considering the Commission's likelihood of ultimate success, such action would be in the public interest, and after notice to the defendant, a temporary restraining order or a preliminary injunction may be granted without bond: *Provided, however*, That if a complaint is not filed within such period (not exceeding 20 days) as may be specified by the court after issuance of the temporary restraining order or preliminary injunction, the order or injunction shall be dissolved by the court and be of no further force and effect: *Provided further*, That in proper cases the Commission may seek, and after proper proof, the court may issue, a permanent injunction. Any such suit shall be brought in the district in which such person, partnership, or corporation resides or transacts business."

Enforcement proceedings.

(g) Section 16 of the Federal Trade Commission Act (15 U.S.C. 56) is amended to read as follows:

"SEC. 16. Whenever the Federal Trade Commission has reason to believe that any person, partnership, or corporation is liable to a penalty under section 14 or under subsection (l) of section 5 of this Act, it shall—

15 USC 54. *Supra.*

"(a) certify the facts to the Attorney General, whose duty it shall be to cause appropriate proceedings to be brought for the enforcement of the provisions of such section or subsection; or

"(b) after compliance with the requirements with section 5(m), itself cause such appropriate proceedings to be brought."

GENERAL ACCOUNTING OFFICE AUTHORITY

SEC. 409. (a) Section 3502 of title 44, United States Code, is amended by inserting in the first paragraph defining "Federal agency" after the words "the General Accounting Office" and before the words "nor the governments" the words "independent Federal regulatory agencies,". 82 Stat. 1302.

(b) Chapter 35 of title 44, United States Code, is amended by adding after section 3511 the following new section: 82 Stat. 1301. 44 USC 3501.

"§ 3512. Information for independent regulatory agencies

Review by U.S. Comptroller General.

"(a) The Comptroller General of the United States shall review the collection of information required by independent Federal regulatory agencies described in section 3502 of this chapter to assure that information required by such agencies is obtained with a minimum burden upon business enterprises, especially small business enterprises, and other persons required to furnish the information. Unnecessary duplication of efforts in obtaining information already filed with other Federal agencies or departments through the use of reports, questionnaires, and other methods shall be eliminated as rapidly as practicable. Information collected and tabulated by an independent regulatory agency shall, as far as is expedient, be tabulated in a manner to maximize the usefulness of the information to other Federal agencies and the public.

"(b) In carrying out the policy of this section, the Comptroller General shall review all existing information gathering practices of independent regulatory agencies as well as requests for additional information with a view toward—

"(1) avoiding duplication of effort by independent regulatory agencies, and

"(2) minimizing the compliance burden on business enterprises and other persons.

"(c) In complying with this section, an independent regulatory agency shall not conduct or sponsor the collection of information upon an identical item from ten or more persons, other than Federal employees, unless, in advance of adoption or revision of any plans or forms to be used in the collection—

"(1) the agency submitted to the Comptroller General the plans or forms, together with the copies of pertinent regulations and of other related materials as the Comptroller General has specified; and

"(2) the Comptroller General has advised that the information is not presently available to the independent agency from another source within the Federal Government and has determined that the proposed plans or forms are consistent with the provision of this section. The Comptroller General shall maintain facilities for carrying out the purposes of this section and shall render such advice to the requestive independent regulatory agency within forty-five days.

Necessity of information, agency determination.

"(d) While the Comptroller General shall determine the availability from other Federal sources of the information sought and the appropriateness of the forms for the collection of such information, the independent regulatory agency shall make the final determination as to the necessity of the information in carrying out its statutory responsibilities and whether to collect such information. If no advice is received from the Comptroller General within forty-five days, the independent regulatory agency may immediately proceed to obtain such information.

82 Stat. 1304.
44 USC 3508.

"(e) Section 3508(a) of this chapter dealing with unlawful disclosure of information shall apply to the use of information by independent regulatory agencies.

Regulations.

"(f) The Comptroller General may promulgate rules and regulations necessary to carry out this chapter."

EQUITABLE ALLOCATION OF NORTH SLOPE CRUDE OIL

SEC. 410. The Congress declares that the crude oil on the North Slope of Alaska is an important part of the Nation's oil resources, and that the benefits of such crude oil should be equitably shared, directly or indirectly, by all regions of the country. The President shall use any authority he may have to insure an equitable allocation of available North Slope and other crude oil resources and petroleum products among all regions and all of the several States.

SEPARABILITY

SEC. 411. If any provision of this Act or the applicability thereof is held invalid the remainder of this Act shall not be affected thereby.

Approved November 16, 1973.

Public Law 93-154

November 16, 1973
[S. 2410]

AN ACT

To amend the Public Health Service Act to provide assistance and encouragement for the development of comprehensive area emergency medical services systems.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Emergency Medical Services Systems Act of 1973.

SHORT TITLE

SECTION 1. This Act may be cited as the "Emergency Medical Services Systems Act of 1973".

EMERGENCY MEDICAL SERVICES SYSTEMS

58 Stat. 682;
86 Stat. 137.
42 USC 201 note.

SEC. 2. (a) The Public Health Service Act is amended by adding at the end thereof the following new title:

"TITLE XII—EMERGENCY MEDICAL SERVICES SYSTEMS

"DEFINITIONS

"SEC. 1201. For purposes of this title:

"(1) The term 'emergency medical services system' means a system which provides for the arrangement of personnel, facilities, and equipment for the effective and coordinated delivery in

an appropriate geographical area of health care services under emergency conditions (occurring either as a result of the patient's condition or of natural disasters or similar situations) and which is administered by a public or nonprofit private entity which has the authority and the resources to provide effective administration of the system.

"(2) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

"(3) The term 'modernization' means the alteration, major repair (to the extent permitted by regulations), remodeling, and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete, built-in (as determined in accordance with regulations) equipment of existing buildings.

"(4) The term 'section 314(a) State health planning agency' means the agency of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a).

80 Stat. 1181; 84 Stat. 1304. 42 USC 246.

"(5) The term 'section 314(b) areawide health planning agency' means a public or nonprofit private agency or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b), and the term 'section 314(b) plan' means a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b).

84 Stat. 340, 1304.

"GRANTS AND CONTRACTS FOR FEASIBILITY STUDIES AND PLANNING

"SEC. 1202. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for projects which include both (1) studying the feasibility of establishing (through expansion or improvement of existing services or otherwise) and operating an emergency medical services system, and (2) planning the establishment and operation of such a system.

Post, p. 598.

"(b) If the Secretary makes a grant or enters into a contract under this section for a study and planning project respecting an emergency medical services system for a particular geographical area, the Secretary may not make any other grant or enter into any other contract under this section for such project, and he may not make a grant or enter into a contract under this section for any other study and planning project respecting an emergency medical services system for the same area or for an area which includes (in whole or substantial part) such area.

Geographical area, limitation.

"(c) Reports of the results of any study and planning project assisted under this section shall be submitted to the Secretary and the Interagency Committee on Emergency Medical Services at such intervals as the Secretary may prescribe, and a final report of such results shall be submitted to the Secretary and such Committee not later than one year from the date the grant was made or the contract entered into, as the case may be.

Reports.

Application requirements.

"(d) An application for a grant or contract under this section shall—

"(1) demonstrate to the satisfaction of the Secretary the need of the area for which the study and planning will be done for an emergency medical services system;

"(2) contain assurances satisfactory to the Secretary that the applicant is qualified to plan an emergency medical services system for such area; and

"(3) contain assurances satisfactory to the Secretary that the planning will be conducted in cooperation (A) with each section 314(b) areawide health planning agency whose section 314(b) plan covers (in whole or in part) such area, and (B) with any emergency medical services council or other entity responsible for review and evaluation of the provision of emergency medical services in such area.

"(e) The amount of any grant under this section shall be determined by the Secretary.

"GRANTS AND CONTRACTS FOR ESTABLISHING AND INITIAL OPERATION

Contracts with eligible entities.
Post, p. 598.

"SEC. 1203. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for the establishment and initial operation of emergency medical services systems.

Coordination with state-wide system.

"(b) Special consideration shall be given to applications for grants and contracts for systems which will coordinate with statewide emergency medical services system.

Emergency facilities, modernization.

"(c)(1) Grants and contracts under this section may be used for the modernization of facilities for emergency medical services systems and other costs of establishment and initial operation.

"(2) Each grant or contract under this section shall be made for costs of establishment and operation in the year for which the grant or contract is made. If a grant or contract is made under this section for a system, the Secretary may make one additional grant or contract for that system if he determines, after a review of the first nine months' activities of the applicant carried out under the first grant or contract, that the applicant is satisfactorily progressing in the establishment and operation of the system in accordance with the plan contained in his application (pursuant to section 1206(b)(4)) for the first grant or contract.

Additional grant or contract.

Limitation.

"(3) No grant or contract may be made under this section for the fiscal year ending June 30, 1976, to an entity which did not receive a grant or contract under this section for the preceding fiscal year.

"(4) Subject to section 1206(f)—

Cost limitation.

"(A) the amount of the first grant or contract under this section for an emergency medical services system may not exceed (i) 50 per centum of the establishment and operation costs (as determined pursuant to regulations of the Secretary) of the system for the year for which the grant or contract is made, or (ii) in the case of applications which demonstrate an exceptional need for financial assistance, 75 per centum of such costs for such year; and

"(B) the amount of the second grant or contract under this section for a system may not exceed (i) 25 per centum of the establishment and operation costs (as determined pursuant to regulations of the Secretary) of the system for the year for which the grant or contract is made, or (ii) in the case of applications which demonstrate an exceptional need for financial assistance, 50 per centum of such costs for such year.

Rural area systems, financial assistance.

"(5) In considering applications which demonstrate exceptional need for financial assistance, the Secretary shall give special consideration to applications submitted for emergency medical services systems for rural areas (as defined in regulations of the Secretary).

"GRANTS AND CONTRACTS FOR EXPANSION AND IMPROVEMENT

"SEC. 1204. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for projects for the expansion and improvement of emergency medical services systems, including the acquisition of equipment and facilities, the modernization of facilities, and other projects to expand and improve such systems.

Post, p. 598.

Cost limitation.

"(b) Subject to section 1206(f), the amount of any grant or contract under this section for a project shall not exceed (i) 50 per centum of the cost of that project (as determined pursuant to regulations of the Secretary), or (ii) in the case of applications which demonstrate an exceptional need for financial assistance, 75 per centum of such costs.

"GRANTS AND CONTRACTS FOR RESEARCH

"SEC. 1205. (a) The Secretary may make grants to public or private nonprofit entities, and enter into contracts with private entities and individuals, for the support of research in emergency medical techniques, methods, devices, and delivery. The Secretary shall give special consideration to applications for grants or contracts for research relating to the delivery of emergency medical services in rural areas.

Rural area systems, research.

Cost limitation.

"(b) No grant may be made or contract entered into under this section for amounts in excess of $35,000 unless the application therefor has been recommended for approval by an appropriate peer review panel designated or established by the Secretary. Any application for a grant or contract under this section shall be submitted in such form and manner, and contain such information, as the Secretary shall prescribe in regulations.

Reports to HEW.

"(c) The recipient of a grant or contract under this section shall make such reports to the Secretary as the Secretary may require.

"GENERAL PROVISIONS RESPECTING GRANTS AND CONTRACTS

"Eligible entity."

"SEC. 1206. (a) For purposes of sections 1202, 1203, and 1204, the term 'eligible entity' means—

Ante, pp. 595-597.

"(1) a State,

"(2) a unit of general local government,

"(3) a public entity administering a compact or other regional arrangement or consortium, or

"(4) any other public entity and any nonprofit private entity.

"(b)(1) No grant or contract may be made under this title unless an application therefor has been submitted to, and approved by, the Secretary.

Priority consideration.

"(2) In considering applications submitted under this title, the Secretary shall give priority to applications submitted by the entities described in clauses (1), (2), and (3) of subsection (a).

"(3) No application for a grant or contract under section 1202 may be approved unless—

"(A) the application meets the application requirements of such section;

"(B) in the case of an application submitted by a public entity administering a compact or other regional arrangement or consortium, the compact or other regional arrangement or consortium includes each unit of general local government of each standard metropolitan statistical area (as determined by the Office of Management and Budget) located (in whole or in part) in the service area of the emergency medical services system for which the application is submitted;

"(C) in the case of an application submitted by an entity described in clause (4) of subsection (a), such entity has provided a copy of its application to each entity described in clauses (1), (2), and (3) of such subsection which is located (in whole or in part) in the service area of the emergency medical services system for which the application is submitted and has provided each such entity a reasonable opportunity to submit to the Secretary comments on the application;

"(D) the—

"(i) section 314(a) State health planning agency of each State in which the service area of the emergency medical services system for which the application is submitted will be located, and

"(ii) section 314(b) areawide health planning agency (if any) whose section 314(b) plan covers (in whole or in part) the service area of such system,

have had not less than thirty days (measured from the date a copy of the application was submitted to the agency by the applicant) in which to comment on the application;

Recordkeeping; reports to HEW.

"(E) the applicant agrees to maintain such records and make such reports to the Secretary as the Secretary determines are necessary to carry out the provisions of this title; and

"(F) the application is submitted in such form and such manner and contains such information (including specification of applicable provisions of law or regulations which restrict the full utilization of the training and skills of health professions and allied and other health personnel in the provision of health care services in such a system) as the Secretary shall prescribe in regulations.

Prohibitions.

"(4)(A) An application for a grant or contract under section 1203 or 1204 may not be approved by the Secretary unless (i) the application meets the requirements of subparagraphs (B) through (F) of paragraph (3), and (ii) except as provided in subparagraph (B)(ii), the applicant (I) demonstrates to the satisfaction of the Secretary that the emergency medical services system for which the application is submitted will, within the period specified in subparagraph (B)(i), meet each of the emergency medical services system requirements specified in subparagraph (C), and (II) provides in the application a plan satisfactory to the Secretary for the system to meet each such requirement within such period.

Ante, pp. 596, 597.

Grant or contract period.

"(B)(i) The period within which an emergency medical services system must meet each of the requirements specified in subparagraph (A) is the period of the grant or contract for which application is made; except that if the applicant demonstrates to the satisfaction of the Secretary the inability of the applicant's emergency medical services system to meet one or more of such requirements within such period, the period (or periods) within which the system must meet such requirement (or requirements) is such period (or periods) as the Secretary may require.

Alternate plan, submittal to HEW.

"(ii) If an applicant submits an application for a grant or contract under section 1203 or 1204 and demonstrates to the satisfaction of the Secretary the inability of the system for which the application is submitted to meet one or more of the requirements specified in subparagraph (C) within any specific period of time, the demonstration and plan prerequisites prescribed by clause (ii) of subparagraph (A) shall not apply with respect to such requirement (or requirements) and the applicant shall provide in his application a plan, satisfactory to the Secretary, for achieving appropriate alternatives to such requirement (or requirements).

Emergency medical services system requirements.

"(C) An emergency medical services system shall—

"(i) include an adequate number of health professions, allied health professions, and other health personnel with appropriate training and experience;

"(ii) provide for its personnel appropriate training (including clinical training) and continuing education programs which (I) are coordinated with other programs in the system's service area which provide similar training and education, and (II) emphasize recruitment and necessary training of veterans of the Armed Forces with military training and experience in health care fields and of appropriate public safety personnel in such area;

"(iii) join the personnel, facilities, and equipment of the system by a central communications system so that requests for emergency health care services will be handled by a communications facility which (I) utilizes emergency medical telephonic screening, (II) utilizes or, within such period as the Secretary prescribes will utilize, the universal emergency telephone number 911, and (III) will have direct communication connections and interconnections with the personnel, facilities, and equipment of the system and with other appropriate emergency medical services systems;

"(iv) include an adequate number of necessary ground, air, and water vehicles and other transportation facilities to meet the individual characteristics of the system's service area—

"(I) which vehicles and facilities meet appropriate standards relating to location, design, performance, and equipment, and

"(II) the operators and other personnel for which vehicles and facilities meet appropriate training and experience requirements;

"(v) include an adequate number of easily accessible emergency medical services facilities which are collectively capable of providing services on a continuous basis, which have appropriate nonduplicative and categorized capabilities, which meet appropriate standards relating to capacity, location, personnel, and equipment, and which are coordinated with other health care facilities of the system;

"(vi) provide access (including appropriate transportation) to specialized critical medical care units in the system's service area, or, if there are no such units or an inadequate number of them in such area, provide access to such units in neighboring areas if access to such units is feasible in terms of time and distance;

"(vii) provide for the effective utilization of the appropriate personnel, facilities, and equipment of each public safety agency providing emergency services in the system's service area;

"(viii) be organized in a manner that provides persons who reside in the system's service area and who have no professional training or financial interest in the provision of health care with an adequate opportunity to participate in the making of policy for the system;

"(ix) provide, without prior inquiry as to ability to pay, necessary emergency medical services to all patients requiring such services;

"(x) provide for transfer of patients to facilities and programs which offer such followup care and rehabilitation as is necessary to effect the maximum recovery of the patient;

"(xi) provide for a standardized patient recordkeeping system meeting appropriate standards established by the Secretary, which records shall cover the treatment of the patient from initial entry into the system through his discharge from it, and shall be consistent with ensuing patient records used in followup care and rehabilitation of the patient;

"(xii) provide programs of public education and information in the system's service area (taking into account the needs of visitors to, as well as residents of, that area to know or be able to learn immediately the means of obtaining emergency medical services) which programs stress the general dissemination of information regarding appropriate methods of medical self-help and first-aid and regarding the availability of first-aid training programs in the area;

"(xiii) provide for (I) periodic, comprehensive, and independent review and evaluation of the extent and quality of the emergency health care services provided in the system's service area, and (II) submission to the Secretary of the reports of each such review and evaluation;

"(xiv) have a plan to assure that the system will be capable of providing emergency medical services in the system's service area during mass casualties, natural disasters, or national emergencies; and

"(xv) provide for the establishment of appropriate arrangements with emergency medical services systems or similar entities serving neighboring areas for the provision of emergency medical services on a reciprocal basis where access to such services would be more appropriate and effective in terms of the services available, time, and distance.

The Secretary shall by regulations prescribe standards and criteria for the requirements prescribed by this subparagraph. In prescribing such standards and criteria, the Secretary shall consider relevant standards and criteria prescribed by other public agencies and by private organizations.

"(5) The Secretary shall provide technical assistance, as appropriate, to eligible entities as necessary for the purpose of their preparing applications or otherwise qualifying for or carrying out grants or contracts under sections 1202, 1203, or 1204, with special consideration for applicants in rural areas.

Ante, pp. 595-597.

"(c) Payments under grants and contracts under this title may be made in advance or by way of reimbursement and in such installments and on such conditions as the Secretary determines will most effectively carry out this title.

"(d) Contracts may be entered into under this title without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(e) No funds appropriated under any provision of this Act other than section 1207 or title VII may be used to make a new grant or contract in any fiscal year for a purpose for which a grant or contract is authorized by this title unless (1) all the funds authorized to be appropriated by section 1207 for such fiscal year have been appropriated and made available for obligation in such fiscal year, and (2) such new grant or contract is made in accordance with the requirements of this title that would be applicable to such grant or contract if it was made under this title. For purposes of this subsection, the term 'new grant or contract' means a grant or contract for a program or project for which an application was first submitted after the date of the enactment of the Act which makes the first appropriations under the authorizations contained in section 1207.

70 Stat. 717; 85 Stat. 461. 42 USC 292.

"New grant or contract."

"(f)(1) In determining the amount of any grant or contract under section 1203 or 1204, the Secretary shall take into consideration the amount of funds available to the applicant from Federal grant or contract programs under laws other than this Act for any activity which the applicant proposes to undertake in connection with the establishment and operation or expansion and improvement of an emergency medical services system and for which the Secretary may authorize the use of funds under a grant or contract under sections 1203 and 1204.

"(2) The Secretary may not authorize the recipient of a grant or contract under section 1203 or 1204 to use funds under such grant or contract for any training program in connection with an emergency medical services system unless the applicant filed an application (as appropriate) under title VII or VIII for a grant or contract for such program and such application was not approved or was approved but for which no or inadequate funds were made available under such title.

78 Stat. 908; 80 Stat. 1236. 42 USC 296.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1207. (a)(1) For the purpose of making payments pursuant to grants and contracts under sections 1202, 1203, and 1204, there are authorized to be appropriated $30,000,000 for the fiscal year ending June 30, 1974, and $60,000,000 for the fiscal year ending June 30, 1975; and for the purpose of making payments pursuant to grants and contracts under sections 1203 and 1204 for the fiscal year ending June 30, 1976, there are authorized to be appropriated $70,000,000.

Ante, pp. 595-597.

"(2) Of the sums appropriated under paragraph (1) for any fiscal year, not less than 20 per centum shall be made available for grants and contracts under this title for such fiscal year for emergency medical services systems which serve or will serve rural areas (as defined in regulations of the Secretary under section 1203(c)(5)).

"(3) Of the sums appropriated under paragraph (1) for the fiscal year ending June 30, 1974, or the succeeding fiscal year—

"(A) 15 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1202 (relating to feasibility studies and planning) for such fiscal year;

"(B) 60 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1203 (relating to establishment and initial operation) for such fiscal year; and

"(C) 25 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1204 (relating to expansion and improvement) for such fiscal year.

"(4) Of the sums appropriated under paragraph (1) for the fiscal year ending June 30, 1976—

"(A) 75 per centum of such sums shall be made available only for grants and contracts under section 1203 for such fiscal year, and

"(B) 25 per centum of such sums shall be made available only for grants and contracts under section 1204 for such fiscal year.

"(b) For the purpose of making payments pursuant to grants and contracts under section 1205 (relating to research), there are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1974, and for each of the next two fiscal years.

"ADMINISTRATION

"SEC. 1208. The Secretary shall administer the program of grants and contracts authorized by this title through an identifiable administrative unit within the Department of Health, Education, and Welfare. Such unit shall also be responsible for collecting, analyzing, cataloging, and disseminating all data useful in the development and operation of emergency medical services systems, including data derived from reviews and evaluations of emergency medical services systems assisted under section 1203 or 1204.

"INTERAGENCY COMMITTEE ON EMERGENCY MEDICAL SERVICES

Establishment.

"SEC. 1209. (a) The Secretary shall establish an Interagency Committee on Emergency Medical Services. The Committee shall evaluate the adequacy and technical soundness of all Federal programs and activities which relate to emergency medical services and provide for

the communication and exchange of information necessary to maintain the coordination and effectiveness of such programs and activities, and shall make recommendations to the Secretary respecting the administration of the program of grants and contracts under this title (including the making of regulations for such program).

Membership.

"(b) The Secretary or his designee shall serve as Chairman of the Committee, the membership of which shall include (1) appropriate scientific, medical, or technical representation from the Department of Transportation, the Department of Justice, the Department of Defense, the Veterans' Administration, the National Science Foundation, the Federal Communications Commission, the National Academy of Sciences, and such other Federal agencies and offices (including appropriate agencies and offices of the Department of Health, Education, and Welfare), as the Secretary determines administer programs directly affecting the functions or responsibilities of emergency medical services systems, and (2) five individuals from the general public appointed by the President from individuals who by virtue of their training or experience are particularly qualified to participate in the performance of the Committee's functions. The Committee shall meet at the call of the Chairman, but not less often than four times a year.

Term.

"(c) Each appointed member of the Committee shall be appointed for a term of four years, except that—

Vacancies.

"(1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and

"(2) of the members first appointed, two shall be appointed for a term of four years, two shall be appointed for a term of three years, and one shall be appointed for a term of one year, as designated by the President at the time of appointment.

Appointed members may serve after the expiration of their terms until their successors have taken office.

Travel expenses.

"(d) Appointed members of the Committee shall receive for each day they are engaged in the performance of the functions of the Committee compensation at rates not to exceed the daily equivalent of the annual rate in effect for grade GS–18 of the General Schedule, including traveltime; and all members, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as such expenses are authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

5 USC 5332.

80 Stat. 499; 83 Stat. 190.

"(e) The Secretary shall make available to the Committee such staff, information (including copies of reports of reviews and evaluations of emergency medical services systems assisted under section 1203 or 1204), and other assistance as it may require to carry out its activities effectively.

"ANNUAL REPORT

Report to Congress.

"SEC. 1210. The Secretary shall prepare and submit annually to the Congress a report on the administration of this title. Each report shall include an evaluation of the adequacy of the provision of emergency medical services in the United States during the period covered by the report, and evaluation of the extent to which the needs for such services are being adequately met through assistance provided under this title, and his recommendations for such legislation as he determines is required to provide emergency medical services at a level

adequate to meet such needs. The first report under this section shall be submitted not later than September 30, 1974, and shall cover the fiscal year ending June 30, 1974."

86 Stat. 137. 42 USC 201 note.

(b) (1) Section 1 of the Public Health Service Act is amended by striking out "titles I to XI" and inserting in lieu thereof "titles I to XII".

(2) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title XII (as in effect prior to the date of enactment of this Act) as title XIII, and by renumbering sections 1201 through 1214 (as in effect prior to such date), and references thereto, as sections 1301 through 1314, respectively.

TRAINING ASSISTANCE

Scholarship grants. 85 Stat. 437. 42 USC 295f.

SEC. 3. (a) Part E of title VII of the Public Health Service Act is amended by inserting after section 775 the following new section:

"TRAINING IN EMERGENCY MEDICAL SERVICES

"SEC. 776. (a) The Secretary may make grants to and enter into contracts with schools of medicine, dentistry, osteopathy, and nursing, training centers for allied health professions, and other appropriate educational entities to assist in meeting the cost of training programs in the techniques and methods of providing emergency medical services (including the skills required in connection with the provision of ambulance service), especially training programs affording clinical experience in emergency medical services systems receiving assistance under title XII of this Act.

"(b) No grant or contract may be made or entered into under this section unless (1) the applicant is a public or nonprofit private entity, and (2) an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe.

"(c) The amount of any grant or contract under this section shall be determined by the Secretary. Payments under grants and contracts under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary. Grantees and contractees under this section shall make such reports at such intervals, and containing such information, as the Secretary may require.

"(d) Contracts may be entered into under this section without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(e) For the purpose of making payments pursuant to grants and contracts under this section, there are authorized to be appropriated $10,000,000 for the fiscal year ending June 30, 1974."

Special project grants, contracts. 85 Stat. 444.

(b) Section 772(a) of such Act (42 U.S.C. 295f–2(a)) is amended—

(1) by striking out "or" at the end of paragraph (12),

(2) by striking out the period at the end of paragraph (13) and inserting in lieu thereof "; or", and

(3) by inserting after paragraph (13) the following new paragraph:

"(14) establish and operate programs in the interdisciplinary training of health personnel for the provision of emergency medical services, with particular emphasis on the establishment and operation of training programs affording clinical experience in emergency medical services systems receiving assistance under title XII of this Act."

(c) Section 774(a)(1)(D) of such Act (42 U.S.C. 295f–4(a)(1)(D)) is amended by inserting "(including emergency medical services)" after "services" each time it appears. 85 Stat. 446.

STUDY

SEC. 4. The Secretary of Health, Education, and Welfare shall conduct a study to determine the legal barriers to the effective delivery of medical care under emergency conditions. The study shall include consideration of the need for a uniform conflict of laws rule prescribing the law applicable of the provision of emergency medical services to persons in the course of travels on interstate common carriers. Within twelve months of the date of the enactment of this Act, the Secretary shall report to the Congress the results of such study and recommendations for such legislation as may be necessary to overcome such barriers and provide such rule. Report to Congress.

Approved November 16, 1973.

Public Law 93-155

AN ACT

November 16, 1973
[H. R. 9286]

To authorize appropriations during the fiscal year 1974 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each reserve component of the Armed Forces, and the military training student loads, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Department of Defense Appropriation Authorization Act, 1974.

TITLE I—PROCUREMENT

SEC. 101. Funds are hereby authorized to be appropriated during the fiscal year 1974 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons as authorized by law, in amounts as follows:

Aircraft

For aircraft: for the Army, $168,000,000; for the Navy and the Marine Corps, $2,912,600,000 of which amount not to exceed

$693,100,000 shall be available for an F–14 aircraft program of not less than 50 aircraft, subject to no increase being made in the ceiling price of $325,000,000 specified in the fiscal year 1974 F–14 contract between the Navy and the primary airframe contractor, except in accordance with the terms of such contract, including the clause providing for normal technical changes; for the Air Force, $2,964,635,000: *Provided*, That $158,800,000 of the funds available to the Air Force for aircraft procurement shall be available only for the procurement of twelve F–111F aircraft.

Missiles

For missiles: for the Army, $565,000,000; for the Navy, $680,200,000; for the Marine Corps, $32,300,000; for the Air Force, $1,519,600,000.

Naval Vessels

For naval vessels: for the Navy, $3,737,000,000, of which sum $79,000,000 shall be only for the long lead-time items for the DLGN–41 and DLGN–42. The contracts for the DLGN–41 and the DLGN–42 shall be entered into as soon as practicable unless the President fully advises the Congress that their construction is not in the national interest.

Tracked Combat Vehicles

For tracked combat vehicles: for the Army, $193,300,000; for the Marine Corps, $46,200,000.

Torpedoes

For torpedoes and related support equipment: for the Navy, $203,300,000.

Other Weapons

For other weapons: for the Army, $44,700,000; for the Navy, $37,100,000; for the Marine Corps, $700,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. Funds are hereby authorized to be appropriated during the fiscal year 1974 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, $1,983,758,000;

For the Navy (including the Marine Corps), $2,670,749,000, of which amount $60,900,000 is authorized only for the Surface Effect Ships program;

For the Air Force, $3,034,800,000; and

For the Defense Agencies, $505,578,000, of which $24,600,000 is authorized for the activities of the Director of Test and Evaluation, Defense.

TITLE III—ACTIVE FORCES

SEC. 301. (a) For the fiscal year beginning July 1, 1973, and ending June 30, 1974, each component of the Armed Forces is authorized an end strength for active duty personnel as follows:

(1) The Army, 803,806;
(2) The Navy, 566,320;
(3) The Marine Corps, 196,419;
(4) The Air Force, 666,357.

Reduction.

(b) The end strength for active duty personnel prescribed in subsection (a) of this section for the fiscal year ending June 30, 1974, shall be reduced by 43,000. Such reduction shall be apportioned among the Army, Navy, Marine Corps, and Air Force in such manner as the Secretary of Defense shall prescribe, except that in applying any portion of such reduction to any military department, the reduction shall be applied to the maximum extent practicable to the support forces of such military department. The Secretary of Defense shall report to the Congress within 60 days after the date of enactment of this Act on the manner in which this reduction is to be apportioned among the military departments and among the mission categories described in the Military Manpower Requirements Report. This report shall include the rationale for each reduction.

Report to Congress.

Report to House of Representatives.

(c) The Committee on Armed Services of the House shall report to the House by April 1, 1974, a detailed and independent study on the advisability of maintaining our present military commitment to Europe in view of the current economic and military situation in Europe.

Exceptions.

SEC. 302. In computing the authorized end strength for the active duty personnel of any component of the Armed Forces for any fiscal year, there shall not be included in the computation members of the Ready Reserve of such component ordered to active duty under the provisions of section 673 of title 10, United States Code, members of the Army National Guard or members of the Air National Guard called into Federal service under section 3500 or 8500, as the case may be, of title 10, United States Code, members of the militia of any State called into Federal service under chapter 15 of title 10, United States Code, or persons ordered to active duty for training.

Infra.

70A Stat. 199, 525.

70A Stat. 15; 82 Stat. 841. 10 USC 331. 70A Stat. 28; 72 Stat. 1441.

SEC. 303. (a) Section 673 of title 10, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(d) Whenever one or more units of the Ready Reserve are ordered to active duty, the President shall, on the first day of the second fiscal year quarter immediately following the quarter in which the first unit or units are ordered to active duty and on the first day of each succeeding six-month period thereafter, so long as such unit is retained on active duty, submit a report to the Congress regarding the necessity for such unit or units being ordered to and retained on active duty. The President shall include in each such report a statement of the mission of each such unit ordered to active duty, an evaluation of such unit's performance of that mission, where each such unit is being deployed

Presidential report to Congress.

at the time of the report, and such other information regarding each unit as the President deems appropriate."

Effective date.

(b) The amendment made by subsection (a) of this section shall be effective with respect to any unit of the Ready Reserve ordered to active duty on or after the date of enactment of this Act.

TITLE IV—RESERVE FORCES

SEC. 401. For the fiscal year beginning July 1, 1973, and ending June 30, 1974, the Selected Reserve of each Reserve component of the Armed Forces will be programed to attain an average strength of not less than the following:

(1) The Army National Guard of the United States, 379,144;
(2) The Army Reserve, 232,591;
(3) The Naval Reserve, 119,231;
(4) The Marine Corps Reserve, 39,735;
(5) The Air National Guard of the United States, 92,291;
(6) The Air Force Reserve, 49,773;
(7) The Coast Guard Reserve, 11,300.

Reduction.

SEC. 402. The average strength prescribed by section 401 of this title for the Selected Reserve of any Reserve component shall be proportionately reduced by (1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at any time during the fiscal year, and (2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at any time during the fiscal year. Whenever such units or such individual members are released from active duty during any fiscal year, the average strength for such fiscal year for the Selected Reserve of such Reserve component shall be proportionately increased by the total authorized strength of such units and by the total number of such individual members.

TITLE V—MILITARY TRAINING STUDENT LOADS

SEC. 501. (a) For the fiscal year beginning July 1, 1973, and ending June 30, 1974, each component of the Armed Forces is authorized an average military training student load as follows:

(1) The Army, 89,200;
(2) The Navy, 75,800;
(3) The Marine Corps, 28,000;
(4) The Air Force, 55,100;
(5) The Army National Guard of the United States, 19,100;
(6) The Army Reserve, 59,900;
(7) The Naval Reserve, 17,400;
(8) The Marine Corps Reserve, 6,700;
(9) The Air National Guard of the United States, 4,600;
(10) The Air Force Reserve, 24,300;

Reduction.

(b) The average military training student loads for the Army, the Navy, the Marine Corps, and the Air Force prescribed in subsection (a) of this section for the fiscal year ending June 30, 1974, shall be

reduced consistent with the overall reduction in manpower provided for in title III of this Act. Such reduction shall be apportioned among the Army, the Navy, the Marine Corps, and the Air Force in such manner as the Secretary of Defense shall prescribe.

TITLE VI—ANTI-BALLISTIC MISSILE PROGRAM—LIMITATIONS ON DEPLOYMENT

Grand Forks AFB, continuation.

SEC. 601. None of the funds authorized by this or any other Act may be obligated or expended for the purpose of continuing or initiating deployment of an anti-ballistic-missile system at any site except Grand Forks Air Force Base, Grand Forks, North Dakota. Nothing in this section shall be construed as a limitation on the obligation or expenditure of funds in connection with the dismantling of anti-ballistic missile system sites or the cancellation of work at Whiteman Air Force Base, Knob Noster, Missouri, Francis E. Warren Air Force Base, Cheyenne, Wyoming, and Malmstrom Air Force Base, Great Falls, Montana.

Whiteman, Warren and Malmstrom AFB, dismantling and cancellation.

TITLE VII—STUDY COMMISSION

DEFENSE MANPOWER COMMISSION

Establishment.

SEC. 701. (a) There is hereby established a commission to be known as the Defense Manpower Commission (hereinafter in this title referred to as the "Commission").

Membership.

(b) The Commission shall be composed of seven members appointed as follows:

(1) One member to be appointed by the majority leader of the Senate;

(2) One member to be appointed by the minority leader of the Senate;

(3) One member to be appointed by the majority leader of the House of Representatives;

(4) One member to be appointed by the minority leader of the House of Representatives; and

(5) Three members to be appointed by the President.

Restriction.

No person may be appointed to the Commission who is a civilian officer or employee of the Federal Government; and no person may be appointed who is serving on active duty with the Armed Forces of the United States.

(c) The Commission shall elect a Chairman and Vice Chairman from among its members.

Quorum.

Vacancies.

(d) Four members of the Commission shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

DUTIES OF THE COMMISSION

Manpower requirements, study and investigation.

SEC. 702. It shall be the duty of the Commission to conduct a comprehensive study and investigation of the overall manpower requirements of the Department of Defense on both a short-term and long-term basis with a view to determining what the manpower requirements are currently and will likely be over the next ten years, and how manpower can be more effectively utilized in the Department of Defense. In carrying out such study and investigation the Commission shall give special consideration to—

(1) the effectiveness with which civilian and active duty personnel are utilized, particularly in headquarters staffing and in the number of support forces in relation to combat forces;

(2) whether the pay structure, including fringe benefits, is adequate and equitable at all levels;

(3) the distribution of grades within each armed force and the requirements for advancement in grade;

(4) the cost-effectiveness and manpower utilization of the United States Armed Forces as compared with the armed forces of other countries;

(5) whether the military retirement system is consistent with overall Department of Defense requirements and is comparable to civilian retirement plans;

(6) the methods and techniques used to attract and recruit personnel for the armed forces, and whether such methods and techniques might be improved or new and more effective ones utilized;

(7) the implications for the ability of the armed forces to fulfill their mission as a result of the change in the socio-economic composition of military enlistees since the enactment of new recruiting policies provided for in Public Law 92–129 and the implications for national policies of this change in the composition of the armed forces; and

85 Stat. 348.

(8) such other matters related to manpower as the Commission deems pertinent to the study and investigation authorized by this title.

POWERS OF THE COMMISSION

SEC. 703. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places as the Commission or such subcommittee or member may deem advisable.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purposes of this title. Each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

(c) The Commission shall establish appropriate measures to insure the safeguarding of all classified information submitted to or inspected by it in carrying out its duties under this title.

COMPENSATION OF THE COMMISSION

SEC. 704. Each member of the Commission shall receive an amount equal to the daily rate paid a GS–18 under the General Schedule contained in section 5332 of title 5, United States Code (including traveltime), during which he is engaged in the actual performance of his duties as a member of the Commission. Members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

5 USC 5332 note.

Travel expenses.

STAFF OF THE COMMISSION

SEC. 705. (a) The Commission shall appoint an Executive Director and such other personnel as it deems advisable without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall fix the compensation of such personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General

5 USC 101 *et seq.*

5 USC 5101, 5331.

Schedule pay rates; but personnel so appointed may not receive compensation in excess of the rate authorized for GS–18 by section 5332 of such title 5. 5 USC 5332 note.

(b) The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at GS–18. 80 Stat. 3109.

(c) The Commission is authorized to enter into contracts with public agencies, private firms, institutions, and individuals for the conduct of research and surveys, the preparation of reports, and other activities necessary to the discharge of its duties. Contract authority.

ADMINISTRATIVE SERVICES

SEC. 706. The Administrator of the General Services Administration shall provide administrative services for the Commission on a reimbursable basis.

REPORTS OF THE COMMISSION

SEC. 707. (a) The Commission shall, from time to time, submit interim reports to the Congress and to the President regarding its duties under this title, and shall include in any such reports its findings together with such recommendations for administrative or legislative action as the Commission considers advisable. Reports to Congress and President.

(b) The Commission shall submit its final report to the Congress and to the President not more than twenty-four months after the appointment of the Commission. Such report shall include all interim reports and the final findings and recommendations of the Commission.

(c) The Commission shall cease to exist sixty days after the submission of its final report. Termination date.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 708. There are authorized to be appropriated to the Commission a sum not to exceed $2,500,000 to carry out the provisions of this title.

TITLE VIII—GENERAL PROVISIONS

SEC. 801. Subsection (a)(1) of section 401 of Public Law 89–367, approved March 15, 1966 (80 Stat. 37), as amended, is hereby amended to read as follows: Funds, availability for Vietnamese and Laotian forces.

"(a)(1) Not to exceed $1,126,000,000 of the funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support: (A) Vietnamese and other free world forces in support of Vietnamese forces, (B) local forces in Laos; and for related costs, during the fiscal year 1974 on such terms and conditions as the Secretary of Defense may determine. None of the funds appropriated to or for the use of the Armed Forces of the United States may be used for the purpose of paying any overseas allowance, per diem allowance, or any other addition to the regular base pay of any person serving with the free world forces in South Vietnam if the amount of such payment would be greater than the amount of special pay authorized to be paid, for an equivalent period of service, to members of the Armed Forces of the United States (under section 310 of title 37, United States Code) serving in Vietnam or in any other hostile fire area, except for continuation of payments of such additions to regular base pay provided in agreements executed prior to July 1, 1970. Nothing in clause (A) of the first sentence of this paragraph shall be construed as authorizing the use of any such funds to support 77 Stat. 216; 79 Stat. 547. Cambodia and Laos.

Vietnamese or other free world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos: *Provided*, That nothing contained in this section shall be construed to prohibit support of actions required to insure the safe and orderly withdrawal or disengagement of United States forces from Southeast Asia, or to aid in the release of Americans held as prisoners of war."

C-5A funds, restrictions.

SEC. 802. (a) The amount of $28,400,000 authorized to be appropriated by this Act for the development and procurement of the C–5A aircraft may be expended only for the reasonable and allocable direct and indirect costs incurred by the prime airframe contractor under a contract entered into with the United States to carry out the C–5A aircraft program. No part of such amount may be used for—

(1) direct costs of any other contract or activity of the prime contractor;

(2) profit on any materials, supplies, or services which are sold or transferred between any division, subsidiary, or affiliate of the prime contractor under the common control of the prime contractor and such division, subsidiary, or affiliate;

(3) bid and proposal costs, independent research and development costs, and the cost of other similar unsponsored technical effort; or

(4) depreciation and amortization costs in excess of $1,700,000 on property, plant, or equipment.

Any of the costs referred to in the preceding sentence which would otherwise be allocable to any work funded by such $28,400,000 may not be allocated to other portions of the C–5A aircraft contract or to any other contract with the United States, but payments to C–5A aircraft subcontractors shall not be subject to the restriction referred to in such sentence.

Special bank account for payment.

(b) Any payments from such $28,400,000 shall be made to the prime contractor through a special bank account from which such contractor may withdraw funds only after a request containing a detailed justification of the amount requested has been submitted to and approved by the contracting officer for the United States. All payments made from such special bank account shall be audited by the Defense Contract Audit Agency of the Department of Defense and, on a quarterly basis, by the General Accounting Office. The Comptroller General shall submit to the Congress not more than thirty days after the close of each quarter a report on the audit for such quarter performed by the General Accounting Office pursuant to this subsection.

Audit.

Report to Congress.

(c) The restrictions and controls provided for in this section with respect to the $28,400,000 referred to in subsections (a) and (b) of this section shall be in addition to such other restrictions and controls as may be prescribed by the Secretary of Defense or the Secretary of the Air Force.

76 Stat. 519; 86 Stat. 1318. 10 USC 131.

SEC. 803. (a) Chapter 4 of title 10, United States Code, is amended by adding the following new sections after section 137 and inserting corresponding items in the chapter analysis:

"§ 138. Secretary of Defense: Annual authorization of appropriations for armed forces

"(a) No funds may be appropriated for any fiscal year to or for the use of any armed force or obligated or expended for—

"(1) procurement of aircraft, missiles, or naval vessels;

"(2) any research, development, test, or evaluation, or procurement or production related thereto;

"(3) procurement of tracked combat vehicles;

"(4) procurement of other weapons; or

"(5) procurement of naval torpedoes and related support equipment;

unless funds therefor have been specifically authorized by law.

Selected Reserve personnel strength.

"(b) Congress shall authorize the personnel strength of the Selected Reserve of each reserve component of the armed forces. No funds may be appropriated for any fiscal year for the pay and allowances of members of any reserve component of the armed forces unless the personnel strength of the Selected Reserve of that reserve component for that fiscal year has been authorized by law.

Active-duty personnel strength.

"(c)(1) Congress shall authorize the end strength as of the end of each fiscal year for active-duty personnel for each component of the armed forces. No funds may be appropriated for any fiscal year to or for the use of the active-duty personnel of any component of the armed forces unless the end strength for active-duty personnel of that component for that fiscal year has been authorized by law.

Civilian personnel strength.

"(2) Congress shall authorize the end strength as of the end of each fiscal year for civilian personnel for each component of the Department of Defense. No funds may be appropriated for any fiscal year to or for the use of the civilian personnel of any component of the Department of Defense unless the end strength for civilian personnel of that component for that fiscal year has been authorized by law.

Report to Congress.

"(3) The Secretary of Defense shall submit to Congress a written report, not later than February 15 of each fiscal year, recommending the annual active duty end strength level for each component of the armed forces for the next fiscal year and the annual civilian personnel end strength level for each component of the Department of Defense for the next fiscal year, and shall include in that report justification for the strength levels recommended and an explanation of the relationship between the personnel strength levels recommended for that fiscal year and the national security policies of the United States in effect at the time. The justification and explanation shall specify in detail for all military forces, including each land force division, carrier and other major combatant vessel, air wing, and other comparable unit, the—

"(A) unit mission and capability;

"(B) strategy which the unit supports; and

"(C) area of deployment and illustrative areas of potential deployment, including a description of any United States commitment to defend such areas.

It shall also include a detailed discussion of (i) the manpower required for support and overhead functions within the armed forces and the Department of Defense, (ii) the relationship of the manpower required for support and overhead functions to the primary combat missions and support policies, and (iii) the manpower required to be stationed or assigned to duty in foreign countries and aboard vessels located outside the territorial limits of the United States, its territories, and possessions.

Student military training.

"(d)(1) Congress shall authorize the average military training student loads for each component of the armed forces. Such authorization is not required for unit or crew training student loads, but is required for student loads for the following individual training categories—

"(A) recruit and specialized training;

"(B) flight training;

"(C) professional training in military and civilian institutions; and

"(D) officer acquisition training.

No funds may be appropriated for any fiscal year for training military personnel in the training categories described in clauses (A)-(D)

of any component of the armed forces unless the average student load of that component for that fiscal year has been authorized by law.

Report to Congress.

"(2) The Secretary of Defense shall submit to Congress a written report, not later than March 1 of each fiscal year, recommending the average student load for each category of training for each component of the armed forces for the next three fiscal years, and shall include in that report justification for, and explanation of, the average student loads recommended.

"§ 139. Secretary of Defense: weapons development and procurement schedules for armed forces; reports; supplemental reports

Report to Congress.

64 Stat. 832; 84 Stat. 1169.

Ante, p. 612.

"(a) The Secretary of Defense shall submit to Congress each calendar year, at the same time the President submits the budget to Congress under section 11 of title 31, a written report regarding development and procurement schedules for each weapon system for which fund authorization is required by section 138(a) of this title, and for which any funds for procurement are requested in that budget. The report shall include data on operational testing and evaluation for each weapon system for which funds for procurement are requested (other than funds requested only for the procurement of units for operational testing and evaluation, or long lead-time items, or both). A weapon system shall also be included in the annual report required under this subsection in each year thereafter until procurement of that system has been completed or terminated, or the Secretary of Defense certifies, in writing, that such inclusion would not serve any useful purpose and gives his reasons therefor.

"(b) The Secretary of Defense shall submit a supplemental report to Congress not less than thirty, or more than sixty, days before the award of any contract, or the exercise of any option in a contract, for the procurement of any such weapon system (other than procurement of units for operational testing and evaluation, or long lead-time items, or both), unless—

"(1) the contractor or contractors for that system have not yet been selected and the Secretary of Defense determines that the submission of that report would adversely affect the source selection process and notifies Congress in writing, prior to such award, of that determination, stating his reasons therefor; or

"(2) the Secretary of Defense determines that the submission of that report would otherwise adversely affect the vital security interests of the United States and notifies Congress in writing of that determination at least thirty days prior to the award, stating his reasons therefor.

"(c) Any report required to be submitted under subsection (a) or (b) shall include detailed and summarized information with respect to each weapon system covered, and specifically include, but not be limited to—

"(1) the development schedule, including estimated annual costs until development is completed;

"(2) the planned procurement schedule, including the best estimate of the Secretary of Defense of the annual costs and units to be procured until procurement is completed; and

"(3) to the extent required by the second sentence of subsection (a), the result of all operational testing and evaluation up to the time of the submission of the report, or, if operational testing and evaluation has not been conducted, a statement of the reasons therefor and the results of such other testing and evaluation as has been conducted.

"(d) In the case of any weapon system for which procurement funds have not been previously requested and for which funds are first

requested by the President in any fiscal year after the Budget for that fiscal year has been submitted to Congress, the same reporting requirements shall be applicable to that system in the same manner and to the same extent as if funds had been requested for that system in that budget."

(b) The following laws are repealed: Repeals. 10 USC 133 note.

(1) section 412 of the Act of August 10, 1959, Public Law 86-149 (73 Stat. 322), as amended by section 2 of the Act of April 27, 1962, Public Law 87-436 (76 Stat. 55); section 610 of the Act of November 7, 1963, Public Law 88-174 (77 Stat. 329); section 304 of the Act of June 11, 1965, Public Law 89-37 (79 Stat. 128); section 6 of the Act of December 1, 1967, Public Law 90-168 (81 Stat. 526); section 405 of the Act of November 19, 1969, Public Law 91-121 (83 Stat. 207); sections 505 and 509 of the Act of October 7, 1970, Public Law 91-441 (84 Stat. 912, 913); section 701 of the Act of September 28, 1971, Public Law 92-129 (85 Stat. 362); and sections 302 and 604 of the Act of September 26, 1972, Public Law 92-436 (86 Stat. 736, 739); and

(2) section 506 of the Act of November 17, 1971, Public Law 92-156 (85 Stat. 429).

SEC. 804. Section 3(b) of Public Law 92-425 (86 Stat. 711) is amended by— 10 USC 1448 note.

(1) striking out in the first sentence "before the first anniversary of that date" and inserting in lieu thereof "at any time within eighteen months after such date", and

(2) striking out in the second sentence "before the first anniversary of" and inserting in lieu thereof "at any time within eighteen months after".

SEC. 805. Notwithstanding any other provision of law, no funds authorized to be appropriated by this or any other Act may be obligated or expended for the purpose of carrying out directly or indirectly any economic or military assistance for or on behalf of North Vietnam unless specifically authorized by Act of Congress enacted after the date of the enactment of this Act. North Vietnam, assistance, prohibition.

SEC. 806. Notwithstanding any other provision of law, upon enactment of this Act, no funds heretofore or hereafter appropriated may be obligated or expended to finance the involvement of United States military forces in hostilities in or over or from off the shores of North Vietnam, South Vietnam, Laos, or Cambodia, unless specifically authorized hereafter by the Congress. North Vietnam, South Vietnam, Laos, Cambodia, military involvement, prohibition.

SEC. 807. (a) The first section of the Act entitled "An Act to authorize the making, amendment, and modification of contracts to facilitate the national defense", approved August 28, 1958 (72 Stat. 972; 50 U.S.C. 1431), is amended by adding at the end thereof the following: "The authority conferred by this section may not be utilized to obligate the United States in any amount in excess of $25,000,000 unless the Committees on Armed Services of the Senate and the House of Representatives have been notified in writing of such proposed obligation and 60 days of continuous session of Congress have expired following the date on which such notice was transmitted to such Committees and neither House of Congress has adopted, within such 60-day period, a resolution disapproving such obligation. For purposes of this section, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of such 60-day period."

(b)(1) The second sentence of section 302 of the Defense Production Act of 1950 (50 App. U.S.C. 2092) is amended by inserting "(1)" 64 Stat. 801.

immediately after "except that" and by striking out the period at the end of such section and inserting in lieu thereof a comma and the following: "and (2) no such loan may be made in an amount in excess of $25,000,000 unless the Committees on Armed Services of the Senate and the House of Representatives have been notified in writing of such proposed loan and 60 days of continuous session of Congress have expired following the date on which such notice was transmitted to such Committees and neither House of Congress has adopted, within such 60-day period, a resolution disapproving such loan."

Ante, p. 615.

(2) Section 302 of such Act is further amended by adding at the end thereof a new sentence as follows: "For purposes of this section, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of such 60-day period."

72 Stat. 967.

(c) Section 2307 of title 10, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(d) Payments under subsection (a) in the case of any contract, other than partial, progress, or other payments specifically provided for in such contract at the time such contract was initially entered into, may not exceed $25,000,000 unless the Committees on Armed Services of the Senate and the House of Representatives have been notified in writing of such proposed payments and 60 days of continuous session of Congress have expired following the date on which such notice was transmitted to such Committees and neither House of Congress has adopted, within such 60-day period, a resolution disapproving such payments. For purposes of this section, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of such 60-day period."

62 Stat. 625.

(d)(1) Section 18(a) of the Military Selective Service Act (50 U.S.C. App. 468) is amended by inserting before the period at the end of the first sentence a comma and the following: "except that no order which requires payments thereunder in excess of $25,000,000 shall be placed with any person, unless the Committees on Armed Services of the Senate and the House of Representatives have been notified in writing of such proposed order and 60 days of continuous session of Congress have expired following the date on which such notice was transmitted to such Committees and neither House of Congress has adopted, within such 60-day period, a resolution disapproving such order."

(2) Section 18(a) of such Act is further amended by inserting after the first sentence thereof a new sentence as follows: "For purposes of the preceding sentence, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of such 60-day period."

(e) The amendments made by this section shall not affect the carrying out of any contract, loan, guarantee, commitment, or other obligation entered into prior to the date of enactment of this section.

SEC. 808. None of the funds authorized for appropriation to the Department of Defense pursuant to this Act shall be obligated under a contract entered into after the date of enactment of this Act under any multiyear procurement as defined in section 1–322 of the Armed Services Procurement Regulations (as in effect on September 26, 1972) where the cancellation ceiling for such procurement is in excess of $5,000,000.

32 CFR 1.322.

SEC. 809. The National Industrial Reserve Act of 1948 (62 Stat. 1225; 50 U.S.C. 451) is amended to read as follows: "That this Act may be cited as the 'Defense Industrial Reserve Act'.

"CONGRESSIONAL DECLARATION OF PURPOSE AND POLICY

"SEC. 2. In enacting this Act, it is the intent of Congress (1) to provide a comprehensive and continuous program for the future safety and for the defense of the United States by providing adequate measures whereby an essential nucleus of Government-owned industrial plants and an industrial reserve of machine tools and other industrial manufacturing equipment may be assured for immediate use to supply the needs of the Armed Forces in time of national emergency or in anticipation thereof; (2) that such Government-owned plants and such reserve shall not exceed in number or kind the minimum requirements for immediate use in time of national emergency, and that any such items which shall become excess to such requirements shall be disposed of as expeditiously as possible; (3) that to the maximum extent practicable, reliance will be placed upon private industry for support of defense production; and (4) that machine tools and other industrial manufacturing equipment may be held in plant equipment packages or in a general reserve to maintain a high state of readiness for production of critical items of defense materiel, to provide production capacity not available in private industry for defense materiel, or to assist private industry in time of national disaster.

"DEFINITIONS

"SEC. 3. As used in this Act—

"(1) The term 'Secretary' means Secretary of Defense.

"(2) The term 'Defense Industrial Reserve' means (A) a general reserve of industrial manufacturing equipment, including machine tools, selected by the Secretary of Defense for retention for national defense or for other emergency use; (B) those industrial plants and installations held by and under the control of the Department of Defense in active or inactive status, including Government-owned/Government-operated plants and installations and Government-owned/contractor-operated plants and installations which are retained for use in their entirety, or in part, for production of military weapons systems, munitions, components, or supplies; (C) those industrial plants and installations under the control of the Secretary which are not required for the immediate need of any department or agency of the Government and which should be sold, leased, or otherwise disposed of.

"(3) The term 'plant equipment package' means a complement of active and idle machine tools and other industrial manufacturing equipment held by and under the control of the Department of Defense and approved by the Secretary for retention to produce particular defense materiel or defense supporting items at a specific level of output in the event of emergency.

"DUTIES OF THE SECRETARY

"SEC. 4. To execute the policy set forth in this Act, the Secretary is authorized and directed to—

"(1) determine which industrial plants and installations (including machine tools and other industrial manufacturing equipment) should become a part of the defense industrial reserve;

"(2) designate what excess industrial property shall be disposed of;

"(3) establish general policies and provide for the transportation, handling, care, storage, protection, maintenance, repair, rebuilding, utilization, recording, leasing and security of such property;

"(4) direct the transfer without reimbursement of such property to other Government agencies with the consent of such agencies;

"(5) direct the leasing of any of such property to designated lessees;

"(6) authorize the disposition in accordance with existing law of any of such property when in the opinion of the Secretary such property is no longer needed by the Department of Defense; and

"(7) authorize and regulate the lending of any such property to any nonprofit educational institution or training school whenever (A) the program proposed by such institution or school for the use of such property will contribute materially to national defense, and (B) such institution or school shall by agreement make such provision as the Secretary shall deem satisfactory for the proper maintenance and care of such property and for its return, without expense to the Government, upon request of the Secretary.

"REPORTS TO CONGRESS

"SEC. 5. The Secretary shall submit to the Congress on or before April 1 of each year a report detailing the action taken under this Act and containing such other pertinent information regarding the status of the defense industrial reserve as will enable the Congress to evaluate the administration of such reserve and the necessity or desirability for any legislative action regarding such reserve.

"AUTHORIZATION FOR APPROPRIATIONS

"SEC. 6. There are authorized to be appropriated such sums as the Congress may from time to time determine to be necessary to enable the Secretary to carry out the provisions of this Act.".

Study and investigation.

SEC. 810. (a) The Secretary of Defense is authorized and directed to carry out a comprehensive study and investigation to determine the relative status of the Air Force Reserve and the Air National Guard of the United States. In carrying out such study and investigation the Secretary shall quantitatively measure the effects on full costs and on combat capability and readiness, as well as enumerate the military and other advantages and disadvantages of at least the following alternatives: (1) merging the Air Force Reserve into the Air National Guard structure; (2) merging the Air National Guard into the Air Force Reserve structure; and (3) retaining both the Air Force Reserve and the Air National Guard. Such study shall also consider and give equal weight to the modernization needs of the Air National Guard and the Air Force Reserve, including: (1) aircraft; (2) ground equipment; (3) facilities; (4) communication, and (5) other pertinent needs. It shall also consider the related problems of recruiting, training and retaining sufficient manpower of needed quality to man the authorized units.

Report to President and Congress.

(b) The Secretary of Defense shall submit to the President and the Congress a detailed report of such study and investigation not later than January 31, 1975. The Secretary shall include in such report a complete evaluation of each of the alternatives specified in subsection

(a) above, and a detailed explanation of the facts and information which serve as the basis for any conclusions stated therein, and shall also include in such report such recommendations for legislative action as he deems appropriate.

Petroleum products.

SEC. 811. The Congress finds that the Department of Defense, which will use, at its present rate of consumption, an estimated twelve billion gallons of petroleum products in 1973, is one of the largest single consumers of petroleum products in the world, and that a reduction in consumption of such products by the Department of Defense would aid materially in meeting the energy shortages which the United States now faces. It is, therefore, declared to be the sense of the Congress that the Department of Defense should implement a 10 per centum reduction of its consumption of petroleum products except where such a reduction would adversely affect the national security or essential training exercises.

North Atlantic Treaty Organization.

SEC. 812. (a) The Congress finds that in order to achieve a more equitable sharing of the costs and expenses arising from commitments and obligations under the North Atlantic Treaty, the President should seek, through appropriate bilateral and multilateral arrangements, payments sufficient in amount to offset fully any balance-of-payment deficit incurred by the United States during the fiscal year ending June 30, 1974, as the result of the deployment of forces in Europe in fulfillment of the treaty commitments and obligations of the United States. This balance-of-payment deficit shall be determined by the Secretary of Commerce in consultation with the Secretary of Defense and the Comptroller General of the United States.

Balance of payments deficit.

(b) In the event that the North Atlantic Treaty Organization members (other than the United States) fail to offset the net balance-of-payment deficit described in subsection (a) prior to the expiration of eighteen months after the date of enactment of this section, no funds may be expended after the expiration of twenty-four months following the date of enactment of this section for the purpose of maintaining or supporting United States forces in Europe in any number greater than a number equal to the average monthly number of United States forces assigned to duty in Europe during the fiscal year ending June 30, 1974, reduced by a percentage figure equal to the percentage figure by which such balance-of-payment deficit during such fiscal year was not offset.

Equitable cost sharing.

(c) The Congress further finds (1) that the other members of the North Atlantic Treaty Organization should, in order to achieve a more equitable sharing of the cost burden under the treaty, substantially increase their contributions to assist the United States in meeting those added budgeting expenses incurred as the result of maintaining and supporting United States forces in Europe, including, but not limited to, wages paid to local personnel by the United States, recurring expenses incurred in connection with the maintenance and operation of real property, maintenance facilities, supply depots, cold storage facilities, communications systems, and standby operations, and nonrecurring expenses such as the construction and rehabilitation of plants and facilities; (2) that the amount paid by the United States in connection with the North Atlantic Treaty infrastructure program should be reduced to a more equitable amount; and (3) that the President should seek, through appropriate bilateral and multilateral arrangements, a substantial reduction of the amounts paid by the United States in connection with those matters described in (1) and (2) above.

Report to Congress.

(d) The President shall submit to the Congress within ninety days after the date of enactment of this Act, and at the end of each ninety-day period thereafter, a written report informing the Congress of the progress that has been made in implementing the provisions of this section.

Funds, restrictions.

SEC. 813. (a) No funds authorized to be appropriated by this Act may be obligated under a contract entered into by the Department of Defense after the date of the enactment of this Act for procurement of goods which are other than American goods unless, under regulations of the Secretary of Defense and subject to the determinations and exceptions contained in title III of the Act of March 3, 1933, as amended (47 Stat. 1520; 41 U.S.C. 10a, 10b), popularly known as the Buy American Act, there is adequate consideration given to—

(1) the bids or proposals of firms located in labor surplus areas in the United States as designated by the Department of Labor which have offered to furnish American goods;

(2) the bids or proposals of small business firms in the United States which have offered to furnish American goods;

(3) the bids or proposals of all other firms in the United States which have offered to furnish American goods;

(4) the United States balance of payments;

(5) the cost of shipping goods which are other than American goods; and

(6) any duty, tariff or surcharge which may enter into the cost of using goods which are other than American goods.

"Goods."

(b) For purposes of this section, the term "goods which are other than American goods" means (1) an end product which has not been mined, produced, or manufactured in the United States, or (2) an end product manufactured in the United States but the cost of the components thereof which are not mined, produced, or manufactured in the United States exceeds the cost of components mined, produced, or manufactured in the United States.

70A Stat. 146; 76 Stat. 511. 10 USC 2631.

SEC. 814. (a) Chapter 157 of title 10, United States Code, is amended by adding at the end thereof a new section as follows:

"§ 2635. Medical emergency helicopter transportation assistance and limitation of individual liability

"(a) The Secretary of Defense is authorized to assist the Department of Health, Education, and Welfare and the Department of Transportation in providing medical emergency helicopter transportation services to civilians. Any resources provided under this section shall be under such terms and conditions, including reimbursement, as the Secretary of Defense deems appropriate and shall be subject to the following specific limitations:

Limitations.

"(1) Assistance may be provided only in areas where military units able to provide such assistance are regularly assigned, and military units shall not be transferred from one area to another for the purpose of providing such assistance.

"(2) Assistance may be provided only to the extent that it does not interfere with the performance of the military mission.

"(3) The provision of assistance shall not cause any increase in funds required for the operation of the Department of Defense.

"(b) No individual (or his estate) who is authorized by the Department of Defense to perform services under a program established pursuant to subsection (a), and who is acting within the scope of his duties, shall be liable for injury to, or loss of property or personal injury or death which may be caused incident to providing such services."

(b) The table of sections at the beginning of chapter 157 of title 10, United States Code, is amended by adding at the end thereof the following new item:

"2635. Medical emergency helicopter transportation assistance and limitation on individual liability.".

Vice Admiral Hyman G. Rickover, USN (Ret.).

SEC. 815. In recognition of the vital contribution of Vice Admiral Hyman G. Rickover (United States Navy, retired) to our national defense and in special recognition of his invaluable guidance, initiative, and perseverance in developing the nuclear submarine, the President is authorized to appoint the said Hyman G. Rickover to the grade of admiral on the retired list with all the rights, privileges, benefits, pay and allowances provided by law for officers appointed to such grade.

SEC. 816. Notwithstanding any other provision of law, the authority provided in section 501 of the Defense Procurement Act of 1970, Act of October 7, 1970, Public Law 91-441 (84 Stat. 909), is hereby extended until December 31, 1975.

70A Stat. 119; 85 Stat. 489. 10 USC 2001.

SEC. 817. (a) Title 10, United States Code, is amended by adding the following new section at the end of chapter 101:

"§ 2004. Detail of commissioned officers of the military departments as students at law schools

"(a) The Secretary of each military department may, under regulations prescribed by the Secretary of Defense, detail commissioned officers of the armed forces as students at accredited law schools, located in the United States, for a period of training leading to the degree of bachelor of laws or juris doctor. No more than twenty-five officers from each military department may commence such training in any single fiscal year.

Eligibility.

"(b) To be eligible for detail under subsection (a), an officer must be a citizen of the United States and must—

"(1) have served on active duty for a period of not less than two years nor more than six years and be in the pay grade O–3 or below as of the time the training is to begin; and

"(2) sign an agreement that unless sooner separated he will—

"(A) complete the educational course of legal training;

"(B) accept transfer or detail as a judge advocate or law specialist within the department concerned when his legal training is completed; and

"(C) agree to serve on active duty following completion or other termination of training for a period of two years for each year or part thereof of his legal training under subsection (a).

"(c) Officers detailed for legal training under subsection (a) shall be selected on a competitive basis by the Secretary of the military department concerned, under regulations prescribed by the Secretary of Defense. Any service obligation incurred by an officer under an agreement entered into under subsection (b) shall be in addition to any service obligation incurred by any such officer under any other provision of law or agreement.

Expenses.

"(d) Expenses incident to the detail of officers under this section shall be paid from any funds appropriated for the military department concerned.

"(e) An officer who, under regulations prescribed by the Secretary of Defense, is dropped from the program of legal training authorized by subsection (a) for deficiency in conduct or studies, or for other reasons, may be required to perform active duty in an appropriate

military capacity in accordance with the active duty obligation imposed by regulations issued by the Secretary of Defense, except that in no case shall any such member be required to serve on active duty for any period in excess of one year for each year or part thereof he participated in the program.

"(f) No agreement detailing any officer of the armed forces to an accredited law school may be entered into during any period that the President is authorized by law to induct persons into the armed forces involuntarily. Nothing in this subsection shall affect any agreement entered into during any period when the President is not authorized by law to so induct persons into the armed forces."

(b) The table of contents of chapter 101 of title 10, United States Code, is amended by adding the following new item at the end thereof:

"2004. Detail of commissioned officers of the military departments as students at law schools.".

PUBLIC HEALTH SERVICES HOSPITALS

SEC. 818. (a) Except as provided in subsection (b), the Secretary of Health, Education, and Welfare shall take such action as may be necessary to assure that the hospitals of the Public Health Service, located in Seattle, Washington, Boston, Massachusetts, San Francisco, California, Galveston, Texas, New Orleans, Louisiana, Baltimore, Maryland, Staten Island, New York, and Norfolk, Virginia, shall continue—

(1) in operation as hospitals of the Public Health Service,

(2) to provide for all categories of individuals entitled or authorized to receive care and treatment at hospitals or other stations of the Public Health Service inpatient, outpatient, and other health care services in like manner as such services were provided on January 1, 1973, to such categories of individuals at the hospitals of the Public Health Service referred to in the matter preceding paragraph (1) and at a level and range at least as great as the level and range of such services which were provided (or authorized to be provided) by such hospitals on such date, and

(3) to conduct at such hospitals a level and range of other health-related activities (including training and research activities) which is not less than the level and range of such activities which were being conducted on January 1, 1973, at such hospitals.

(b) (1) The Secretary may—

(A) close or transfer control of a hospital of the Public Health Service to which subsection (a) applies,

(B) reduce the level and range of health care services provided at such a hospital from the level and range required by subsection (a) (2) or change the manner in which such services are provided at such a hospital from the manner required by such subsection, or

(C) reduce the level and range of the other health-related activities conducted at such hospital from the level and range required by subsection (a) (3),

if Congress by law (enacted after the date of the enactment of this Act) specifically authorizes such action.

(2) Any recommendation submitted to the Congress for legislation to authorize an action described in paragraph (1) with respect to a hospital of the Public Health Service shall be accompanied by a copy of the written, unqualified approval of the proposed action submitted to the Secretary by each (A) section 314(a) State health planning

agency whose section 314(a) plan covers (in whole or in part) the area in which such hospital is located or which is served by such hospital, and (B) section 314(b) areawide health planning agency whose section 314(b) plan covers (in whole or in part) such area.

Definitions.

(3) For purposes of this subsection, the term "section 314(a) State health planning agency" means the agency of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a) of the Public Health Service Act (referred to in paragraph (2) as a "section 314(a) plan"); and the term "section 314(b) areawide health planning agency" means a public or nonprofit private agency or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b) of that Act (referred to in paragraph (2) as a "section 314(b) plan").

80 Stat. 1181; 86 Stat. 1293. 42 USC 246.

Repeal.

(c) Section 3 of the Emergency Health Personnel Act Amendments of 1972 is repealed.

86 Stat. 1292. 42 USC 246 note.

Short title.

SEC. 819. This Act may be cited as the "Department of Defense Appropriation Authorization Act, 1974".

Approved November 16, 1973.

Public Law 93-156

AN ACT

November 21, 1973 [H. R. 5692]

To amend title 5, United States Code, to revise the reporting requirement contained in subsection (b) of section 1308.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 1308 of title 5, United States Code, is amended to read as follows:

Civil Service Commission. Annual reports. 80 Stat. 402.

"(b) The Commission shall annually provide an analysis to Congress of the administration and operation of chapter 41 of this title.".

5 USC 4101.

Approved November 21, 1973.

Public Law 93-157

AN ACT

November 21, 1973 [H. R. 4771]

To authorize the District of Columbia Council to regulate and stabilize rents in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Rent Control Act of 1973".

District of Columbia Rent Control Act of 1973.

DEFINITIONS

SEC. 2. As used in this Act—

(a) The term "rent" means the entire amount of money, money's worth, bonus, benefit, or gratuity demanded, received, or charged by the lessor or landlord to a lessee or tenant as a condition of occupancy and use of a residence and its related facilities including, but not limited to, charges for parking and utilities and the use of recreational facilities if provided.

(b) The term "residence" means a room, apartment, efficiency, group of rooms, or a single family dwelling or other residence rented, leased, or offered for rent or lease for dwelling purposes as a unit in a structure used or which may be used as a dwelling place located in the District of Columbia. This term shall not include any room or space rented, leased, or offered for rent or lease which is located in a hotel, motel, or other unit used for transient occupancy.

(c) The term "landlord" means an owner, lessor, sublessor, assign, or other person receiving or entitled to receive the rents or benefits thereof for the use or occupancy of any residence as herein defined and it shall also mean the agent of the foregoing.

(d) The term "tenant" means a tenant, subtenant, lessee, sublessee, or other person entitled to the possession or to the use or the occupancy or the benefits thereof of any residence as herein defined.

81 Stat. 948.
5 USC app. II.

(e) The term "Council" means the District of Columbia Council established under Reorganization Plan Numbered 3 of 1967.

(f) The term "person" means an individual, corporation, partnership, association, joint venture, or any organized group of individuals or the legal successor or assigns or representatives of the foregoing.

POWERS OF THE DISTRICT OF COLUMBIA COUNCIL

SEC. 3. (a) Within sixty calendar days after the date of enactment of this Act, and thereafter at such times as the Council deems necessary, the Council shall hold public hearings to determine whether a situation exists in the District of Columbia by reason of the shortage of leased or rental residences which is causing serious overcrowding or increasing rents which are contrary to the public health, safety, and general welfare of the tenants and the District of Columbia. If the Council makes such a determination then the Council is authorized to adopt such rules as it determines necessary and appropriate to regulate and stabilize rents in the District of Columbia, including rules regarding retaliatory action specifically prohibited under section 5 of this Act, except that any such rules so adopted to stabilize and regulate the amount of rent or benefits which a landlord is entitled to receive for the use or occupancy by any tenant of any residence shall provide means whereby increased costs incurred by such landlord and directly related to such residence shall be taken into consideration in determin-

Rent regulation and stabilization.

ing the amount of such rents or benefits which such landlord is entitled to receive in connection with such use or occupancy under such rules. Such rules may be modified or terminated at any time by a majority vote of the Council.

(b) With respect to any hearing held under this section, the Council shall afford interested persons an opportunity to participate in such a hearing through submission of written data, views, and arguments, with an opportunity to present oral testimony. The record and findings made in such hearings shall be the basis for the adoption of such rules by the Council.

THE COMMISSION

SEC. 4. (a) In the event the Council adopts rules under section 3 to stabilize and regulate rents, the Council is authorized to establish a temporary District of Columbia Housing Rent Commission (hereinafter referred to as the "Commission") for the District of Columbia to carry out and enforce such rules. Such Commission shall terminate on the forty-fifth day after the date of termination of the rules adopted by the Council under section 3. Such Commission shall be composed of nine members, appointed by the Commissioner of the District of Columbia with the advice and consent of the Council, of whom four members shall be representative of solely the interests of landlords in the District of Columbia and four shall be representatives of solely the interests of tenants in the District of Columbia. All members of the Commission shall be residents of the District of Columbia. Each member shall serve until the termination of the Commission. The members shall select a chairman of the Commission from among the members of the Commission.

District of Columbia Housing Rent Commission. Establishment.

Termination date.

Membership.

(b) Each member of the Commission shall be paid compensation of $50 per day while performing duties under this Act, except that no compensation under this Act shall be paid to an employee of the government of the District of Columbia or of the United States.

Compensation.

(c) The Commission shall have power to adopt, promulgate, amend, or rescind such rules or orders as it may deem and find to be necessary or proper to effectuate the purposes of this Act. In addition, the Commission shall employ such personnel or consultants, including legal counsel, as are necessary, at such rates of compensation as may be fixed by the Commissioner of the District of Columbia. Upon the request of the Chairman of the Commission, each department of the District of Columbia is authorized to furnish such assistance or information as may be necessary for the Commission to effectively carry out this Act.

(d) In addition the Commission shall be authorized to—

(1) receive and review complaints by tenants in the District of Columbia with respect to any violation of the rules of the Council adopted under section 3, or of any rule or order of the Commission with respect to the enforcement and the administration of such rules; and

(2) in cases where operation of the rules adopted by the Council would cause serious financial hardship to a landlord, grant exemptions therefrom upon application of any landlord claiming such hardship, except no exemptions shall be granted until after notice of a hearing with respect to the application for such an exemption shall have been published and the tenants of the affected residence shall have been afforded an opportunity to submit relevant evidence to the Commission in connection with such application.

Hearings.

(e) (1) Subject to such rules and regulations as may be adopted by the Commission, the Chairman shall have the power to hold such hearings, sit and act at such times and places within the District of Columbia, administer such oaths, and require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission may deem advisable in carrying out its functions under this Act.

(2) In the case of contumacy or refusal to obey a subpena issued under this subsection by any person who resides, is found, or transacts business within the District of Columbia, the Superior Court of the District of Columbia, at the request of the Chairman of the Commission, shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry. Any failure of any such person to obey any such order of the court may be punished by the court as a contempt thereof.

Penalty.

Appropriation.

(f) There is authorized to be appropriated such sum, not to exceed $85,000, as may be necessary to carry out the provisions of this section.

RETALIATORY ACTION

SEC. 5. No landlord shall take any retaliatory action against any tenant who exercises any right conferred upon him by this Act or by any rule or order issued pursuant thereto. For purposes of this subsection, retaliatory action shall include, but not be limited to, any action or proceeding to recover possession of a residence or action which would increase rent, decrease services, increase the obligations of a tenant, or bring an undue or unusual inconvenience, violation of privacy, harassment, or reduction in the quality or quantity of service or be any form of threat or coercion.

JUDICIAL REVIEW

SEC. 6. (a) Any person or class of persons aggrieved by any decision of the Commission, or by any failure on the part of the Commission to act, may seek judicial review of such decision or failure by filing a petition for review in the Superior Court of the District of Columbia. The Commission on its own initiative, may commence a civil action to enforce the rules of the Council or of the Commission. Such an action brought by the Commission shall be brought in the Superior Court of the District of Columbia.

Litigation costs.

(b) The Superior Court, in issuing any order in any action brought under this section, shall award costs of litigation (including a reasonable attorney and witness fee) to any successful plaintiff.

CRIMINAL PENALTIES

SEC. 7. Any person who willfully violates any provision of this Act, or any rule promulgated by the Council under section 3, or any rule or order of the Commission, shall be fined not more than $5,000 for each such violation.

TERMINATION

SEC. 8. (a) The provisions of this Act, and all rules, orders, and requirements thereunder, shall terminate at the end of the one-year period beginning on the date that rules adopted by the Council pursuant to section 3(a) of this Act to regulate and stabilize rents in the District of Columbia become effective or, if no such rules are in effect on the date of expiration of the one-year period following the date of

the enactment of this Act, such provisions, orders, and requirements shall terminate on the date of expiration of the one-year period following the date of the enactment of this Act, except that as to offenses committed, or rights or liabilities incurred, prior to such termination date, the provisions of this Act, and such rules, orders, and requirements, shall be treated as still remaining in force for the purpose of sustaining any proper suit, action, or prosecution with respect to any such right, liability, or offense.

(b) With respect to any such rules adopted pursuant to such section 3(a) to regulate and stabilize rents in the District of Columbia, the Council shall, on the expiration of six-month period following the effective date of such rules, conduct a hearing with a view to determining whether such rules should be modified or terminated by reason of a change in the situation which existed in the District at the time of the adoption of such rules and which was the basis for such rules. The provisions of the first sentence of section 3(b) of this Act shall be applicable with respect to such hearing held pursuant to this subsection.

EMERGENCY RENT CONTROL ACT REPEALED

SEC. 9. The District of Columbia Emergency Rent Act of 1951 (D.C. Code, secs. 45–1601—45–1611) is hereby repealed.

Repeal.
65 Stat. 98.

Approved November 21, 1973.

Public Law 93-158

AN ACT

November 26, 1973
[S. 2645]

To amend Public Law 93–60 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101(a) of Public Law 93–60 is hereby amended by striking therefrom the figure "$1,740,750,000" and substituting the figure "$1,751,450,000".

Atomic Energy Commission.
Appropriation authorization increase.
Ante, p. 143.

SEC. 2. Section 101(b) of Public Law 93–60 is hereby amended by adding to subsection (b)(1) the following words: "Project 74–1–1, additional waste concentration and salt cake storage facilities, Richland, Washington, $30,000,000.".

Approved November 26, 1973.

Public Law 93-159

AN ACT

November 27, 1973
[S. 1570]

To authorize and require the President of the United States to allocate crude oil, residual fuel oil, and refined petroleum products to deal with existing or imminent shortages and dislocations in the national distribution system which jeopardize the public health, safety, or welfare; to provide for the delegation of authority; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Petroleum Allocation Act of 1973".

Emergency Petroleum Allocation Act of 1973.

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress hereby determines that—

(1) shortages of crude oil, residual fuel oil, and refined petroleum products caused by inadequate domestic production, environmental constraints, and the unavailability of imports sufficient to satisfy domestic demand, now exist or are imminent;

(2) such shortages have created or will create severe economic dislocations and hardships, including loss of jobs, closing of factories and businesses, reduction of crop plantings and harvesting, and curtailment of vital public services, including the transportation of food and other essential goods; and

(3) such hardships and dislocations jeopardize the normal flow of commerce and constitute a national energy crisis which is a threat to the public health, safety, and welfare and can be averted or minimized most efficiently and effectively through prompt action by the Executive branch of Government.

(b) The purpose of this Act is to grant to the President of the United States and direct him to exercise specific temporary authority to deal with shortages of crude oil, residual fuel oil, and refined petroleum products or dislocations in their national distribution system. The authority granted under this Act shall be exercised for the purpose of minimizing the adverse impacts of such shortages or dislocations on the American people and the domestic economy.

DEFINITIONS

SEC. 3. For purposes of this Act:

(1) The term "branded independent marketer" means a person who is engaged in the marketing or distributing of refined petroleum products pursuant to—

(A) an agreement or contract with a refiner (or a person who controls, is controlled by, or is under common control with such refiner) to use a trademark, trade name, service mark, or other identifying symbol or name owned by such refiner (or any such person), or

(B) an agreement or contract under which any such person engaged in the marketing or distributing of refined petroleum products is granted authority to occupy premises owned, leased, or in any way controlled by a refiner (or person who controls, is controlled by, or is under common control with such refiner),

but who is not affiliated with, controlled by, or under common control with any refiner (other than by means of a supply contract, or an agreement or contract described in subparagraph (A) or (B)), and who does not control such refiner.

(2) The term "nonbranded independent marketer" means a person who is engaged in the marketing or distributing of refined petroleum products, but who (A) is not a refiner, (B) is not a person who controls, is controlled by, is under common control with, or is affiliated with a refiner (other than by means of a supply contract), and (C) is not a branded independent marketer.

(3) The term "independent refiner" means a refiner who (A) obtained, directly or indirectly, in the calendar quarter which ended immediately prior to the date of enactment of this Act, more than 70 per centum of his refinery input of domestic crude oil (or 70 per centum of his refinery input of domestic and imported crude oil) from producers who do not control, are not controlled by, and are not under common control with, such refiner, and (B) marketed or distributed in such quarter and continues to market or distribute a substantial volume of gasoline refined by him through branded independent marketers or nonbranded independent marketers.

(4) The term "small refiner" means a refiner whose total refinery capacity (including the refinery capacity of any person who controls, is controlled by, or is under common control with such refiner) does not exceed 175,000 barrels per day.

(5) The term "refined petroleum product" means gasoline, kerosene, distillates (including Number 2 fuel oil), LPG, refined lubricating oils, or diesel fuel.

(6) The term "LPG" means propane and butane, but not ethane.

(7) The term "United States" when used in the geographic sense means the States, the District of Columbia, Puerto Rico, and the territories and possessions of the United States.

MANDATORY ALLOCATION

SEC. 4. (a) Not later than fifteen days after the date of enactment of this Act, the President shall promulgate a regulation providing for the mandatory allocation of crude oil, residual fuel oil, and each refined petroleum product, in amounts specified in (or determined in a manner prescribed by) and at prices specified in (or determined in a manner prescribed by) such regulation. Subject to subsection (f), such regulation shall take effect not later than fifteen days after its promulgation. Except as provided in subsection (e) such regulation shall apply to all crude oil, residual fuel oil, and refined petroleum products produced in or imported into the United States. Regulation. Effective date.

(b) (1) The regulation under subsection (a), to the maximum extent practicable, shall provide for—

(A) protection of public health, safety, and welfare (including maintenance of residential heating, such as individual homes, apartments, and similar occupied dwelling units), and the national defense;

(B) maintenance of all public services (including facilities and services provided by municipally, cooperatively, or investor owned utilities or by any State or local government or authority, and including transportation facilities and services which serve the public at large);

(C) maintenance of agricultural operations, including farming, ranching, dairy, and fishing activities, and services directly related thereto;

(D) preservation of an economically sound and competitive petroleum industry; including the priority needs to restore and foster competition in the producing, refining, distribution, mar-

keting, and petrochemical sectors of such industry, and to preserve the competitive viability of independent refiners, small refiners, nonbranded independent marketers, and branded independent marketers;

(E) the allocation of suitable types, grades, and quality of crude oil to refineries in the United States to permit such refineries to operate at full capacity;

(F) equitable distribution of crude oil, residual fuel oil, and refined petroleum products at equitable prices among all regions and areas of the United States and sectors of the petroleum industry, including independent refiners, small refiners, nonbranded independent marketers, branded independent marketers, and among all users;

(G) allocation of residual fuel oil and refined petroleum products in such amounts and in such manner as may be necessary for the maintenance of exploration for, and production or extraction of, fuels, and for required transportation related thereto;

(H) economic efficiency; and

(I) minimization of economic distortion, inflexibility, and unnecessary interference with market mechanisms.

Price regulations.

(2) In specifying prices (or prescribing the manner for determining them), such regulation shall provide for—

(A) a dollar-for-dollar passthrough of net increases in the cost of crude oil, residual fuel oil, and refined petroleum products to all marketers or distributors at the retail level; and

(B) the use of the same date in the computation of markup, margin, and posted price for all marketers or distributors of crude oil, residual fuel oil and refined petroleum products at all levels of marketing and distribution.

Allocation, consideration for certain persons.

(3) The President in promulgating the regulation under subsection (a) shall give consideration to allocating crude oil, residual fuel oil, and refined petroleum products in a manner which results in making available crude oil, residual fuel oil, or refined petroleum products to any person whose use of fuels other than crude oil, residual fuel oil, and refined petroleum products has been curtailed by, or pursuant to a plan filed in compliance with, a rule or order of a Federal or State agency, or where such person's supply of such other fuels is unobtainable by reason of an abandonment of service permitted or ordered by a Federal or State agency.

Refined petroleum and crude oil products.

(c)(1) To the extent practicable and consistent with the objectives of subsections (b) and (d), the mandatory allocation program established under the regulation under subsection (a) shall be so structured as to result in the allocation, during each period during which the regulation applies, of each refined petroleum product to each branded independent marketer, each nonbranded independent marketer, each small refiner and each independent refiner, and of crude oil to each small refiner and each independent refiner, in an amount not less than the amount sold or otherwise supplied to such marketer or refiner during the corresponding period of 1972, adjusted to provide—

Pro rata reductions.

(A) in the case of refined petroleum products, a pro rata reduction in the amount allocated to each person engaged in the marketing or distribution of a refined petroleum product if the aggregate amount of such product produced in and imported into the United States is less than the aggregate amount produced and imported in calendar year 1972; and

(B) in the case of crude oil, a pro rata reduction in the amount of crude oil allocated to each refiner if the aggregate amount

produced in and imported into the United States is less than the aggregate amount produced and imported in calendar year 1972.

Presidential report to Congress.

(2) (A) The President shall report to the Congress monthly, beginning not later than January 1, 1974, with respect to any change after calendar year 1972 in—

(i) the aggregate share of nonbranded independent marketers,

(ii) the aggregate share of branded independent marketers, and

(iii) the aggregate share of other persons engaged in the marketing or distributing of refined petroleum products,

of the national market or the regional market in any refined petroleum product (as such regional markets shall be determined by the President).

Allocation adjustment.

(B) If allocation of any increase of the amount of any refined petroleum product produced in or imported into the United States in excess of the amount produced or imported in calendar year 1972 contributes to a significant increase in any market share described in clause (i), (ii), or (iii) of subparagraph (A), the President shall by order require an equitable adjustment in allocations of such product under the regulation under subsection (a).

(3) The President shall, by order, require such adjustments in the allocations of crude oil, residual fuel oil, and refined petroleum products established under the regulation under subsection (a) as may reasonably be necessary (A) to accomplish the objectives of subsection (b), or (B) to prevent any person from taking any action which would be inconsistent with such objectives.

(4) The President may, by order, require such adjustments in the allocations of refined petroleum products and crude oil established under the regulation under subsection (a) as he determines may reasonably be necessary—

(A) in the case of refined petroleum products (i) to take into consideration market entry by branded independent marketers and nonbranded independent marketers during or subsequent to calendar year 1972, or (ii) to take into consideration expansion or reduction of marketing or distribution facilities of such marketers during or subsequent to calendar year 1972, and

(B) in the case of crude oil (i) to take into consideration market entry by independent refiners and small refiners during or subsequent to calendar year 1972, or (ii) to take into consideration expansion or reduction of refining facilities of such refiners during or subsequent to calendar year 1972.

Any adjustments made under this paragraph may be made only upon a finding that, to the maximum extent practicable, the objectives of subsections (b) and (d) of this section are attained.

LPG allocation.

(5) To the extent practicable and consistent with the objectives of subsections (b) and (d), the mandatory allocation program established under the regulation under subsection (a) shall not provide for allocation of LPG in a manner which denies LPG to any industrial user if no substitute for LPG is available for use by such industrial user.

Oil produced or refined in U.S.

(d) The regulation under subsection (a) shall require that crude oil, residual fuel oil, and all refined petroleum products which are produced or refined within the United States shall be totally allocated for use by ultimate users within the United States, to the extent practicable and necessary to accomplish the objectives of subsection (b).

Crude oil prices at producer level, exemption.

(e) (1) The provisions of the regulation under subsection (a) shall specify (or prescribe a manner for determining) prices of crude oil at the producer level, but, upon a finding by the President that to require

allocation at the producer level (on a national, regional, or case-by-case basis) is unnecessary to attain the objectives of subsection (b)(1)(E) or the other objectives of subsections (b), (c), and (d) of this section, such regulation need not require allocation of crude oil at such level. Any finding made pursuant to this subsection shall be transmitted to the Congress in the form of a report setting forth the basis for the President's finding that allocation at such level is not necessary to attain the objectives referred to in the preceding sentence.

Report to Congress.

(2)(A) The regulation promulgated under subsection (a) of this section shall not apply to the first sale of crude oil produced in the United States from any lease whose average daily production of crude oil for the preceding calendar year does not exceed ten barrels per well.

(B) To qualify for the exemption under this paragraph, a lease must be operating at the maximum feasible rate of production and in accord with recognized conservation practices.

(C) Any agency designated by the President under section 5(b) for such purpose is authorized to conduct inspections to insure compliance with this paragraph and shall promulgate and cause to be published regulations implementing the provisions of this paragraph.

Gasoline allocation.

(f)(1) The provisions of the regulation under subsection (a) respecting allocation of gasoline need not take effect until thirty days after the promulgation of such regulation, except that the provisions of such regulation respecting price of gasoline shall take effect not later than fifteen days after its promulgation.

(2) If—

85 Stat. 743. 12 USC 1904 note.

(A) an order or regulation under section 203(a)(3) of the Economic Stabilization Act of 1970 applies to crude oil, residual fuel oil, or a refined petroleum product and has taken effect on or before the fifteenth day after the date of enactment of this Act, and

(B) the President determines that delay in the effective date of provisions of the regulation under subsection (a) relating to such oil or product is in the public interest and is necessary to effectuate the transition from the program under such section 203(a)(3) to the mandatory allocation program required under this Act,

he may in the regulation promulgated under subsection (a) of this section delay, until not later than thirty days after the date of the promulgation of the regulation, the effective date of the provisions of such regulation insofar as they relate to such oil or product. At the same time the President promulgates such regulation, he shall report to Congress setting forth his reasons for the action under this paragraph.

Presidential report to Congress.

Termination date.

(g)(1) The regulation promulgated and made effective under subsection (a) shall remain in effect until midnight February 28, 1975, except that (A) the President or his delegate may amend such regulation so long as such regulation, as amended, meets the requirements of this section, and (B) the President may exempt crude oil, residual fuel oil, or any refined petrolum product from such regulation in accordance with paragraph (2) of this subsection. The authority to promulgate and amend the regulation and to issue any order under this section, and to enforce under section 5 such regulation and any such order, expires at midnight February 28, 1975, but such expiration shall not affect any action or pending proceedings, civil or criminal, not finally determined on such date, nor any action or proceeding based upon any act committed prior to midnight February 28, 1975.

Exemption.

(2) If at any time after the date of enactment of this Act the President finds that application of the regulation under subsection (a) to crude oil, residual fuel oil, or a refined petroleum product is not necessary to carry out this Act, that there is no shortage of such oil or product, and that exempting such oil or product from such regulation will not have an adverse impact on the supply of any other oil or refined petroleum products subject to this Act, he may prescribe an amendment to the regulation under subsection (a) exempting such oil or product from such regulation for a period of not more than ninety days. The President shall submit any such amendment and any such findings to the Congress. An amendment under this paragraph may not exempt more than one oil or one product. Such an amendment shall take effect on a date specified in the amendment, but in no case sooner than the close of the earliest period which begins after the submission of such amendment to the Congress and which includes at least five days during which the House was in session and at least five days during which the Senate was in session; except that such amendment shall not take effect if before the expiration of such period either House of Congress approves a resolution of that House stating in substance that such House disapproves such amendment.

Regulation amendment.

Effective date.

ADMINISTRATION AND ENFORCEMENT

SEC. 5. (a) (1) Except as provided in paragraph (2), (A) sections 205 through 211 of the Economic Stabilization Act of 1970 (as in effect on the date of enactment of this Act) shall apply to the regulation promulgated under section 4(a), to any order under this Act, and to any action taken by the President (or his delegate) under this Act, as if such regulation had been promulgated, such order had been issued, or such action had been taken under the Economic Stabilization Act of 1970; and (B) section 212 (other than 212(b)) and 213 of such Act shall apply to functions under this Act to the same extent such sections apply to functions under the Economic Stabilization Act of 1970.

85 Stat. 747, 748.
12 USC 1904 note.

(2) The expiration of authority to issue and enforce orders and regulations under section 218 of such Act shall not affect any authority to amend and enforce the regulation or to issue and enforce any order under this Act, and shall not effect any authority under sections 212 and 213 insofar as such authority is made applicable to functions under this Act.

(b) The President may delegate all or any portion of the authority granted to him under this Act to such officers, departments, or agencies of the United States, or to any State (or officer thereof), as he deems appropriate.

EFFECT ON OTHER LAWS AND ACTIONS TAKEN THEREUNDER

SEC. 6. (a) All actions duly taken pursuant to clause (3) of the first sentence of section 203(a) of the Economic Stabilization Act of 1970 in effect immediately prior to the effective date of the regulation promulgated under section 4(a) of this Act, shall continue in effect until modified pursuant to this Act.

(b) The regulation under section 4 and any order issued thereunder shall preempt any provision of any program for the allocation of crude oil, residual fuel oil, or any refined petroleum product established by any State or local government if such provision is in conflict with such regulation or any such order.

Immunity restrictions.

(c) (1) Except as specifically provided in this subsection, no provisions of this Act shall be deemed to convey to any person subject to this Act immunity from civil or criminal liability, or to create defenses to actions, under the antitrust laws.

"Antitrust laws."

(2) As used in this subsection, the term "antitrust laws" includes—

(A) the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890 (15 U.S.C. 1 et seq.);

26 Stat. 209; 69 Stat. 282.

(B) the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (15 U.S.C. 12 et seq.);

38 Stat. 730; 49 Stat. 1526.

(C) the Federal Trade Commission Act (15 U.S.C. 41 et seq.);

38 Stat. 717; 52 Stat. 111.

(D) sections 73 and 74 of the Act entitled "An Act to reduce taxation, to provide revenue for the Government, and for other purposes", approved August 27, 1894 (15 U.S.C. 8 and 9); and

28 Stat. 570.

(E) the Act of June 19, 1936, chapter 592 (15 U.S.C. 13, 13a, 13b, and 21a).

(3) The regulation promulgated under section 4(a) of this Act shall be forwarded on or before the date of its promulgation to the Attorney General and to the Federal Trade Commission, who shall, at least seven days prior to the effective date of such regulation, report to the President with respect to whether such regulation would tend to create or maintain anticompetitive practices or situations inconsistent with the antitrust laws, and propose any alternative which would avoid or overcome such effects while achieving the purposes of this Act.

Report to President.

Meeting.

(4) Whenever it is necessary, in order to comply with the provisions of this Act or the regulation or any orders under section 4 thereof, for owners, directors, officers, agents, employees, or representatives of two or more persons engaged in the business of producing, refining, marketing, or distributing crude oil, residual fuel oil, or any refined petroleum product to meet, confer, or communicate in such a fashion and to such ends that might otherwise be construed to constitute a violation of the antitrust laws, such persons may do so only upon an order of the President (or of an officer or agency of the United States to whom the President has delegated authority under section 5(b) of this Act); which order shall specify and limit the subject matter and objectives of such meeting, conference, or communication. Moreover, such meeting, conference, or communication shall take place only in the presence of a representative of the Antitrust Division of the Department of Justice, and a verbatim transcript of such meeting, conference, or communication shall be taken and deposited, together with any agreement resulting therefrom, with the Attorney General and the Federal Trade Commission, where it shall be made available for public inspection.

Antitrust laws or breach of contract, defense.

(5) There shall be available as a defense to any action brought under the antitrust laws, or for breach of contract in any Federal or State court arising out of delay or failure to provide, sell, or offer for sale or exchange crude oil, residual fuel oil, or any refined petroleum product, that such delay or failure was caused solely by compliance with the provisions of this Act or with the regulation or any order under section 4 of this Act.

(6) There shall be available as a defense to any action brought under the antitrust laws arising from any meeting, conference, or communication or agreement resulting therefrom, held or made solely for the purpose of complying with the provisions of this Act or the regulation or any order under section 4 thereof, that such meeting, conference, communication, or agreement was carried out or made in accordance with the requirements of paragraph (4) of this subsection.

MONITORING BY FEDERAL TRADE COMMISSION

SEC. 7. (a) During the forty-five day period beginning on the effective date on which the regulation under section 4 first takes effect, the Federal Trade Commission shall monitor the program established under such regulation; and, not later than sixty days after such effective date, shall report to the President and to the Congress respecting the effectiveness of this Act and actions taken pursuant thereto.

Report to President and Congress.

(b) For purposes of carrying out this section, the Federal Trade Commission's authority, under sections 6, 9, and 10 of the Federal Trade Commission Act to gather and compile information and to require furnishing of information, shall extend to any individual or partnership, and to any common carrier subject to the Acts to regulate commerce (as such Acts are defined in section 4 of the Federal Trade Commission Act).

38 Stat. 721; 84 Stat. 929; 62 Stat. 909. 15 USC 46, 49, 50.

Approved November 27, 1973.

Public Law 93-160

AN ACT

November 27, 1973 [H. R. 3801]

To extend Civil Service Federal Employees Group Life Insurance and Federal Employees Health Benefits coverage to United States nationals employed by the Federal Government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 8701(a)(B) of title 5, United States Code, is amended to read as follows:

Federal employees insurance. U.S. nationals, coverage. 80 Stat. 592; 84 Stat. 869.

"(B) an employee who is not a citizen or national of the United States and whose permanent duty station is outside the United States and the Panama Canal Zone; or"

(b) Section 8901(1)(ii) of title 5, United States Code, is amended to read as follows:

"(ii) an employee who is not a citizen or national of the United States and whose permanent duty station is outside the United States and the Panama Canal Zone;".

Approved November 27, 1973.

Public Law 93-161

AN ACT

November 27, 1973 [H. R. 8219]

To amend the International Organizations Immunities Act to authorize the President to extend certain privileges and immunities to the Organization of African Unity.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Organizations Immunities Act (22 U.S.C. 288–288f) is amended by adding at the end thereof the following new section:

Organization of African Unity. Certain privileges and immunities, extension. 59 Stat. 669; 80 Stat. 5.

"SEC. 12. The provisions of this title may be extended to the Organization of African Unity in the same manner, to the same extent, and subject to the same conditions, as they may be extended to a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation."

Approved November 27, 1973.

Public Law 93-162

November 27, 1973
[H. R. 8916]

AN ACT

Making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1974, and for other purposes.

Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1974, and for other purposes, namely:

TITLE I—DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

SALARIES AND EXPENSES

For necessary expenses of the Department of State, not otherwise provided for, including expenses authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801–1158), and allowances as authorized by 5 U.S.C. 5921–5925; expenses of binational arbitrations arising under international air transport agreements; expenses necessary to meet the responsibilities and obligations of the United States in Germany (including those arising under the supreme authority assumed by the United States on June 5, 1945, and under contractual arrangements with the Federal Republic of Germany); hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; dues for library membership in organizations which issue publications to members only, or to members at a price lower than to others; expenses authorized by section 2 of the Act of August 1, 1956 (22 U.S.C. 2669), as amended; refund of fees erroneously charged and paid for passports; radio communications; payment in advance for subscriptions to commercial information, telephone and similar services abroad; care and transportation of prisoners and persons declared insane; expenses, as authorized by law (18 U.S.C. 3192), of bringing to the United States from foreign countries persons charged with crime; expenses necessary to provide maximum physical security in Government-owned and leased properties abroad; and procurement by contract or otherwise, of services, supplies, and facilities, as follows: (1) translating, (2) analysis and tabulation of technical information, and (3) preparation of special maps, globes, and geographic aids; $302,800,000: *Provided*, That passenger motor vehicles in possession of the Foreign Service abroad may be replaced in accordance with section 7 of the Act of August 1, 1956 (22 U.S.C. 2674), and the cost, including the exchange allowance, of each such replacement shall not exceed $4,900 in the case of the chief of mission automobile at each diplomatic mission (except that four such vehicles may be purchased at not to exceed $9,000 each) and such amounts as may be otherwise provided by law for all other such vehicles: *Provided further*, That in addition, this appropriation shall be available for the purchase (not to exceed thirty-three), replacement, rehabilitation, and modification of passenger motor vehicles for protective purposes without regard to any maximum price limitations otherwise established by law.

60 Stat. 999.
80 Stat. 510.
80 Stat. 416.
70 Stat. 890; 76 Stat. 263.
62 Stat. 825.
70 Stat. 891.

REPRESENTATION ALLOWANCES

For representation allowances as authorized by section 901 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1131), $1,200,000. 74 Stat. 801.

ACQUISITION, OPERATION, AND MAINTENANCE OF BUILDINGS ABROAD

For necessary expenses of carrying into effect the Foreign Service Buildings Act, 1926, as amended (22 U.S.C. 292–300), including personal services in the United States and abroad; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801–1158); allowances as authorized by 5 U.S.C. 5921–5925; and services as authorized by 5 U.S.C. 3109; $21,173,000, to remain available until expended: *Provided*, That not to exceed $1,550,000 may be used for administrative expenses during the current fiscal year. 44 Stat. 403; 80 Stat. 881; 84 Stat. 1578. 60 Stat. 999. 80 Stat. 510. 80 Stat. 416.

ACQUISITION, OPERATION, AND MAINTENANCE OF BUILDINGS ABROAD (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States for the purposes authorized by section 104(b)(4) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704), to be credited to and expended under the appropriation account for "Acquisition, operation, and maintenance of buildings abroad", to remain available until expended, $5,138,000. 80 Stat. 1528.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, to be expended pursuant to the requirement of section 291 of the Revised Statutes (31 U.S.C. 107), $2,100,000.

PAYMENT TO FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 1105–1106), $2,972,000. 84 Stat. 17.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties, conventions, or specific Acts of Congress, $200,000,000.

MISSIONS TO INTERNATIONAL ORGANIZATIONS

For expenses necessary for permanent representation to certain international organizations in which the United States participates pursuant to treaties, conventions, or specific Acts of Congress, including expenses authorized by the pertinent Acts and conventions provided for such representation; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801–1158); allowances as authorized by 5 U.S.C. 5921–5925; and expenses authorized by section 2 (a) and (e) of the Act of August 1, 1956, as amended (22 U.S.C. 2669); $5,725,000. 70 Stat. 890.

INTERNATIONAL CONFERENCES AND CONTINGENCIES

For necessary expenses of participation by the United States, upon approval by the Secretary of State, in international activities which arise from time to time in the conduct of foreign affairs and for which specific appropriations have not been provided pursuant to treaties, conventions, or special Acts of Congress, including personal services without regard to civil service and classification laws; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801–1158); allowances as authorized by 5 U.S.C. 5921–5925; hire of passenger motor vehicles; contributions for the share of the United States in expenses of international organizations; and expenses authorized by section 2(a) of the Act of August 1, 1956, as amended (22 U.S.C. 2669); $4,500,000, of which not to exceed a total of $100,000 may be expended for representation allowances as authorized by section 901 of the Act of August 13, 1946, as amended (22 U.S.C. 1131) and for official entertainment.

60 Stat. 999.
80 Stat. 510.
70 Stat. 890.
74 Stat. 801.

INTERNATIONAL TRADE NEGOTIATIONS

For necessary expenses of participation by the United States in international trade negotiations, including not to exceed $10,000 for representation allowances, as authorized by section 901 of the Act of August 13, 1946, as amended (22 U.S.C. 1131), and for official entertainment, $1,700,000: *Provided*, That this appropriation shall be available in accordance with the authority provided in the current appropriation for "International conferences and contingencies".

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For expenses necessary to enable the United States to meet its obligations under the treaties of 1884, 1889, 1905, 1906, 1933, 1944, and 1963 between the United States and Mexico, and to comply with the other laws applicable to the United States Section, International Boundary and Water Commission, United States and Mexico, including operation and maintenance of the Rio Grande rectification, canalization, flood control, bank protection, water supply, power, irrigation, boundary demarcation, and sanitation projects; detailed plan preparation and construction (including surveys and operation and maintenance and protection during construction); Rio Grande emergency flood protection; expenditures for the purposes set forth in sections 101 through 104 of the Act of September 13, 1950 (22 U.S.C. 277d–1—277d–4); purchase of four passenger motor vehicles for replacement only; purchase of planographs and lithographs; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); and leasing of private property to remove therefrom sand, gravel, stone, and other materials, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5); as follows:

24 Stat. 1101; 26 Stat. 1512; 35 Stat. 1863; 34 Stat. 2953; 48 Stat. 1621; 59 Stat 1219; 15 UST 21.
64 Stat. 846.
80 Stat. 508; 81 Stat. 206.

SALARIES AND EXPENSES

For salaries and expenses not otherwise provided for, including examinations, preliminary surveys, and investigations, and operation and maintenance of projects or parts thereof, as enumerated above, including gaging stations, $4,284,000: *Provided*, That expenditures for the Rio Grande bank protection project shall be subject to the provisions and conditions contained in the appropriation for said project as provided by the Act approved April 25, 1945 (59 Stat. 89).

CONSTRUCTION

For detailed plan preparation and construction of projects authorized by the convention concluded February 1, 1933, between the United States and Mexico, the Acts approved August 19, 1935, as amended (22 U.S.C. 277–277f), August 29, 1935 (49 Stat. 961), June 4, 1936 (49 Stat. 1463), June 28, 1941 (22 U.S.C. 277f), September 13, 1950 (22 U.S.C. 277d–1–9), October 10, 1966 (80 Stat. 884), and the project stipulated in the treaty between the United States and Mexico signed at Washington on February 3, 1944, $3,800,000, to remain available until expended: *Provided*, That no expenditures shall be made for the Lower Rio Grande flood-control project for construction on any land, site, or easement in connection with this project except such as has been acquired by donation and the title thereto has been approved by the Attorney General of the United States: *Provided further*, That the Anzalduas diversion dam shall not be operated for irrigation or water supply purposes in the United States unless suitable arrangements have been made with the prospective water users for repayment to the Government of such portions of the costs of said dam as shall have been allocated to such purposes by the Secretary of State.

49 Stat. 660.
55 Stat. 338.
64 Stat. 846.
22 USC 277d-32.
59 Stat. 1219.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For expenses necessary to enable the President to perform the obligations of the United States pursuant to treaties between the United States and Great Britain, in respect to Canada, signed January 11, 1909 (36 Stat. 2448), and February 24, 1925 (44 Stat. 2102); and the treaty between the United States and Canada, signed February 27, 1950; including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; $950,000, to be disbursed under the direction of the Secretary of State and to be available also for additional expenses of the American Sections, International Commissions, as hereinafter set forth:

1 UST 694.
80 Stat. 416.

International Joint Commission, United States and Canada, the salary of the Commissioners on the part of the United States who shall serve at the pleasure of the President; salaries of clerks and other employees appointed by the Commissioners on the part of the United States with the approval solely of the Secretary of State; travel expenses and compensation of witnesses in attending hearings of the Commission at such places in the United States and Canada as the Commission or the American Commissioners shall determine to be necessary; and special and technical investigations in connection with matters falling within the Commission's jurisdiction: *Provided*, That transfers of funds may be made to other agencies of the Government for the performance of work for which this appropriation is made.

International Boundary Commission, United States and Canada, the completion of such remaining work as may be required under the award of the Alaskan Boundary Tribunal and the existing treaties between the United States and Great Britain; commutation of subsistence to employees while on field duty at not to exceed the authorized prevailing daily rate; hire of freight and passenger motor vehicles from temporary field employees; and payment for timber necessarily cut in keeping the boundary line clear.

INTERNATIONAL FISHERIES COMMISSIONS

For expenses, not otherwise provided for, necessary to enable the United States to meet its obligations in connection with participation in international fisheries commissions pursuant to treaties or conventions, and implementing Acts of Congress, $3,517,000: *Provided*, That

the United States share of such expenses may be advanced to the respective commissions.

EDUCATIONAL EXCHANGE

MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACTIVITIES

For expenses, not otherwise provided for, necessary to enable the Secretary of State to carry out the functions of the Department of State under the provisions of the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451–2458), and the Act of August 9, 1939 (22 U.S.C. 501), including expenses authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801–1158); expenses of the National Commission on Educational, Scientific, and Cultural Cooperation as authorized by sections 3, 5, and 6 of the Act of July 30, 1946 (22 U.S.C. 287o, 287q, 287r); hire of passenger motor vehicles; not to exceed $10,000 for representation expenses; not to exceed $1,000 for official entertainment within the United States; services as authorized by 5 U.S.C. 3109; and advance of funds notwithstanding section 3648 of the Revised Statutes, as amended (31 U.S.C. 529); $49,800,000, of which not less than $2,000,000 shall be used for payment in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States: *Provided*, That not to exceed $2,968,000 may be used for administrative expenses during the current fiscal year.

75 Stat. 527.
53 Stat. 1290.
60 Stat. 999.
60 Stat. 713; 75 Stat. 341.
80 Stat. 416.

CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to any appropriate agency of the State of Hawaii, $6,700,000: *Provided*, That none of the funds appropriated herein shall be used to pay any salary, or to enter into any contract providing for the payment thereof, in excess of the highest rate authorized in the General Schedule of the Classification Act of 1949, as amended.

74 Stat. 141.
22 USC 2054 note.
5 USC 5332 note.

OTHER

PAYMENT TO INTERNATIONAL CENTER WASHINGTON, DISTRICT OF COLUMBIA

For payment to the special account authorized by section 6 of Public Law 90–553, as amended, $2,200,000, to remain available until expended.

82 Stat. 959.

PAYMENT TO THE REPUBLIC OF PANAMA

The Secretary of the Treasury shall cause to be paid annually (in lieu of the annual payment provided under this head in the Supplemental Appropriation Act, 1973), as a payment to the Republic of Panama in accordance with article I of the Treaty of 1955 (6 U.S.T. 2275), $2,328,200.

86 Stat. 1515.

GENERAL PROVISIONS—DEPARTMENT OF STATE

SEC. 102. Appropriations under this title for "Salaries and expenses", "International conferences and contingencies", and "Missions to international organizations" are available for reimbursement of the General Services Administration for security guard services for protection of confidential files.

Security guard services.

SEC. 103. No part of any appropriation contained in this title shall be used to pay the salary or expenses of any person assigned to or serving in any office of any of the several States of the United States or any political subdivision thereof. Salaries and expenses, restriction.

SEC. 104. None of the funds appropriated in this title shall be used (1) to pay the United States contribution to any international organization which engages in the direct or indirect promotion of the principle or doctrine of one world government or one world citizenship; (2) for the promotion, direct or indirect, of the principle or doctrine of one world government or one world citizenship. One-world-government advocates.

This title may be cited as the "Department of State Appropriation Act, 1974". Citation of title.

TITLE II—DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

SALARIES AND EXPENSES, GENERAL ADMINISTRATION

For expenses necessary for the administration of the Department of Justice and for examination of judicial offices, including purchase (one for replacement only) and hire of passenger motor vehicles; and miscellaneous and emergency expenses authorized or approved by the Attorney General or the Assistant Attorney General for Administration; $15,834,000, of which $2,800,000 is for the Watergate Special Prosecution Force.

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including miscellaneous and emergency expenses authorized or approved by the Attorney General or the Assistant Attorney General for Administration; not to exceed $30,000 for expenses of collecting evidence, to be expended under the direction of the Attorney General and accounted for solely on his certificate; and advances of public moneys pursuant to law (31 U.S.C. 529); $50,111,000: *Provided*, That not to exceed $170,000 may be transferred to this appropriation from the "Alien Property Fund, World War II", for the general administrative expenses of alien property activities, including rent of private or Government-owned space in the District of Columbia. 60 Stat. 809.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust, consumer protection and kindred laws, $13,019,000: *Provided*, That none of this appropriation shall be expended for the establishment and maintenance of permanent regional offices of the Antitrust Division.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS AND MARSHALS

For necessary expenses of the offices of the United States attorneys and marshals, including purchase of firearms and ammunition; $99,300,000: *Provided*, That of the amount herein appropriated not to exceed $200,000 shall be available for payment of compensation and expenses of Commissioners appointed in condemnation cases under Rule 71A(h) of the Federal Rules of Civil Procedure. 28 USC app.

FEES AND EXPENSES OF WITNESSES

For expenses, mileage, and per diems of witnesses and for per diems in lieu of subsistence, as authorized by law, and not to exceed $1,000,000 for such compensation and expenses of expert witnesses pursuant to section 524 of title 28, United States Code, and sections 4244–48 of title 18, United States Code; $12,500,000: *Provided*, That no part of the sum herein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day.

80 Stat. 615.
63 Stat. 686.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service established by title X of the Civil Rights Act of 1964 (42 U.S.C. 2000g–2000g–2), $2,818,000.

78 Stat. 267.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For expenses necessary for the detection and prosecution of crimes against the United States; protection of the person of the President of the United States; acquisition, collection, classification and preservation of identification and other records and their exchange with, and for the official use of, the duly authorized officials of the Federal Government, of States, cities, and other institutions, such exchange to be subject to cancellation if dissemination is made outside the receiving departments or related agencies; and such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General, including purchase for police-type use without regard to the general purchase price limitation for the current fiscal year not to exceed one thousand and forty-three (for replacement only) and hire of passenger motor vehicles; hire of aircraft as temporarily needed in specific criminal investigations; firearms and ammunition; not to exceed $10,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph; payment of rewards; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, and to be accounted for solely on his certificate; $366,506,000.

None of the funds appropriated for the Federal Bureau of Investigation shall be used to pay the compensation of any civil-service employee.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, including advance of cash to aliens for meals and lodging while en route; payment of allowances (at a rate not in excess of $1 per day) to aliens, while held in custody under the immigration laws, for work performed; payment of rewards; not to exceed $50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General and accounted for solely on his certificate; purchase for police-type use without regard to the general purchase price limitation for the current fiscal year (not to exceed three hundred and ten for replacement only) and hire of passenger motor vehicles; purchase and maintenance and operation of aircraft; firearms and ammunition, attendance at firearms matches; refunds of head tax, main-

tenance bills, immigration fines, and other items properly returnable, except deposits of aliens who become public charges and deposits to secure payment of fines and passage money; operation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto; acquisition of land as sites for enforcement fence and construction incident to such fence; reimbursement of the General Services Administration for security guard services for protection of confidential files; $139,698,000: *Provided*, That of the amount herein appropriated, not to exceed $50,000 may be used for the emergency replacement of aircraft upon certificate of the Attorney General.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES, BUREAU OF PRISONS

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including supervision of United States prisoners in non-Federal institutions; purchase of (not to exceed thirty, of which eighteen are for replacement only), and hire of passenger motor vehicles; compilation of statistics relating to prisoners in Federal penal and correctional institutions; assistance to State and local governments to improve their correctional systems; firearms and ammunition; medals and other awards; payment of rewards; purchase and exchange of farm products and livestock; construction of buildings at prison camps; and acquisition of land as authorized by section 4010 of title 18, United States Code, $128,271,000: *Provided*, That there may be transferred to the Health Services and Mental Health Administration such amounts as may be necessary, in the discretion of the Attorney General, for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions. 80 Stat. 610.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $14,800,000, to remain available until expended: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

SUPPORT OF UNITED STATES PRISONERS

For support of United States prisoners in non-Federal institutions, including necessary clothing and medical aid, payment of rewards, and reimbursement to St. Elizabeths Hospital for the care and treatment of United States prisoners, at per diem rates as authorized by law (24 U.S.C. 168a), $21,500,000. 61 Stat. 751.

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

SALARIES AND EXPENSES

For grants, contracts, loans, and other law enforcement assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, including departmental salaries and other expenses in connection therewith, $870,675,000, to remain available until expended. 82 Stat. 197; 84 Stat. 1881. 42 USC 3701.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including hire of passenger motor vehicles; payment in advance for special tests and studies by contract; not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, and to be accounted for solely on his certificate; purchase of not to exceed 344 passenger motor vehicles (of which 210 are for replacement only) for police-type use without regard to the general purchase price limitation for the current fiscal year; payment of rewards; payment for publication of technical and informational material in professional and trade journals; purchase of chemicals, apparatus, and scientific equipment; payment for necessary accommodations in the District of Columbia for conferences and training activities; lease, maintenance, and operation of aircraft; employment of aliens by contract for services abroad; research related to enforcement and drug control; $107,230,000, of which not to exceed $4,500,000 for such research shall remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

Attorneys, qualifications.

SEC. 202. None of the funds appropriated by this title may be used to pay the compensation of any person hereafter employed as an attorney (except foreign counsel employed in special cases) unless such person shall be duly licensed and authorized to practice as an attorney under the laws of a State, territory, or the District of Columbia.

Reimbursement to U.S.

SEC. 203. Seventy-five per centum of the expenditures for the offices of the United States attorney and the United States marshal for the District of Columbia from all appropriations in this title shall be reimbursed to the United States from any funds in the Treasury of the United States to the credit of the District of Columbia: *Provided*, That notwithstanding the provisions of this section, not to exceed $7,821,000 from any funds in the Treasury of the United States to the credit of the District of Columbia shall be available for reimbursement to the United States pursuant to this section.

Meetings, attendance.

SEC. 204. Appropriations and authorizations made in this title which are available for expenses of attendance at meetings shall be expended for such purposes in accordance with regulations prescribed by the Attorney General.

Experts and consultants.

SEC. 205. Appropriations and authorizations made in this title for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

80 Stat. 416.

Uniforms.

SEC. 206. Appropriations for the current fiscal year for "Salaries and expenses, general administration", "Salaries and expenses, United States attorneys and marshals", "Salaries and expenses, Federal Bureau of Investigation", "Salaries and expenses, Immigration and Naturalization Service", and "Salaries and expenses, Bureau of Prisons", shall be available for uniforms and allowances therefor as authorized by law (5 U.S.C. 5901–5902).

80 Stat. 508; 81 Stat. 206.

Government motor vehicles, insurance.

SEC. 207. Appropriations made in this title shall be available for the purchase of insurance for motor vehicles operated on official Government business in foreign countries.

Citation of title.

This title may be cited as the "Department of Justice Appropriation Act, 1974".

TITLE III—DEPARTMENT OF COMMERCE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of Commerce, including not to exceed $1,500 for official entertainment, $8,000,000.

ADMINISTRATION OF ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For necessary expenses of administering the economic development assistance programs, not otherwise provided for, $19,000,000, of which not to exceed $800,000 may be advanced to the Small Business Administration for processing of loan applications: *Provided*, That none of the funds appropriated in this Act or otherwise available for expenditure by the Department of Commerce shall be used to discontinue or phase out the economic development assistance programs (including Regional Action Planning Commissions) undertaken under the Public Works and Economic Development Act of 1965, as amended.

79 Stat. 552.
42 USC 3121 note.

SPECIAL FOREIGN CURRENCY PROGRAM

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States for the necessary expenses for the promotion of foreign commerce and for scientific and technological research and development, as authorized by law, $2,940,000 to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to the Department of Commerce, for payments in the foregoing currencies.

SOCIAL AND ECONOMIC STATISTICS ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, and modernization or development of automatic data processing equipment, $38,300,000.

PERIODIC CENSUSES AND PROGRAMS

For expenses necessary to prepare for taking, compiling, and publishing the censuses of business, transportation, manufactures, and mineral industries; the census of governments; the census of agriculture; the census of population and housing; and periodic surveys, as provided for by law, $17,800,000, to remain available until expended: *Provided*, That any unexpended balances as of June 30, 1973 appropriated for the "1972 census of governments", the "1972 economic censuses", and the "1974 census of agriculture" shall be transferred to and merged with this appropriation.

ECONOMIC DEVELOPMENT ADMINISTRATION

DEVELOPMENT FACILITIES

For grants and loans for development facilities as authorized by titles I, II, and IV of the Public Works and Economic Development Act of 1965, as amended (79 Stat. 552; 81 Stat. 266; 83 Stat. 219;

42 USC 3131, 3141, 3161.

84 Stat. 375; 85 Stat. 166), $159,000,000 of which not more than $25,000,000 shall be for grants and loans to Indian tribes, as authorized by title I, section 101(a) and title II, section 201(a) of such Act: *Provided*, That upon the enactment of the Indian Tribal Government Grant Act the unobligated balances of the amounts appropriated for Indian tribes under title I, section 101(a) and title II, section 201(a) shall be transferred to carry out such purposes of the Indian Tribal Government Grant Act.

INDUSTRIAL DEVELOPMENT LOANS AND GUARANTEES

For loans and guarantees of working capital loans for industrial development, pursuant to titles II and IV of the Public Works and Economic Development Act of 1965, as amended (79 Stat. 552; 81 Stat. 690; 83 Stat. 219; 84 Stat. 375; 85 Stat. 166), $5,000,000.

42 USC 3141, 3161.

PLANNING, TECHNICAL ASSISTANCE, AND RESEARCH

For payments for technical assistance, research, and planning grants, as authorized by title III of the Public Works and Economic Development Act of 1965, as amended (79 Stat. 558; 81 Stat. 266; 83 Stat. 219; 84 Stat. 375; 85 Stat. 166), $20,000,000.

42 USC 3151.

REGIONAL ACTION PLANNING COMMISSIONS

REGIONAL DEVELOPMENT PROGRAMS

For expenses necessary to carry out the programs authorized by title V of the Public Works and Economic Development Act of 1965, as amended, $42,000,000.

42 USC 3181.

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of domestic business activities of the Department of Commerce; necessary expenses for international business activities, including trade promotional activities abroad without regard to the provisions of law set forth in 41 U.S.C. 5 and 13, and 44 U.S.C. 501, 3702, and 3703; purchase of commercial and trade reports; employment of aliens by contract for services abroad; rental of space abroad, for periods not exceeding five years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; advance of funds under contracts abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; and, not to exceed $4,200 for official representation expenses abroad; and necessary expenses for carrying out the Export Administration Act of 1969, as amended and extended by the Equal Export Opportunity Act, including awards of compensation to informers under said Act and as authorized by 22 U.S.C. 401(b); $49,000,000, of which not to exceed $600,000 may be advanced to the Bureau of Customs, Treasury Department, for enforcement of the export control program, and of which $15,212,000 shall remain available for international business activities until June 30, 1975: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out the activities concerned with international business activities.

82 Stat. 1243, 1305.

80 Stat. 306.

86 Stat. 644.
50 USC app. 2401 note.
67 Stat. 577.

75 Stat. 531, 534.

FOREIGN DIRECT INVESTMENT REGULATION

SALARIES AND EXPENSES

For necessary expenses for carrying out the provisions of Executive Order 11387, January 1, 1968, $2,600,000. 12 USC 95a note.

MINORITY BUSINESS ENTERPRISE

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, $35,231,000 of which $25,681,000 shall remain available until expended: *Provided*, That not to exceed $9,550,000 shall be available for program development and management.

UNITED STATES TRAVEL SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the International Travel Act of 1961, as amended (22 U.S.C. 2121–2124) including employment of aliens by contract for service abroad; rental of space abroad, for periods not exceeding five years, and expenses of alteration, repair, or improvement; advance of funds under contracts abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28 of the United States Code, when such claims arise in foreign countries; and not to exceed $3,500 for representation expenses abroad; $9,000,000. 75 Stat. 129; 84 Stat. 1071. 80 Stat. 306.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For expenses necessary for the National Oceanic and Atmospheric Administration, including research and development; testing and evaluation of new operational systems and equipment; maintenance, operation, and hire of aircraft; acquisition and installation of research instrumentation; expenses of an authorized strength of 358 commissioned officers on the active list; pay of commissioned officers retired in accordance with law and payments under the Retired Serviceman's Family Protection Plan; observation of environmental conditions from space satellites, and reporting and processing of the data obtained for use in environmental forecasting; and construction of facilities, including initial equipment; alteration, modernization, and relocation of facilities; and acquisition of land for facilities; $341,642,000, to remain available until expended: *Provided*, That this appropriation shall be reimbursed for at least press costs and costs of paper for navigational charts furnished for official use of other Government departments and agencies: *Provided further*, That this appropriation shall be available for payment to the National Aeronautics and Space Administration for procurement, in accordance with the authority available to that Administration, of such equipment or facilities as may be necessary, for the purposes of this appropriation: *Provided further*, That unobligated balances as of June 30, 1973 in appropriations heretofore made to the National Oceanic and Atmospheric Administration for "Research, development, and facilities" and "Satellite operations" shall be merged with this appropriation on July 1, 1973. 70A Stat. 108; 75 Stat. 810; 82 Stat. 751. 10 USC 1431.

COASTAL ZONE MANAGEMENT

For carrying out the provisions of Public Law 92-583, approved October 27, 1972, $12,000,000, to remain available until expended. This appropriation shall be in addition to the appropriations otherwise made to the National Oceanic and Atmospheric Administration by this Act and expenditures of such other appropriations shall not be reduced on account of expenditures of this appropriation: *Provided*, That States eligible for grants under the requirements of section 305 or 306 of Public Law 92-583 shall be entitled to receive a pro rata share of the amounts appropriated for uses according to the provisions of such sections of such Act. No finding of invalidity or absence of rule or regulation promulgated pursuant to such Act shall be construed to prevent obligation or expenditure of funds appropriated under this Act to such eligible States: *Provided further*, That this appropriation shall not be used by a recipient coastal State for areas outside its coastal zone which it has included in an application for Federal financial assistance under a national land use policy and planning assistance Act which may hereafter be enacted.

86 Stat. 1280.
16 USC 1451 note.

16 USC 1454, 1455.

ADMINISTRATION OF PRIBILOF ISLANDS

For carrying out the provisions of the Act of November 2, 1966 (80 Stat. 1091-1099), $3,113,000, of which so much as may become available during the current fiscal year shall be derived from the Pribilof Islands fund.

16 USC 1151 note.

FISHERMAN'S GUARANTY FUND

For payment to the Fisherman's Guaranty Fund, established pursuant to the Act of August 12, 1968 (82 Stat. 729), $61,000, to remain available until expended.

22 USC 1971 note.

SCIENCE AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the Patent Office, including defense of suits instituted against the Commissioner of Patents; the National Bureau of Standards, including the acquisition of buildings, grounds and other facilities; the National Technical Information Service; and the Office of Telecommunications; to remain available until expended, $129,864,000, of which not to exceed $1,335,000 may be transferred to the "Working Capital Fund," National Bureau of Standards, for additional capital: *Provided*, That the unexpended balances as of June 30, 1973, of the appropriations for (a) experimental technology and applications in "Research and technical services," (b) "Plant and facilities," and (c) "Research, engineering, analysis and technical services" shall be merged with this appropriation.

MARITIME ADMINISTRATION

SHIP CONSTRUCTION

For construction-differential subsidy and cost of national-defense features incident to construction of ships for operation in foreign commerce (46 U.S.C. 1152, 1154); for construction-differential subsidy and cost of national-defense features incident to the reconstruction and reconditioning of ships under title V of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1154); and for acquisition of used

49 Stat. 1996; 84 Stat. 1019, 1021.

ships pursuant to section 510 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1160); to remain available until expended, $275,000,000: *Provided*, That unobligated balances previously appropriated under this head for purchase of modern or reconstructed United States flag vessels for lay-up in the National Defense Reserve Fleet, may also be used for construction-differential subsidy. 53 Stat. 1183.

OPERATING-DIFFERENTIAL SUBSIDIES (LIQUIDATION OF CONTRACT AUTHORITY)

For the payment of obligations incurred for operating-differential subsidies granted on or after January 1, 1947, as authorized by the Merchant Marine Act, 1936, as amended, and in appropriations heretofore made to the United States Maritime Commission, $221,515,000, to remain available until expended. 49 Stat. 1985. 46 USC 1245.

RESEARCH AND DEVELOPMENT

For expenses necessary for research, development, fabrication, and test operation of experimental facilities and equipment; collection and dissemination of maritime technical and engineering information; studies to improve water transportation systems; $19,000,000, to remain available until expended: *Provided*, That transfers may be made from this appropriation to the "Vessel operations revolving fund" for losses resulting from expenses of experimental ship operations.

OPERATIONS AND TRAINING

For expenses necessary for carrying into effect the Merchant Marine Act, 1936, as amended, and the training of cadets as officers of the Merchant Marine, including not to exceed $1,125 for entertainment of officials of other countries when specifically authorized by the Maritime Administrator; not to exceed $1,250 for representation allowances; not to exceed $2,500 for contingencies for the Superintendent, United States Merchant Marine Academy to be expended in his discretion; and uniform and textbook allowances for cadet midshipmen at the U.S. Merchant Marine Academy at an average yearly cost of not to exceed $575 per cadet, $35,027,000, to remain available until expended: *Provided*, That reimbursement may be made to this appropriation for expenses in support of activities for National Maritime Research Centers financed from the appropriation for "Research and development": *Provided further*, That reimbursements may be made to this appropriation from receipts to the "Federal ship financing fund" for administrative expenses in support of that program.

GENERAL PROVISIONS—MARITIME ADMINISTRATION

No additional vessel shall be allocated under charter, nor shall any vessel be continued under charter by reason of any extension of chartering authority beyond June 30, 1949, unless the charterer shall agree that the Maritime Administration shall have no obligation upon redelivery to accept or pay for consumable stores, bunkers, and slopchest items, except with respect to such minimum amounts of bunkers as the Maritime Administration considers advisable to be retained on the vessel and that prior to such redelivery all consumable stores, slopchest items, and bunkers over and above such minimums shall be removed from the vessel by the charterer at his own expense.

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy

involving Government property under control of the Maritime Administration and payments received by the Maritime Administration for utilities, services, and repairs so furnished or made shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy on account of items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

50 Stat. 839.
46 USC 1116.

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act, or in any prior appropriation Act, and all receipts which otherwise would be deposited to the credit of said fund shall be covered into the Treasury as miscellaneous receipts.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 302. During the current fiscal year applicable appropriations and funds available to the Department of Commerce shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by said Act.

63 Stat. 907.

SEC. 303. During the current fiscal year appropriations to the Department of Commerce which are available for salaries and expenses shall be available for hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

80 Stat. 416.
80 Stat. 508; 81 Stat. 206.

SEC. 304. No part of any appropriation contained in this title shall be used for construction of any ship in any foreign country.

Citation of title.

This title may be cited as the "Department of Commerce Appropriation Act, 1974".

TITLE IV—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES

For the Chief Justice and eight Associate Justices, and all other officers and employees, whose compensation shall be fixed by the Court, except as otherwise provided by law, and who may be employed and assigned by the Chief Jutice to any office or work of the Court, $3,964,000.

PRINTING AND BINDING SUPREME COURT REPORTS

For printing and binding the advance opinions, preliminary prints, and bound reports of the Court, $515,000.

MISCELLANEOUS EXPENSES

For miscellaneous expenses, to be expended as the Chief Justice may approve, $560,000.

AUTOMOBILE FOR THE CHIEF JUSTICE

For purchase, exchange, lease, driving, maintenance, and operation of an automobile for the Chief Justice of the United States, $15,000.

BOOKS FOR THE SUPREME COURT

For books and periodicals for the Supreme Court to be purchased by the Librarian of the Supreme Court, under the direction of the Chief Justice, $63,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U.S.C. 13a–13b), including improvements, maintenance, repairs, equipment, supplies, materials, and appurtenances; special clothing for workmen; and personal and other services (including temporary labor without reference to the Classification and Retirement Acts, as amended), and for snow removal by hire of men and equipment or under contract without compliance with section 3709 of the Revised Statutes, as amended (41 U.S.C. 5); $1,100,000: *Provided*, That not to exceed $75,000 of the unobligated balance of the appropriation under this head for the fiscal year 1973 is hereby continued available until June 30, 1974.

48 Stat. 668.

63 Stat. 954; 70 Stat. 743. 5 USC 5101 *et seq.*, 8331 *et seq.*

COURT OF CUSTOMS AND PATENT APPEALS

SALARIES AND EXPENSES

For salaries of the chief judge, four associate judges, and all other officers and employees of the court, and necessary expenses of the court, including exchange of books, and traveling expenses, as may be approved by the chief judge, $677,000.

CUSTOMS COURT

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges; salaries of the officers and employees of the court; services as authorized by 5 U.S.C. 3109; and necessary expenses of the court, including exchange of books and traveling expenses, as may be approved by the court; $2,341,000: *Provided*, That traveling expenses of judges of the Customs Court shall be paid upon written certificate of the judge.

80 Stat. 416.

COURT OF CLAIMS

SALARIES AND EXPENSES

For salaries of the chief judge, six associate judges, and all other officers and employees of the court, and for other necessary expenses, including stenographic and other fees and charges necessary in the taking of testimony, and travel, $2,154,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICAL SERVICES

SALARIES OF JUDGES

For salaries of circuit judges; district judges (including judges of the district courts of the Virgin Islands, the Panama Canal Zone, and Guam); justices and judges retired or resigned under title 28, United States Code, sections 371, 372, and 373; and annuities of widows of Justices of the Supreme Court of the United States in accordance with title 28, United States Code, section 375; $27,300,000.

68 Stat. 12.

86 Stat. 579.

SALARIES OF SUPPORTING PERSONNEL

For salaries of all officials and employees of the Federal Judiciary, not otherwise specifically provided for, $83,450,000: *Provided*, That the salaries of secretaries to circuit and district judges shall not exceed

80 Stat. 443. 5 USC 5101, 5332 note.

the compensation established in chapter 51 of title 5, United States Code, for General Schedule grade (GS) 5, 6, 7, 8, 9, or 10, and that the salaries of law clerks to circuit and district judges shall not exceed the compensation established in chapter 51 of title 5, United States Code, for General Schedule grade (GS) 7, 8, 9, 10, 11, or 12: *Provided further*, That (exclusive of step increases corresponding with those provided for by chapter 53 of title 5 of the United States Code, and of compensation paid for temporary assistance needed because of an emergency) the aggregate salaries paid to secretaries and law clerks appointed by each of the circuit and district judges shall not exceed $43,453 and $33,377 per annum, respectively, except in the case of the chief judge of each circuit and the chief judge of each district court having five or more district judges, in which case the aggregate salaries shall not exceed $56,228 and $42,897 per annum, respectively.

84 Stat. 1946. 5 USC 5301.

REPRESENTATION BY COURT-APPOINTED COUNCIL AND OPERATION OF DEFENDER ORGANIZATIONS

For the operation of Federal Public Defender and Community Defender organizations, and the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964 (18 U.S.C. 3006A, as amended by Public Law 91–447, October 14, 1970), $16,500,000: *Provided*, That not to exceed $1,000,000 of the funds contained in this title shall be available for compensation and reimbursement of expenses of attorneys appointed by judges of the District of Columbia Court of Appeals or by Judges of the Superior Court of the District of Columbia.

84 Stat. 916.

FEES OF JURORS

For fees, expenses, and costs of jurors; and compensation of jury commissioners; $18,500,000.

TRAVEL AND MISCELLANEOUS EXPENSES

For necessary travel and miscellaneous expenses, not otherwise provided for, incurred by the Judiciary, including the purchase of firearms and ammunition, $12,909,000.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

For necessary expenses of the Administrative Office of the United States Courts, including travel, advertising, and rent in the District of Columbia and elsewhere, $3,906,000: *Provided*, That not to exceed $100,000 of the appropriations contained in this title shall be available for the study of rules of practice and procedure.

SALARIES AND EXPENSES OF UNITED STATES MAGISTRATES

For compensation and expenses of United States Magistrates, including secretarial and clerical assistance, as authorized by 28 U.S.C. 634–635, $7,837,000.

82 Stat. 1112.

SALARIES OF REFEREES

For salaries of referees as authorized by the Act of June 28, 1946, as amended (11 U.S.C. 68), not to exceed $6,991,000, to be derived from the Referees' salary and expense fund established in pursuance of said Act, and, to the extent of any deficiency in said fund, from any monies in the Treasury not otherwise appropriated.

60 Stat. 326; 83 Stat. 864.

EXPENSES OF REFEREES

For expenses of referees as authorized by the Act of June 28, 1946, as amended (11 U.S.C. 68, 102), not to exceed $12,660,000, to be derived from the Referees' salary and expense fund established in pursuance of said Act, and, to the extent of any deficiency in said fund, from any monies in the Treasury not otherwise appropriated: *Provided*, That $440,000 shall be transferred to the appropriation for "Administrative Office of the United States Courts" for general administrative expense of the bankruptcy system. 60 Stat. 326, 329.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $2,000,000. 81 Stat. 664. 28 USC 620.

GENERAL PROVISIONS—THE JUDICIARY

SEC. 402. The reports of the United States Court of Appeals for the District of Columbia shall not be sold for a price exceeding that approved by the court and for not more than $9.00 per volume.

SEC. 403. None of the funds contained in this title shall be available for the salaries or expenses of deputy clerks in any office that has discontinued the taking of applications for passports subsequent to October 31, 1968, and has not resumed such service on a permanent basis.

This title may be cited as the "Judiciary Appropriation Act, 1974". Citation of title.

TITLE V—RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchase and repair of uniforms for caretakers of national cemeteries and monuments, outside of the United States and its territories and possessions; not to exceed $67,000 for expenses of travel; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; and insurance of official motor vehicles in foreign countries when required by law of such countries; $3,800,000: *Provided*, That where station allowance has been authorized by the Department of the Army for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the Armed Forces assigned to the Commission while serving at the same foreign stations, and this appropriation is hereby made available for the payment of such allowance: *Provided further*, That when traveling on business of the Commission, officers of the Armed Forces serving as members or as secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission: *Provided further*, That the Commission shall reimburse other Government agencies, including the Armed Forces, for salary, pay, and allowances of personnel assigned to it.

ARMS CONTROL AND DISARMAMENT AGENCY

ARMS CONTROL AND DISARMAMENT ACTIVITIES

For necessary expenses, not otherwise provided for, for arms control and disarmament activities authorized by the Act of September 26, 1961, as amended (22 U.S.C. 2551 et seq.), $7,735,000.

75 Stat. 631.

COMMISSION ON AMERICAN SHIPBUILDING

SALARIES AND EXPENSES

For necessary expenses of the Commission on American Shipbuilding, as authorized by section 41 of the Merchant Marine Act of 1970 (84 Stat. 1037–1038), $205,000, to remain available until expended.

46 USC 1151 note.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For expenses necessary for the Commission on Civil Rights, including hire of passenger motor vehicles, $5,700,000.

COMMISSION ON THE ORGANIZATION OF THE GOVERNMENT FOR THE CONDUCT OF FOREIGN POLICY

SALARIES AND EXPENSES

For necessary expenses of the Commission on the Organization of the Government for the Conduct of Foreign Policy, authorized by title VI of the Foreign Relations Authorization Act of 1972, $1,050,000 to remain available until June 30, 1975.

86 Stat. 497.
22 USC 2821.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission established by title VII of the Civil Rights Act of 1964, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $1,700,000 for payments to State and local agencies for services to the Commission pursuant to title VII of the Civil Rights Act, $43,000,000.

78 Stat. 253;
86 Stat. 103.
42 USC 2000e.
80 Stat. 416.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, $6,000,000.

80 Stat. 508;
81 Stat. 206.

FOREIGN CLAIMS SETTLEMENT COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry on the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109; allowances and benefits similar to those provided by title IX of the Foreign Service Act of 1946, as amended, as deter-

60 Stat. 1025;
81 Stat. 671.
22 USC 1131.

mined by the Commission; expenses of packing, shipping, and storing personal effects of personnel assigned abroad; rental or lease, for such periods as may be necessary, of office space and living quarters for personnel assigned abroad; maintenance, improvement, and repair of properties rented or leased abroad, and furnishing fuel, water, and utilities for such properties; insurance on official motor vehicles abroad; advances of funds abroad; advances or reimbursements to other Government agencies for use of their facilities and services in carrying out the functions of the Commission; hire of motor vehicles for field use only; and employment of aliens; $800,000.

INTERNATIONAL RADIO BROADCASTING

INTERNATIONAL RADIO BROADCASTING ACTIVITIES

For grants to Radio Free Europe and Radio Liberty, as authorized by law, $45,000,000.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission to carry out the provisions of title II of the Act of October 21, 1972 (Public Law 92–522), establishing the Marine Mammal Commission, $412,000, of which not to exceed $1,725, shall be available for expenses incurred in fiscal year 1973.

86 Stat. 1043.
16 USC 1401 *et seq.*

NATIONAL COMMISSION FOR THE REVIEW OF FEDERAL AND STATE LAWS RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE

SALARIES AND EXPENSES

For necessary expenses of the National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance, established by the Omnibus Crime Control and Safe Streets Act of 1968 (84 Stat. 224), $332,000, to remain available until expended.

82 Stat. 223; 84 Stat. 1892.
18 USC 2510 note.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration, including hire of passenger motor vehicles, and not to exceed $5,000,000 for expenses necessary to carry out the provisions of section 406 of the Economic Opportunity Act of 1964, as amended, $22,150,000, and in addition there may be transferred to this appropriation not to exceed a total of $69,700,000 from the "Disaster loan fund", the "Business loan and investment fund", and the "Lease and surety bond guarantees revolving fund", in such amounts as may be necessary for administrative expenses in connection with activities respectively financed under said funds: *Provided*, That 10 per centum of the amount authorized to be transferred from these revolving funds shall be apportioned for use, pursuant to section 3679 of the Revised Statutes, as amended, only in such amounts and at such times as may be necessary to carry out the business and disaster loan, and lease and surety bond guarantee programs.

81 Stat. 711.
42 USC 2906b.

31 USC 665.

PAYMENT OF PARTICIPATION SALES INSUFFICIENCIES

For the payment of such insufficiencies as may be required by the Government National Mortgage Association, as trustee, on account of outstanding beneficial interests or participations in obligations of the Small Business Administration authorized by the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1968, to be issued pursuant to section 302(c) of the Government National Mortgage Association Charter Act, as amended, $973,000.

81 Stat. 431.

78 Stat. 800; 80 Stat. 164. 12 USC 1717.

DISASTER LOAN FUND

BUSINESS LOAN AND INVESTMENT FUND

LEASE AND SURETY BOND GUARANTEES REVOLVING FUND

The Small Business Administration is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the following funds, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for the "Disaster loan fund," the "Business loan and investment fund," and the "Lease and surety bond guarantees revolving fund."

61 Stat. 584. 31 USC 849.

BUSINESS LOAN AND INVESTMENT FUND

For additional capital for the "Business loan and investment fund," authorized by the Small Business Act, as amended, $225,000,000, to remain available without fiscal year limitation.

72 Stat. 384. 15 USC 631 note.

SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

SALARIES AND EXPENSES

For expenses necessary for the Special Representative for Trade Negotiations, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, $1,500,000: *Provided*, That none of the funds contained in this paragraph shall be made available for the collection and preparation of information which will not be available to Committees of Congress in the regular discharge of their duties.

80 Stat. 416.

TARIFF COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Tariff Commission, not to exceed $115,000 for expenses of travel, hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, $7,100,000: *Provided*, That no part of this appropriation shall be used to pay the salary of any member of the Tariff Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative: *Provided further*, That no part of the foregoing appropriation shall be used for making any special study, investigation, or report at the request of any other agency of the executive branch of the Government unless reimbursement is made for the cost thereof.

46 Stat. 701. 19 USC 1336-1338.

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

For expenses necessary to enable the United States Information Agency, as authorized by Reorganization Plan No. 8 of 1953, the Mutual Educational and Cultural Exchange Act (22 U.S.C. 2451 et seq.), and the United States Information and Educational Exchange Act, as amended (22 U.S.C. 1431 et seq.), to carry out international information activities, including employment, without regard to the civil service and classification laws, of persons on a temporary basis (not to exceed $20,000), and aliens within the United States; salaries, expenses, and allowances of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801–1158); entertainment within the United States not to exceed $500; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; advance of funds notwithstanding section 3648 of the Revised Statutes, as amended (31 U.S.C. 529); dues for library membership in organizations which issue publications to members only, or to members at a price lower than to others; purchase of uniforms for not to exceed fifteen guards; radio activities and acquisition and production of motion pictures and visual materials and purchase or rental of technical equipment and facilities therefor, narration, script-writing, translation, and engineering services, by contract or otherwise; and purchase of objects for presentation to foreign governments, schools, or organizations; $196,000,000: *Provided*, That not to exceed $135,000 may be used for representation abroad: *Provided further*, That passenger motor vehicles used abroad exclusively for the purposes of this appropriation may be exchanged or sold pursuant to section 201(c) of the Act of June 30, 1949 (40 U.S.C. 481(c)), and the exchange allowances or proceeds of such sales shall be available for replacement of an equal number of such vehicles and the cost, including the exchange allowance of each such replacement, shall not exceed such amounts as may be otherwise provided by law: *Provided further*, That, notwithstanding the provisions of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), the United States Information Agency is authorized, in making contracts for the use of international shortwave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and operators of said radio stations and facilities from such funds as may be hereafter appropriated for the purpose against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities.

67 Stat. 642.
22 USC 1461 note.
75 Stat. 527.
62 Stat. 6.
60 Stat. 999; 81 Stat. 671.
80 Stat. 416.
63 Stat. 383.

SALARIES AND EXPENSES (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the United States Information Agency, as authorized by law, $6,000,000, to remain available until expended.

SPECIAL INTERNATIONAL EXHIBITIONS

For expenses necessary to carry out the functions of the United States Information Agency under section 102(a)(3) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2541 et seq.), $4,336,000, to remain available until expended: *Provided*, That not to exceed a total of $6,000 may be expended for representation.

75 Stat. 528.
22 USC 2452.

SPECIAL INTERNATIONAL EXHIBITIONS (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the United States Information Agency in connection with special international exhibitions under the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.), $78,000, to remain available until expended: *Provided*, That not to exceed $1,250 may be expended for representation.

75 Stat. 527.

ACQUISITION AND CONSTRUCTION OF RADIO FACILITIES

For an additional amount for the purchase, rent, construction, and improvement of facilities for radio transmission and reception, purchase and installation of necessary equipment for radio transmission and reception, without regard to the provisions of the Act of June 30, 1932 (40 U.S.C. 278a), and acquisition of land and interests in land by purchase, lease, rental, or otherwise, $1,000,000, to remain available until expended: *Provided*, That this appropriation shall be available for acquisition of land outside the continental United States without regard to section 355 of the Revised Statutes (40 U.S.C. 255) and title to any land so acquired shall be approved by the Director of the United States Information Agency.

47 Stat. 412, 1517.

TITLE VI—FEDERAL PRISON INDUSTRIES, INCORPORATED

The following corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to such corporation, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase of not to exceed five (for replacement only), and hire of passenger motor vehicles, except as hereinafter provided:

61 Stat. 584. 31 USC 849.

LIMITATION ON ADMINISTRATIVE AND VOCATIONAL TRAINING EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $1,552,000 of the funds of the corporation shall be available for its administrative expenses, and not to exceed $5,500,000 for the expenses of vocational training of prisoners, both amounts to be available for services as authorized by 5 U.S.C. 3109, and to be computed on an accrual basis and to be determined in accordance with the corporation's prescribed accounting system in effect on July 1, 1946, and shall be exclusive of depreciation, payment of claims, expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

80 Stat. 416.

TITLE VII—GENERAL PROVISIONS

Publicity or propaganda.

SEC. 701. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

Foreign currency funded programs.

SEC. 702. No part of any appropriation contained in this Act shall be used to administer any program which is funded in whole or in part from foreign currencies or credits for which a specific dollar appropriation therefor has not been made.

Fiscal year limitation.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Convicted rioters, payment prohibitions.

SEC. 704. No part of the funds appropriated by this Act shall be used to pay the salary of any Federal employee who is finally convicted in any Federal, State, or local court of competent jurisdiction, of inciting, promoting, or carrying on a riot resulting in material damage to property or injury to persons, found to be in violation of Federal, State, or local laws designed to protect persons or property in the community concerned.

Funds to campus disrupters, prohibitions.

SEC. 705. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of, or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials or students in such institution from engaging in their duties or pursuing their studies at such institution.

Short title.

This Act may be cited as the "Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1974".

Approved November 27, 1973.

Public Law 93-163

AN ACT

November 27, 1973
[H. R. 9295]

To provide for the conveyance of certain lands of the United States to the State of Louisiana for the use of Louisiana State University.

State of Louisiana.
Land conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture shall convey, without monetary consideration, to the State of Louisiana, for the use of Louisiana State University, all right, title, and interest of the United States in and to the real property at Robson, Caddo Parish, Louisiana, containing 99.956 acres in section 19, township 16 north, range 12 west, and sections 24 and 25, township 16 north, range 13 west, Caddo Parish, Louisiana, being a part of lot 3 (Martin survey) Robson Plantation and described as follows:

Begining at a point 260 feet south and 230 feet west of northwest corner section 30, township 16 north, range 12 west, thence north 42 degrees 37 minutes east, 2,986 feet to Harts Island Road, thence along road north 44 degrees 55 minutes west, 1,381 feet to intersection with Robson-Forbing Road; thence along latter road south 30 degrees 25 minutes west, 523 feet south 51 degrees 40 minutes west, 832.5 feet south 48 degrees 15 minutes west, 1,008.4 feet south 24 degrees 40

minutes west, 572 feet (all courses along both roads being a distance of 40 feet from centerlines of said roads); thence south 35 degrees 20 minutes east, 467 feet along Bayou Pierre; thence south 1 degree 30 minutes east along Bayou Pierre 530 feet; thence south 85 degrees 02 minutes east along drainage canal 641 feet to place of beginning.

Pecan production research station, maintenance.

SEC. 2. The real property conveyed pursuant to this Act shall be used consistent with the purposes of Louisiana State University, including, but not limited to, the maintenance of a pecan production research station.

Approved November 27, 1973.

Public Law 93-164

November 29, 1973
[H. J. Res. 735]

JOINT RESOLUTION

Authorizing the Secretary of the Navy to receive for instruction at the United States Naval Academy two citizens and subjects of the Empire of Iran.

U.S. Naval Academy. Iranian citizens, attendance.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized to permit within eighteen months after the date of enactment of this joint resolution, two persons, citizens and subjects of the Empire of Iran, to receive instruction at the United States Naval Academy, but the United States shall not be subject to any expense on account of such instruction.

SEC. 2. Except as may be otherwise determined by the Secretary of the Navy, the said persons shall, as a condition to receiving instruction under the provisions of this joint resolution, agree to be subject to the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation, as midshipmen at the United States Naval Academy appointed from the United States, but they shall not be entitled to appointment to any office or position in the Armed Forces of the United States by reason of their graduation from the United States Naval Academy, or subject to an oath of allegiance to the United States of America.

Approved November 29, 1973.

Public Law 93-165

November 29, 1973
[H. R. 8187]

AN ACT

To amend section 2031(b)(1) of title 10, United States Code, to remove the requirement that a Junior Reserve Officer Training Corps unit at any institution must have a minimum number of physically fit male students.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2031 (b)(1) of title 10, United States Code, is amended by striking out the word "male" immediately before "students".

78 Stat. 1063.

Approved November 29, 1973.

Public Law 93-166

AN ACT

November 29, 1973
[S. 2408]

To authorize certain construction at military installations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Military construction and reserve forces facilities authorization acts, 1974.

TITLE I

Army.

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment for the following acquisition and construction:

INSIDE THE UNITED STATES

UNITED STATES CONTINENTAL ARMY COMMAND

(First Army)

Fort Belvoir, Virginia, $2,525,000.
Fort Devens, Massachusetts, $2,749,000.
Camp Drum, New York, $1,099,000.
Fort Eustis, Virginia, $4,782,000.
Camp A. P. Hill, Virginia, $535,000.
Indiantown Gap Military Reservation, Pennsylvania, $1,657,000.
Fort Knox, Kentucky, $7,305,000.
Fort Lee, Virginia, $18,326,000.
Fort George G. Meade, Maryland, $5,924,000.
Camp Pickett, Virginia, $476,000.

(Third Army)

Fort Benning, Georgia, $12,404,000.
Fort Bragg, North Carolina, $32,400,000.
Fort Campbell, Kentucky, $51,881,000.
Eglin Air Force Base, Valparaiso, Florida, $2,950,000.
Fort Gordon, Georgia, $23,154,000.
Fort Jackson, South Carolina, $2,902,000.
Fort McClellan, Alabama, $19,505,000.
Fort Rucker, Alabama, $3,987,000.
Fort Stewart, Georgia, $264,000.

(Fifth Army)

Fort Bliss, Texas, $6,087,000.
Fort Benjamin Harrison, Indiana, $3,893,000.
Fort Hood, Texas, $9,824,000.
Fort Sam Houston, Texas, $11,738,000.
Fort Polk, Louisiana, $29,276,000.
Fort Riley, Kansas, $30,943,000.
Fort Sheridan, Illinois, $762,000.
Fort Sill, Oklahoma, $9,447,000.
Fort Leonard Wood, Missouri, $44,482,000.

(Sixth Army)

Fort Carson, Colorado, $5,651,000.
Hunter-Liggett Military Reservation, California, $7,776,000.

Fort Lewis, Washington, $8,327,000.
Fort Ord, California, $9,812,000.
Presidio of San Francisco, California, $3,074,000.

UNITED STATES ARMY MATERIEL COMMAND

Aberdeen Proving Ground, Maryland, $7,472,000.
Aeronautical Maintenance Center, Texas, $6,284,000.
Anniston Army Depot, Alabama, $3,745,000.
Frankford Arsenal, Pennsylvania, $73,000.
Fort Monmouth, New Jersey, $8,401,000.
Natick Laboratories, Massachusetts, $466,000.
Picatinny Arsenal, New Jersey, $255,000.
Pine Bluff Arsenal, Arkansas, $294,000.
Redstone Arsenal, Alabama, $4,971,000.
Sacramento Army Depot, California, $412,000.
Savanna Army Depot, Illinois, $113,000.
Sierra Army Depot, California, $380,000.
Tobyhanna Army Depot, Pennsylvania, $456,000.
White Sands Missile Range, New Mexico, $3,843,000.
Yuma Proving Ground, Arizona, $6,472,000.

UNITED STATES ARMY STRATEGIC COMMUNICATION COMMAND

Fort Huachuca, Arizona, $6,832,000.
Fort Ritchie, Maryland, $1,394,000.

UNITED STATES MILITARY ACADEMY

United States Military Academy, West Point, New York, $30,145,000.

CORPS OF ENGINEERS

Cold Regions Laboratories, New Hampshire, $597,000.

MILITARY TRAFFIC MANAGEMENT AND TERMINAL SERVICE

Oakland Army Terminal, California, $343,000.
Sunny Point Army Terminal, North Carolina, $1,628,000.

UNITED STATES ARMY, ALASKA

Fort Greely, Alaska, $3,060,000.
Fort Richardson, Alaska, $2,140,000.
Fort Wainwright, Alaska, $2,715,000.

UNITED STATES ARMY, HAWAII

Schofield Barracks, Hawaii, $9,592,000.
Fort Shafter, Hawaii, $1,233,000.

POLLUTION ABATEMENT

Various locations, Air Pollution Abatement, $7,295,000.
Various locations, Water Pollution Abatement, $6,799,000.

OUTSIDE THE UNITED STATES

UNITED STATES ARMY FORCES, SOUTHERN COMMAND

Canal Zone, various locations, $8,095,000.

UNITED STATES ARMY, PACIFIC

Korea, various locations, $1,568,000.

PUERTO RICO

Fort Buchanan, Puerto Rico, $517,000.

KWAJALEIN MISSILE RANGE

National Missile Range, $1,029,000.

UNITED STATES ARMY SECURITY AGENCY

Various locations, $1,434,000.

UNITED STATES ARMY STRATEGIC COMMUNICATION COMMAND

Various locations, $2,097,000.

UNITED STATES ARMY, EUROPE

Germany, various locations, $12,517,000.

Various locations: For the United States share of the cost of multilateral programs for the acquisition or construction of military facilities and installations, including international military headquarters, for the collective defense of the North Atlantic Treaty Area, $80,000,000: *Provided*, That, within thirty days after the end of each quarter, the Secretary of the Army shall furnish to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives a description of obligations incurred as the United States share of such multilateral programs.

Report to congressional committees.

SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $3,000,000.

Classified installations. Establishment.

SEC. 103. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by (1) unforeseen security considerations, (2) new weapons developments, (3) new and unforeseen research and development requirements, or (4) improved production schedules if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any

Emergency construction.

Congressional committees, notification.

Authorization expiration.

public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1974, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

86 Stat. 1135.

SEC. 104. (a) Public Law 92–545 is amended under the heading "INSIDE THE UNITED STATES," in section 101 as follows:

With respect to "Military Ocean Terminal, Bayonne, New Jersey," strike out "$3,245,000" and insert in place thereof "$3,603,000".

With respect to "Walter Reed Army Medical Center, District of Columbia," strike out "$13,161,000" and insert in place thereof "$15,866,000".

(b) Public Law 92–545 is amended under the heading "OUTSIDE THE UNITED STATES—UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND" in section 101 as follows: with respect to "Various Locations," strike out "$1,412,000" and insert in place thereof "$1,649,000".

(c) Public Law 92–545 is amended by striking out in clause (1) of section 702 "$441,704,000"; "$117,074,000"; and "$558,778,000" and inserting in place thereof "$444,767,000"; "$117,311,000"; and "$562,078,000," respectively.

85 Stat. 396.

SEC. 105. (a) Public Law 92–145, as amended, is amended under the heading "OUTSIDE THE UNITED STATES" in section 101 as follows:

With respect to "Germany, Various Locations," strike out "$1,946,000" and insert in place thereof "$2,553,000".

(b) Public Law 92–145, as amended, is amended by striking out in clause (1) of section 702 "$41,374,000" and "$404,500,000" and inserting in place thereof "$41,981,000" and "$405,107,000", respectively.

84 Stat. 1205.

SEC. 106. (a) Public Law 91–511, as amended, is amended under the heading "INSIDE THE UNITED STATES", in section 101 as follows: With respect to "Fort Benning, Georgia", strike out "$2,855,000" and insert in place thereof "$3,383,000".

86 Stat. 1138.

(b) Public Law 91–511, as amended, is amended by striking out in clause (1) of section 602 "$181,306,000" and "$266,503,000" and inserting in place thereof "$181,834,000" and "$267,031,000", respectively.

81 Stat. 281.

SEC. 107. (a) Public Law 90–110, as amended, is amended under the heading "UNITED STATES ARMY, ALASKA" in section 101 as follows: With respect to "Fort Richardson, Alaska," strike out "$1,800,000" and insert in place thereof "$2,100,000".

84 Stat. 1208.

(b) Public Law 90–110, as amended, is amended by striking out in clause (1) of section 802 "$288,055,000" and "$391,448,000" and inserting in place thereof "$288,355,000" and "$391,748,000", respectively.

TITLE II

Navy.

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment for the following acquisition and construction:

INSIDE THE UNITED STATES

FIRST NAVAL DISTRICT

Naval Air Station, Brunswick, Maine, $135,000.

Portmouth Naval Shipyard, Portsmouth, Kittery, Maine, $2,817,000.

THIRD NAVAL DISTRICT

Naval Submarine Base, New London, Connecticut, $6,158,000.
Naval Underwater Systems Center, New London Laboratory, New London, Connecticut, $3,600,000.
Military Ocean Terminal, Bayonne, New Jersey, $1,806,000.

FOURTH NAVAL DISTRICT

Philadelphia Naval Shipyard, Philadelphia, Pennsylvania, $180,000.
Naval Air Development Center, Warminster, Pennsylvania, $215,000.

NAVAL DISTRICT, WASHINGTON

Naval Research Laboratory, Washington, District of Columbia, $4,655,000.
Naval Academy, Annapolis, Maryland, $4,334,000.
Naval Medical Research Institute, Bethesda, Maryland, $6,372,000.
Naval Ordnance Station, Indian Head, Maryland, $1,528,000.
Naval Air Test Center, Patuxent River, Maryland, $560,000.
Naval Hospital, Quantico, Virginia, $484,000.

FIFTH NAVAL DISTRICT

Fleet Combat Direction Systems Training Center, Atlantic, Dam Neck, Virginia, $6,531,000.
Naval Amphibious Base, Little Creek, Virginia, $3,211,000.
Naval Air Station, Norfolk, Virginia, $2,525,000.
Naval Station, Norfolk, Virginia, $18,183,000.
Navy Public Works Center, Norfolk, Virginia, $567,000.
Nuclear Weapons Training Group, Atlantic, Norfolk, Virginia, $2,470,000.
Naval Air Station, Oceana, Virginia, $3,386,000.
Norfolk Naval Shipyard, Portsmouth, Virginia, $11,133,000.
Naval Weapons Station, Yorktown, Virginia, $1,327,000.

SIXTH NAVAL DISTRICT

Naval Air Station, Cecil Field, Florida, $3,636,000.
Naval Air Station, Ellyson Field, Florida, $75,000.
Naval Air Station, Jacksonville, Florida, $14,366,000.
Naval Training Center, Orlando, Florida, $4,628,000.
Naval Coastal Systems Laboratory, Panama City, Florida, $3,663,000.
Naval Air Station, Pensacola, Florida, $2,699,000.
Naval Communications Training Center, Pensacola, Florida, $10,690,000.
Naval Air Station, Whiting Field, Florida, $3,586,000.
Naval Aerospace Regional Medical Center, Pensacola, Florida, $1,084,000.
Naval Home, Gulfport, Mississippi, $9,444,000.
Naval Air Station, Meridian, Mississippi, $4,532,000.
Charleston Naval Shipyard, Charleston, South Carolina, $252,000.
Naval Station, Charleston, South Carolina, $1,498,000.
Naval Air Station, Memphis, Tennessee, $4,478,000.

EIGHTH NAVAL DISTRICT

Naval Hospital, New Orleans, Louisiana, $3,386,000.
Naval Support Activity, New Orleans, Louisiana, $13,880,000.
Naval Air Station, Chase Field, Texas, $2,875,000.
Naval Air Station, Kingsville, Texas, $3,040,000.

NINTH NAVAL DISTRICT

Naval Complex, Great Lakes, Illinois, $15,148,000.

ELEVENTH NAVAL DISTRICT

Naval Weapons Center, China Lake, California, $3,163,000.
Long Beach Naval Shipyard, Long Beach, California, $6,808,000.
Naval Hospital, Long Beach, California, $878,000.
Naval Air Station, Miramar, California, $1,454,000.
Naval Air Station, North Island, California, $2,415,000.
Fleet Combat Direction Systems Training Center, Pacific, San Diego, California, $1,118,000.
Naval Electronics Laboratory Center, San Diego, California, $3,518,000.
Naval Station, San Diego, California, $11,996,000.
Naval Training Center, San Diego, California, $2,944,000.
Navy Public Works Center, San Diego, California, $2,471,000.
Navy Submarine Support Facility, San Diego, California, $3,920,000.
Naval Weapons Station, Seal Beach, California, $807,000.

TWELFTH NAVAL DISTRICT

Naval Air Station, Alameda, California, $3,827,000.
Naval Air Station, Lemoore, California, $3,266,000.
Naval Air Station, Moffett Field, California, $3,150,000.
Naval Hospital, Oakland, California, $5,839,000.
Mare Island Naval Shipyard, Vallejo, California, $1,874,000.

THIRTEENTH NAVAL DISTRICT

Naval complex, Adak, Alaska, $4,615,000.
Puget Sound Naval Shipyard, Bremerton, Washington, $2,300,000.

FOURTEENTH NAVAL DISTRICT

Naval Air Station, Barbers Point, Hawaii, $4,306,000.
Naval Ammunition Depot, Oahu, Hawaii, $457,000.
Naval Station, Pearl Harbor, Hawaii, $4,060,000.
Naval Submarine Base, Pearl Harbor, Hawaii, $2,562,000.
Navy Public Works Center, Pearl Harbor, Hawaii, $1,985,000.
Naval Communication Station, Honolulu, Wahiawa, Hawaii, $2,324,000.

MARINE CORPS

Marine Corps Air Station, Quantico, Virginia, $831,000.
Marine Corps Development and Education Command, Quantico, Virginia, $1,541,000.
Marine Corps Base, Camp Lejeune, North Carolina, $8,902,000.
Marine Corps Air Station, Cherry Point, North Carolina, $1,821,000.
Marine Corps Air Station, New River, North Carolina, $3,245,000.

Fleet Marine Force Atlantic, Norfolk, Virginia, $686,000.
Marine Corps Supply Center, Albany, Georgia, $5,204,000.
Marine Corps Air Station, Beaufort, South Carolina, $126,000.
Marine Corps Recruit Depot, Parris Island, South Carolina, $2,580,000.
Marine Corps Air Station, Yuma, Arizona, $1,634,000.
Marine Corps Supply Center, Barstow, California, $3,802,000.
Marine Corps Base, Camp Pendleton, California, $10,920,000.
Marine Corps Air Station, El Toro, California, $747,000.
Marine Corps Recruit Depot, San Diego, California, $3,825,000.
Marine Corps Base, Twentynine Palms, California, $2,992,000.
Marine Corps Air Station, Kaneohe Bay, Hawaii, $5,988,000.

TRIDENT FACILITIES

Various Locations, Trident Facilities, United States, $118,320,000.

POLLUTION ABATEMENT

Various Locations, Air Pollution Abatement, $27,636,000.
Various Locations, Water Pollution Abatement, $51,112,000.

OUTSIDE THE UNITED STATES

TENTH NAVAL DISTRICT

Naval Complex, Puerto Rico, $1,707,000.
Naval Facility, Grand Turk, the West Indies, $1,145,000.

ATLANTIC OCEAN AREA

Naval Air Station, Bermuda, $3,010,000.
Naval Complex, Guantanamo Bay, Cuba, $8,376,000.
Naval Station, Keflavik, Iceland, $6,092,000.

EUROPEAN AREA

Naval Support Office, Athens, Greece, $1,948,000.
Naval Detachment, Souda Bay, Crete, Greece, $4,153,000.
Naval Air Facility, Sigonella, Sicily, Italy, $3,086,000.
Naval Security Group Activity, Edzell, Scotland, $778,000.
Naval Station, Rota, Spain, $85,000.

PACIFIC OCEAN AREA

Naval Communication Station, Harold E. Holt, Exmouth, Australia, $1,192,000.
Naval Complex, Guam, Mariana Islands, $10,988,000.
Naval Complex, Subic Bay, Republic of the Philippines, $278,000.

POLLUTION ABATEMENT

Various Locations, Water Pollution Abatement, $3,995,000.

Emergency construction.

SEC. 202. The Secretary of the Navy may establish or develop Navy installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by (1) unforeseen security considerations, (2) new weapons developments, (3) new and unforeseen research and development requirements, or (4) improved production schedules, if the

Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Navy, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1974, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

Congressional committees, notification.

Authorization expiration.

Secretary of the Navy, land acquisition, Ariz.

SEC. 203. The Secretary of the Navy is authorized to acquire, under such terms as he deems appropriate, lands or interests in land (including easements) in approximately fourteen thousand acres of privately owned property contiguous to the airfield and approach corridors of the Marine Corps Air Station at Yuma, Arizona, as he considers necessary for the safe and efficient operations at such station. Acquisition of such land or interests in land shall be effected by the exchange of such excess land or interests in land of approximately equal value, as the Secretary of Defense may determine to be available for the purpose. If the fair market value of the land or interests in land to be acquired is less than the fair market value of the Government property to be exchanged, the amount of such deficiency shall be paid to the Government.

Certain Naval operations, relocation.

Appropriation.

SEC. 204. (a) In order to facilitate the relocation of the ship-to-shore and other gun fire and bombing operations of the United States Navy from the island of Culebra, there is hereby authorized to be appropriated the sum of $12,000,000 for the construction and equipage of substitute facilities in support of such relocation.

Conditions.

(b) The relocation of such operations from the northwest peninsula of the island of Culebra is expressly conditioned upon the conclusion of a satisfactory agreement to be negotiated by the Secretary of the Navy, or his designee, with the Commonwealth of Puerto Rico and reported to the Committees on Armed Services of the Senate and the House of Representatives prior to execution of such agreement. The agreement shall provide, among other things, that the Commonwealth of Puerto Rico shall insure that (1) Commonwealth lands suitable for carrying out operations of the type referred to in subsection (a) will be made available for the long term continued use of the Atlantic Fleet Weapons Range and Fleet Marine Forces training areas by the Navy, including, but not limited to, present areas and facilities on the island of Vieques, and (2) any proposed facility or activity which would interfere with the Navy training mission will not be undertaken, including the proposed deep water super-port on the island of Mona, in the event that such agreement includes the use by the Navy of such island or the area adjacent to such island.

Report to congressional committees.

Land disposition.

(c) Notwithstanding any other provision of law, the present bombardment area on the island of Culebra shall not be utilized for any purpose that would require decontamination at the expense of the United States. Any lands sold, transferred, or otherwise disposed of by the United States as a result of the relocation of the operations referred to in subsection (a) may be sold, transferred, or otherwise disposed of only for public park or public recreational purposes.

(d) The funds authorized for appropriation by this section shall remain available until expended.

SEC. 205. (a) Public Law 90–408, as amended, is amended under the heading "INSIDE THE UNITED STATES", in section 201 as follows: With respect to Navy Mine Defense Laboratory, Panama City, Florida, strike out "$7,411,000" and insert in place thereof "$9,397,000". 82 Stat. 374.

(b) Public Law 90–408, as amended, is amended by striking out in clause (2) of section 802, "$239,682,000" and "$246,547,000" and inserting in place thereof "$241,668,000" and "$248,533,000", respectively. 85 Stat. 400.

SEC. 206. (a) Public Law 91–511, as amended, is amended under the heading "INSIDE THE UNITED STATES", in section 201 as follows: With respect to Naval Weapons Laboratory, Dahlgren, Virginia, strike out "$530,000" and insert in place thereof "$779,000". 84 Stat. 1209.

(b) Public Law 91–511, as amended, is amended by striking out in clause (2) of section 602 "$246,955,000" and "$274,093,000" and inserting in place thereof "$247,204,000" and "$274,342,000", respectively. 86 Stat. 1143.

SEC. 207. (a) Public Law 92–145 is amended under the heading "INSIDE THE UNITED STATES", in section 201 as follows: 85 Stat. 397.

With respect to Naval Station, Norfolk, Virginia, strike out "$19,316,000" and insert in place thereof "$22,716,000".

With respect to Naval Air Station, Meridian, Mississippi, strike out "$3,266,000" and insert in place thereof "$3,859,000".

(b) Public Law 92–145 is amended by striking out in clause (2) of section 702 "$266,068,000" and "$321,843,000" and inserting in place thereof "$270,061,000" and "$325,836,000", respectively. 85 Stat. 409.

SEC. 208. (a) Public Law 92–545 is amended under the heading "INSIDE THE UNITED STATES" in section 201 as follows: With respect to Naval Ammunition Depot, McAlester, Oklahoma, strike out "$6,336,000" and insert in place thereof "$8,778,000". 86 Stat. 1139.

With respect to Naval Air Station, Miramar, California, strike out "$4,372,000" and insert in place thereof "$5,144,000".

(b) Public Law 92–545 is amended by striking out in clause (2) of section 702 "$474,450,000" and "$515,667,000" and inserting in place thereof "$477,664,000" and "$518,881,000", respectively. 86 Stat. 1151.

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, for the following acquisition and construction: Air Force.

INSIDE THE UNITED STATES

AEROSPACE DEFENSE COMMAND

Peterson Field, Colorado Springs, Colorado, $7,843,000.
Tyndall Air Force Base, Panama City, Florida, $1,020,000.

AIR FORCE COMMUNICATIONS SERVICE

Richards-Gebaur Air Force Base, Grandview, Missouri, $3,963,000.

AIR FORCE LOGISTICS COMMAND

Hill Air Force Base, Ogden, Utah, $8,343,000.
Kelly Air Force Base, San Antonio, Texas, $6,101,000.
McClellan Air Force Base, Sacramento, California, $2,572,000.
Robins Air Force Base, Warner Robins, Georgia, $4,628,000.
Tinker Air Force Base, Oklahoma City, Oklahoma, $11,787,000.
Wright-Patterson Air Force Base, Dayton, Ohio, $13,277,000.

AIR FORCE SYSTEMS COMMAND

Edwards Air Force Base, Muroc, California, $889,000.
Eglin Air Force Base, Valparaiso, Florida, $7,039,000.
Satellite Control Facilities, $654,000.

AIR TRAINING COMMAND

Keesler Air Force Base, Biloxi, Mississippi, $8,786,000.
Lackland Air Force Base, San Antonio, Texas, $6,509,000.
Laughlin Air Force Base, Del Rio, Texas, $4,635,000.
Lowry Air Force Base, Denver, Colorado, $20,350,000.
Mather Air Force Base, Sacramento, California, $310,000.
Randolph Air Force Base, San Antonio, Texas, $1,463,000.
Reese Air Force Base, Lubbock, Texas, $4,211,000.
Sheppard Air Force Base, Wichita Falls, Texas, $2,753,000.
Vance Air Force Base, Enid, Oklahoma, $371,000.
Webb Air Force Base, Big Spring, Texas, $3,154,000.
Williams Air Force Base, Chandler, Arizona, $347,000.

ALASKAN AIR COMMAND

Eielson Air Force Base, Fairbanks, Alaska, $1,557,000.
Various Locations, $7,101,000.

HEADQUARTERS COMMAND

Andrews Air Force Base, Camp Springs, Maryland, $16,639,000.
Bolling Air Force Base, Washington, District of Columbia, $1,500,000.

MILITARY AIRLIFT COMMAND

Altus Air Force Base, Altus, Oklahoma, $1,078,000.
Dover Air Force Base, Dover, Delaware, $2,558,000.
McGuire Air Force Base, Wrightstown, New Jersey, $1,698,000.
Norton Air Force Base, San Bernardino, California, $1,283,000.
Scott Air Force Base, Belleville, Illinois, $3,092,000.

PACIFIC AIR FORCES

Hickam Air Force Base, Honolulu, Hawaii, $7,331,000.

STRATEGIC AIR COMMAND

Barksdale Air Force Base, Shreveport, Louisiana, $1,200,000.
Davis-Montham Air Force Base, Tucson, Arizona, $232,000.
Dyess Air Force Base, Abilene, Texas, $730,000.
Ellsworth Air Force Base, Rapid City, South Dakota, $514,000.
Francis E. Warren Air Force Base, Cheyenne, Wyoming, $5,834,000.
Grissom Air Force Base, Peru, Indiana, $1,500,000.
Kincheloe Air Force Base, Kinross, Michigan, $2,430,000.

Malmstrom Air Force Base, Great Falls, Montana, $1,507,000.
McConnell Air Force Base, Wichita, Kansas, $1,042,000.
Offutt Air Force Base, Omaha, Nebraska, $617,000.
Pease Air Force Base, Portsmouth, New Hampshire, $526,000.
Plattsburgh Air Force Base, Plattsburgh, New York, $286,000.
Vandenberg Air Force Base, Lompoc, California, $220,000.
Whiteman Air Force Base, Knob Noster, Missouri, $3,892,000.
Wurtsmith Air Force Base, Oscoda, Michigan, $616,000.
Various Locations, $1,988,000.

TACTICAL AIR COMMAND

Bergstrom Air Force Base, Austin, Texas, $2,273,000.
Cannon Air Force Base, Clovis, New Mexico, $162,000.
England Air Force Base, Alexandria, Louisiana, $183,000.
Holloman Air Force Base, Alamogordo, New Mexico, $1,524,000.
Langley Air Force Base, Hampton, Virginia, $503,000.
Little Rock Air Force Base, Little Rock, Arkansas, $1,165,000.
Luke Air Force Base, Glendale, Arizona, $2,986,000.
MacDill Air Force Base, Tampa, Florida, $2,657,000.
Mountain Home Air Force Base, Mountain Home, Idaho, $253,000.
Nellis Air Force Base, Las Vegas, Nevada, $2,588,000.
Shaw Air Force Base, Sumter, South Carolina, $2,501,000.

UNITED STATES AIR FORCE ACADEMY

United States Air Force Academy, Colorado Springs, Colorado, $483,000.

UNITED STATES AIR FORCE SECURITY SERVICE

Goodfellow Air Force Base, San Angelo, Texas, $6,115,000.

POLLUTION ABATEMENT

Various Locations, Air Pollution Abatement, $3,689,000.
Various Locations, Water Pollution Abatement, $5,381,000.

AIR INSTALLATION COMPATIBLE USE ZONES

Various Locations, $18,000,000.

OUTSIDE THE UNITED STATES

AIR DEFENSE COMMAND

Naval Station Keflavik, Iceland, $1,355,000.

PACIFIC AIR FORCES

Various Locations, $7,950,000.

UNITED STATES AIR FORCES IN EUROPE

Germany, $5,181,000.
United Kingdom, $3,788,000.
Various Locations, $800,000.

UNITED STATES AIR FORCE SOUTHERN COMMAND

Howard Air Force Base, Canal Zone, $927,000.

UNITED STATES AIR FORCE SECURITY SERVICE

Various Locations, $221,000.

POLLUTION ABATEMENT

Various Locations, Water Pollution Abatement, $750,000.

WORLDWIDE COMMUNICATIONS

Various Locations, $330,000.

Classified installations. Establishment.

SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $1,000,000.

Emergency construction.

SEC. 303. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by: (1) unforeseen security considerations, (2) new weapons developments, (3) new and unforeseen research and development requirements, or (4) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the amount of $10,000,000: *Provided*, That the Secretary of the Air Force, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1974, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

Congressional committees, notification.

Authorization expiration.

85 Stat. 402.

SEC. 304. (a) Section 301 of Public Law 92–145 is amended under the heading "INSIDE THE UNITED STATES" as follows: Under the subheading "STRATEGIC AIR COMMAND" with respect to Malmstrom Air Force Base, Great Falls, Montana, strike out "$522,000" and insert in place thereof "$735,000".

(b) Public Law 92–145 is further amended by striking out in clause (3) of section 702 "$226,484,000" and "$247,347,000" and inserting in place thereof "$226,697,000" and "$247,560,000", respectively.

86 Stat. 1143.

SEC. 305. (a) Public Law 92–545 is amended under the heading "INSIDE THE UNITED STATES" in section 301 as follows:

With respect to Kessler Air Force Base, Biloxi, Mississippi, strike out "$4,454,000" and insert in place thereof "$5,654,000".

(b) Public Law 92–545 is amended under the heading "OUTSIDE THE UNITED STATES," in section 301 as follows: Under the subheading "UNITED STATES AIR FORCES IN EUROPE" with respect to Germany, strike out "$11,422,000" and insert in place thereof "$18,755,000".

(c) Public Law 92–545 is amended by striking out in clause (3)

of section 702 "$232,925,000"; "$32,565,000"; and "$284,150,000" and inserting in place thereof "$234,125,000"; "$39,898,000"; and "$292,683,000", respectively. 86 Stat. 1151.

TITLE IV

SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment, for defense agencies for the following acquisition and construction: Defense agencies.

DEFENSE NUCLEAR AGENCY

Kirtland Air Force Base, Albuquerque, New Mexico, $374,000.
Atomic Energy Commission Nevada Test Site, Las Vegas, Nevada, $200,000.

DEFENSE SUPPLY AGENCY

Defense Construction Supply Center, Columbus, Ohio, $1,188,000.
Defense Depot, Mechanicsburg, Pennsylvania, $2,048,000.
Defense Depot, Memphis, Tennessee, $360,000.
Defense Depot, Ogden, Utah, $250,000.
Defense Depot, Tracy, California, $747,000.
Defense General Supply Center, Richmond, Virginia, $2,653,000.
Defense Logistics Services Center, Battle Creek, Michigan, $160,000.
Defense Personnel Support Center, Philadelphia, Pennsylvania, $560,000.
Regional Office, Defense Contract Administration Services, Chicago, Illinois, $404,000.

NATIONAL SECURITY AGENCY

Fort George G. Meade, Maryland, $8,156,000.

TITLE V—MILITARY FAMILY HOUSING AND HOMEOWNERS ASSISTANCE PROGRAM

SEC. 501. The Secretary of Defense, or his designee, is authorized to construct, at the locations hereinafter named, family housing units and mobile home facilities in the numbers hereinafter listed, but no family housing construction shall be commenced at any such locations in the United States, until the Secretary shall have consulted with the Secretary of the Department of Housing and Urban Development, as to the availability of adequate private housing at such locations. If agreement cannot be reached with respect to the availability of adequate private housing at any location, the Secretary of Defense shall immediately notify the Committees on Armed Services of the Senate and the House of Representatives, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise. Construction authorization. Congressional committees, notification.

(a) Family housing units:

(1) The Department of the Army, five thousand three-hundred sixty-nine units, $153,170,000. Army.

Fort Carson, Colorado, two hundred units.

Eglin Air Force Base, Florida, twenty-five units.
United States Army Installations, Oahu, Hawaii, six hundred units.
Fort Riley, Kansas, nine hundred one units.
Fort Campbell, Kentucky, one thousand units.
Fort Polk, Louisiana, five hundred units.
Fort Bragg/Pope Air Force Base, North Carolina, one hundred thirty-six units.
Tobyhanna Army Depot, Pennsylvania, eighty-six units.
Fort Hood, Texas, nine hundred units.
Red River Army Depot, Texas, twenty-one units.
Fort Belvoir, Virginia, seven hundred units.
Fort Eustis, Virginia, three hundred units.

Navy. (2) The Department of the Navy, three thousand six hundred ten units, $109,397,000.
Marine Corps Base, Camp Pendleton, California, eight hundred units.
Naval Complex, San Diego, California, three hundred twenty-five units.
Marine Corps Base, Twentynine Palms, California, two hundred units.
Naval Station, Mayport, Florida, four hundred units.
Naval Complex, Oahu, Hawaii, four hundred units.
Naval Complex, New Orleans, Louisiana, one hundred units.
Construction Battalion Center, Gulfport, Mississippi, one hundred units.
Naval Home, Gulfport, Mississippi, five units.
Naval Complex, South Philadelphia, Pennsylvania, three hundred fifty units.
Naval Complex, Charleston, South Carolina, two hundred seventy units.
Naval Complex, Guam, Marianas Islands, five hundred ten units.
Naval Station, Keflavik, Iceland, one hundred fifty units.

Air Force. (3) The Department of the Air Force, one thousand seven hundred units, $52,646,000.
Blytheville Air Force Base, Arkansas, one hundred units.
Avon Park Weapons Range, Florida, fifty units.
Eglin Air Force Base, Florida, two hundred fifty units.
United States Air Force Installations, Oahu, Hawaii, four hundred units.
Andrews Air Force Base, Maryland, three hundred units.
Grand Forks Air Force Base, North Dakota, one hundred units.
Sheppard Air Force Base, Texas, two hundred units.
Andersen Air Force Base, Guam, Marianas Islands, three hundred units.

(b) Mobile home facilities:
(1) The Department of the Army, eight hundred twenty-five spaces, $3,300,000.
(2) The Department of the Navy, one hundred spaces, $400,000.
(3) The Department of the Air Force, four hundred fifteen spaces, $2,000,000.

Cost limitations. SEC. 502. (a) Authorization for the construction of family housing provided in this Act shall be subject, under such regulations as the Secretary of Defense may prescribe, to the following limitations on cost, which shall include shades, screens, ranges, refrigerators, and all other installed equipment and fixtures.

(b) The average unit cost for each military department for all units of family housing constructed in the United States (other than Hawaii and Alaska) shall not exceed $27,500 including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(c) No family housing unit in the area specified in subsection (b) shall be constructed at a total cost exceeding $44,000 including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(d) When family housing units are constructed in areas other than that specified in subsection (b) the average cost of all such units shall not exceed $37,000 and in no event shall the cost of any unit exceed $44,000. The cost limitations of this subsection shall include the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

SEC. 503. The Secretary of Defense, or his designee, is authorized to accomplish alterations, additions, expansions or extensions not otherwise authorized by law, to existing public quarters at a cost not to exceed—

(1) for the Department of the Army, $28,160,000.
(2) for the Department of the Navy, $10,600,000.
(3) for the Department of the Air Force, $23,750,000.

SEC. 504. Notwithstanding the limitations contained in prior Military Construction Authorization Acts on cost of construction of family housing, the limitations on such cost contained in section 502 of this Act shall apply to all prior authorizations for construction of family housing not heretofore repealed and for which construction contracts have not been executed prior to the date of enactment of this Act.

Family housing construction, land acquisition in foreign countries, cost limitations.

SEC. 505. The Secretary of Defense, or his designee, is authorized to construct, or otherwise acquire, in foreign countries, twelve family housing units. This authority shall include the authority to acquire land and interests in land. The authorization contained in this section shall not be subject to the cost limitations set forth in section 502 of this Act, but the cost shall not exceed a total of $520,000 for all units nor $60,000 for any one unit, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

SEC. 506. (a) Section 610(a) of Public Law 90–110 (81 Stat. 279, 305), as amended, is amended to read as follows:

Improvement, cost limitations.

"(a) None of the funds authorized by this or any other Act may be expended for the improvement of any single family housing unit, or for the improvement of two or more housing units, when such units are to be converted into or used as a single family housing unit, the costs of which exceed $15,000 per unit including costs of repairs undertaken in connection therewith, and including any costs in connection with (1) the furnishing of electricity, gas, water and sewage disposal; (2) roads and walks; and (3) grading and drainage, unless such improvement in connection with such unit or units is specifically authorized by law. As used in this section the term 'improvement' includes alteration, expansion, extension, or rehabilitation of any housing unit or units, including that maintenance and repair which is to be accomplished concurrently with an improvement project. The provisions of this section shall not apply to projects authorized for restoration or replacement of housing units damaged or destroyed."

Repairs and improvements, cost limitation, exceptions.

(b) The Secretary of Defense, or his designee, is authorized to accomplish repairs and improvements to existing public quarters in

81 Stat. 305.

amounts in excess of the $15,000 limitation prescribed in section 610(a) of Public Law 90–110 as follows:

Elmendorf Air Force Base, Alaska, one unit, $35,800.

Marine Corps Base, Twentynine Palms, California, one unit, $17,000.

Fort McNair, Washington, District of Columbia, five units, $165,000.

Naval Complex, New Orleans, Louisiana, four units, $119,600.

Ramstein Air Base, Federal Republic of Germany, one unit, $26,500.

Leasing of facilities.
84 Stat. 1220; 86 Stat. 1149.
10 USC 2674 note.

SEC. 507. (a) Section 515 of Public Law 84–161 (69 Stat. 324, 352), as amended, is further amended to read as follows:

"SEC. 515. During fiscal years 1974 and 1975, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities for assignment as public quarters to military personnel and their dependents, without rental charge, at or near any military installation in the United States, Puerto Rico, or Guam, if the Secretary of Defense, or his designee, finds that there is a lack of adequate housing at or near such military installation and that (1) there has been a recent substantial increase in military strength and such increase is temporary, or (2) the permanent military strength is to be substantially reduced in the near future, or (3) the number of military personnel assigned is so small as to make the construction of family housing uneconomical, or (4) family housing is required for personnel attending service school academic courses on permanent change of station orders, or (5) family housing has been authorized but is not yet completed or a family housing authorization request is in a pending military construction authorization bill. Such housing facilities may be leased on an individual unit basis and not more than ten thousand such units may be so leased at any one time. Expenditures for the rental of such housing facilities, including the cost of utilities and maintenance and operation, may not exceed: For the United States (other than Hawaii), Puerto Rico, and Guam an average of $210 per month for each military department, or the amount of $290 per month for any one unit; and for Hawaii, an average of $255 per month for each military department, or the amount of $300 per month for any one unit."

Cost limitation.

(b) The average unit rental for Department of Defense family housing acquired by lease in foreign countries may not exceed $325 per month for the Department and in no event shall the rental for any one unit exceed $625 per month, including the costs of operation, maintenance, and utilities; and not more than seven thousand five hundred family housing units may be so leased at any one time. The Secretary of Defense, or his designee, may waive these cost limitations for not more than three hundred units leased for: incumbents of special positions, personnel assigned to Defense Attaché Offices, or in countries where excessive costs of housing would cause undue hardship on Department of Defense personnel.

Waiver.

Military housing, foreign countries.
81 Stat. 304; 86 Stat. 1149.
42 USC 1594k.

SEC. 508. Section 507 of Public Law 88–174 (77 Stat. 307, 326), as amended, is further amended to read as follows:

"SEC. 507. For the purpose of providing military family housing in foreign countries, the Secretary of Defense is authorized to enter into agreements guaranteeing the builders or other sponsors of such housing a rental return equivalent to a specified portion of the annual rental income which the builders or other sponsors would receive from the tenants if the housing were fully occupied: *Provided*, That the aggregate amount guaranteed under such agreements entered into during the fiscal years 1974 and 1975 shall not exceed such amount as

may be applicable to five thousand units: *Provided further*, That no such agreement shall guarantee the payment of more than 97 per centum of the anticipated rentals, nor shall any guarantee extend for a period of more than ten years, nor shall the average guaranteed rental on any project exceed $275 per unit per month, including the cost of maintenance and operation."

SEC. 509. (a) Chapter 159 of title 10, United States Code, is amended by adding at the end thereof the following new section: 70A Stat. 147; 86 Stat. 1154. 10 USC 2661.

"Section 2684. Construction of family quarters; limitations on space

"(a) In the construction of family quarters for members of the Armed Forces, the following are the maximum space limitations:

"Pay grade	Number of bedrooms	Net floor area (square feet)
O–7 and above	4	2, 100
O–6	4	1, 700
O–4 and O–5	4	1, 550
	3	1, 400
O–1 through O–3; W–1 through W–4; and E–7 through E–9	5	1, 550
	4	1, 450
	3	1, 350
	2	950
E–1 through E–6	5	1, 550
	4	1, 350
	3	1, 200
	2	950

As used in this section 'net floor area' means the space inside the exterior walls, excluding: basement; service space instead of basement; attic; garage; carport; porches; and stairwells. "Net floor area."

"(b) The maximum limitations prescribed by subsection (a) are increased by 10 per centum for quarters of the commanding officer of any station, air base, or other installation, based on the grade authorized for that position.

"(c) The maximum limitations for family quarters constructed for key and essential civilian personnel are the same as those for military personnel of comparable grade, as determined by the Secretary of Defense.

"(d) The maximum net floor area prescribed by subsection (a) may be increased up to 5 per centum if the Secretary of Defense, or his designee, determines that such increase is in the best interest of the Government to permit award of a turnkey construction project to the contractor offering the most satisfactory proposal. Any increase made under subsection (b) when combined with an increase under this subsection may not exceed an aggregate of 10 per centum."

(b) The analysis of such chapter 159 is amended by adding at the end thereof the following:

"2684. Construction of family quarters; limitations on space."

(c) Chapter 449 of title 10, United States Code, is amended by repealing section 4774, except for subsection (d) thereof, which subsection remains with the "(d)" deleted; and by revising the catchline Repeal. 70A Stat. 269. 10 USC 4774.

of such section and the corresponding item in the analysis to read: "Construction: limitations".

Repeals. 70A Stat. 468.

(d) Chapter 649 of title 10, United States Code, is amended by repealing sections 7574 and 7575 and by striking out the corresponding items in the analysis.

Repeal. 70A Stat. 590.

(e) Chapter 949 of title 10, United States Code, is amended by repealing section 9774, except subsection (d) thereof, which subsection remains with the "(d)" deleted; and by revising the catchline of such section and the corresponding item in the analysis to read: "Construction: limitations".

Warren AFB, Wyo., claims settlement.

SEC. 510. Notwithstanding the provisions of any other law, the Secretary of the Air Force is authorized to settle claims regarding repairs and improvements to public quarters at F. E. Warren Air Force Base, Wyoming, in the amount of $41,221.92.

Appropriations.

SEC. 511. There is authorized to be appropriated for use by the Secretary of Defense, or his designee, for military family housing as authorized by law for the following purposes:

(1) for construction and acquisition of family housing, including improvements to adequate quarters, improvements to inadequate quarters, minor construction, relocation of family housing, rental guarantee payments, construction and acquisition of mobile home facilities, and planning, an amount not to exceed $345,246,000; and

(2) for support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payment to the Commodity Credit Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed $826,793,000.

84 Stat. 1865.

State of Hawaii, land conveyance.

SEC. 512. (a) Notwithstanding any other provision of law, the Secretary of the Army, or his designee, is hereby authorized to convey to the State of Hawaii, subject to the terms and conditions hereafter stated, and to such other terms and conditions as the Secretary of the Army, or his designee, shall deem to be in the public interest, all right, title, and interest of the United States in and to certain land, with improvements thereon, within the Fort Ruger Military Reservation, Hawaii, as described in subsection (c).

Payment.

(b) In consideration for the conveyance by the United States of the aforesaid property, the State of Hawaii shall provide for, convey, or pay to the United States, either in facilities and services or money or a combination thereof, as determined by the Secretary of the Army, a sum equal to the appraised fair market value of the property to be conveyed. The facilities and services so provided shall be utilized, and money so paid shall be credited to applicable accounts which shall then be available, for site preparation and improvement of the Aliamanu Military Reservation, Oahu, Hawaii, including roads and streets, utilities, and other community facilities suitable for the support of a military family housing development. The site preparation and improvements shall be in accordance with plans and specifications to be approved by the Secretary of the Army or his designee.

Aliamanu Military Reservation, Oahu, Hawaii, improvement.

(c) The lands authorized to be conveyed to the State of Hawaii as provided in subsection (a) comprise approximately fifty-seven acres with improvements thereon as generally depicted on maps on file in the Office of the United States Army Engineer, Pacific Ocean Division, Honolulu, Hawaii. The exact description and acreage of the land to be conveyed shall be determined by an accurate survey as mutually agreed

upon between the State of Hawaii and the Secretary of the Army, or his designee.

(d) Notwithstanding any other provision of law, the cost of the site preparation, roads and streets, utilities, and other support facilities borne by the State of Hawaii, as provided herein shall not be considered in arriving at the average cost of any family housing units or the cost of any single family housing unit to be constructed on the property. Family housing limitations.

(e) Public Law 91-564, approved December 19, 1970, is hereby repealed. Repeal. 84 Stat. 1479.

SEC. 513. (a) There is authorized to be appropriated for use by the Secretary of Defense for the purposes of section 1013 of Public Law 89-754 (80 Stat. 1255, 1290), including acquisition of properties, an amount not to exceed $7,000,000. Appropriation. 86 Stat. 1150. 42 USC 3374.

(b) Such section 1013 is further amended by adding the following new subsection:

"(m) In addition to the coverage provided above, the benefits of this section shall apply, as to closure actions in the several States and the District of Columbia announced after April 1, 1973, to otherwise eligible employees or personnel who are (1) employed or assigned either at or near the base or installation affected by the closure action, and (2) are required to relocate, due to transfer, reassignment or involuntary termination of employment, for reasons other than the closure action."

TITLE VI

GENERAL PROVISIONS

SEC. 601. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774 and 9774 of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise. Construction authority. Waiver of restrictions. 70A Stat. 269, 590.

SEC. 602. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V shall not exceed— Appropriation.

(1) for title I: Inside the United States, $485,827,000; outside the United States, $107,257,000; section 102, $3,000,000; or a total of $596,084,000,

(2) for title II: Inside the United States, $511,606,000; outside the United States, $58,833,000; or a total of $570,439,000.

(3) for title III: Inside the United States, $238,439,000; outside the United States, $21,302,000; section 302, $1,000,000; or a total of $260,741,000.

(4) for title IV: A total of $10,000,000.

(5) for title V: Military family housing and homeowners assistance, $1,179,039,000.

Cost variations.

SEC. 603. (a) Except as provided in subsection (b), any of the amounts specified in titles I, II, III, and IV of this Act, may, in the discretion of the Secretary concerned, be increased by 5 per centum when inside the United States (other than Hawaii and Alaska), and by 10 per centum when outside the United States or in Hawaii and Alaska, if he determines that such increase (1) is required for the sole purpose of meeting unusual variations in cost, and (2) could not have been reasonably anticipated at the time such estimate was submitted to the Congress. However, the total cost of all construction and acquisition in each such title may not exceed the total amount authorized to be appropriated in that title.

(b) When the amount named for any construction or acquisition in title I, II, III, or IV of this Act involves only one project at any military installation and the Secretary of Defense, or his designee, determines that the amount authorized must be increased by more than the applicable percentage prescribed in subsection (a), the Secretary concerned may proceed with such construction or acquisition if the amount of the increase does not exceed by more than 25 per centum the amount named for such project by the Congress.

(c) Subject to the limitations contained in subsection (a), no individual project authorized under title I, II, III, or IV of this Act for any specifically listed military installation may be placed under contract if—

(1) the estimated cost of such project is $250,000 or more, and

(2) the current working estimate of the Department of Defense, based upon bids received, for the construction of such project exceeds by more than 25 per centum the amount authorized for such project by the Congress, until after the expiration of thirty days from the date on which a written report of the facts relating to the increased cost of such project, including a statement of the reasons for such increase, has been submitted to the Committees on Armed Services of the House of Representatives and the Senate.

Report to congressional committees.

Annual report to Congress.

(d) The Secretary of Defense shall submit an annual report to the Congress identifying each individual project which has been placed under contract in the preceding twelve-month period and with respect to which the then current working estimate of the Department of Defense based upon bids received for such project exceeded the amount authorized by the Congress for that project by more than 25 per centum. The Secretary shall also include in such report each individual project with respect to which the scope was reduced in order to permit contract award within the available authorization for such project. Such report shall include all pertinent cost information for each individual project, including the amount in dollars and percentage by which the current working estimate based on the contract price for the project exceeded the amount authorized for such project by the Congress.

Contract supervision.

SEC. 604. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, or the Naval Facilities Engineering Command, Department of the Navy, or such other department or Government agency as the Secretaries of the military departments recommend and the Secretary of Defense approves to assure the most efficient, expeditious, and cost-effective accomplishment of the construction herein authorized. The Secretaries of the military departments shall report annually to the President of the Senate and

Reports to Congress.

the Speaker of the House of Representatives a breakdown of the dollar value of construction contracts completed by each of the several construction agencies selected, together with the design, construction supervision, and overhead fees charged by each of the several agents in the execution of the assigned construction. Further, such contracts (except architect and engineering contracts which, unless specifically authorized by the Congress, shall continue to be awarded in accordance with presently established procedures, customs, and practice) shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. The Secretaries of the military departments shall report annually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

70A Stat. 127.
10 USC 2301.
Reports to Congress.

SEC. 605. As of October 1, 1974, all authorizations for military public works, including family housing, to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in titles I, II, III, IV, and V of the Act of October 25, 1972, Public Law 92–545 (86 Stat. 1135), and such authorizations contained in Acts approved before October 26, 1972, and not superseded or otherwise modified by a later authorization are repealed except—

Public works authorizations. Repeals.

Exceptions.

(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

(2) authorizations for public works projects as to which appropriated funds have been obligated for construction contracts, land acquisition, or payments to the North Atlantic Treaty Organization, in whole or in part, before October 1, 1974, and authorizations for appropriations therefor;

(3) notwithstanding the repeal provisions of section 705(b) of the Act of October 25, 1972, Public Law 92–545 (86 Stat. 1135, 1153), all authorizations for construction of family housing, including mobile home facilities, all authorizations to accomplish alterations, additions, expansion, or extensions to existing family housing, and all authorizations for related facilities projects under said Act are hereby continued and shall remain in effect until October 1, 1974; and

(4) notwithstanding the repeal provisions of section 705(a) of the Act of October 25, 1972, Public Law 92–545 (86 Stat. 1135, 1153), authorizations for the following items which shall remain in effect until October 1, 1975:

(A) Enlisted women's barracks construction in the amount of $437,000 for Fort Rucker, Alabama, that is contained in title I, section 101, under the heading "INSIDE THE UNITED STATES" of the Act of October 27, 1971 (85 Stat. 394, 395), as amended.

(B) Airfield expansion in the amount of $882,000 for the United States Army Security Agency, that is contained in title I, section 101, under the heading "OUTSIDE THE UNITED STATES" of the Act of October 27, 1971 (85 Stat. 394, 395), as amended.

(C) Environmental Health Effects Laboratory in the amount of $4,500,000 for the Naval Medical Research Insti-

tute, Bethesda, Maryland, that is contained in title II, section 201, under the heading "INSIDE THE UNITED STATES" of the Act of October 27, 1971 (85 Stat. 394, 397).

Unit cost limitations.

SEC. 606. None of the authority contained in titles I, II, III, and IV of this Act shall be deemed to authorize any building construction projects inside the United States in excess of a unit cost to be determined in proportion to the appropriate area construction cost index, based on the following unit cost limitations where the area construction index 1.0:

(1) $28.50 per square foot for permanent barracks;

(2) $30.50 per square foot for bachelor officer quarters;

unless the Secretary of Defense or his designee determines that because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable. Notwithstanding the limitations contained in prior military construction authorization Acts on unit costs, the limitations on such costs contained in this section shall apply to all prior authorizations for such construction not heretofore repealed and for which construction contracts have not been awarded prior to the date of enactment of this Act.

Retroactive provision.

Camp Pendleton, Calif., prohibition.

86 Stat. 1154.

SEC. 607. Section 709 of Public Law 92-145 (85 Stat. 394, 414), as amended, is amended to read as follows:

"SEC. 709. Notwithstanding any other provision of law, none of the lands constituting Camp Pendleton, California, may be sold, transferred, or otherwise disposed of by the Department of Defense unless hereafter authorized by law, but the Secretary of the Navy, or his designee, may, with respect to such lands, grant leases, licenses, or easements pursuant to chapter 159 of title 10, United States Code, and section 961 of title 43, United States Code."

Infra.

66 Stat. 95.

SEC. 608. Chapter 159 of title 10, United States Code, is amended as follows:

72 Stat. 1459. 10 USC 2674.

(1) Section 2674(f) is amended by striking out the phrase "every six months" in the second line and inserting "annually" in place thereof.

10 USC 2676.

(2) Section 2676 is amended by adding at the end thereof a new sentence as follows: "The foregoing limitation shall not apply to the acceptance by a military department of real property acquired under the authority of the Administrator of General Services to acquire property by the exchange of Government property pursuant to the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.)."

63 Stat. 377.

Safeguard site, Malmstrom AFB, unobligated funds, use.

SEC. 609. The Secretary of Defense is authorized to use any unobligated funds, not in excess of $1,500,000, heretofore appropriated to carry out the provisions of section 610 of the Military Construction Authorization Act, 1971 (84 Stat. 1224) for the purpose of assisting communities near Malmstrom Air Force Base, Great Falls, Montana, to pay their respective shares of the cost under any Federal program providing assistance for the adoption, to the needs and uses of such communities, of the water system, and appurtenances thereto, installed to support the Safeguard Antiballistic Missile site near such air force base.

Bolling-Anacostia Complex, D.C., construction.

SEC. 610. (a) Notwithstanding any other provision of law, the Secretary of Defense, in consultation with the National Capital Planning Commission and other interested agencies, but without being subject to the approval of such Commission or any other agency, is directed, within available authorizations and appropriations, to proceed with

the further planning, development, and construction of the Bolling-Anacostia Complex. The Secretary shall use as a guide to such further planning and development the Bolling-Anacostia Base Development Concept included with the final environmental impact statement filed with the Council on Environmental Quality on July 26, 1973, under the provisions of section 102(2)(C) of the National Environmental Policy Act of 1969.

83 Stat. 852.
42 USC 4332.

(b) Section 607(b) of Public Law 89–188, as amended, is amended by deleting "January 1, 1975" wherever it appears, and inserting in lieu thereof "January 1, 1980".

79 Stat. 818.

San Antonio Country Club, Tex., land conveyance.

SEC. 611. (a) The Secretary of the Army, or his designee, is authorized to convey to the San Antonio Country Club, subject to such terms and conditions as the Secretary of the Army, or his designee, may deem to be in the public interest, all rights, title, and interest of the United States, except as retained in this section, in and to certain two parcels of land containing, in the aggregate, 2.39 acres, more or less, situated in the county of Bexar, State of Texas, being part of the Fort Sam Houston Military Reservation, and more particularly described as follows:

PARCEL NO. 1

From boundary marker numbered B–88 for Fort Sam Houston, said point being a northwest corner for Fort Sam Houston and a southeast corner for San Antonio Country Club property, along the common line between said San Antonio Country Club and United States of America properties, north 16 degrees 50 minutes east, 48.3 feet to boundary marker numbered B–87;

Thence north 15 degrees 11 minutes east, 546.15 feet to a point in the common line between said San Antonio Country Club and United States of America properties, said point being located north 78 degrees 10 minutes west, 298 feet from boundary marker numbered B–81;

Thence north 04 degrees 36 minutes east, 623.49 feet to a point in the common line between said San Antonio Country Club properties for the point of beginning, said point of beginning being located north 68 degrees 59 minutes west, 695 feet from boundary marker numbered B–79;

Thence along the common line between said San Antonio Country Club and United States of America properties as follows: north 68 degrees 59 minutes west, 300 feet to boundary marker numbered B–78;

Thence north 00 degrees 32 minutes west, 1197.6 feet to boundary marker numbered B–77 for the corner common to said San Antonio Country Club and United States of America properties, situated in the south right-of-way line for Burr Road;

Thence departing from said common line, along the south right-of-way line for said Burr Road, north 89 degrees 58 minutes east, 50 feet to a point;

Thence south 00 degrees 32 minutes east, 1028.08 feet to a point;

Thence south 21 degrees 26 minutes east, 114.79 feet to a point;

Thence south 48 degrees 05 minutes east, 254.90 feet to the point of beginning, containing 1.73 acres, more or less.

PARCEL NO. 2

From boundary marker numbered B–88 for Fort Sam Houston, said point being a northwest corner for Fort Sam Houston and a southeast corner for San Antonio Country Club property, along the common

line between said San Antonio Country Club and United States of America properties, north 16 degrees 50 minutes east, 48.3 feet to boundary marker B–87 for the point of beginning;

Thence along the common line between said San Antonio Country Club and United States of America properties as follows: north, 102.2 feet to boundary marker numbered B–86;

Thence north 07 degrees 15 minutes east, 117.4 feet to boundary marker numbered B–85;

Thence north 12 degrees 30 minutes east, 88.1 feet to boundary marker numbered B–84;

Thence north 07 degrees 10 minutes west, 168.4 feet to boundary marker numbered B–83;

Thence north 51 degrees 05 minutes east, 104.4 feet to boundary marker numbered B–82;

Thence south 78 degrees 10 minutes east, 50 feet to a point;

Thence departing from said common line, south 15 degrees 11 minutes west, 546.15 feet to the point of beginning, containing 0.66 acre, more or less.

(b) In consideration for the conveyance by the United States of America of the property described in subsection (a), the San Antonio Country Club shall convey to the United States, for incorporation with the Fort Sam Houston Military Reservation, a parcel of land containing 6.47 acres, more or less, being described as follows:

From boundary marker numbered B–88 for Fort Sam Houston, said point being a northwest corner for Fort Sam Houston and a southeast corner for San Antonio Country Club property, along the common line between said San Antonio Country Club and United States of America properties, north 16 degrees 50 minutes east, 48.3 feet to boundary marker numbered B–87;

Thence north 15 degrees 11 minutes east, 546.15 feet to the point of beginning, situated in the common line between said San Antonio Country Club and United States of America properties, said point of beginning being located south 78 degrees 10 minutes east, 50 feet from boundary marker numbered B–82;

Thence north 04 degrees 36 minutes east, 623.49 feet to a point in the common line between said San Antonio Country Club and United States of America properties, said point being located south 68 degrees 59 minutes east, 300 feet from boundary marker numbered B–78;

Thence along said common line as follows: south 68 degrees 59 minutes east, 695 feet to boundary marker numbered B–79 for a re-entrant corner for said United States of America property and a northeast corner for said San Antonio Country Club property;

Thence south 44 degrees 07 minutes west, 333.7 feet to boundary marker numbered B–80;

Thence south 42 degrees 04 minutes west, 261 feet to boundary marker numbered B–81 for a re-entrant corner for said United States of America property and a southeast corner for said San Antonio Country Club property;

Thence north 78 degrees 10 minutes west, 298 feet to the point of beginning containing 6.47 acres, more or less.

(c) The legal descriptions in subsections (a) and (b) may be modified as agreed upon by the Secretary, or his designee, and the San Antonio Country Club, consistent with any necessary changes which may be disclosed as a result of accurate survey.

(d) The conveyance of property authorized in subsection (a) of this section shall be subject to the following provisions, conditions, and

reservations, which shall be incorporated in the deed of conveyance to be executed by the Secretary of the Army:

(1) Reservation to the United States of rights-of-way for any existing utility lines or access roads.

(2) Provision that the grantee, in accepting the deed, shall agree (A) to relocate fences between its property and the boundary lines of Fort Sam Houston, at no expense to the United States, and (B) to hold the United States harmless from any damage that may result from drainage from the property conveyed to the United States under subsection (b).

(e) All expenses for surveys and the preparation and execution of legal documents necessary or appropriate to carry out the provisions of this section shall be borne by the San Antonio Country Club.

Citation of titles.

SEC. 612. Titles I, II, III, IV, V, and VI of this Act may be cited as the "Military Construction Authorization Act, 1974".

TITLE VII

RESERVE FORCES FACILITIES

70A Stat. 120. 10 USC 2231.

SEC. 701. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) For the Department of the Army:

(a) Army National Guard of the United States, $29,900,000.

(b) Army Reserve, $35,900,000.

(2) For the Department of the Navy: Naval and Marine Corps Reserves, $21,458,000.

(3) For the Department of the Air Force:

(a) Air National Guard of the United States, $16,000,000.

(b) Air Force Reserve, $9,000,000.

70A Stat. 269, 590.

SEC. 702. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774 and 9774 of title 10, United States Code. The authority to place permanent or temporary improvements on lands includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

Fort DeRussy, Hawaii, replacement facilities.

SEC. 703. With respect to the preceding authorization contained in section 701 for the Army Reserve, no portion of such authorization or any other prior Army Reserve authorization granted by the Congress may be utilized to construct replacement facilities for Army Reserve

units at Fort DeRussy, Hawaii, at any location other than Fort DeRussy.

Citation of title.

SEC. 704. This title may be cited as the "Reserve Forces Facilities Authorization Act, 1974".

Approved November 29, 1973.

Public Law 93-167

November 29, 1973
[H. R. 5777]

AN ACT

To require that reproductions and imitations of coins and political items be marked as copies or with the date of manufacture.

Hobby Protection Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Hobby Protection Act".

MARKING REQUIREMENTS

SEC. 2. (a) POLITICAL ITEMS.—The manufacture in the United States, or the importation into the United States, for introduction into or distribution in commerce of any imitation political item which is not plainly and permanently marked with the calendar year in which such item was manufactured, is unlawful and is an unfair or deceptive act or practice in commerce under the Federal Trade Commission Act.

38 Stat. 717.
15 USC 58.

(b) COINS AND OTHER NUMISMATIC ITEMS.—The manufacture in the United States, or the importation into the United States, for introduction into or distribution in commerce of any imitation numismatic item which is not plainly and permanently marked "copy", is unlawful and is an unfair or deceptive act or practice in commerce under the Federal Trade Commission Act.

(c) REGULATIONS.—The Federal Trade Commission shall prescribe rules for determining the manner and form in which items described in subsection (a) or (b) shall be permanently marked.

(d) EXEMPTION.—Subsections (a) and (b), and regulations under subsection (c), shall not apply to any common carrier or contract carrier or freight forwarder with respect to an imitation political item or imitation numismatic item received, shipped, delivered, or handled by it for shipment in the ordinary course of its business.

PRIVATE ENFORCEMENT

SEC. 3. If any person violates section 2 (a) or (b) or a rule under section 2(c), any interested person may commence a civil action for injunctive relief restraining such violation, and for damages, in any United States District Court for a district in which the defendant resides or has an agent. In any such action, the court may award the costs of the suit, including reasonable attorneys' fees.

ENFORCEMENT BY FEDERAL TRADE COMMISSION

SEC. 4. (a) Except as provided in section 3, this Act shall be enforced by the Federal Trade Commission under the Federal Trade Commission Act.

(b) The Commission shall prevent any person from violating the provisions of this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act; and any such person violating the provisions of this Act shall be subject to the penalties and entitled to the privileges and immunities provided in said Federal Trade Commission Act, in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though the applicable terms and provisions of the said Federal Trade Commission Act were incorporated into and made a part of this Act.

IMPORTS

SEC. 5. Any item imported into the United States in violation of section 2 (a) or (b) or regulations under section 2(c) shall be subject to seizure and forfeiture under the customs laws.

APPLICATION OF OTHER LAW

SEC. 6. The provisions of this Act are in addition to, and not in substitution for or limitation of, the provisions of any other law of the United States or of the law of any State.

DEFINITIONS

SEC. 7. For purposes of this Act:

(1) The term "original political item" means any political button, poster, literature, sticker, or any advertisement produced for use in any political cause.

(2) The term "imitation political item" means an item which purports to be, but in fact is not, an original political item, or which is a reproduction, copy, or counterfeit of an original political item.

(3) The term "original numismatic item" means anything which has been a part of a coinage or issue which has been used in exchange or has been used to commemorate a person or event. Such term includes coins, tokens, paper money, and commemorative medals.

(4) The term "imitation numismatic item" means an item which purports to be, but in fact is not, an original numismatic item or which is a reproduction, copy, or counterfeit of an original numismatic item.

(5) The term "commerce" has the same meaning as such term has under the Federal Trade Commission Act.

(6) The term "Commission" means the Federal Trade Commission.

(7) The term "United States" means the States, the District of Columbia, and the Commonwealth of Puerto Rico.

EFFECTIVE DATE

SEC. 8. This Act shall apply only to imitation political items and imitation numismatic items manufactured after the date of enactment of this Act.

Approved November 29, 1973.

Public Law 93-168

November 29, 1973
[S. 2681]

AN ACT

To authorize appropriations for the United States Information Agency.

United States Information Agency Appropriations Authorization Act of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United States Information Agency Appropriations Authorization Act of 1973".

SEC. 2. (a) There are authorized to be appropriated for the United States Information Agency for fiscal year 1974, to carry out international informational activities and programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, and Reorganization Plan Numbered 8 of 1953, and other purposes authorized by law, the following amounts:

62 Stat. 6.
22 USC 1431 note.
75 Stat. 527.
22 USC 2451 note.
67 Stat. 642.
22 USC 1461 note.

(1) $194,839,000 for "Salaries and expenses" and "Salaries and expenses (special foreign currency program)", except that so much of such amount as may be appropriated for "Salaries and expenses (special foreign currency program)" may be appropriated without fiscal year limitation;

(2) $5,125,000 for "Special international exhibitions" and "Special international exhibitions (special foreign currency program)", of which not to exceed $1,000,000 shall be available solely for the Eighth Series of Traveling Exhibitions in the Union of Soviet Socialist Republics; and

(3) $1,000,000 for "Acquisition and construction of radio facilities".

Amounts appropriated under paragraphs (2) and (3) of this subsection are authorized to remain available until expended.

(b) In addition to amounts authorized by subsection (a) of this section, there are authorized to be appropriated without fiscal year limitation for the United States Information Agency for the fiscal year 1974 the following additional or supplemental amounts:

(1) not to exceed $7,200,000 for increases in salary, pay, retirement, or other employee benefits authorized by law; and

(2) not exceed $7,450,000 for additional overseas costs resulting from the devaluation of the dollar.

SEC. 3. Section 701 of the United States Information and Educational Exchange Act of 1948 is amended to read as follows:

86 Stat. 35, 494.
22 USC 1476.

"PRIOR AUTHORIZATION BY CONGRESS

"SEC. 701. (a) Notwithstanding any provision of law enacted before the date of enactment of the United States Information Agency Appropriation Authorization Act of 1973, no money appropriated to carry out this Act shall be available for obligation or expenditure—

"(1) unless the appropriation thereof has been previously authorized by law; or

"(2) in excess of an amount previously prescribed by law.

"(b) To the extent that legislation enacted after the making of an appropriation to carry out this Act authorizes the obligation or expenditure thereof, the limitation contained in subsection (a) shall have no effect.

"(c) The provisions of this section shall not be superseded except by a provision of law enacted after the date of enactment of the United States Information Agency Appropriation Authorization Act of 1973, which specifically repeals, modifies, or supersedes the provisions of this section.

"(d) The provisions of this section shall not apply with respect to appropriations made available under the joint resolution entitled "Joint resolution making continuing appropriations for the fiscal year 1974, and for other purposes", approved July 1, 1973, and any provision of law specifically amending such joint resolution enacted through October 16, 1973.". *Ante*, pp. 130, 449.

SEC. 4. The United States Information Agency shall, upon request by Little League Baseball, Incorporated, authorize the purchase by such corporation of copies of the film "Summer Fever", produced by such agency in 1972 depicting events in Little League Baseball in the United States. Except as otherwise provided by section 501 of the United States Information and Educational Exchange Act of 1948, Little League Baseball, Incorporated, shall have exclusive rights to distribute such film for viewing within the United States in furtherance of the object and purposes of such corporation as set forth in section 3 of the Act entitled "An Act to incorporate the Little League Baseball, Incorporated", approved July 16, 1964 (78 Stat. 325). Film "Summer Fever," purchase of copies. 62 Stat. 9; 86 Stat. 494. 22 USC 1461.

Approved November 29, 1973.

Public Law 93-169

AN ACT

November 29, 1973
[H. R. 10366]

To amend title 10, United States Code, to remove the four-year limitation on additional active duty that a nonregular officer of the Army or Air Force may be required to perform on completion of training at an educational institution.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 4301(b) and 9301(b) of title 10, United States Code, are each amended by striking out "but not longer than four years" in the sentence. Army or Air Force nonregular officers. 70A Stat. 234, 559.

Approved November 29, 1973.

Public Law 93-170

AN ACT

November 29, 1973
[H. R. 10369]

To amend title 37, United States Code, to provide entitlement to round trip transportation to the home port for a member of the uniformed services on permanent duty aboard a ship being inactivated away from home port whose dependents are residing at the home port.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 7 of title 37, United States Code, is amended as follows: Uniformed Services. Travel allowances. 84 Stat. 53. 37 USC 406b.

(1) The text of section 406b is amended by inserting "or inactivated" after "overhauled" and "or inactivation" after "overhaul" wherever they appear.

(2) The catchline of section 406b is amended by inserting "or inactivating" after "overhauling", and by making a similar change in the analysis of chapter 7.

Approved November 29, 1973.

Public Law 93-171

November 29, 1973
[H. R. 7582]

AN ACT

To amend title 10, United States Code, to entitle the Delegates in Congress from Guam and the Virgin Islands to make appointments to the service academies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 403 of title 10, United States Code, is amended as follows:

U.S. Service academies. Appointments. 78 Stat. 148. 10 USC 4342.

(1) Section 4342(a)(6) is amended to read as follows:

"(6) One cadet from the Virgin Islands, nominated by the Delegate in Congress from the Virgin Islands."

(2) Section 4342(a)(9) is amended to read as follows:

"(9) One cadet from Guam, nominated by the Delegate in Congress from Guam."

(3) Section 4342(a) is amended by inserting the following new clause after clause (9):

"(10) One cadet from American Samoa nominated by the Secretary of the Army upon recommendation of the Governor of American Samoa."

(4) Section 4342(f) is amended by striking out "or Territory" and "and (9)" and inserting ", (9) and (10)" in place of "and (9)".

10 USC 4343.

(5) Section 4343 is amended by striking out "(2)–(8)" and inserting in place thereof "(2)–(9)".

SEC. 2. Chapter 603 of title 10, United States Code, is amended as follows:

70A Stat. 429. 10 USC 6954.

(1) Section 6954(a)(6) is amended to read as follows:

"(6) One from the Virgin Islands, nominated by the Delegate in Congress from the Virgin Islands."

76 Stat. 547.

(2) Section 6954(a)(9) is amended to read as follows:

"(9) One from Guam, nominated by the Delegate in Congress from Guam."

(3) Section 6954(a) is amended by inserting the following new clause after clause (9):

"(10) One from American Samoa nominated by the Secretary of the Navy upon recommendation of the Governor of American Samoa."

70A Stat. 430; 78 Stat. 151. 10 USC 6956. 76 Stat. 547. 10 USC 6958.

(4) Section 6956(e) is amended by striking out "(2)–(8)" and inserting in place thereof "(2)–(9)".

(5) Section 6958(b) is amended by striking out "or Territory" and "and (9)" and inserting ", (9) and (10)" in place of "and (9)".

SEC. 3. Chapter 903 of title 10, United States Code, is amended as follows:

78 Stat. 151. 10 USC 9342.

(1) Section 9342(a)(6) is amended to read as follows:

"(6) One cadet from the Virgin Islands, nominated by the Delegate in Congress from the Virgin Islands."

(2) Section 9342(a)(9) is amended to read as follows:

"(9) One cadet from Guam, nominated by the Delegate in Congress from Guam."

(3) Section 9342 is amended by inserting the following new clause after clause (9):

"(10) One cadet from American Samoa nominated by the Secretary of the Air Force upon recommendation of the Governor of American Samoa."

(4) Section 9342(f) is amended by striking out "or Territory" and "and (9)" and inserting ", (9) and (10)" in place of "and (9)".

(5) Section 9343 is amended by striking out "(2)–(8)" and inserting in place thereof "(2)–(9)". 78 Stat. 153. 10 USC 9343.

SEC. 4. The amendments made by this Act shall be effective beginning with the nominations for appointments to the service academies in the calendar year 1974. Effective date.

Approved November 29, 1973.

Public Law 93-172

AN ACT

November 30, 1973 [H. R. 10937]

To extend the life of the June 5, 1972, grand jury of the United States District Court for the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding rule 6(g) of the Federal Rules of Criminal Procedure, or any other law, rule, or regulation, the term of the grand jury of the United States District Court for the District of Columbia which was impaneled on June 5, 1972, is extended to June 4, 1974. If the United States District Court for the District of Columbia determines that the business of the grand jury will not be completed by that date, that court is authorized to extend its term for an additional six months. U.S. District Court for the District of Columbia. Grand jury of June 5, 1972, extension. 18 USC app.

(b) If the United States District Court for the District of Columbia fails to extend the term of the grand jury beyond the statutory extension period ending June 4, 1974, the Chief Judge of the United States Court of Appeals for the District of Columbia Circuit may extend its term for an additional six months on application by the grand jury upon the affirmative vote of a majority of its members that it has not completed its business. Upon the making of such an application by the grand jury, its term shall continue until the Chief Judge of the United States Court of Appeals for the District of Columbia Circuit enters an appropriate order. In no event shall the term of the grand jury extend beyond December 4, 1974. Expiration date.

Approved November 30, 1973.

Public Law 93-173

AN ACT

December 3, 1973 [H. R. 11104]

To provide for a temporary increase of $10,700,000,000 in the public debt limit and to extend the period to which this temporary limit applies to June 30, 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That during the period beginning on the date of the enactment of this Act and ending on June 30, 1974, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act (31 U.S.C. 757b) shall be temporarily increased by $75,700,000,000. Public debt limit. Temporary increase. *Ante*, p. 134.

SEC. 2. Effective on the date of the enactment of this Act, section 101 of the Act of October 27, 1972, providing for a temporary increase in the public debt limit for the fiscal year ending June 30, 1973 (Public Law 92–599), as amended by the first section of Public Law 93–53, is hereby repealed. Repeal; effective date. *Ante*, p. 134.

Approved December 3, 1973.

Public Law 93-174

December 5, 1973
[H. R. 9575]

AN ACT

To provide for the enlistment and commissioning of women in the Coast Guard Reserve, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 3 of title 14, United States Code, is amended as follows:

Coast Guard Reserve.
Women, enlistment and commission.
77 Stat. 174; 84 Stat. 304.

(1) Subsection (a) of section 41a is amended—

(a) by striking the comma in the second sentence following the words "Retired officers" and inserting in lieu thereof the word "and";

(b) by striking from the second sentence the following phrase ", and officers of the Women's Reserve".

77 Stat. 174; 86 Stat. 755.

(2) Subsection (e) of section 42 is amended—

(a) by striking the comma in the second sentence following the words "Coast Guard Academy" and inserting in lieu thereof the word "and";

(b) by striking from the second sentence the phrase ", and of the Women's Reserve".

SEC. 2. Chapter 21 of title 14, United States Code, is amended as follows:

Benefits.
79 Stat. 834.

(1) Subsection (e) of section 755 is amended by striking in the first sentence the words "of the Treasury to be exercised with respect to the Coast Guard when the Coast Guard is operating under the Treasury Department."; and inserting in lieu thereof the words "of Transportation to be exercised with respect to the Coast Guard when the Coast Guard is not operating as a service in the Navy.".

Repeal.
63 Stat. 554; 70A Stat. 626.

(2) Section 762 is repealed.

80 Stat. 197.

(3) Subsection (a) of section 771 is amended to read as follows:

"(a) This subchapter applies only to the Coast Guard Reserve.".

Repeal.
84 Stat. 839.

(4) Subsection (f) of section 775 is repealed.

(5) Subsection (c) of section 780 is amended as follows:

(a) in the first sentence by striking the word "high" and inserting in lieu thereof the word "higher".

(b) in clause (1), by striking the word "male", and by adding the word "and" following the semicolon.

(c) in clause (2), by striking the word "male", and by changing the semicolon to a period.

Repeals.

(d) by repealing clauses (3) and (4).

(6) Subsection (i) of section 780 is repealed.

72 Stat. 1522; 84 Stat. 841.

(7) Subsection (a) of section 787 is amended by striking at the beginning thereof the words "Officers of the Women's Reserve in the grades of lieutenant (junior grade) and lieutenant failing of selection for promotion to the next higher grade, and all other".

Repeal.
84 Stat. 842.
14 USC 796.

(8) Subsection (c) of section 796 is repealed.

SEC. 3. Effective upon enactment of this Act, all members of the women's branch of the Coast Guard Reserve who were serving on active or inactive duty on the day before enactment shall become members of the Coast Guard Reserve without loss of grade, rate, date of rank, or other benefits earned by their prior service.

Approved December 5, 1973.

Public Law 93-175

AN ACT

December 5, 1973
[H. R. 10840]

To amend the Act of August 4, 1950 (64 Stat. 411), to provide salary increases for members of the police force of the Library of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of August 4, 1950 (64 Stat. 411; 2 U.S.C. 167), is amended to read as follows:

Library of Congress.
Police force, salary increase.
82 Stat. 1201.

"That (a) The Librarian of Congress may designate employees of the Library of Congress as special policemen for duty in connection with policing of the Library of Congress buildings and grounds and adjacent streets and shall fix their rates of basic pay as follows:

"(1) Private GS–7—step one through five;
"(2) Sergeant GS–8—step one through five;
"(3) Lieutenant GS–9—step one through five;
"(4) Senior Lieutenant GS–10—step one through five; and
"(5) Captain GS–11—step one through seven.

5 USC 5332 note.

"(b) The Librarian of Congress may apply the provisions of subchapter V of chapter 55 of title 5, United States Code, to members of the special police force of the Library of Congress."

Premium pay.
80 Stat. 485; 86 Stat. 574.
5 USC 5541.

SEC. 2. The amendment made by this Act shall take effect on the first day of the first pay period which begins on or after the date of enactment of this Act.

Effective date.

Approved December 5, 1973.

Public Law 93-176

AN ACT

December 5, 1973
[H. R. 6334]

To provide for the uniform application of the position classification and General Schedule pay rate provisions of title 5, United States Code, to certain employees of the Selective Service System.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5102(b) of title 5, United States Code, is amended by striking out the period at the end thereof and inserting in lieu thereof ", including positions in local boards and appeal boards within the Selective Service System and employees occupying those positions.".

Selective Service System employees.
General Schedule pay and position classification, uniform application.
80 Stat. 444.

SEC. 2. The rate of basic pay of each employee in a position under a local board or appeal board of the Selective Service System on and immediately prior to the effective date of this Act shall be adjusted, as of such effective date, under the provisions of section 5334(d) of title 5, United States Code.

80 Stat. 469.

SEC. 3. Section 10(b)(4) of the Military Selective Service Act (50 App. U.S.C. 460(b)(4)) is amended by—

62 Stat. 618; 64 Stat. 319; 81 Stat. 104.

(1) striking out "the Classification Act of 1949, the compensation" and inserting in lieu thereof "the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates, the basic pay";

80 Stat. 443.
5 USC 5101, 5331.

(2) striking out ": *Provided*, That the compensation of employees of local boards and appeal boards may be fixed without regard to the Classification Act of 1949: *Provided further*,

That" and inserting in lieu thereof ", however,"; and

(3) striking out ": *Provided further*, That an employee of a local board having supervisory duties with respect to other employees of one or more local boards shall be designated as the 'executive secretary' of the local board or boards: *And provided further*, That the term of employment of such 'executive secretary' in such position shall in no case exceed ten years except when reappointed".

Effective date.

SEC. 4. This Act shall take effect not later than the beginning of the first pay period which begins on or after the ninetieth day following the date of the enactment of this Act.

Approved December 5, 1973.

Public Law 93-177

December 6, 1973
[H. R. 9474]

AN ACT

To amend title 38, United States Code, to increase the monthly rates of disability and death pensions and dependency and indemnity compensation, and for other purposes.

Veterans benefits, increases.
85 Stat. 663, 664.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (b) of section 521 of title 38, United States Code, is amended to read as follows:

Unmarried veterans.

"(b) If the veteran is unmarried (or married but not living with and not reasonably contributing to the support of his spouse) and has no child, pension shall be paid according to the following formula: If annual income is $300 or less, the monthly rate of pension shall be $143. For each $1 of annual income in excess of $300 up to and including $800, the monthly rate shall be reduced 3 cents; for each $1 of annual income in excess of $800 up to and including $1,300, the monthly rate shall be reduced 4 cents; for each $1 of annual income in excess of $1,300 up to and including $1,600, the monthly rate shall be reduced 5 cents; for each $1 of annual income in excess of $1,600 up to and including $2,200, the monthly rate shall be reduced 6 cents; for each $1 of annual income in excess of $2,200 up to and including $2,500, the monthly rate shall be reduced 7 cents; and for each $1 of annual income in excess of $2,500 up to and including $2,600, the monthly rate shall be reduced 8 cents. No pension shall be paid if annual income exceeds $2,600.".

Veterans with dependents.

(b) Subsection (c) of such section 521 is amended to read as follows:

"(c) If the veteran is married and living with or reasonably contributing to the support of his spouse, or has a child or children, pension shall be paid according to the following formula: If annual income is $500 or less, the monthly rate of pension shall be $154 for a veteran and one dependent, $159 for a veteran and two dependents, and $164 for three or more dependents. For each $1 of annual income in excess of $500 up to and including $800, the monthly rate shall be reduced 2 cents; for each $1 of annual income in excess of $800 up to and including $2,600, the monthly rate shall be reduced 3 cents; for each $1 of annual income in excess of $2,600 up to and including $3,200, the monthly rate shall be reduced 4 cents; for each $1 of annual income in excess of $3,200 up to and including $3,700, the monthly rate shall be reduced 5 cents; and for each $1 of annual income in excess of $3,700 up to and including $3,800, the monthly rate shall be reduced 6 cents. No pension shall be paid if annual income exceeds $3,800.".

Widows.
85 Stat. 663.

(c) Subsection (b) of section 541 of title 38, United States Code, is amended to read as follows:

"(b) If there is no child, pension shall be paid according to the following formula: If annual income is $300 or less, the monthly rate of pension shall be $96. For each $1 of annual income in excess of $300 up to and including $600, the monthly rate shall be reduced 1 cent; for each $1 of annual income in excess of $600 up to and including $1,400, the monthly rate shall be reduced 3 cents; for each $1 of annual income in excess of $1,400, up to and including $2,600, the monthly rate shall be reduced 4 cents. No pension shall be paid if annual income exceeds $2,600.".

Widow with one child.

(d) Subsection (c) of such section 541 is amended to read as follows:

"(c) If there is a widow and one child, pension shall be paid according to the following formula: If annual income is $700 or less, the monthly rate of pension shall be $114. For each $1 of annual income in excess of $700 up to and including $1,100, the monthly rate shall be reduced 1 cent; for each $1 of annual income in excess of $1,100 up to and including $2,500, the monthly rate shall be reduced 2 cents; for each $1 of annual income in excess of $2,500 up to and including $3,400, the monthly rate shall be reduced 3 cents; and for each $1 of annual income in excess of $3,400 up to and including $3,800, the monthly rate shall be reduced 4 cents. Whenever the monthly rate payable to the widow under the foregoing formula is less than the amount which would be payable to the child under section 542 of this title if the widow were not entitled, the widow will be paid at the child's rate. No pension shall be paid if the annual income exceeds $3,800.".

85 Stat. 664.

SEC. 2. Section 541(d) of title 38, United States Code, is amended by striking "17" and substituting in lieu thereof "18".

Children.

SEC. 3. (a) Section 542(a) of title 38, United States Code, is amended by striking the figures "42" and "17" respectively, and substituting in lieu thereof the figures "44" and "18", respectively.

One parent.
85 Stat. 661.

SEC. 4. (a) Subsection (b) of section 415 of title 38, United States Code, is amended to read as follows:

"(b)(1) Except as provided in paragraph (2) of this subsection, if there is only one parent, dependency and indemnity compensation shall be paid to him according to the following formula: If annual income is $800 or less, the monthly rate of dependency and indemnity compensation shall be $110. For each $1 of annual income in excess of $800 up to and including $1,100, the monthly rate shall be reduced 3 cents; for each $1 of annual income in excess of $1,100 up to and including $1,500, the monthly rate shall be reduced 4 cents; for each $1 of annual income in excess of $1,500 up to and including $1,700, the monthly rate shall be reduced 5 cents; for each $1 of annual income in excess of $1,700 up to and including $2,000, the monthly rate shall be reduced 6 cents; for each $1 of annual income in excess of $2,000 up to and including $2,300, the monthly rate shall be reduced 7 cents; and for each $1 annual income in excess of $2,300 up to and including $2,600, the monthly rate shall be reduced 8 cents. No dependency and indemnity compensation shall be paid if annual income exceeds $2,600.

"(2) If there is only one parent and he has remarried and is living with his spouse, dependency and indemnity compensation shall be paid to him under either the formula of paragraph (1) of this subsection or under the formula in subsection (d), whichever is the greater. In such a case of remarriage the total combined annual income

of the parent and his spouse shall be counted in determining the monthly rate of dependency and indemnity compensation under the appropriate formula.".

Two parents.
85 Stat. 661.

(b) Subsection (c) of such section 415 is amended to read as follows:

"(c) Except as provided in subsection (d), if there are two parents, but they are not living together, dependency and indemnity compensation shall be paid to each according to the following formula: If the annual income of each parent is $800 or less, the monthly rate of dependency and indemnity payable to each shall be $77. For each $1 of annual income in excess of $800 up to and including $1,100, the monthly rate shall be reduced 2 cents; for each $1 of annual income in excess of $1,100 up to and including $1,400, the monthly rate shall be reduced 3 cents; for each $1 of annual income in excess of $1,400 up to and including $2,300, the monthly rate shall be reduced 4 cents; and for each $1 of annual income in excess of $2,300 up to and including $2,600, the monthly rate shall be reduced 5 cents.

No dependency and indemnity compensation shall be paid to a parent whose annual income exceeds $2,600.".

(c) Subsection (d) of such section 415 is amended to read as follows:

"(d) If there are two parents who are living together, or if a parent has remarried and is living with his spouse, dependency and indemnity compensation shall be paid to each such parent according to the following formula: If the total combined annual income is $1,000 or less, the monthly rate of dependency and indemnity compensation payable to each parent shall be $74. For each $1 of annual income in excess of $1,000 up to and including $1,200, the monthly rate shall be reduced 1 cent; for each $1 of annual income in excess of $1,200 up to and including $2,900, the monthly rate shall be reduced 2 cents; and for each $1 of annual income in excess of $2,900 up to and including $3,800, the monthly rate shall be reduced 3 cents. No dependency and indemnity compensation shall be paid to either parent if the total combined annual income exceeds $3,800.".

86 Stat. 394.

SEC. 5. Section 3203(a)(1) of title 38, United States Code, is amended by striking out "30" and inserting in lieu thereof "50".

72 Stat. 1226.

SEC. 6. (a) Subsection (b) of section 3010 of title 38, United States Code, is amended by inserting "(1)" immediately after "(b)", and by adding at the end of said subsection the following new paragraph:

Effective date.

"(2) The effective date of an award of disability pension to a veteran shall be the date of application or the date on which the veteran became permanently and totally disabled, if an application therefor is received within one year from such date, whichever is to the advantage of the veteran.".

(b) Subsection (a) of this section shall apply to applications filed after its effective date, but in no event shall an award made thereunder be effective prior to such effective date.

Brownsville, Tex., incident.

SEC. 7. (a) Any veteran who was dishonorably discharged from the United States Army as the result of an incident that occurred in Brownsville, Texas, on August 13, 1906, and who was not subsequently ruled eligible for reenlistment in the Army by a special Army tribunal decision dated April 6, 1910, shall, upon application made to the Administrator of Veterans' Affairs together with such evidence as the Administrator may require, be paid the sum of $25,000.

(b) Any unremarried widow of any veteran described in subsection (a) of this section shall, upon application made to the Administrator of Veterans' Affairs together with such evidence as the Administrator may require, be paid the sum of $10,000 if such veteran died prior to the date of enactment of this Act or if such veteran failed to make application for payment under subsection (a) after such date of enactment and prior to his death.

(c) Payment authorized to be made under this section in the case of any veteran or widow shall be made by the Secretary of the Army, out of funds available for the payment of retired pay to Army personnel, upon certification by the Administrator of Veterans' Affairs of the entitlement of such veteran or widow to receive such payment. In no case may any payment be made to any veteran or widow under this section unless application for such payment is made within five years after the date of enactment of this Act.

SEC. 8. This Act shall take effect on January 1, 1974. Effective date.

Approved December 6, 1973.

Public Law 93-178

AN ACT

December 10, 1973
[H. R. 11710]

To insure that the compensation and other emoluments attached to the Office of Attorney General are those which were in effect on January 1, 1969.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the compensation and other emoluments attached to the Office of Attorney General shall be those which were in effect on January 1, 1969, notwithstanding the provisions of the salary recommendations for 1969 increases transmitted to the Congress on January 15, 1969, and notwithstanding any other provision of law, or provision which has the force and effect of law, which is enacted or becomes effective during the period from noon, January 3, 1969, through noon, January 2, 1975. Office of the Attorney General. Compensation and other emoluments. 83 Stat. 863. 5 USC 5312 and note.

SEC. 2. (a) Any person aggrieved by an action of the Attorney General may bring a civil action in the appropriate district court to contest the constitutionality of the appointment and continuance in office of the Attorney General on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution. The United States district courts shall have exclusive jurisdiction, without regard to the sum or value of the matter in controversy, to determine the validity of such appointment and continuance in office. USC prec. title 1.

(b) Any action brought under this section shall be heard and determined by a panel of three judges in accordance with the provisions of section 2284 of title 28, United States Code. Any appeal from the action of a court convened pursuant to such section shall lie to the Supreme Court. 62 Stat. 968; 74 Stat. 201.

(c) Any judge designated to hear any action brought under this section shall cause such action to be in every way expedited.

Approved December 10, 1973.

Public Law 93-179

AN ACT

December 11, 1973
[H. R. 7446]

To establish the American Revolution Bicentennial Administration, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as this Nation approaches the bicentennial of its birth and the historic events preceding and associated with the American Revolution which are of American Revolution Bicentennial Administration. Establishment.

such major significance in the development of our national heritage of individual liberty, representative government, and the attainment of equal and inalienable rights and which also had so profound an influence throughout the world, it is appropriate and desirable to provide for the observance and commemoration of this anniversary and for those activities of local, State, National, and international significance to be coordinated, scheduled, and facilitated by a governmental unit, drawing on the resources of public, private, civic, and other organizations for planning and implementation, to insure that the appropriate observances take place.

SEC. 2. (a) There is hereby established an independent establishment to be known as the American Revolution Bicentennial Administration (hereinafter referred to as the "Administration") to coordinate, to facilitate, and to aid in the scheduling of events, activities, and projects of local, State, National, and international significance sponsored by both governmental and nongovernmental entities in commemoration of the American Revolution Bicentennial.

Administrator.

(b) The Administration shall be headed by an Administrator (hereinafter referred to as the "Administrator") who shall be nominated by the President within sixty days after the effective date of this Act and appointed by and with advice and consent of the Senate. The Administrator shall serve at the pleasure of the President and shall be compensated at the rate now or hereafter prescribed for offices or positions at level III of the Executive Schedule.

80 Stat. 460; 83 Stat. 864. 5 USC 5314.

Deputy Administrator.

(c) The President shall appoint a Deputy Administrator by and with the advice and consent of the Senate who shall be compensated at the rate now or hereafter prescribed for offices or positions at level IV of the Executive Schedule. The Deputy Administrator shall perform such duties as the Administrator may prescribe. The Deputy Administrator shall act for and perform the functions of the Administrator during any absence or disability of the Administrator or during a vacancy in the office of the Administrator.

5 USC 5315.

Administrative authority.

(d) The Administrator shall have power to appoint and fix the compensation of such personnel as he deems advisable, however, not more than five such appointments may be placed in grades GS–16, GS–17, and GS–18, to carry out the functions of the Administration. The authority with reference to appointments in grades GS–16, GS–17, and GS–18 will be subject to the procedures prescribed under section 5108 of title 5 of the United States Code, and shall continue only for the duration of the exercise of functions of the Administration. The Administrator shall have power to appoint such advisory committees as he deems necessary.

5 USC 5332 note.

80 Stat. 453; 84 Stat. 1955; 86 Stat. 112.

Experts and consultants. 80 Stat. 416.

(e) The Administrator may procure services as authorized by section 3109, of title 5, United States Code.

(f) The Administrator, to such extent as he deems necessary, may procure supplies, services, and personal property; make contracts; expend funds appropriated, donated, or received in pursuance of contracts hereunder in furtherance of the purposes of this Act; and

exercise those powers that are necessary to enable him to carry out efficiently and in the public interest the purposes of this Act.

Financial and administrative services.

(g) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Administration by the Department of the Interior, for which payment shall be made in advance, or by reimbursement, from funds of the Administration in such amounts as may be agreed upon by the Administrator and the Secretary of the Interior: *Provided*, That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments made to or on behalf of an Administration employee and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Administration: *And provided further*, That the Administrator shall not be required to prescribe such regulations.

Transfer of property.

(h) Any property acquired by the Administration and which remains upon its termination shall be transferred to the Secretary of the Interior for use by him under section 7(b) of this Act, or shall be disposed of by the Secretary as excess or surplus property as otherwise provided by law.

Official symbols, unauthorized use, penalty.

(i) Whoever, except as authorized under rules and regulations issued by the Administrator, knowingly manufactures, reproduces, or uses any logos, symbols, or marks originated under authority of and certified by the Administrator for use in connection with the commemoration of the American Revolution Bicentennial, or any facsimile thereof, or holds out to the public objects in such a manner as to suggest any such logos, symbols, or marks not officially authorized by the Administrator, shall be fined not more than $250 or imprisoned not more than six months or both: *Provided*, That this section shall be applicable upon publication in the Federal Register of notification of certification hereunder by the Administrator with respect to each such logo, symbol, or mark.

Publication in Federal Register.

American Revolution Bicentennial Advisory Council.

Establishment; membership.

SEC. 3. (a) There is hereby established an American Revolution Bicentennial Advisory Council (hereinafter referred to as the "Council") to be composed of twenty-five members appointed by the President, no more than fifteen of whom shall be appointed from the same political party. The members shall serve at the pleasure of the President, and their terms of office shall not extend beyond the termination date of the Administration. Members of the Council shall be chosen from private life and shall be broadly representative of the Nation's people. In appointing persons to the Council, the President shall give due consideration to the contributions, among others, of the Nation's youth, women, elders, racial and ethnic minorities, artists and craftsmen, and learned professions. The Administrator shall serve as an ex officio member of the Council. The Council shall meet at least once every two months and shall hold other meetings at the call of the Chairman, the Administrator, or a majority of its members, and shall render advice to the Administrator on all matters relating to the purposes of this Act.

Meetings.

Vacancies.

(b) Vacancies on the Council shall be filled in the same manner in which original appointments were made.

Expenses.

(c) The Members of the Council shall receive no compensation for their services as such, but shall be allowed such necessary travel expenses and per diem as are authorized for individuals serving without pay under section 5703, of title 5, United States Code.

80 Stat. 499; 83 Stat. 190.

(d) The chairman and vice chairman and other appropriate officers of the Council shall be elected by and from members of the Council other than the Administrator.

Master calendar of events.

SEC. 4. (a) In order to assure a balanced program for the bicentennial commemoration, encompassing the themes of "Heritage '76", "Festival USA", and "Horizons '76", and in furtherance of the purposes outlined in section 2(a) of this Act, the Administration as a primary function shall prepare the master calendar of events of local, State, National, and international significance which will take place between March 1975 and December 31, 1976. In carrying out the purposes of this subsection, the Administrator shall—

Duties.

(1) provide for the bicentennial master calendar or register of programs and projects, and in other ways provide a central clearinghouse for information and coordination regarding dates, events, places, documents, artifacts, and personalities of bicentennial historical and commemorative significance;

(2) coordinate, facilitate, and aid in the scheduling of events, programs, and projects of States and private citizens, and national and international programs, which commemorate the bicentennial; and

(3) develop standards for, and evaluate the feasibility, relevance, status, and desirability of various programs and projects associated with the bicentennial commemoration, acting in conjunction with the Office of Management and Budget in cases where Federal department or agency activities are involved.

(b) In addition the Administrator shall—

(1) provide for the coordination of non-Federal bicentennial programs and projects with appropriate Federal programs and projects;

(2) provide recognition as deemed appropriate in connection with bicentennial related programs or projects;

(3) provide for competitions and similar projects relating to the bicentennial;

(4) provide for the preparation, distribution, dissemination, exhibition, and sale of commemorative medals and other historical, commemorative, and informational materials and objects which will contribute to public information, awareness, and interest in the bicentennial. In preparing the Administration's plans and programs, the Administrator shall give due consideration to any related plans and programs developed by State, local, and private groups, and he may designate special committees with representatives from such bodies to plan, develop, and coordinate specific activities.

(c) In performing the duties set forth in subsections (a) and (b) of this section, the Administrator shall not operate any programs unless specifically authorized by law, but shall limit his functions to stimulating and encouraging appropriate public and private authorities and organizations to assume operational responsibility for particular programs.

(d) In the Administration's planning activities, the Administrator shall give special emphasis to the ideas associated with the Revolution which have been so important in the development of the United States in world affairs and in mankind's quest for freedom.

SEC. 5. (a) In fulfilling his responsibilities, the Administrator is authorized to consult, cooperate with, and seek advice and assistance from (1) the American Revolution Bicentennial Advisory Council and the American Revolution Bicentennial Board, (2) appropriate Federal departments and agencies, State and local public bodies, learned societies, and historical, patriotic, philanthropic, civic, professional, and related organizations, and (3) bicentennial commissions

of the several States, the District of Columbia, the Commonwealth of Puerto Rico and the territories, either collectively or individually. The Administrator may authorize travel as he deems appropriate for representatives and staff of such bicentennial commissions and may pay travel expenses and per diem therefor as authorized for individuals serving without pay under section 5703 of title 5 of the United States Code. Federal departments and agencies are authorized and requested to cooperate with the Administrator in carrying out his duties under this Act.

Expenses.

80 Stat. 499; 83 Stat. 190.

(b) The Chairman of the Federal Council on the Arts and the Humanities, the Chairman of the National Endowment for the Arts, and the Chairman of the National Endowment for the Humanities are authorized and requested to cooperate with the Administrator, especially in the encouragement and coordination of scholarly works and presentations focusing on the history, culture, and political thought of the Revolutionary War period.

(c) The Librarian of Congress, the Secretary of the Smithsonian Institution, and the Archivist of the United States are authorized and requested to cooperate with the Administrator, especially in development and display of exhibits and collections and in the development of bibliographies, catalogs, and other material relevant to the period of the Revolutionary War.

SEC. 6. (a) The Administrator is authorized to accept on behalf of the Administration donations of money, property, or personal services.

Donations.

(b) Any books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other materials donated to the Administration may be deposited for preservation in National, State, or local libraries, archives, museums, or other public or nonprofit institutions or be otherwise disposed of by the Administrator in consultation with the Librarian of Congress, the Secretary of the Smithsonian Institution, the Archivist of the United States, and the Administrator of General Services.

SEC. 7. (a) (1) There are hereby authorized to be appropriated annually to carry out the provisions of this Act, except for the program of grants-in-aid established by section 9(b) of this Act, not to exceed $10,000,000, of which not to exceed $1,375,000 shall be for grants-in-aid pursuant to section 9(a) of this Act.

Appropriation.

(2) For the purpose of carrying out the program of grants-in-aid established by section 9(b) of this Act, there are hereby authorized to be appropriated such sums, not to exceed $20,000,000, as may be necessary, and any funds appropriated pursuant to this paragraph shall remain available until expended, but no later than December 31, 1976.

(b) An annual report of the activities of the Administration, including an accounting of funds received and expended, shall be furnished by the Administrator to the Congress and a final report shall be made to the Congress no later than June 30, 1977. The Administration and the Board shall terminate on June 30, 1977, or on the date of the filing of the final report, whichever is sooner. In order to effect an orderly transfer, the President is authorized to transfer to the Secretary of the Interior on or after January 1, 1977, such powers and functions as he shall deem necessary for a continuation of appropriate commemoration of events relating to the American Revolution until December 31, 1983. All personnel, records, property, and appropriations of the Administration as relate to the transferred functions shall be transferred to the Secretary of the Interior and shall be available for carrying out such transferred functions.

Report to Congress.

Termination date.

Transfer of functions.

SEC. 8. Appropriations or other funds available to the Administration for carrying out the purposes related to or in furtherance of the

Transfer of funds.

bicentennial commemoration may be transferred to another Federal department or agency as may be mutually agreed upon between the Administration and the Federal department or agency concerned. Funds so transferred may be used for direct expenditure or as a working fund, and any such expenditures may be made under the authorities governing the activities of the transferee department or agency or under the authorities of this Act, providing that the activities so funded come within the purposes of this Act.

Grants-in-aid program.

SEC. 9. (a) The Administrator is authorized to carry out a program of grants-in-aid in accordance with and in furtherance of the purposes of this Act. The Administrator may, subject to such regulations as may be prescribed—

(1) make equal grants of appropriated funds in each fiscal year of not to exceed $25,000 to Bicentennial Commissions of each State, territory, the District of Columbia, and the Commonwealth of Puerto Rico, upon application therefor;

(2) make grants of nonappropriated funds to nonprofit entities, including States, territories, the District of Columbia, and the Commonwealth of Puerto Rico (or subdivisions thereof), to assist in developing or supporting bicentennial programs or projects. Such grants may be up to 50 per centum of the total cost of the program or project to be assisted.

(3) in any case where money or property is donated, bequeathed, or devised to the Administration, and accepted by it for the purpose of assisting a nonprofit entity, including States, territories, the District of Columbia, and the Commonwealth of Puerto Rico (or subdivision thereof), for a specific bicentennial program or project, make a grant of the money or property for the purpose specified, plus an amount from otherwise available nonappropriated funds not to exceed the value of the donation, bequest, or devise: *Provided*, That the recipient agrees to match the total value of the grant for such bicentennial program or project.

(b) For the purpose of further assisting each of the several States, the Territories, the District of Columbia, and the Commonwealth of Puerto Rico in developing and supporting bicentennial programs and projects, the Administrator is authorized, out of funds appropriated pursuant to section 7(a)(2) of this Act, to carry out a program of grants-in-aid in accordance with this subsection. Subject to such regulations as may be prescribed and approved by the Board, the Administrator may make grants to each of the several States, Territories, the District of Columbia, and the Commonwealth of Puerto Rico to assist them in developing and supporting bicentennial programs and projects. Each such recipient shall be entitled to not less than $200,000 under this subsection. In no event shall any such grant be made unless matched by the recipient.

American Revolution Bicentennial Board. Establishment; membership.

SEC. 10. (a) There is hereby established the American Revolution Bicentennial Board (hereinafter referred to as the "Board"). The Board shall be composed of eleven members as follows:

(1) the Administrator;

(2) two Members of the House of Representatives appointed by the Speaker of the House of Representatives. Members appointed under this paragraph shall not be of the same political party;

(3) two Members of the Senate appointed by the President of the Senate. Members appointed under this paragraph shall not be of the same political party;

(4) the Chairman and the Vice Chairman of the Council;

(5) the Secretary of the Interior; and

(6) three members appointed by the President from officers or staff of State bicentennial commissions or comparable State bodies.

(b) The members of the Board shall serve for the length of time the Board is in existence. Term.

(c) Any person appointed to fill a vacancy on the Board shall be appointed in the same manner as the member whose vacancy he is filling. Vacancies.

(d) Members of the Board shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of duties vested in the Board, but not exceeding the maximum amounts authorized under section 5703(b) of title 5, United States Code, and, in addition thereto, each member of the Board shall receive $100 per day for each day he is engaged in the performance of duties vested in the Board, including traveltime; however, members of the Board who are officers or employees of the United States shall receive no additional compensation for their services. Expenses. 80 Stat. 499; 83 Stat. 190.

(e) Four members of the Board shall constitute a quorum. Quorum.

(f) The Chairman and Vice Chairman of the Board shall be elected by members of the Board from members of the Board other than the Administrator.

(g) The Board shall meet at least once each month and shall hold other meetings at the call of the Chairman, the Administrator, or a majority of its members. Meetings.

(h) The Board shall be empowered to—

(1) receive advice and information from the Council and the Administrator with respect to the development of policy and guidelines to carry out the purposes of this Act; and

(2) give final approval to grants to be made under the authority of section 9 of this Act;

(3) review, approve, disapprove, or ratify from time to time, all basic policy and guidelines, including the proposed annual budget to be presented by the Administrator, in carrying out the purposes of this Act.

(i) It shall be a duty of the Board to make a continuing study of the activities of the American Revolution Bicentennial Administration. The Board shall, from time to time, but not less than every six months, report to the Committees on the Judiciary of the Senate and the House of Representatives, and to the Senate and the House of Representatives concerning the results of its studies, together with such recommendations as it may deem desirable. It shall make a final report thereon by June 30, 1977. Study. Reports to Congress and congressional committees.

SEC. 11. At the request of the Board, the President may, when he determines it to be in furtherance of the purposes of this Act, direct that the functions authorized under this Act may be performed without regard to such provisions of law or limitations of authority regulating or relating to the making, performance, amendment, or modification of contracts, and the expenditure of Government funds as he may specify.

SEC. 12. Except for members of the Commission, the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held available or to be made available to the American Revolution Bicentennial Commission, established by Public Law 89–491, approved July 4, 1966, and the amendments thereto, shall be transferred to the Administration upon the effective date of this Act to be used for the purposes of this Act and to liquidate Transfer of property. 80 Stat. 259.

any oustanding obligations of the American Revolution Bicentennial Commission.

Interim appointment.

SEC. 13. (a) The President may authorize any person, including any person who immediately prior to the effective date of this Act held a position in the executive branch of the Government, to act as Administrator during the sixty-day period referred to in subsection (b) of section 2 of this Act, or until the office of Administrator is for the first time filled pursuant to the provisions of this Act.

(b) The President may authorize any person who previously held a position in the executive branch of the Government who serves in an acting capacity under the provisions of subsection (a) of this section to receive the compensation attached to the office in respect of which he so serves. Such compensation, if authorized, shall be in lieu of, but not in addition to, other compensation from the United States to which such person may be entitled.

Repeal.

SEC. 14. The joint resolution entitled "Joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes", Public Law 89–491, approved July 4, 1966, as amended, is hereby repealed, and the American Revolution Bicenntenial Commission is hereby abolished.

80 Stat. 259.

SEC. 15. The Act entitled "An Act to provide for the striking of medals in commemoration of the bicentennial of the American Revolution", Public 92–228, approved February 15, 1972, is amended as follows:

86 Stat. 37.

(a) Section 1 of such Act is amended by striking out "American Revolution Bicentennial Commission (hereinafter referred to as the 'Commission')" and inserting in lieu thereof "American Revolution Bicentennial Administration (hereinafter referred to as the 'Administration')".

(b) Section 3 of such Act is amended—

(1) by striking out, in the first and second sentences, "Commission" and inserting in lieu thereof "Administration", and

(2) by striking out, in the second sentence, "December 31, 1983" and inserting in lieu thereof "June 30, 1977".

Effective date.

SEC. 16. The provisions of this Act shall become effective thirty days following the date of enactment.

Approved December 11, 1973.

Public Law 93-180

December 13, 1973
[S. J. Res. 155]

JOINT RESOLUTION

Authorizing the securing of storage space for the United States Senate, the United States House of Representatives, and the Office of the Architect of the Capitol.

U.S. Senate, House of Representatives, and Office of the Architect of the Capitol.
Storage space, procurement authorization.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Architect of the Capitol, with the approval of the House Office Building Commission and Senate Committee on Rules and Administration, is authorized to secure, through rental, lease, or other appropriate agreement, storage space in areas within the District of Columbia and its environs beyond the boundaries of the United States Capitol Grounds for use of the United States Senate, the United States House of Representatives, and the Office of the Architect of the Capitol, under such terms and conditions as such Commission and committee may authorize, and to incur any necessary incidental expenses in connection therewith.

SEC. 2. Any expenditures required to implement the provisions of section 1 shall be paid from the appropriation "Contingent Expenses, Architect of the Capitol" and any funds appropriated under this head shall hereafter be available for such purpose.

Approved December 13, 1973.

Public Law 93-181

AN ACT

December 14, 1973
[H. R. 1284]

To amend title 5, United States Code, to improve the administration of the leave system for Federal employees.

Federal employees.
Leave system, improvement.
80 Stat. 488.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the second sentence of section 5551(a) of title 5, United States Code, is amended by striking out ", except that it may not exceed pay for a period of annual or vacation leave in excess of 30 days or the number of days carried over to his credit at the beginning of the leave year in which entitlement to payment occurs, whichever is greater".

(b) Section 5551(b) of title 5, United States Code, is amended to read as follows:

"(b) The accumulated and current accrued annual leave to which an officer excepted from subchapter I of chapter 63 of this title by section 6301(2)(x)–(xii) of this title, is entitled immediately before the date he is excepted under that section shall be liquidated by a lump-sum payment in accordance with subsection (a) of this section or subchapter VIII of this chapter, except that the payment is based on the rate of pay which he was receiving immediately before the date on which section 6301(2)(x)–(xii) of this title became applicable to him.".

80 Stat. 517.

80 Stat. 495; 82 Stat. 1212.
5 USC 5581.

SEC. 2. The first sentence of section 6303(b) of title 5, United States Code, is amended to read as follows: "Notwithstanding subsection (a) of this section, an employee whose current employment is limited to less than 90 days is entitled to annual leave under this subchapter only after being currently employed for a continuous period of 90 days under successive appointments without a break in service.".

90-day leave ban, elimination.

SEC. 3. Section 6304 of title 5, United States Code, is amended—

Annual leave restoration.

(1) by striking out of subsection (a) the phrase "subsection (b) of this section" and inserting in lieu thereof "subsections (b), (d), and (e) of this section"; and

(2) by adding at the end thereof the following new subsections:

Conditions.

"(d)(1) Annual leave which is lost by operation of this section because of—

"(A) administrative error when the error causes a loss of annual leave otherwise accruable after June 30, 1960;

"(B) exigencies of the public business when the annual leave was scheduled in advance; or

"(C) sickness of the employee when the annual leave was scheduled in advance;

shall be restored to the employee.

Separate leave account.
Post, p. 707.

"(2) Annual leave restored under paragraph (1) of this subsection, or under clause (2) of section 5562(a) of this title, which is in excess of the maximum leave accumulation permitted by law shall be credited to a separate leave account for the employee and shall be available for use by the employee within the time limits prescribed by regulations of the Civil Service Commission. Leave credited under this paragraph but unused and still available to the employee under the regulations prescribed by the Commission shall be included in the lump-sum payment under section 5551 or 5552(1) of this title but may not be retained to the credit of the employee under section 5552(2) of this title.

Lump-sum payment.

Ante, p. 705.
80 Stat. 489.

Lump-sum payment claims, filing.

"(e) Annual leave otherwise accruable after June 30, 1960, which is lost by operation of this section because of administrative error and which is not credited under subsection (d)(2) of this section because the employee is separated before the error is discovered, is subject to credit and liquidation by lump-sum payment only if a claim therefor is filed within 3 years immediately following the date of discovery of the error. Payment shall be made by the agency of employment when the lump-sum payment provisions of section 5551 of this title last became applicable to the employee at the salary rate in effect on the date of the lump-sum provisions became applicable.".

Ante, p. 705.

Annual leave credit, errors.
80 Stat. 517.

SEC. 4. Section 6302 of title 5, United States Code, is amended by inserting at the end thereof the following new subsection:

"(f) An employee who uses excess annual leave credited because of administrative error may elect to refund the amount received for the days of excess leave by lump-sum or installment payments or to have the excess leave carried forward as a charge against later-accruing annual leave, unless repayment is waived under section 5584 of this title.".

82 Stat. 1212; 86 Stat. 760.

Former employees.

SEC. 5. With respect to a former employee (except a former employee under section 6 of this Act) who is not on the rolls on the date of enactment of this Act, annual leave which accrued after June 30, 1960, but, because of administrative error, was lost by operation of section 6304 of title 5, United States Code, is subject to credit and liquidation by lump-sum payment only if a claim therefor is filed within three years immediately following the date of enactment of this Act, with the agency by which he was employed when the lump-sum payment provisions of section 5551 of title 5, United States Code, last became applicable to him. Payment shall be by that agency at the salary rate in effect on the date the lump-sum payment provisions became applicable.

Ante, p. 705.

SEC. 6. (a) With respect to a former employee of the Post Office Department or a former employee of the United States Postal Service who had prior civilian service with the Post Office Department or other Federal agency, who is not on the rolls on the date of enactment of this Act, annual leave which accrued after June 30, 1960, and before July 1, 1971, but, because of administrative error was lost by operation of section 6304 of title 5, United States Code, is subject to credit and liquidation by lump-sum payment only if a claim therefor is filed within three years immediately following the date of enactment of this Act with the Postal Service. Payment shall be by the Postal Service at the salary rate in effect on the date the lump-sum payment provisions of section 5551 of title 5, United States Code, or comparable provisions of regulations of the Postal Service, as appropriate, last became applicable to the former employee.

(b) With respect to a present employee of the Postal Service who had prior Federal civilian service with the Post Office Department or other Federal agency, annual leave which accrued after June 30, 1960, and before July 1, 1971, but, because of administrative error was lost by operation of section 6304 of title 5, United States Code, is subject to credit and liquidation by lump-sum payment only if a claim therefor is filed within three years immediately following the date of enactment of this Act with the Postal Service. Payment shall be by the Postal Service at the salary rate in effect on the date of enactment of this Act.

Ante, p. 705.

SEC. 7. (a) Section 5562(a) of title 5, United States Code, is amended by adding at the end thereof the following new sentences: "Notwithstanding any other provision of law, an employee in a missing status on or after January 1, 1965, is entitled—

Employees in missing status. 80 Stat. 490.

"(1) to payment for annual leave which accrued to his account on or after January 1, 1965, but which was forfeited under section 6304 of this title because he was unable to use that leave by virtue of his missing status; or

"(2) to have all of that leave restored to him and credited to a separate leave account in accordance with the provisions of section 6304(d)(2) of this title.

An employee shall elect in writing, within 90 days immediately following the date of enactment of this sentence or within 90 days immediately following the termination of his missing status, whichever is later, whether he desires payment for the leave under clause (1) of this subsection or credit of the leave under clause (2) of this subsection. Payment under clause (1) of this subsection shall be at the employee's rate of basic pay in effect at the time the leave was forfeited."

Written request.

(b) The amendment made by subsection (a) of this section shall apply to former employees or their beneficiaries.

Applicability.

Approved December 14, 1973.

Public Law 93-182

AN ACT

December 15, 1973
[H. R. 11324]

To provide for daylight saving time on a year-round basis for a two-year trial period, and to require the Federal Communications Commission to permit certain daytime broadcast stations to operate before local sunrise.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Daylight Saving Time Energy Conservation Act of 1973".

Emergency Daylight Saving Time Energy Conservation Act of 1973.

SEC. 2. The Congress hereby finds and declares—

(1) that the United States faces severe energy shortages, especially in the winter of 1973–1974 and in the next several winters thereafter;

(2) that various studies of governmental and nongovernmental agencies indicate that year-round daylight saving time would produce an energy saving in electrical power consumption;

(3) that daylight saving time may yield energy savings in other areas besides electrical power consumption;

(4) that year-round daylight saving time could serve as an incentive for further energy conservation by individuals, companies, and the various governmental entities at all levels of government, and that such energy conservation efforts could lead

to greatly expanded energy savings and help meet the projected energy shortages, and that such energy conservation efforts could include but not be limited to such actions as—

(A) lowering office, home, and store thermostats several degrees;

(B) limiting unnecessary automobile travel and holding down the speed of necessary automobile travel;

(C) using energy efficient automobiles;

(D) using public transportation whenever possible;

(E) turning off office air-conditioners and heating plants an hour earlier in the afternoon; and

(F) limiting unnecessary use of electric lights;

(5) that the use of year-round daylight saving time could have other beneficial effects on the public interest, including the reduction of crime, improved traffic safety, more daylight outdoor playtime for the children and youth of our Nation, greater utilization of parks and recreation areas, expanded economic opportunity through extension of daylight hours to peak shopping hours and through extension of domestic office hours to periods of greater overlap with the European Economic Community; and

(6) that the emergency nature of an energy shortage require the temporary enactment of daylight saving time.

80 Stat. 107.

SEC. 3. (a) Notwithstanding the provisions of section 3(a) of the Uniform Time Act of 1966 (15 U.S.C. 260a(a)), the standard of time of each zone established by the Act of March 19, 1918 (15 U.S.C. 261–264), as modified by the Act of March 4, 1921 (15 U.S.C. 265), shall be advanced one hour and such time as so advanced shall for the purposes of such Act of March 19, 1918, as so modified, be the standard time of each such zone; except that any State with parts thereof in more than one time zone, and any State that lies entirely within one time zone and is not contiguous to any other State, may by law exempt the entire area of the State lying within one time zone from the provisions of this subsection.

40 Stat. 450; 80 Stat. 108; 41 Stat. 1446.

(b) Notwithstanding any other provision of law, if a State, by proclamation of its Governor, makes a finding prior to the effective date of this Act, that an exemption from the operation of subsection (a) or a realinement of time zone limits is necessary to avoid undue hardship or to conserve fuel in such State or part thereof, the President or his designee may grant an exemption or realinement to such State.

80 Stat. 107; 86 Stat. 116. 15 USC 260.

(c) Any law in effect on October 27, 1973, adopted pursuant to section 3(a)(2) of the Uniform Time Act of 1966 by a State with parts thereof in more than one time zone, or adopted pursuant to section 3(a)(1) of such Act by a State that lies entirely within one time zone and is not contiguous to any other State, shall be held and considered to remain in effect as the exercise by that State of the exemption permitted by subsection (a) of this section unless that State, by law, provides that such exemption shall not apply during the effective period of this Act.

80 Stat. 109. 15 USC 267.

(d) The provisions of subsections (b) and (c) of section 3 and section 7 of the Uniform Time Act of 1966 shall apply to the provisions of this section.

SEC. 4. (a) The Secretary of Transportation shall, on or before June 30, 1974, submit an interim report, and on or before June 30, 1975, submit a final report, to the Congress on the operation and effects of this Act. Each such report shall give particular attention to such effects on the use of energy in the United States, traffic safety, including the safety of children traveling to and from school, and the effect on school hours. Each such report shall also include such recommendations for legislation or other action as the Secretary may determine. The final report shall include any recommendations of the Secretary with respect to time zone limits. Reports to Congress.

(b) The Secretary of Transportation shall consult with the departments, agencies, and instrumentalities of the United States having information or expertise with respect to the operation and effects of this Act. Each such department, agency, and instrumentality shall exercise its powers, duties, and functions in such manner as will assist in carrying out the provisions of this section.

SEC. 5. The authority of the Secretary of Transportation, under the first section of the Act of March 19, 1918 (15 U.S.C. 261), to modify the limits of any time zone is suspended during the effective period of this Act. 40 Stat. 450; 80 Stat. 108.

SEC. 6. Notwithstanding any other law or any regulation issued under any such law, the Federal Communication Commission shall, consistent with any existing treaty or other agreement, make such adjustment by general rules, or by interim action pending such general rules, with respect to hours of operation of daytime standard amplitude modulation broadcast stations, as may be consistent with the public interest, including the public's interest in receiving interference-free service. Such general rules, or interim action, may include variances with respect to operating power and other technical operating characteristics. Subsequent to the adoption of such general rules, they may be varied with respect to particular stations and areas because of the exigencies in each case.

SEC. 7. This Act shall take effect at 2 o'clock antemeridian on the fourth Sunday which occurs after the date of enactment of this Act and shall terminate at 2 o'clock antemeridian on the last Sunday of April 1975. Effective date.

Approved December 15, 1973.

Public Law 93-183

AN ACT

December 15, 1973
[S. 1618]

To name the headquarters building in the Geological Survey National Center under construction in Reston, Virginia, as the "John Wesley Powell Federal Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the headquarters building in the Department of Interior's Geological Survey National Center now under construction in Reston, Virginia, shall hereafter be known and designated as the "John Wesley Powell Federal Building". Any reference in a law, map, regulation, document, record, or other paper of the United States to such building shall be held to be a reference to the "John Wesley Powell Federal Building". John Wesley Powell Federal Building, Va. Designation.

Approved December 15, 1973.

Public Law 93-184

December 15, 1973
[H. R. 3436]

AN ACT

To provide for the conveyance of certain mineral rights in and under lands in Onslow County, North Carolina.

Onslow County, N.C.
Mineral interest, conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed in accordance with section 3 of this Act to convey by quitclaim deed to the present owner or owners of record all mineral interest of the United States in the following described lands:

Boundaries.

All that tract or parcel of land situated, lying and being in Jacksonville Township, Onslow County, North Carolina, within an area formerly owned and developed by the North Carolina Defense Relocation Corporation, known as a part of the Cavenaugh tract, and described more particularly as follows:

Lot 3: Beginning at the southwest corner of the above described tract, said corner being at the intersection of farm roads at gate, and (located south 66 degrees 00 minutes east 11.80 feet from a 7-inch pipe and north 44 degrees 00 minutes east 32.50 feet from an 18-inch gum);

thence along the farm road, south 16 degrees 20 minutes west 219.10 feet to a point 12 feet east from the center of road;

thence south 37 degrees 09 minutes west 370.85 feet to a point 4 feet east from center of road;

thence south 46 degrees 28 minutes west 572.15 feet to the middle of said road;

thence south 56 degrees 22 minutes west 869.00 feet to the beginning of the tract hereinafter described;

thence continuing along the said road, south 56 degrees 22 minutes west 700 feet to a point 2 feet southeast from center of road (located north 50 degrees 00 minutes west 10.2 feet from a 3-inch pine and south 37 degrees 00 minutes east 10.00 feet from a 2-inch pine); south 58 degrees 35 minutes west 535.40 feet to an iron pine at edge of woods and field (located south 27 degrees 00 minutes west 21.3 feet from a 12-inch double live oak; south 7 degrees 00 minutes east 22.8 feet from a 22-inch white oak and south 67 degrees 30 minutes east 24.9 feet from the east corner of a tobacco barn); south 58 degrees 38 minutes west 1181.34 feet to a point in middle of old abandoned road (located south 50 degrees 30 minutes west 18.5 feet from a 10-inch pine and north 30 degrees 00 minutes west 12.4 feet from a 12-inch pine); south 59 degrees 05 minutes west 493.5 feet to the intersection of said abandoned road with woods road (located south 31 degrees 00 minutes east 19.8 feet from a 15-inch pine and south 51 degrees 30 minutes west 9 feet from a 7-inch pine), north 83 degrees 11 minutes west 411.20 feet to a point in road (located south 35 degrees 00 minutes east 25.5 feet from a 7-inch pine) south 86 degrees 03 minutes west 179.20 feet to a cluster of small willows and maples on the east edge of New River at wire landing, corner of said Cavenaugh across the river from the Cox estate;

thence the eight following lines with the southeast side of New River; north 9 degrees 59 minutes west 160.78 feet to an 8-inch gum; north 1 degree 22 minutes east 397.05 feet to a 54-inch cypress; north 34 degrees 04 minutes west 202.34 feet to a 48 inch cypress; north 22 degrees 11 minutes west 154.64 feet to a 12 inch gum; north 6 degrees 43 minutes east 117.44 feet to a 28 inch cypress; north 0 degrees 32 minutes west 260.85 feet to a 17 inch

gum; north 24 degrees 30 minutes west 67.90 feet to a 16 inch gum; north 34 degrees 53 minutes west 315.40 feet to a double 10 inch birch on the southeast side of intersection of Half Moon Creek with New River, a corner to O. R. Cowell, and being located across the river from the Cox estate;

thence the 17 following lines with Half Moon Creek and the O. R. Cowell tract; north 11 degrees 23 minutes east 214.95 feet; north 6 degrees 31 minutes west 206.78 feet to a 10-inch cypress near head of island; north 35 degrees 54 minutes east 156.49 feet; north 0 degrees 27 minutes west 146.08 feet; north 24 degrees 42 minutes east 265.39 feet to center of Half Moon Creek at Shingle Landing; north 26 degrees 37 minutes west 150.85 feet to a point in creek at head of island (located north 75 degrees 30 minutes west 14 feet from a 12-inch ash); north 8 degrees 27 minutes east 385.83 feet; north 14 degrees 09 minutes east 152.49 feet; north 49 degrees 52 minutes east 174.83 feet; north 23 degrees 26 minutes east 211.20 feet to a 10-inch willow on the east side of Half Moon Creek at the site of the old dam; north 27 degrees 07 minutes east 301.79 feet; north 27 degrees 03 minutes east 186.64 feet; north 5 degrees 57 minutes east 104.33 feet; north 45 degrees 15 minutes west 81.68 feet; north 15 degrees 40 minutes west 127.77 feet; north 10 degrees 34 minutes east 205.69 feet to a point in creek (located south 20 degrees 29 minutes east 40.1 feet from a 48-inch cypress); north 37 degrees 30 minutes west 75.82 feet to the center line of the intersection of the fork of Half Moon Creek, corner of said Cowell, and E. L. Greer (located south 72 degrees 00 minute west 20 feet from a black gum);

thence the forty-eight following lines with the east branch of the Half Moon Creek and the E. L. Greer tract; north 48 degrees 39 minutes east 115.64 feet; north 60 degrees 57 minutes east 114.14 feet; north 83 degrees 49 minutes east 66.04 feet to a 10-inch black gum; north 22 degrees 15 minutes east 116.33 feet; north 76 degrees 37 minutes east 114.03 feet; north 26 degrees 30 minutes east 63.21 feet to a 6-inch ash; north 71 degrees 14 minutes east 76.22 feet; south 81 degrees 12 minutes east 67.76 feet; north 71 degrees 19 minutes east 127.66 feet; north 54 degrees 51 minutes east 183.22 feet; north 54 degrees 57 minutes east 120.67 feet; north 0 degrees 24 minutes west 50.67 feet; south 88 degrees 23 minutes east 160.04 feet; south 73 degrees 04 minutes east 171.08 feet to the middle of Half Moon Creek (located north 10 degrees 00 minutes east 20 feet from a double ash); north 87 degrees 47 minutes east 187.07 feet; north 53 degrees 03 minutes east 75.12 feet; north 77 degrees 04 minutes east 235.25 feet to a 10-inch ash on north edge of creek; south 24 degrees 45 minutes east 67.62 feet; north 60 degrees 15 minutes east 127.87 feet; north 23 degrees 04 minutes east 104.23 feet; north 54 degrees 05 minutes east 135.71 feet south 65 degrees 41 minutes east 79.85 feet to a 10-inch gum on south bank of creek; north 67 degrees 53 minutes east 149.41 feet; north 73 degrees 42 minutes east 54.85 feet; south 22 degrees 42 minutes east 63.98 feet; south 78 degrees 13 minutes east 92.74 feet; north 60 degrees 05 minutes east 54.65 feet; south 42 degrees 34 minutes east 54.84 feet; south 10 degrees 27 minutes west 50.26 feet; south 89 degrees 43 minutes east 50 feet to a small Holly on said creek;

thence south 10 degrees 50 minutes east 712.00 feet to a small oak on a branch;

thence with the branch due south 357.00 feet;

thence south 48 degrees 30 minutes west 550.00 feet;

thence south 13 degrees 50 minutes east 300.00 feet;

thence south 8 degrees 55 minutes west 550.00 feet, crossing a farm road to a dead white oak near head of the branch;

thence south 24 degrees 45 minutes east 1528.00 feet to the beginning, containing 285.53 acres, more or less.

Being a part of the same lands conveyed to the North Carolina Defense Relocation Corporation by deed from G. E. Cavenaugh, widower, dated October 15, 1941, of record in book 194, page 440.

Administrative costs, payment.

SEC. 2. The Secretary shall require the deposit of a sum of money which he deems sufficient to cover estimated administrative costs of this Act. If conveyance is not made pursuant to this Act, and the administrative costs exceed the deposit, the Secretary shall bill the applicant for the outstanding amount, but if the amount of the deposit exceeds the actual administrative costs, the Secretary shall refund the excess.

Application, filing date.

SEC. 3. No conveyance shall be made unless application for conveyance is filed with the Secretary within six months of the date of approval of this Act and unless within the time specified by him payment is made to the Secretary of (1) administrative costs of the conveyance and (2) the fair market value of the interest to be conveyed. The amount of the payment required shall be the difference between the amount deposited and the full amount required to be paid under this section. If the amount deposited exceeds the full amount required to be paid, the applicant shall be given a credit or refund for the excess.

"Administrative costs."

SEC. 4. The term "administrative costs" as used in this Act, includes, but is not limited to, all costs of (1) conducting such exploratory programs as the Secretary of the Interior deems necessary to determine the character of the mineral deposits in the land, (2) evaluating the data obtained under the exploratory programs to determine the fair market value of the mineral rights to be conveyed, and (3) preparing and issuing the instrument of conveyance.

SEC. 5. Moneys paid to the Secretary for administrative costs shall be paid to the agency which rendered the service and deposited to the appropriation then current. Moneys paid for the minerals or mineral interests conveyed shall be deposited into the general fund of the Treasury as miscellaneous receipts.

Approved December 15, 1973.

Public Law 93-185

December 15, 1973
[H. R. 8528]

AN ACT

To provide for increasing the amount of interest paid on the permanent fund of the United States Soldiers' and Airmen's Home.

U.S. Soldiers' and Airmen's Home Permanent Fund. Interest rate, increase. 22 Stat. 565.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act of March 3, 1883, chapter 130 (24 U.S.C. 46) is amended by striking out "the rate of 3 per centum per annum," and inserting in place thereof "a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such investments, adjusted to the nearest one-eighth of 1 per centum,".

Approved December 15, 1973.

Public Law 93-186

AN ACT

December 15, 1973
[H. R. 974]

Designating the Texarkana Dam and Reservoir on the Sulphur River as the "Wright Patman Dam and Lake."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Texarkana Dam and Lake, Sulphur River, Texas, authorized by the Flood Control Act approved July 24, 1946, shall hereafter be known as the Wright Patman Dam and Lake, and any law, regulation, document, or record of the United States in which such project is designated or referred to shall be held to refer to such project under and by the name of "Wright Patman Dam and Lake".

Wright Patman Dam and Lake, Tex.
Designation.
60 Stat. 641.
33 USC 701f note-701r *passim*.

Approved December 15, 1973.

Public Law 93-187

AN ACT

December 15, 1973
[S. 2503]

To name a Federal office building in Dallas, Texas, the "Earle Cabell Federal Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal office building and United States courthouse at 1100 Commerce Street, Dallas, Texas, shall hereafter be known and designated as the "Earle Cabell Federal Building". Any reference in a law, map, regulation, document, record, or other paper of the United States to such building shall be held to be a reference to the Earle Cabell Federal Building.

Earle Cabell Federal Building, Tex.
Designation.

Approved December 15, 1973.

Public Law 93-188

AN ACT

December 15, 1973
[H. R. 6768]

To provide for participation by the United States in the United Nations environment program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United Nations Environment Program Participation Act of 1973".

United Nations Environment Program Participation Act of 1973.

SEC. 2. It is the policy of the United States to participate in coordinated international efforts to solve environmental problems of global and international concern, and in order to assist the implementation of this policy, to contribute funds to the United Nations Environmental Fund for the support of international measures to protect and improve the environment.

SEC. 3. There is authorized to be appropriated $40,000,000 for contributions to the United Nations Environment Fund, which amount is authorized to remain available until expended, and which may be used upon such terms and conditions as the President may specify: *Provided*, That not more than $10,000,000 may be appropriated for use in fiscal year 1974.

Appropriation.

Approved December 15, 1973.

Public Law 93-189

December 17, 1973
[S. 1443]

AN ACT

To amend the Foreign Assistance Act of 1961, and for other purposes.

Foreign Assistance Act of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Assistance Act of 1973".

POLICY; DEVELOPMENT ASSISTANCE AUTHORIZATIONS

SEC. 2. Chapter 1 of part I of the Foreign Assistance Act of 1961 is amended as follows:

(1) In the chapter heading, immediately after "CHAPTER 1—POLICY", insert "; DEVELOPMENT ASSISTANCE AUTHORIZATIONS".

81 Stat. 445.
22 USC 2151.

(2) In section 102—

(A) insert "(a)" immediately after "STATEMENT OF POLICY.—"; and

(B) add at the end thereof the following:

"(b) The Congress further finds and declares that, with the help of United States economic assistance, progress has been made in creating a base for the economic progress of the less developed countries. At the same time, the conditions which shaped the United States foreign assistance program in the past have changed. While the United States must continue to seek increased cooperation and mutually beneficial relations with other nations, our relations with the less developed countries must be revised to reflect the new realities. In restructuring our relationships with these countries, the President should place appropriate emphasis on the following criteria:

"(1) Bilateral development aid should concentrate increasingly on sharing American technical expertise, farm commodities, and industrial goods to meet critical development problems, and less on large-scale capital transfers, which when made should be in association with contributions from other industrialized countries working together in a multilateral framework.

"(2) Future United States bilateral support for development should focus on critical problems in those functional sectors which affect the lives of the majority of the people in the developing countries: food production; rural development and nutrition; population planning and health; and education, public administration, and human resource development.

"(3) United States cooperation in development should be carried out to the maximum extent possible through the private sector, including those institutions which already have ties in the developing areas, such as educational institutions, cooperatives, credit unions, and voluntary agencies.

"(4) Development planning must be the responsibility of each sovereign country. United States assistance should be administered in a collaborative style to support the development goals chosen by each country receiving assistance.

"(5) United States bilateral development assistance should give the highest priority to undertakings submitted by host governments which directly improve the lives of the poorest of their people and their capacity to participate in the development of their countries.

"(6) The economic and social development programs to which the United States lends support should reflect, to the maximum extent practicable, the role of United States private investment in such economic and social development programs.

"(7) Under the policy guidance of the Secretary of State, the agency primarily responsible for administering this part should have the responsibility for coordinating all United States development-related activities."

(3) At the end thereof, add the following new sections: 81 Stat. 445. 22 USC 2151.

"SEC. 103. FOOD AND NUTRITION.—In order to alleviate starvation, hunger, and malnutrition, and to provide basic services to poor people, enhancing their capacity for self-help, the President is authorized to furnish assistance, on such terms and conditions as he may determine, for agriculture, rural development, and nutrition. There are authorized to be appropriated to the President for the purposes of this section, in addition to funds otherwise available for such purposes, $291,000,000 for each of the fiscal years 1974 and 1975, which amounts are authorized to remain available until expended.

"SEC. 104. POPULATION PLANNING AND HEALTH.—In order to increase the opportunities and motivation for family planning, to reduce the rate of population growth, to prevent and combat disease, and to help provide health services for the great majority, the President is authorized to furnish assistance on such terms and conditions as he may determine, for population planning and health. There are authorized to be appropriated to the President for the purposes of this section, in addition to the funds otherwise available for such purposes, $145,000,000 for each of the fiscal years 1974 and 1975, which amounts are authorized to remain available until expended.

"SEC. 105. EDUCATION AND HUMAN RESOURCES DEVELOPMENT.—In order to reduce illiteracy, to extend basic education and to increase manpower training in skills related to development, the President is authorized to furnish assistance on such terms and conditions as he may determine, for education, public administration, and human resource development. There are authorized to be appropriated to the President for the purposes of this section, in addition to funds otherwise available for such purposes, $90,000,000 for each of the fiscal years 1974 and 1975, which amounts are authorized to remain available until expended.

"SEC. 106. SELECTED DEVELOPMENT PROBLEMS.—The President is authorized to furnish assistance on such terms and conditions as he may determine, to help solve economic and social development problems in fields such as transportation, power, industry, urban development, and export development. There are authorized to be appropriated to the President for the purposes of this section, in addition to funds otherwise available for such purposes, $53,000,000 for each of the fiscal years 1974 and 1975, which amounts are authorized to remain available until expended.

"SEC. 107. SELECTED COUNTRIES AND ORGANIZATIONS.—The President is authorized to furnish assistance on such terms and conditions as he may determine, in support of the general economy of recipient countries or for development programs conducted by private or international organizations. There are authorized to be appropriated to the President for the purposes of this section, in addition to funds otherwise available for such purposes, $39,000,000 for each of the fiscal years 1974 and 1975, which amounts are authorized to remain available until expended.

"SEC. 108. APPLICATION OF EXISTING PROVISIONS.—Assistance under this chapter shall be furnished in accordance with the provisions of titles I, II, or X of chapter 2 of this part, and nothing in this chapter shall be construed to make inapplicable the restrictions, criteria, authorities, or other provisions of this or any other Act in accordance with which assistance furnished under this chapter would otherwise have been provided. 81 Stat. 447. 22 USC 2161, 2171, 2219.

"SEC. 109. TRANSFER OF FUNDS.—Notwithstanding section 108 of this Act, whenever the President determines it to be necessary for the purposes of this chapter, not to exceed 15 per centum of the funds made available for any provision of this chapter may be transferred to, and consolidated with, the funds made available for any other provision of this chapter, and may be used for any of the purposes for which such funds may be used, except that the total in the provision for the benefit of which the transfer is made shall not be increased by more than 25 per centum of the amount of funds made available for such provision. The authority of sections 610(a) and 614(a) of this Act may not be used to transfer funds made available under this chapter for use for purposes of any other provision of this Act.

75 Stat. 442; 76 Stat. 260. 80 Stat. 805. 22 USC 2360, 2364.

"SEC. 110. COST-SHARING AND FUNDING LIMITS.—(a) No assistance shall be furnished by the United States Government to a country under sections 103 through 107 of this Act until the country provides assurances to the President, and the President is satisfied, that such country will provide at least 25 per centum of the costs of the entire program, project, or activity with respect to which such assistance is to be furnished, except that such costs borne by such country may be provided on an 'in-kind' basis.

"(b) No grant assistance shall be disbursed by the United States Government under sections 103 through 107 of this Act for a project, for a period exceeding thirty-six consecutive months, without further justification satisfactory to the Congress and efforts being made to obtain sources of financing within that country and from other foreign countries and multilateral organizations.

"SEC. 111. DEVELOPMENT AND USE OF COOPERATIVES.—In order to strengthen the participation of the urban and rural poor in their country's development, not less than $20,000,000 of the funds made available for the purposes of this chapter shall be available during the fiscal years 1974 and 1975 only for assistance in the development of cooperatives in the less developed countries which will enable and encourage greater numbers of the poor to help themselves toward a better life.

"SEC. 112. PROHIBITING POLICE TRAINING.—(a) No part of any appropriation made available to carry out this Act shall be used to conduct any police training or related program in a foreign country.

"(b) Subsection (a) of this section shall not apply—

"(1) with respect to assistance rendered under section 515(c) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, or with respect to any authority of the Drug Enforcement Administration or the Federal Bureau of Investigation which relates to crimes of the nature which are unlawful under the laws of the United States; or

82 Stat. 207; 84 Stat. 1887. 42 USC 3763.

"(2) to any contract entered into prior to the date of enactment of this section with any person, organization, or agency of the United States Government to provide personnel to conduct, or assist in conducting, any such program.

Notwithstanding paragraph (2), subsection (a) shall apply to any renewal or extension of any contract referred to in such paragraph entered into on or after such date of enactment.

"SEC. 113. INTEGRATING WOMEN INTO NATIONAL ECONOMIES.—Sections 103 through 107 of this Act shall be administered so as to give particular attention to those programs, projects, and activities which tend to integrate women into the national economies of foreign countries, thus improving their status and assisting the total development effort.

"SEC. 114. LIMITING USE OF FUNDS FOR ABORTIONS.—None of the funds made available to carry out this part shall be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions."

DEVELOPMENT LOAN FUND

SEC. 3. (a) Section 203 of the Foreign Assistance Act of 1961 is amended to read as follows: 83 Stat. 805. 22 USC 2163.

"SEC. 203. FISCAL PROVISIONS.—Not more than 50 per centum of dollar receipts scheduled to be paid during each of the fiscal years 1974 and 1975 from loans made pursuant to this part and from loans made under predecessor foreign assistance legislation are authorized to be made available for each such fiscal year for use for purposes of making loans under chapter 1 of this part. Such receipts shall remain available until expended."

(b) Effective July 1, 1975, such section 203 is repealed. Repeal; effective date.

TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

SEC. 4. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961 is amended as follows:

(1) In section 211(a), in the last sentence immediately after the word "assistance", insert the word "directly". 80 Stat. 797. 22 USC 2171.

(2) In section 214, strike out subsections (c) and (d) and insert in lieu thereof the following: 77 Stat. 381; 80 Stat. 798; 83 Stat. 805. 22 USC 2174.

"(c) To carry out the purposes of this section, there are authorized to be appropriated to the President for each of the fiscal years 1974 and 1975 $19,000,000, which amounts are authorized to remain available until expended.

"(d) There are authorized to be appropriated to the President to carry out the purposes of this section, in addition to funds otherwise available for such purposes, for each of the fiscal years 1974 and 1975 $6,500,000 in foreign currencies which the Secretary of the Treasury determines to be excess to the normal requirements of the United States.

"(e) Not later than June 30, 1974, the Secretary of State shall submit to the Congress such recommendations (including recommendations concerning which agency of the United States Government should administer such assistance) as he considers desirable for assistance to schools, libraries, and hospital centers for medical education and research, outside the United States, founded or sponsored by United States citizens and serving as study and demonstration centers for ideas and practices of the United States."

HOUSING GUARANTIES

SEC. 5. Title III of chapter 2 of part I of the Foreign Assistance Act of 1961 is amended as follows:

(1) In section 221, strike out "$205,000,000" and insert in lieu thereof "$305,000,000". 86 Stat. 22. 22 USC 2181.

(2) In section 223(i), strike out "June 30, 1974" and insert in lieu thereof "June 30, 1975". 22 USC 2183.

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 6. Title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 is amended as follows:

(1) In section 235(a)(4), strike out "June 30, 1974" and insert in lieu thereof "December 31, 1974". 83 Stat. 813. 22 USC 2195.

(2) In section 240(h), strike out "June 30, 1973" and insert in lieu thereof "December 31, 1974". 86 Stat. 22. 22 USC 2200.

ALLIANCE FOR PROGRESS

Appropriation.
81 Stat. 451.
22 USC 2212.

SEC. 7. Section 252(b) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(b) There are authorized to be appropriated to the President for the fiscal year 1974, $934,000, and for the fiscal year 1975, $934,000, for grants to the National Association of the Partners of the Alliance, Inc., in accordance with the purposes of this title."

PROGRAMS RELATING TO POPULATION GROWTH

86 Stat. 23.
22 USC 2151.

SEC. 8. Section 292 of the Foreign Assistance Act of 1961 is amended by striking out "for each of the fiscal years 1972 and 1973, $125,000,000" and inserting in lieu thereof "for the fiscal year 1974, $125,000,000, and for the fiscal year 1975, $130,000,000".

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 9. Chapter 3 of part I of the Foreign Assistance Act of 1961 is amended as follows:

75 Stat. 433;
81 Stat. 453.
22 USC 2221.

(1) At the end of section 301 add the following new subsection:

"(e)(1) In the case of the United Nations and its affiliated organizations, including the International Atomic Energy Agency, the President shall, acting through the United States representative to such organizations, propose and actively seek the establishment by the governing authorities of such organizations a single professionally qualified group of appropriate size for the purpose of providing an independent and continuous program of selective examination, review, and evaluation of the programs and activities of such organizations. Such proposal shall provide that such group shall be established in accordance with such terms of reference as such governing authority may prescribe and that the reports of such group on each examination, review, and evaluation shall be submitted directly to such governing authority for transmittal to the representative of each individual member nation. Such proposal shall further include a statement of auditing and reporting standards, as prepared by the Comptroller General of the United States, for the consideration of the governing authority of the international organization concerned to assist in formulating terms of reference for such review and evaluation group.

"(2) In the case of the International Bank for Reconstruction and Development and the Asian Development Bank, the President shall, acting through the United States representative to such organizations, propose and actively seek the establishment by the governing authorities of such organizations professionally qualified groups of appropriate size for the purpose of providing an independent and continuous program of selective examination, review, and evaluation of the programs and activities of such organizations. Such proposal shall provide that such groups shall be established in accordance with such terms of reference as such governing authorities may prescribe, and that the reports of such groups on each examination, review, and evaluation shall be submitted directly to such governing authority for transmittal to the representative of each individual member nation. Such proposal shall further include a statement of auditing and reporting standards, as prepared by the Comptroller General of the United States, for the consideration of the governing authority of the international organization concerned to assist in formulating terms of reference for such review and evaluation groups.

Reports to President, transmittal to Congress.

"(3) Reports received by the United States representatives to these international organizations under this subsection and related information on actions taken as a result of recommendations made therein shall

be submitted promptly to the President for transmittal to the Congress and to the Comptroller General. The Comptroller General shall periodically review such reports and related information and shall report simultaneously to the Congress and to the President any suggestions the Comptroller General may deem appropriate concerning auditing and reporting standards followed by such groups, the recommendations made and actions taken as a result of such recommendations."

(2) In section 302(a), strike out "for the fiscal year 1972, $138,000,000 and for the fiscal year 1973, $138,000,000" and insert in lieu thereof "for the fiscal year 1974, $127,822,000 and for the fiscal year 1975, $150,000,000". 86 Stat. 23. 22 USC 2222.

(3) In section 302(b)(2), strike out "for use in the fiscal year 1972, $15,000,000, and for use in the fiscal year 1973, $15,000,000" and insert in lieu thereof "for use in the fiscal year 1974, $14,500,000, and for use in the fiscal year 1975, $14,500,000,".

(4) Section 302(d) is amended to read as follows: 82 Stat. 962.

"(d) Of the funds made available to carry out this chapter for each of the fiscal years 1974 and 1975, $18,000,000 shall be available in each such fiscal year only for contributions to the United Nations Children's Fund."

(5) In section 302(e), strike out "$1,000,000 for the fiscal year 1972 and $1,000,000 for the fiscal year 1973" and insert in lieu thereof "$2,000,000 for the fiscal year 1974 and $2,000,000 for the fiscal year 1975". 86 Stat. 23.

CONTINGENCY FUND

SEC. 10. Section 451(a) of the Foreign Assistance Act of 1961 is amended to read as follows: "(a) There is authorized to be appropriated to the President for each of the fiscal years 1974 and 1975 not to exceed $30,000,000, to provide assistance authorized by this part primarily for disaster relief purposes, in accordance with the provisions applicable to the furnishing of such assistance." 75 Stat. 434; 86 Stat. 24. 22 USC 2261.

INTERNATIONAL NARCOTICS CONTROL

SEC. 11. (a) Section 481 of the Foreign Assistance Act of 1961 is amended by inserting "(a)" immediately after "INTERNATIONAL NARCOTICS CONTROL.—" and by adding at the end thereof the following new subsection: 86 Stat. 496. 22 USC 2291.

"(b)(1) Not later than forty-five days after the date on which each calendar quarter of each year ends, the President shall transmit to the Speaker of the House of Representatives, and to the Committee on Foreign Relations of the Senate, a report on the programing and obligation, on a calendar quarter basis, of funds under this chapter prior to such date. Presidential reports to Congress.

"(2) Not later than forty-five days after the date on which the second calendar quarter of each year ends and not later than forty-five days after the date on which the fourth calendar quarter of each year ends, the President shall transmit to the Speaker of the House of Representatives, and to the Committee on Foreign Relations of the Senate, a complete and detailed semiannual report on the activities and operations carried out under this chapter prior to such date. Such semiannual report shall include, but shall not be limited to—

"(A) the status of each agreement concluded prior to such date with other countries to carry out the purposes of this chapter; and

"(B) the aggregate of obligations and expenditures made, and the types and quantity of equipment provided, on a calendar quarter basis, prior to such date—

"(i) to carry out the purposes of this chapter with respect to each country and each international organization receiving assistance under this chapter, including the cost of United States personnel engaged in carrying out such purposes in each such country and with each such international organization;

"(ii) to carry out each program conducted under this chapter in each country and by each international organization, including the cost of United States personnel engaged in carrying out each such program; and

"(iii) for administrative support services within the United States to carry out the purposes of this chapter, including the cost of United States personnel engaged in carrying out such purposes in the United States."

86 Stat. 497.
22 USC 2291a.

(b) Section 482 of the Foreign Assistance Act of 1961 is amended by striking out "$42,500,000" and all that follows down through the period at the end of such section and inserting in lieu thereof "$42,500,000 for each of the fiscal years 1974 and 1975. Amounts appropriated under this section are authorized to remain available until expended."

MILITARY ASSISTANCE

SEC. 12. (a) Chapter 1 of part II of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

75 Stat. 436;
81 Stat. 456.
22 USC 2302.

"SEC. 502A. EXCESS DEFENSE ARTICLES.—Excess defense articles shall be provided whenever possible rather than providing such articles by the procurement of new items."

(b) Chapter 2 of part II of the Foreign Assistance Act of 1961 is amended as follows:

75 Stat. 435.
22 USC 2311.

(1) Section 503 is amended to read as follows:

"SEC. 503. GENERAL AUTHORITY.—(a) The President is authorized to furnish military assistance, on such terms and conditions as he may determine, to any friendly country or international organization, the assisting of which the President finds will strengthen the security of the United States and promote world peace and which is otherwise eligible to receive such assistance, by—

"(1) acquiring from any source and providing (by loan or grant) any defense article or defense service; or

"(2) assigning or detailing members of the Armed Forces of the United States and other personnel of the Department of Defense to perform duties of a noncombatant nature.

"(b) In addition to such other terms and conditions as the President may determine pursuant to subsection (a), defense articles may be loaned thereunder only if—

"(1) there is a bona fide reason, other than the shortage of funds, for providing such articles on a loan basis rather than on a grant basis;

"(2) there is a reasonable expectation that such articles will be returned to the agency making the loan at the end of the loan period, unless the loan is then renewed;

"(3) the loan period is of fixed duration not exceeding five years, during which such article may be recalled for any reason by the United States;

"(4) the agency making the loan is reimbursed for the loan based on the amount charged to the appropriation for military assistance under subsection (c); and

"(5) arrangements are made with the agency making the loan to be reimbursed in the event such article is lost or destroyed while on loan, such reimbursement being made first out of any funds

available to carry out this chapter and based on the depreciated value of the article at the time of loss or destruction.

"(c) (1) In the case of any loan of a defense article or defense service made under this section, there shall be a charge to the appropriation for military assistance for any fiscal year while the article or service is on loan in an amount based on—

"(A) the out-of-pocket expenses authorized to be incurred in connection with such loan during such fiscal year; and

"(B) the depreciation which occurs during such year while such article is on loan.

"(2) The provisions of this subsection shall not apply—

"(A) to any particular defense article or defense service which the United States Government agreed, prior to the date of enactment of this subsection, to lend; and

"(B) to any defense article or defense service, or portion thereof, acquired with funds appropriated for military assistance under this Act."

(2) In section 504(a)— 80 Stat. 802; 86 Stat. 25. 22 USC 2312.

(A) strike out "$500,000,000 for the fiscal year 1972" and insert in lieu thereof "$512,500,000 for the fiscal year 1974"; and

(B) strike out "forty countries" and insert in lieu thereof "thirty-one countries".

(3) Section 505 is amended by adding the following new subsections at the end thereof: 75 Stat. 436; 81 Stat. 456. 22 USC 2314.

"(e) In considering a request for approval of any transfer of any weapon, weapons system, munitions, aircraft, military boat, military vessel, or other implement of war to another country, the President shall not give his consent under subsection (a)(1) or (a)(4) to the transfer unless the United States itself would transfer the defense article under consideration to that country, and prior to the date he intends to give his consent to the transfer, the President notifies the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate in writing of each such intended consent, the justification for giving such consent, the defense article for which he intends to give his consent to be so transferred, and the foreign country to which that defense article is to be transferred. In addition, the President shall not give his consent under subsection (a)(1) or (a)(4) to the transfer of any significant defense articles on the United States Munitions List unless the foreign country requesting consent to transfer agrees to demilitarize such defense articles prior to transfer, or the proposed recipient foreign country provides a commitment in writing to the United States Government that it will not transfer such defense articles, if not demilitarized, to any other foreign country or person without first obtaining the consent of the President.

Transfer of defense articles.

Presidential notification of Speaker of the House and congressional committee.

"(f) Effective July 1, 1974, no defense article shall be furnished to any country on a grant basis unless such country shall have agreed that the net proceeds of sale received by such country in disposing of any weapon, weapons system, munition, aircraft, military boat, military vessel, or other implement of war received under this chapter will be paid to the United States Government and shall be available to pay all official costs of the United States Government payable in the currency of that country, including all costs relating to the financing of international educational and cultural exchange activities in which that country participates under the programs authorized by the Mutual Educational and Cultural Exchange Act of 1961." 75 Stat. 527. 22 USC 2451 note.

(4) In section 506(a)— 75 Stat. 437; 81 Stat. 457; 86 Stat. 25. 22 USC 2318.

(A) strike out "the fiscal year 1972" in each place it appears and insert in lieu thereof "the fiscal year 1974";

(B) strike out "vital to the security" and insert in lieu thereof "in the security interests"; and

(C) strike out "$300,000,000" and insert in lieu thereof "$250,000,000".

Repeals. 22 USC 2319-2321, 2321e, 2321g.

(5) Sections 507, 508, 509, 512, and 514 are repealed.

(6) Section 513 is amended—

86 Stat. 25. 22 USC 2321f.

(A) by striking out "THAILAND.—" in the section heading and inserting in lieu thereof "THAILAND AND LAOS.—(a)"; and

(B) by adding at the end thereof the following new subsection:

"(b) After June 30, 1974, no military assistance shall be furnished by the United States to Laos directly or through any other foreign country unless that assistance is authorized under this Act or the Foreign Military Sales Act."

Post, p. 729. 86 Stat. 29. 22 USC 2415.

(c) Section 655(c) shall not apply to assistance authorized to be furnished under any provision of law for fiscal year 1974.

SECURITY SUPPORTING ASSISTANCE

SEC. 13. Chapter 4 of part II of the Foreign Assistance Act of 1961 is amended—

86 Stat. 26. 22 USC 2346a.

(1) in section 532 by striking out "for the fiscal year 1972 not to exceed $618,000,000, of which not less than $50,000,000 shall be available solely for Israel" and inserting in lieu thereof "for the fiscal year 1974 not to exceed $125,000,000, of which not less than $50,000,000 shall be available solely for Israel"; and

Repeal. 22 USC 2346b.

(2) by striking out section 533.

TERMINATION OF ASSISTANCE

22 USC 2367.

SEC. 14. Section 617 of the Foreign Assistance Act of 1961 is amended by striking out "twelve" and inserting in lieu thereof "eight".

PROHIBITIONS

77 Stat. 386; 78 Stat. 1013. 22 USC 2370.

SEC. 15. The first full paragraph of section 620(e)(1) of the Foreign Assistance Act of 1961 is amended by striking out "no other provision of this Act shall be construed to authorize the President to waive the provisions of this subsection." and inserting in lieu thereof "the provisions of this subsection shall not be waived with respect to any country unless the President determines and certifies that such a waiver is important to the national interests of the United States. Such certification shall be reported immediately to Congress."

Report to Congress.

EMPLOYMENT OF PERSONNEL

78 Stat. 1014. 22 USC 2385.

SEC. 16. Section 625 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(k)(1) In accordance with such regulations as the President may prescribe, the following categories of personnel who serve in the agency primarily responsible for administering part I of this Act shall become participants in the Foreign Service Retirement and Disability System:

Ante, p. 714.

"(A) persons serving under unlimited appointments in employment subject to subsection (d)(2) of this section as Foreign Service Reserve officers and as Foreign Service staff officers and employees; and

"(B) a person serving in a position to which he was appointed by the President, whether with or without the advice and consent of the Senate, if (i) such person shall have served previously under an unlimited appointment pursuant to such subsection (d)(2) or a comparable provision of predecessor legislation to this Act, and (ii) following service specified in clause (i) of this subparagraph, such person shall have served continuously with such

agency or its predecessor agencies only in positions established under the authority of sections 624(a) and 631(b) or comparable provisions of predecessor legislation to this Act. 75 Stat. 447; 78 Stat. 428. 22 USC 2384, 2391.

"(2) Upon becoming a participant in the Foreign Service Retirement and Disability System, any such officer or employee shall make a special contribution to the Foreign Service Retirement and Disability Fund in accordance with the provisions of section 852 of the Foreign Service Act of 1946, as amended. Thereafter, compulsory contributions will be made with respect to each such participating officer or employee in accordance with the provisions of section 811 of the Foreign Service Act of 1946, as amended. 74 Stat. 844. 22 USC 1092. 74 Stat. 839. 22 USC 1071.

"(3) The provisions of section 636 and title VIII of the Foreign Service Act of 1946, as amended, shall apply to participation in the Foreign Service Retirement and Disability System by any such officer or employee. 60 Stat. 1016; 74 Stat. 836. 22 USC 1006, 1061.

"(4) If an officer who becomes a participant in the Foreign Service Retirement and Disability System under paragraph (1) of this subsection is appointed by the President, by and with the advice and consent of the Senate, or by the President alone, to a position in any agency of the United States Government, any United States delegation or mission to any international organization, in any international commission, or in any international body, such officer shall not, by virtue of the acceptance of such an appointment, lose his status as a participant in the system.

Mandatory retirement.

"(5) Any such officer or employee who becomes a participant in the Foreign Service Retirement and Disability System under paragraph (1) of this subsection shall be mandatorily retired (A) at the end of the month in which he reaches age seventy, or (B) earlier if, during the third year after the effective date of this subsection, he attains age sixty-four or if he is over age sixty-four; during the fourth year at age sixty-three; during the fifth year at age sixty-two; during the sixth year at age sixty-one; and thereafter at the end of the month in which he reaches age sixty. However, no participant shall be mandatorily retired under this paragraph while serving in a position to which appointed by the President, by and with the advice and consent of the Senate. Any participant who completes a period of authorized service after reaching the mandatory retirement age specified in this paragraph shall be retired at the end of the month in which such service is completed.

Service extension.

"(6) Whenever the President deems it to be in the public interest, he may extend any participant's service for a period not to exceed five years after the mandatory retirement date of such officer or employee.

Effective date.

"(7) This subsection shall become effective on the first day of the first month which begins more than one year after the date of its enactment, except that any officer or employee who, before such effective date, meets the requirements for participation in the Foreign Service Retirement and Disability System under paragraph (1) of this subsection may elect to become a participant before the effective date of this subsection. Such officer or employee shall become a participant on the first day of the second month following the date of his application for earlier participation. Any officer or employee who becomes a participant in the system under the provisions of paragraph (1) of this subsection, who is age fifty-seven or over on the effective date of this subsection, may retire voluntarily at any time before mandatory retirement under paragraph (5) of this subsection and receive retirement benefits under section 821 of the Foreign Service Act of 1946, as amended. 22 USC 1076.

"(8) Any officer or employee who is separated for cause while a participant in the Foreign Service Retirement and Disability System

pursuant to this subsection, shall be entitled to benefits in accordance with section 637 (b) and (d) of the Foreign Service Act of 1946, as amended. The provisions of subsection (e) of this section shall apply to participants in lieu of the provisions of sections 633 and 634 of the Foreign Service Act of 1946, as amended."

74 Stat. 836.
22 USC 1007.
22 USC 1003, 1004.

REPORTS AND INFORMATION

80 Stat. 807.
22 USC 2394.

SEC. 17. Section 634 of the Foreign Assistance Act of 1961 is amended by striking out subsection (f) and inserting in lieu thereof the following new subsections:

Presidential reports to Speaker of the House and congressional committee.

"(f) The President shall transmit to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate a comprehensive report showing, as of June 30 and December 31 of each year, the status of each loan and each contract of guarantee or insurance theretofore made under this Act, with respect to which there remains outstanding any unpaid obligation or potential liability; the status of each sale of defense articles or defense services on credit terms, and each contract of guarantee in connection with any such sale, theretofore made under the Foreign Military Sales Act, with respect to which there remains outstanding any unpaid obligation or potential liability; the status of each sale of agriculture commodities on credit terms theretofore made under the Agricultural Trade Development and Assistance Act of 1954, with respect to which there remains outstanding any unpaid obligation; and the status of each transaction in which a loan, contract of guarantee or insurance, or extension of credit (or participation therein) was theretofore made under the Export-Import Bank Act of 1945, with respect to which there remains outstanding any unpaid obligation or potential liability. Such report shall include individually only any loan, contract, sale, extension of credit, or other transaction listed in this subsection in excess of $1,000,000.

82 Stat. 1320.
22 USC 2751 note.

68 Stat. 454.
7 USC 1691 note.

59 Stat. 526.
12 USC 635 note.

Presidential report to Speaker of the House and congressional committee.

"(g) The President shall transmit to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate, not later than January 31 of each year, a comprehensive report, based upon the latest data available, showing—

"(1) a summary of the worldwide dimensions of debt-servicing problems among such countries, together with a detailed statement of the debt-servicing problems of each such country;

"(2) a summary of all forms of debt relief granted by the United States with respect to such countries, together with a detailed statement of the specific debt relief granted with respect to each such country and the purpose for which it was granted;

"(3) a summary of the worldwide effect of the debt relief granted by the United States on the availability of funds, authority, or other resources of the United States to make any such loan, sale, contract of guarantee or insurance, or extension of credit, together with a detailed statement of the effect of such debt relief with respect to each such country; and

"(4) a summary of the net aid flow from the United States to such countries, taking into consideration the debt relief granted by the United States, together with a detailed analysis of such net aid flow with respect to each such country."

ADMINISTRATIVE EXPENSES

75 Stat. 460; 86 Stat. 28.
22 USC 2397.

SEC. 18. Section 637(a) of the Foreign Assistance Act of 1961 is amended by striking out "for the fiscal year 1972, $50,000,000, and for the fiscal year 1973, $50,000,000" and inserting in lieu thereof "for each of the fiscal years 1974 and 1975, $45,000,000".

TECHNICAL AMENDMENT

SEC. 19. Section 638 of the Foreign Assistance Act of 1961 is amended by striking out "PEACE CORPS ASSISTANCE" and inserting in lieu thereof "EXCLUSIONS". 77 Stat. 389; 79 Stat. 661. 22 USC 2398.

AFRICAN SAHEL FAMINE AND DISASTER RELIEF AND DEVELOPMENT PROGRAM

SEC. 20. Chapter 2 of part III of the Foreign Assistance Act of 1961 is amended by inserting after section 639 the following new sections: 79 Stat. 661. 22 USC 2399.

"SEC. 639A. FAMINE AND DISASTER RELIEF TO THE AFRICAN SAHEL.—(a) The Congress affirms the response of the United States Government in providing famine and disaster relief and related assistance in connection with the drought in the Sahelian nations of Africa. The President shall report to Congress as soon as possible on solutions to this problem of famine and further propose how any of these solutions may be carried out by multilateral organizations. Presidential report to Congress.

"(b) Notwithstanding any prohibitions or restrictions contained in this or any other Act, there is authorized to be appropriated to the President, in addition to funds otherwise available for such purposes, $25,000,000 to remain available until expended, for use by the President, under such terms and conditions as he may determine, for emergency and recovery needs, including drought, famine, and disaster relief, and rehabilitation and related assistance, for the drought-stricken Sahelian nations of Africa. Appropriation.

"SEC. 639B. AFRICAN SAHEL DEVELOPMENT PROGRAM.—The Congress supports the initiative of the United States Government in undertaking consultations and planning with the countries concerned, with other nations providing assistance, with the United Nations, and with other concerned international and regional organizations, toward the development and support of a comprehensive long-term African Sahel development program."

COORDINATION; SHIPPING DIFFERENTIAL

SEC. 21. Chapter 2 of part III of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new sections: 82 Stat. 965. 22 USC 2399b.

"SEC. 640B. COORDINATION.—(a) The President shall establish a system for coordination of United States policies and programs which affect United States interests in the development of low-income countries. To that end, the President shall establish a Development Coordination Committee which shall advise him with respect to coordination of United States policies and programs affecting the development of the developing countries, including programs of bilateral and multilateral development assistance. The Committee shall include the head of the agency primarily responsible for administering part I, Chairman, and representatives of the Departments of State, Treasury, Commerce, Agriculture, and Labor, the Executive Office of the President, and other executive departments and agencies, as the President shall designate. Development Coordination Committee. Establishment; membership. 81 Stat. 445. 22 USC 2151.

"(b) The President shall prescribe appropriate procedures to assure coordination among—

"(1) the various departments and agencies of the United States Government having representatives in diplomatic missions abroad; and

"(2) representatives of the United States Government in each country, under the direction of the Chief of the United States Diplomatic Mission.

The President shall keep the Congress advised of his actions under this subsection.

"(c) Programs authorized by this Act shall be undertaken with the foreign policy guidance of the Secretary of State.

Presidential reports to Congress.

"(d) The President shall report to the Congress during the first quarter of each calendar year on United States actions affecting the development of the low-income countries and on the impact of those undertakings upon the national income, employment, wages, and working conditions in the United States.

Grants, use for payment.

"SEC. 640C. SHIPPING DIFFERENTIAL.—For the purpose of facilitating implementation of section 901(b) of the Merchant Marine Act, 1936 (46 U.S.C. 1241(b)), funds made available for the purposes of chapter 1 of part I or for purposes of part V may be used to make grants to recipients to pay all or any portion of such differential as is determined by the Secretary of Commerce to exist between United States and foreign-flag vessel charter or freight rates. Grants made under this section shall be paid with United States-owned foreign currencies wherever feasible."

68 Stat. 832; 75 Stat. 565; 84 Stat. 1034. 22 USC 2151. *Post*, p. 728.

DEFINITIONS

SEC. 22. Section 644 of the Foreign Assistance Act of 1961 is amended as follows:

75 Stat. 461. 22 USC 2403.

(1) Subsection (g) is amended to read as follows:

"(g) 'Excess defense articles' means the quantity of defense articles owned by the United States Government, and not procured in anticipation of military assistance or sales requirements, or pursuant to a military assistance or sales order, which is in excess of the Approved Force Acquisition Objective and Approved Force Retention Stock of all Department of Defense Components at the time such articles are dropped from inventory by the supplying agency for delivery to countries or international organizations under this Act."

Repeal.

(2) Subsection (i) is repealed.

86 Stat. 32.

(3) Subsection (m) is amended to read as follows:

"(m) 'Value' means—

"(1) with respect to an excess defense article, the actual value of the article plus the gross cost incurred by the United States Government in repairing, rehabilitating, or modifying the article, except that for purposes of section 632(d) such actual value shall not be taken into account;

75 Stat. 454. 22 USC 2392.

"(2) with respect to a nonexcess defense article delivered from inventory to foreign countries or international organizations under this Act, the acquisition cost to the United States Government, adjusted as appropriate for condition and market value;

"(3) with respect to a nonexcess defense article delivered from new procurement to foreign countries or international organizations under this Act, the contract or production costs of such article; and

"(4) with respect to a defense service, the cost to the United States Government of such service."

ANNUAL FOREIGN ASSISTANCE REPORT

86 Stat. 30. 22 USC 2417.

SEC. 23. Section 657 of the Foreign Assistance Act of 1961 is amended to read as follows:

"SEC. 657. ANNUAL FOREIGN ASSISTANCE REPORT.—(a) In order that the Congress and the American people may be better and more currently informed regarding the volume and cost of assistance extended by the United States Government to foreign countries and international organizations, and in order that the Congress and the American people may be better informed regarding the sale of arms to

foreign countries and international organizations by private industry of the United States, not later than December 31 of each year the President shall transmit to the Congress an annual report, for the fiscal year ending prior to the fiscal year in which the report is transmitted, showing—

Presidential report to Congress.

"(1) the aggregate dollar value of all foreign assistance provided by the United States Government by any means to all foreign countries and international organizations, and the aggregate dollar value of such assistance by category provided by the United States Government to each such country and organization, during that fiscal year;

"(2) the total amounts of foreign currency paid by each foreign country or international organization to the United States Government in such fiscal year, what each payment was made for, whether any portion of such payment was returned by the United States Government to the country or organization from which the payment was obtained or whether any such portion was transferred by the United States Government to another foreign country or international organization, and, if so returned or transferred, the kind of assistance obtained by that country or organization with those foreign currencies and the dollar value of such kind of assistance;

"(3) the aggregate dollar value of all weapons, weapons systems, munitions, aircraft, military boats, military vessels, and other implements of war, and the aggregate dollar value of each category of such implements of war, exported under any export license, to all foreign countries and international organizations, and to each such country and organization, during that fiscal year;

"(4) all exports of significant defense articles on the United States Munitions List to any foreign government, international organization, or other foreign recipient or purchaser, by the United States under this Act or any other authority, or by any individual, corporation, partnership, or other association doing business in the United States, including but not limited to, full information as to the particular defense articles so exported, the particular recipient or purchaser, the terms of the export, including its selling price, if any, and such other information as may be appropriate to enable the Congress to evaluate the distribution of United States defense articles abroad; and

"(5) such other matters relating to foreign assistance provided by the United States Government as the President considers appropriate, including explanations of the information required under clauses (1) through (4) of this subsection.

"(b) All information contained in any report transmitted under this section shall be public information. However, in the case of any item of information to be included in any such report that the President, on an extraordinary basis, determines is clearly detrimental to the security of the United States, he shall explain in a supplemental report why publication of each specific item would be detrimental to the security of the United States. A supplemental report shall be transmitted to the Congress at the same time that the report is transmitted.

Public information.

Supplemental report, transmittal to Congress.

"(c) If the Congress is not in session at the time a report or supplemental report is transmitted to the Congress, the Secretary of the Senate and the Clerk of the House of Representatives shall accept the report or supplemental report on behalf of their respective Houses of Congress and present the report or supplemental report to the two Houses immediately upon their convening.

Definitions.

"(d) For the purposes of this section—

"(1) 'foreign assistance' means any tangible or intangible item provided by the United States Government under this or any other law to a foreign country or international organization, including, but not limited to, any training, service, or technical advice, any item of real, personal, or mixed property, any agricultural commodity, United States dollars, and any currencies owned by the United States Government of any foreign country; and

"(2) 'provided by the United States Government' includes, but is not limited to, foreign assistance provided by means of gift, loan, sale, credit, or guaranty."

INDOCHINA POSTWAR RECONSTRUCTION

75 Stat. 424. 22 USC 2151 note.

SEC. 24. The Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new part:

"PART V

Refugees of South Vietnam, Cambodia, and Laos, assistance.

"SEC. 801. GENERAL AUTHORITY.—The President is authorized to furnish, on such terms and conditions as he may determine, assistance for relief and reconstruction of South Vietnam, Cambodia, and Laos, including especially humanitarian assistance to refugees, civilian war casualties, and other persons disadvantaged by hostilities or conditions related to those hostilities in South Vietnam, Cambodia, and Laos. No assistance shall be furnished under this section to South Vietnam unless the President receives assurances satisfactory to him that no assistance furnished under this part, and no local currencies generated as a result of assistance furnished under this part, will be used for support of police, or prison construction and administration, within South Vietnam.

"SEC. 802. AUTHORIZATION.—There are authorized to be appropriated to the President to carry out the purposes of this chapter, in addition to funds otherwise available for such purposes, for the fiscal year 1974 not to exceed $504,000,000, which amount is authorized to remain available until expended.

"SEC. 803. ASSISTANCE TO SOUTH VIETNAMESE CHILDREN.—(a) It is the sense of the Congress that inadequate provision has been made (1) for the establishment, expansion, and improvement of day care centers, orphanages, hostels, school feeding programs, health and welfare programs, and training related to these programs which are designed for the benefit of South Vietnamese children, disadvantaged by hostilties in Vietnam or conditions related to those hostilities, and (2) for the adoption by United States citizens of South Vietnamese children who are orphaned or abandoned, or whose parents or sole surviving parent, as the case may be, has irrevocably relinquished all parental rights, particularly children fathered by United States citizens.

"(b) The President is, therefore, authorized to provide assistance, on terms and conditions he considers appropriate, for the purposes described in clauses (1) and (2) of subsection (a) of this section. Of the funds appropriated pursuant to section 802 for fiscal year 1974, $5,000,000, or its equivalent in local currency, shall be available until expended solely to carry out this section. Not more than 10 per centum of the funds made available to carry out this section may be expended for the purposes referred to in clause (2) of subsection (a). Assistance provided under this section shall be furnished, to the maximum extent practicable, under the auspices of and by international agencies or private voluntary agencies.

"SEC. 804. CENTER FOR PLASTIC AND RECONSTRUCTIVE SURGERY IN SAIGON.—Of the funds appropriated pursuant to section 802 for the fiscal year 1974, not less than $712,000 shall be available solely for furnishing assistance to the Center for Plastic and Reconstructive Surgery in Saigon.

"SEC. 805. AUTHORITY.—All references to part I, whether heretofore or hereafter enacted, shall be deemed to be references also to this part unless otherwise specifically provided. The authorities available to administer part I of this Act shall be available to administer programs authorized in this part." 75 Stat. 424. 22 USC 2151.

FOREIGN MILITARY SALES ACT AMENDMENTS

SEC. 25. The Foreign Military Sales Act is amended as follows:

(1) Section 1 is amended by adding at the end thereof the following new paragraph: 82 Stat. 1321; 84 Stat. 2053. 22 USC 2751.

"In order to reduce the role of the United States Government in the furnishing of defense articles and defense services to foreign countries and international organizations, and return such transactions to commercial channels, the United States Government shall reduce its sales, credit sales, and guaranties of such articles and defense services as soon as, and to the maximum extent, practicable." U.S. defense articles and services to foreign countries, reduction.

(2) Section 3 is amended— 22 USC 2753.

(A) by striking out "and" at the end of paragraph (2) of subsection (a) and inserting before "unless" the following: "and not to use or permit the use of such article for purposes other than those for which furnished";

(B) by redesignating paragraph (3) of subsection (a) as paragraph (4) and inserting after paragraph (2) the following new paragraph:

"(3) the country or international organization shall have agreed that it will maintain the security of such article and will provide substantially the same degree of security protection afforded to such article by the United States Government; and"; Protection of U.S. articles.

(C) by inserting the following immediately before the last sentence of subsection (a):

"In considering a request for approval of any transfer of any weapon, weapons system, munitions, aircraft, military boat, military vessel, or other implement of war to another country, the President shall not give his consent under paragraph (2) to the transfer unless the United States itself would transfer the defense article under consideration to that country, and prior to the date he intends to give his consent to the transfer, the President notifies the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate in writing of each such intended consent, the justification for giving such consent, the defense article for which he intends to give his consent to be so transferred, and the foreign country to which that defense article is to be transferred. In addition, the President shall not give his consent under paragraph (2) to the transfer of any significant defense articles on the United States Munitions List unless the foreign country requesting consent to transfer agrees to demilitarize such defense articles prior to transfer, or the proposed recipient foreign country provides a commitment in writing to the United States Government that it will not transfer such defense articles, if not demilitarized, to any other foreign country or person without first obtaining the consent of the President."; and Transfer of weapons, conditions. Report to Speaker of the House and congressional committee.

(D) by adding at the end thereof the following new subsections:

Violators, ineligibility for further sales.

"(c) Except as otherwise provided in subsection (d), any foreign country which hereafter uses defense articles or defense services furnished such country under this Act, in substantial violation of any provision of this Act or any agreement entered into under this Act, shall be immediately ineligible for further cash sales, credits, or guarantees.

"(d) No sophisticated weapons, including sophisticated jet aircraft or spare parts and associated ground equipment for such aircraft, shall be furnished under this or any other Act to any foreign country on or after the date that the President determines that such country has violated any agreement it has made in accordance with paragraph (2) of subsection (a) of this section or section 505(a) of the Foreign Assistance Act of 1961 or any other provision of law requiring similar agreements. Such country shall remain ineligible in accordance with this subsection until such time as the President determines that such violation has ceased, that the country concerned has given assurances satisfactory to the President that such violation will not reoccur, and that, if such violation involved the transfer of sophisticated weapons without the consent of the President, such weapons have been returned to the country concerned."

75 Stat. 436; 81 Stat. 456. 22 USC 2314.

82 Stat. 1323. 22 USC 2762.

(3) Section 22 is amended to read as follows:

"SEC. 22. PROCUREMENT FOR CASH SALES.—(a) Except as otherwise provided in this section, the President may, without requirement for charge to any appropriation or contract authorization otherwise provided, enter into contracts for the procurement of defense articles or defense services for sale for United States dollars to any foreign country or international organization if such country or international organization provides the United States Government with a dependable undertaking (1) to pay the full amount of such contract which will assure the United States Government against any loss on the contract, and (2) to make funds available in such amounts and at such times as may be required to meet the payments required by the contract, and any damages and costs that may accrue from the cancellation of such contract, in advance of the time such payments, damages, or costs are due.

"(b) The President may, when he determines it to be in the national interest, accept a dependable undertaking of a foreign country or international organization with respect to any such sale, to make full payment within 120 days after delivery of the defense articles or the rendering of the defense services. Appropriations available to the Department of Defense may be used to meet the payments required by the contracts for the procurement of defense articles and defense services and shall be reimbursed by the amounts subsequently received from the country or international organization to whom articles or services are sold."

82 Stat. 1324. 22 USC 2764.

(4) In section 24(c)—

(A) strike out "pursuant to section 31" and insert in lieu thereof "to carry out this Act"; and

(B) insert "principal amount of" immediately before the words "contractual liability" wherever they appear.

Foreign military sales credits, ceiling. 84 Stat. 2053; 86 Stat. 32. 22 USC 2771.

(5) In section 31(a), strike out "$400,000,000 for the fiscal year 1972" and insert in lieu thereof "$325,000,000 for fiscal year 1974".

(6) In section 31(b), strike out "(excluding credits covered by guaranties issued pursuant to section 24(b), and the face amount of guaranties issued pursuant to sections 24 (a) and (b) shall not exceed $550,000,000 for the fiscal year 1972, of which amount not less than $300,000,000 shall be available to Israel only" and insert in lieu thereof "and of the principal amount of loans guaranteed pursuant to section 24(a) shall not exceed $730,000,000 for the fiscal year 1974, of which amount not less than $300,000,000 shall be available to Israel only".

(7) In section 33(a)— 82 Stat. 1325; 86 Stat. 32.

(A) strike out "of cash sales pursuant to sections 21 and 22,"; 22 USC 2773.

(B) strike out "(excluding credits covered by guaranties issued pursuant to section 24(b)), of the face amount of contracts of guaranty issued pursuant to sections 24 (a) and (b)" and insert in lieu thereof "of the principal amount of loans guaranteed pursuant to section 24(a)"; and 22 USC 2764.

(C) strike out "$100,000,000" and insert in lieu thereof "$150,000,000".

(8) In section 33(b)—

(A) strike out "of cash sales pursuant to sections 21 and 22,"; and

(B) strike out "(excluding credits covered by guaranties issued pursuant to section 24(b)), of the face amount of contracts of guaranty issued pursuant to sections 24 (a) and (b)" and insert in lieu thereof "of the principal amount of loans guaranteed pursuant to section 24(a)".

(9) Section 33(c) is repealed. Repeal.

(10) In section 36, strike out subsections (a) and (b). 86 Stat. 32.

(11) In section 37(b), insert after "indebtedness" the following: "under section 24(b) (excluding such portion of the sales proceeds as may be required at the time of disposition to be obligated as a reserve for payment of claims under guaranties issued pursuant to section 24(b), which sums are made available for such obligations)". 82 Stat. 1326. 22 USC 2776. 22 USC 2777.

(12) Add at the end thereof the following new section:

"SEC. 47. DEFINITIONS.—For purposes of this Act, the term— 82 Stat. 1320. 22 USC 2751.

"(1) 'excess defense article' has the meaning provided by section 644(g) of the Foreign Assistance Act of 1961; and *Ante*, p. 726.

"(2) 'value' means, in the case of an excess defense article, not less than the greater of—

"(A) the gross cost incurred by the United States Government in repairing, rehabilitating, or modifying such article, plus the scrap value; or

"(B) the market value, if ascertainable."

AMENDMENTS TO FOREIGN MILITARY SALES ACT AMENDMENTS OF 1971

SEC. 26. The Act entitled "An Act to amend the Foreign Military Sales Act, and for other purposes", approved January 12, 1971 (84 Stat. 2053), is amended as follows:

(1) Section 8(a) is amended by inserting immediately before clause (1) the following: "(less amounts to be transferred under section 632(d) of the Foreign Assistance Act of 1961)". Excess defense articles. 84 Stat. 2054; 86 Stat. 33. 22 USC 2321b.

(2) Section 8(b) is amended— 81 Stat. 460. 22 USC 2392.

(A) by striking out "The provisions" and inserting in lieu thereof "In the case of excess defense articles which are generated abroad, the provisions"; and

(B) by striking out "$185,000,000" and inserting in lieu thereof "$150,000,000".

(3) Section 8(c) is amended to read as follows: "Value."

"(c) For purposes of this section, the term 'value' has the same meaning as given it in section 644(m) of the Foreign Assistance Act of 1961."

(4) Section 9 is repealed. *Ante*, p. 726. Repeal. 22 USC 2314a.

PUBLIC DISCLOSURE OF CERTAIN MUNITIONS CONTROL LICENSES

68 Stat. 848; 76A Stat. 698. 22 USC 1934. Report to congressional committees.

SEC. 27. Section 414 of the Mutual Security Act of 1954 is amended by adding at the end thereof the following new subsection:

"(e) Licenses issued for the export of articles on the United States Munitions List in excess of $100,000 shall be reported promptly to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, which report shall contain—

"(1) the items to be exported under the license;

"(2) the quantity of each such item to be furnished;

"(3) the name and address of the consignee and of the ultimate user of each such item; and

"(4) an injunction whenever appropriate, concerning the necessity to protect the confidentiality of the information provided."

ASIAN DEVELOPMENT BANK

86 Stat. 58. 22 USC 285n.

SEC. 28. Section 17 of the Asian Development Bank Act is amended by striking out "$60,000,000 for fiscal year 1972 and $40,000,000 for fiscal year 1973" and inserting in lieu thereof "$100,000,000".

ACCESS TO CERTAIN MILITARY BASES ABROAD

SEC. 29. None of the funds authorized to be appropriated by this Act may be used to provide any kind of assistance to any foreign country in which a military base is located if—

(1) such base was constructed or is being maintained or operated with funds furnished by the United States; and

(2) personnel of the United States carry out military operations from such base;

unless and until the President has determined that the government of such country has, consistent with security, authorized access, on a regular basis, to bona fide news media correspondents of the United States to such military base.

TERMINATION OF INDOCHINA WAR

SEC. 30. No funds authorized or appropriated under this or any other law may be expended to finance military or paramilitary operations by the United States in or over Vietnam, Laos, or Cambodia.

LIMITATION ON USE OF FUNDS

SEC. 31. No funds authorized or appropriated under any provision of law shall be made available for the purpose of financing directly or indirectly any military or paramilitary combat operations by foreign forces in Laos, Cambodia, North Vietnam, South Vietnam, or Thailand unless (1) such operations are conducted by the forces of that government receiving such funds within the borders of that country, or (2) specifically authorized by law enacted after the date of enactment of this Act.

POLITICAL PRISONERS

SEC. 32. It is the sense of Congress that the President should deny any economic or military assistance to the government of any foreign country which practices the internment or imprisonment of that country's citizens for political purposes.

ALBERT SCHWEITZER HOSPITAL

SEC. 33. There is authorized to be appropriated to the President for fiscal year 1974 $1,000,000 to make grants, on such terms and conditions as he may specify, to the Albert Schweitzer Hospital in Gabon.

PRISONERS OF WAR AND INDIVIDUALS MISSING IN ACTION

SEC. 34. (a) The Congress declares that—

(1) the families of those one thousand three hundred individuals missing in action during the Indochina conflict have suffered extraordinary torment in ascertaining the full and complete information about their loved ones who are formally classified as missing in action;

(2) United States involvement in the Indochina conflict has come to a negotiated end with the signing of the Vietnam Agreement in Paris on January 27, 1973, and section 307 of the Second Supplemental Appropriations Act, 1973, requires that "None of the funds herein appropriated under this Act may be expended to support directly or indirectly combat activities in or over Cambodia, Laos, North Vietnam, and South Vietnam or off the shores of Cambodia, Laos, North Vietnam and South Vietnam by United States forces, and after August 15, 1973, no other funds heretofore appropriated under any other Act may be expended for such purpose.";

24 UST 1.
Ante, p. 129.

(3) the question of the return of prisoners of war and accounting for individuals missing in action and dead in Laos is covered by article 18 of the Protocol signed by representatives of the Lao Patriotic Front (Pathet Lao) and the Royal Laotian Government in Vientiane on September 14, 1973 (which implements article 5 of the Agreement signed by the Pathet Lao and that government in Vientiane on February 21, 1973, requiring the release of all prisoners "regardless of nationality" captured and held in Laos), and paragraph C of such article 18 provides that, within "15 to 30 days" from the date of the signing of the Protocol, each side is to report the number of those prisoners and individuals still held, with an indication of their nationality and status, together with a list of names and any who died in captivity; and

(4) few of the United States men lost in Laos during the military engagements in Indochina have been returned, and with knowledge about many of these men not yet being fully disclosed, and the North Vietnam cease-fire provisions calling for inspection of crash and grave sites and for other forms of cooperation have not been fully complied with.

(b) It is, therefore, the sense of the Congress that—

(1) the provisions for the release of prisoners and an accounting of individuals missing and dead, as provided for in article 18 of the Protocol signed on September 14, 1973, by the Pathet Lao and the Royal Laotian Government, be adhered to in spirit and in deed; and

(2) the faithful compliance with the spirit of the Laotian Agreement and Protocol on the question of individuals missing in action will encourage all parties in Indochina to cooperate in providing complete information on all nationals of any nation who may be captured or missing at any place in Indochina.

RIGHTS IN CHILE

SEC. 35. It is the sense of the Congress that (1) the President should request the Government of Chile to protect the human rights of all individuals, Chilean and foreign, as provided in the Universal Declaration of Human Rights, the Convention and Protocol Relating the Status of Refugees, and other relevant international legal instruments guaranteeing the granting of asylum, safe conduct, and the humane treatment or release of prisoners; (2) the President should support international humanitarian initiatives by the United Nations High Commissioner for Refugees and the International Committee of the Red Cross to insure the protection and safe conduct and resettlement of political refugees, the humane treatment of political prisoners, and the full inspection of detention facilities under international auspices; (3) the President should support and facilitate efforts by voluntary agencies to meet emergency relief needs; and (4) the President should request of the Inter-American Commission on Human Rights to undertake an immediate inquiry into recent events occurring in Chile.

REVISION OF SOCIAL PROGRESS TRUST FUND AGREEMENT

SEC. 36. (a) The President or his delegate shall seek, as soon as possible, a revision of the Social Progress Trust Fund Agreement (dated June 19, 1961) between the United States and the Inter-American Development Bank. Such revision should provide for the—

12 UST 632.

(1) periodic transfer of unencumbered capital resources of such trust fund, and of any future repayments or other accruals otherwise payable to such trust fund, to the Inter-American Foundation, to be administered by the Foundation for purposes of part IV of the Foreign Assistance Act of 1969 (22 U.S.C. 290f and following);

83 Stat. 821; 86 Stat. 34.

(2) utilization of such unencumbered capital resources, future repayments, and other accruals by the Inter-American Development Bank for purposes of sections 1 and 2 of the Latin American Development Act (22 U.S.C. 1942 and 1943) in such a way that the resources received in the currencies of the more developed member countries are utilized to the extent possible for the benefit of the lesser developed member countries; or

74 Stat. 869.

(3) both the transfer described in paragraph (1) and the utilization described in paragraph (2).

(b) Any transfer or utilization under this section shall be in such proportions as may be agreed to between the United States and the Inter-American Development Bank.

(c) Any transfer under subsection (a) (1) shall be in the amounts, and in available currencies, determined in consultation with the Inter-American Foundation, to be required for its program purposes.

(d) The revision of the Social Progress Trust Fund Agreement pursuant to this section shall provide that the President or his delegate shall specify, from time to time, after consultation with the Inter-American Development Bank, the particular currencies to be used in making the transfer or utilization described in this section.

Presidential report to Congress.

(e) Not later than January 1, 1974, the President shall report to Congress on his action taken pursuant to this section.

PROHIBITION ON ASSISTANCE TO NORTH VIETNAM

SEC. 37. Notwithstanding any other provision of law, no funds authorized by this Act shall be expended to aid or assist in the reconstruction of the Democratic Republic of Vietnam (North Vietnam), unless by an Act of Congress assistance to North Vietnam is specifically authorized.

REPORT CONCERNING CERTAIN USE OF MILITARY ASSISTANCE IN AFRICA

SEC. 38. The President of the United States shall, as soon as practicable following the date of the enactment of this Act, make a determination and report to Congress with respect to the use, if any, by any non-African country in support of its military activities in its African terrorities of— Presidential report to Congress.

(1) assistance furnished under the Foreign Assistance Act of 1961 after the date of the enactment of this Act; 75 Stat. 424. 22 USC 2151 note.

(2) defense articles or services furnished after such date under the Foreign Military Sales Act; or 82 Stat. 1320. 22 USC 2751 note.

(3) agricultural commodities furnished after such date under the Agricultural Trade Development and Assistance Act of 1954. 68 Stat. 454. 7 USC 1691-1736d.

WORLD FOOD SHORTAGES

SEC. 39. (a) It is the sense of the Congress that the United States should participate fully in efforts to alleviate current and future food shortages which threaten the world. To this end, the President shall—

(1) encourage, support, and expedite studies relating to the long-range implications of the world food situation (including studies of national and world production, distribution, and utilization of agricultural commodities and other foodstuffs) and support the organizing of a world food conference under United Nations auspices in 1974; Studies.

(2) request the member nations of the General Agreement on Tariffs and Trade to explore the means for assuring equitable access by all nations to national markets and mineral and agricultural resources;

(3) consult and cooperate with appropriate international agencies, such as the Food and Agriculture Organization of the United Nations, in determining the need for, the feasibility of, and cost on an equitably-shared basis of, establishing an international system of strategic food reserves; and

(4) report his findings and recommendations to the Congress on the implementation of this section no later than December 31, 1974. Presidential report to Congress.

(b) It is further the sense of the Congress that—

(1) in making assessments which would affect or relate to the level of domestic production, the Executive Branch should include in the estimates of overall utilization the expected demands for humanitarian food assistance through such programs as are carried out under the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480); and

(2) legislation providing increased flexibility for responding to emergency and humanitarian requirements for food assistance should be considered as promptly as possible to the end that the last sentence of section 401 of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480), may be amended by striking the period and inserting in lieu thereof a 80 Stat. 1535. 7 USC 1731.

comma and the following: "unless the Secretary determines that some part of the exportable supply should be used to carry out the national interest and humanitarian objectives of this Act."

USE OF LOCAL CURRENCIES

Effective date.

SEC. 40. Effective July 1, 1974, no amount of any foreign currency (including principal and interest from loan repayments) which accrues in connection with any sale for foreign currency under any provision of law may be used under any agreement entered into after the date of the enactment of this Act, or any revision or extension entered into after such date of any prior or subsequent agreement, to provide any assistance to any foreign country to procure equipment, materials, facilities, or services for the common defense, including internal security, unless such agreement is specifically authorized by legislation enacted after such date.

Approved December 17, 1973.

Public Law 93-190

December 18, 1973
[S. 2641]

AN ACT

To confer jurisdiction upon the district court of the United States of certain civil actions brought by the Senate Select Committee on Presidential Campaign Activities, and for other purposes.

U.S. District Court for the District of Columbia.
Jurisdiction over civil actions brought by Senate Select Committee on Presidential Campaign Activities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the District Court of the United States for the District of Columbia shall have original jurisdiction, without regard to the sum or value of the matter in controversy, of any civil action heretofore or hereafter brought by the Senate Select Committee on Presidential Campaign Activities, which was created on February 7, 1973, by Senate Resolution Numbered 60, to enforce or secure a declaration concerning the validity of any subpoena or order heretofore or hereafter issued by said Committee to the President or the Vice President or any other officer of the United States or any officer or employee of any department or agency of the United States to procure the production before the said Committee of any information, documents, taped recordings, or other materials relevant to matters the said Committee is authorized to investigate, and the said District Court shall have jurisdiction to enter any such judgment or decree in any such civil action as may be necessary or appropriate to enforce obedience to any such subpoena or order.

Prosecution authority.

(b) The Senate Select Committee on Presidential Campaign Activities shall have authority to prosecute in its own name or in the name of the United States in the District Court of the United States for the District of Columbia any civil action heretofore or hereafter brought by said Committee to enforce or secure a declaration concerning the validity of any subpoena or order heretofore or hereafter issued by said Committee to the President or Vice President or any other officer of the United States or any officer or employee of any department of

the United States to procure the production before the said Committee of any information, documents, taped recordings, or other materials relevant to the matters the Committee is authorized to investigate, and pray the said District Court to enter such judgment or decree in said civil action as may be necessary or appropriate to enforce any such subpoena or order.

(c) The Senate Select Committee on Presidential Campaign Activities may be represented by such attorneys as it may designate in any action prosecuted by said Committee under this Act.

Attorney representation.

[Note by the Office of the Federal Register.—The foregoing Act, having been presented to the President of the United States on December 5, 1973, for his approval and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval on December 18, 1973.]

Public Law 93-191

AN ACT

December 18, 1973
[H. R. 3180]

To amend title 39, United States Code, to clarify the proper use of the franking privilege by Members of Congress, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3210 of title 39, United States Code, is amended to read as follows:

Members of Congress and congressional officials.
Franking privilege, clarification of use.
84 Stat. 754; 85 Stat. 132.

"§ 3210. Franked mail transmitted by the Vice President, Members of Congress, and congressional officials

"(a) (1) It is the policy of the Congress that the privilege of sending mail as franked mail shall be established under this section in order to assist and expedite the conduct of the official business, activities, and duties of the Congress of the United States.

"(2) It is the intent of the Congress that such official business, activities, and duties cover all matters which directly or indirectly pertain to the legislative process or to any congressional representative functions generally, or to the functioning, working, or operating of the Congress and the performance of official duties in connection therewith, and shall include, but not be limited to, the conveying of information to the public, and the requesting of the views of the public, or the views and information of other authority of government, as a guide or a means of assistance in the performance of those functions.

"(3) It is the intent of the Congress that mail matter which is frankable specifically includes, but is not limited to—

"(A) mail matter to any person and to all agencies and officials of Federal, State, and local governments regarding programs, decisions, and other related matters of public concern or public service, including any matter relating to actions of a past or current Congress;

"(B) the usual and customary congressional newsletter or press release which may deal with such matters as the impact of laws and decisions on State and local governments and individual

citizens; reports on public and official actions taken by Members of Congress; and discussions of proposed or pending legislation or governmental actions and the positions of the Members of Congress on, and arguments for or against, such matters;

"(C) the usual and customary congressional questionnaire seeking public opinion on any law, pending or proposed legislation, public issue, or subject;

"(D) mail matter dispatched by a Member of Congress between his Washington office and any congressional district offices, or between his district offices;

"(E) mail matter directed by one Member of Congress to another Member of Congress or to representatives of the legislative bodies of State and local governments;

"(F) mail matter expressing condolences to a person who has suffered a loss or congratulations to a person who has achieved some personal or public distinction;

"(G) mail matter, including general mass mailings, which consists of Federal laws, Federal regulations, other Federal publications, publications purchased with Federal funds, or publications containing items of general information;

"(H) mail matter which consists of voter registration or election information or assistance prepared and mailed in a nonpartisan manner;

"(I) mail matter which constitutes or includes a biography or autobiography of any Member of, or Member-elect to, Congress or any biographical or autobiographical material concerning such Member or Member-elect or the spouse or other members of the family of such Member or Member-elect, and which is so mailed as a part of a Federal publication or in response to a specific request therefor and is not included for publicity purposes in a newsletter or other general mass mailing of the Member or Member-elect under the franking privilege; or

"(J) mail matter which contains a picture, sketch, or other likeness of any Member or Member-elect and which is so mailed as a part of a Federal publication or in response to a specific request therefor and, when contained in a newsletter or other general mass mailing of any Member or Member-elect, is not of such size, or does not occur with such frequency in the mail matter concerned, as to lead to the conclusion that the purpose of such picture, sketch, or likeness is to advertise the Member or Member-elect rather than to illustrate accompanying text.

Restrictions.

"(4) It is the intent of the Congress that the franking privilege under this section shall not permit, and may not be used for, the transmission through the mails as franked mail, of matter which in its nature is purely personal to the sender or to any other person and is unrelated to the official business, activities, and duties of the public officials covered by subsection (b)(1) of this section.

"(5) It is the intent of the Congress that a Member of or Member-elect to Congress may not mail as franked mail—

"(A) mail matter which constitutes or includes any article, account, sketch, narration, or other text laudatory and complimentary of any Member of, or Member-elect to, Congress on a purely personal or political basis rather than on the basis of performance of official duties as a Member or on the basis of activities as a Member-elect;

"(B) mail matter which constitutes or includes—

"(i) greetings from the spouse or other members of the family of such Member or Member-elect;

"(ii) reports of how or when such Member or Member-elect, or the spouse or any other member of the family of such Member or Member-elect, spends time other than in the performance of, or in connection with, the legislative, representative, and other official functions of such Member or the activities of such Member-elect as a Member-elect; or

"(iii) any card expressing holiday greetings from such Member or Member-elect;

"(C) mail matter which specifically solicits political support for the sender or any other person or any political party, or a vote or financial assistance for any candidate for any public office; or

"(D) any mass mailing when the same is mailed at or delivered to any postal facility less than 28 days immediately before the date of any primary or general election (whether regular, special, or runoff) in which such Member or Member-elect is a candidate for public office. For the purpose of this clause (D), the term 'mass mailing' shall mean newsletters and similar mailings of more than 500 pieces in which the content of the matter mailed is substantially identical but shall not apply to mailings— "Mass mailing."

"(i) which are in direct response to inquiries or requests from the persons to whom the matter is mailed;

"(ii) to colleagues in Congress or to government officials (whether Federal, State, or local); or

"(iii) of news releases to the communications media.

The House Commission on Congressional Mailing Standards and the Select Committee on Standards and Conduct of the Senate shall prescribe for their respective Houses such rules and regulations and shall take such other action, as the Commission or Committee considers necessary and proper for the Members and Members-elect to conform to the provisions of this clause and applicable rules and regulations. Such rules and regulations shall include, but not be limited to, provisions prescribing the time within which such mailings shall be mailed at or delivered to any postal facility to attain compliance with this clause and the time when such mailings shall be deemed to have been so mailed or delivered and such compliance attained. Rules and regulations.

"(b)(1) The Vice President, each Member of or Member-elect to Congress, the Secretary of the Senate, the Sergeant at Arms of the

Senate, and each of the elected officers of the House of Representatives (other than a Member of the House), until the 1st day of April following the expiration of their respective terms of office, and the Legislative Counsels of the House of Representatives and the Senate, may send, as franked mail, matter relating to their official business, activities, and duties, as intended by Congress to be mailable as franked mail under subsection (a) (2) and (3) of this section.

Vacancies.

"(2) If a vacancy occurs in the Office of the Secretary of the Senate, the Sergeant at Arms of the Senate, an elected officer of the House of Representatives (other than a Member of the House), or the Legislative Counsel of the House of Representatives or the Senate, any authorized person may exercise the franking privilege in the officer's name during the period of the vacancy.

"(c) Franked mail may be in any form appropriate for mail matter, including, but not limited to, correspondence, newsletters, questionnaires, recordings, facsimiles, reprints, and reproductions. Franked mail shall not include matter which is intended by Congress to be nonmailable as franked mail under subsection (a) (4) and (5) of this section.

"(d)(1) A Member of the House may mail franked mail with a simplified form of address for delivery—

"(A) within that area constituting the congressional district from which he was elected; and

"(B) on and after the date on which the proposed redistricting of congressional districts in his State by legislative or judicial proceedings is initially completed (whether or not the redistricting is actually in effect), within any additional area of each congressional district proposed or established in such redistricting and containing all or part of the area constituting the congressional district from which he was elected, unless and until the congressional district so proposed or established is changed by legislative or judicial proceedings.

"(2) A Member-elect to the House of Representatives may mail franked mail with a simplified form of address for delivery within that area constituting the congressional district from which he was elected.

"(3) A Delegate, Delegate-elect, Resident Commissioner, or Resident Commissioner-elect to the House of Representatives may mail franked mail with a simplified form of address for delivery within the area from which he was elected.

"(4) Franked mail mailed with a simplified form of address under this subsection—

"(A) shall be prepared as directed by the Postal Service; and

"(B) may be delivered to—

"(i) each box holder or family on a rural or star route;

"(ii) each post office box holder; and

"(iii) each stop or box on a city carrier route.

"(5) For the purposes of this subsection, a congressional district includes, in the case of a Representative at Large or Representative at Large-elect, the State from which he was elected. Congressional district.

"(e) The frankability of mail matter shall be determined under the provisions of this section by the type and content of the mail sent, or to be sent. Notwithstanding any other provision of law, the cost of preparing or printing mail matter which is frankable under this section may be paid from any funds, including, but not limited to, funds collected by a candidate or a political committee required to file reports of receipts and expenditures under the Federal Election Campaign Act of 1971 (Public Law 92-225), or from voluntary newsletter funds, or from similar funds administered and controlled by a Member or by a committee organized to administer such funds. 86 Stat. 3. 2 USC 431 note.

"(f) Notwithstanding any other provision of Federal, State, or local law, or any regulation thereunder, the equivalent amount of postage determined under section 3216 of this title on franked mail mailed under the frank of the Vice President or a Member of Congress, and the cost of preparing or printing such frankable matter for such mailing under the frank, shall not be considered as a contribution to, or an expenditure by, the Vice President or a Member of Congress for the purpose of determining any limitation on expenditures or contributions with respect to any such official, imposed by any Federal, State, or local law or regulation, in connection with any campaign of such official for election to any Federal office.". *Post*, p. 745.

(b) The table of sections of chapter 32 of title 39, United States Code, is amended by striking out—

"3210. Official correspondence of Vice President and Members of Congress."

and inserting in lieu thereof—

"3210. Franked mail transmitted by the Vice President, Members of Congress, and congressional officials.".

SEC. 2. Section 3211 of title 39, United States Code, is amended by striking out "the Clerk of the House of Representatives, and the Sergeant at Arms of the House of Representatives, until the thirtieth day of June" and inserting in lieu thereof "each of the elected officers of the House of Representatives (other than a Member of the House) until the first day of April". 84 Stat. 754.

SEC. 3. Section 3212 of title 39, United States Code, is amended to read as follows:

"§ 3212. Congressional Record under frank of Members of Congress

"(a) Members of Congress may send the Congressional Record as franked mail.

"(b) Members of Congress may send, as franked mail, any part of, or a reprint of any part of, the Congressional Record, including speeches or reports contained therein, if such matter is mailable as franked mail under section 3210 of this title.". *Ante*, p. 737.

84 Stat. 754.

SEC. 4. (a) Section 3214 of title 39, United States Code, is amended to read as follows:

"§ 3214. Mailing privilege of former President; surviving spouse of former President

"A former President and the surviving spouse of a former President may send nonpolitical mail within the United States and its territories and possessions as franked mail. Such mail of a former President and of the surviving spouse of a former President marked 'Postage and Fees Paid' in the manner prescribed by the Postal Service shall be accepted by the Postal Service for transmission in the international mails.".

(b) The table of sections of chapter 32 of title 39, United States Code, is amended by striking out—

"3214. Mailing privilege of former Presidents."

and inserting in lieu thereof—

"3214. Mailing privilege of former President; surviving spouse of former President.".

House Commission on Congressional Mailing Standards. Establishment; membership.

SEC. 5. (a) There is established a special commission of the House of Representatives, designated the "House Commission on Congressional Mailing Standards" (herein referred to as the "Commission").

(b) The Commission shall be composed of six Members appointed by the Speaker of the House, three from the majority political party, and three from the minority political party, in the House. The Speaker shall designate as Chairman of the Commission, from among the members of the Committee on Post Office and Civil Service of the House, one of the Members appointed to the Commission. A vacancy in the membership of the Commission shall be filled in the same manner as the original appointment. Four members of the Commission shall constitute a quorum to do business.

Quorum.

(c) In performing its duties and functions, the Commission may use such personnel, office space, equipment, and facilities of, and obtain such other assistance from, the Committee on Post Office and Civil Service of the House, as such committee shall make available to the Commission. Such personnel and assistance shall include, in all cases, the services and assistance of the chief counsel or other head of the professional staff (by whatever title designated) of such committee. All assistance so furnished to the Commission by the Committee on Post Office and Civil Service shall be sufficient to enable the Commission to perform its duties and functions efficiently and effectively.

(d) The Commission shall provide guidance, assistance, advice, and counsel, through advisory opinions or consultations, in connection with the mailing or contemplated mailing of franked mail under section 3210, 3211, 3212, 3213(2), or 3218, and in connection with the operation of section 3215, of title 39, United States Code, upon the request of any Member of the House or Member-elect, Resident Commissioner or Resident Commissioner-elect, Delegate or Delegate-elect, surviving spouse of any of the foregoing, or other House official, entitled to send mail as franked mail under any of those sections. The Commission shall prescribe regulations governing the proper use of the franking privilege under those sections by such persons.

Ante, p. 737; 84 Stat. 754; 85 Stat. 132.

Violations.

(e) Any complaint by any person that a violation of any section of title 39, United States Code, referred to in subsection (d) of this section is about to occur, or has occurred within the immediately preceding period of one year, by any person referred to in such subsection (d),

shall contain pertinent factual material and shall conform to regulations prescribed by the Commission. The Commission, if it determines there is reasonable justification for the complaint, shall conduct an investigation of the matter, including an investigation of reports and statements filed by the complainant with respect to the matter which is the subject of the complaint. The Commission shall afford to the person who is the subject of the complaint due notice and, if it determines that there is substantial reason to believe that such violation has occurred or is about to occur, opportunity for all parties to participate in a hearing before the Commission. The Commission shall issue a written decision on each complaint under this subsection not later than thirty days after such a complaint has been filed or, if a hearing is held, not later than thirty days after the conclusion of such hearing. Such decision shall be based on written findings of fact in the case by the Commission. Such findings of fact by the Commission on which its decision is based are binding and conclusive for all judicial and administrative purposes, including purposes of any judicial challenge or review. Any judicial review of such decision, if ordered on any ground, shall be limited to matters of law. If the Commission finds in its written decision, that a serious and willful violation has occurred or is about to occur, it may refer such decision to the Committee on Standards of Official Conduct of the House of Representatives for appropriate action and enforcement by the committee concerned in accordance with applicable rules and precedents of the House and such other standards as may be prescribed by such committee. Notwithstanding any other provision of law, no court or administrative body in the United States or in any territory thereof shall have jurisdiction to entertain any civil action of any character concerning or related to a violation of the franking laws or an abuse of the franking privilege by any person listed under subsection (d) of this section as entitled to send mail as franked mail, except judicial review of the decisions of the Commission under this subsection. The Commission shall prescribe regulations for the holding of investigations and hearings, the conduct of proceedings, and the rendering of decisions under this subsection providing for equitable procedures and the protection of individual, public, and Government interests. The regulations shall, insofar as practicable, contain the substance of the administrative procedure provisions of sections 551–559, and 701–706, of title 5, United States Code. These regulations shall govern matters under this subsection subject to judicial review thereof.

Investigation.

Notification.

Regulations.

80 Stat. 381; 81 Stat. 54; 85 Stat. 132.

(f) The Commission may sit and act at such places and times during the sessions, recesses, and adjourned periods of Congress, require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths and affirmations, take such testimony, procure such printing and binding, and make such expenditures, as the Commission considers advisable. The Commission may make such rules respecting its organization and procedures as it considers necessary, except that no action shall be taken by the Commission unless a majority of the Commission assent. Subpenas may be issued over the signature of the Chairman of the Commission or of any member designated by him or by the Commission, and may be served by such person or persons as may be designated by such Chairman or member. The Chairman of the Commission or any member thereof may administer oaths or affirmations to witnesses.

(g) The Commission shall keep a complete record of all its actions, including a record of the votes on any question on which a record vote

Recordkeeping.

is demanded. All records, data, and files of the Commission shall be the property of the Commission and shall be kept in the offices of the Commission or such other places as the Commission may direct.

SEC. 6. (a) The Select Committee on Standards and Conduct of the Senate shall provide guidance, assistance, advice and counsel, through advisory opinions or consultations, in connection with the mailing or contemplated mailing of franked mail under section 3210, 3211, 3212, 3213(2) or 3218, and in connection with the operation of section 3215, of title 39, United States Code, upon the request of any Member of the Senate or Member-elect, surviving spouse of any of the foregoing, or other Senate official, entitled to send mail as franked mail under any of those sections. The select committee shall prescribe regulations governing the proper use of the franking privilege under those sections by such persons.

Ante, p. 737; 84 Stat. 754; 85 Stat. 132.

Complaints.

(b) Any complaint filed by any person with the select committee that a violation of any section of title 39, United States Code, referred to in subsection (a) of this section is about to occur or has occurred within the immediately preceding period of one year, by any person referred to in such subsection (a), shall contain pertinent factual material and shall conform to regulations prescribed by the select committee. The select committee, if it determines there is reasonable justification for the complaint, shall conduct an investigation of the matter, including an investigation of reports and statements filed by the complainant with respect to the matter which is the subject of the complaint. The committee shall afford to the person who is the subject of the complaint due notice and, if it determines that there is substantial reason to believe that such violation has occurred or is about to occur, opportunity for all parties to participate in a hearing before the select committee. The select committee shall issue a written decision on each complaint under this subsection not later than thirty days after such a complaint has been filed or, if a hearing is held, not later than thirty days after the conclusion of such hearing. Such decision shall be based on written findings of fact in the case by the select committee. If the select committee finds, in its written decision, that a violation has occurred or is about to occur, the committee may take such action and enforcement as it considers appropriate in accordance with applicable rules, precedents, and standing orders of the Senate, and such other standards as may be prescribed by such committee.

Investigation.

Notification.

(c) Notwithstanding any other provision of law, no court or administrative body in the United States or in any territory thereof shall have jurisdiction to entertain any civil action of any character concerning or related to a violation of the franking laws or an abuse of the franking privilege by any person listed under subsection (a) of this section as entitled to send mail as franked mail, until a complaint has been filed with the select committee and the committee has rendered a decision under subsection (b) of this section.

Regulations.

(d) The select committee shall prescribe regulations for the holding of investigations and hearings, the conduct of proceedings, and the rendering of decisions under this subsection providing for equitable procedures and the protection of individual, public, and Government interests. The regulations shall, insofar as practicable, contain the substance of the administrative procedure provisions of sections 551–559 and 701–706, of title 5, United States Code. These regulations shall govern matters under this subsection subject to judicial review thereof.

80 Stat. 381; 81 Stat. 54; 85 Stat. 132.

Recordkeeping.

(e) The select committee shall keep a complete record of all its actions, including a record of the votes on any question on which a

record vote is demanded. All records, data, and files of the select committee shall be the property of the Senate and shall be kept in the offices of the select committee or such other places as the committee may direct.

SEC. 7. Section 3216 of title 39, United States Code, is amended to read as follows: 84 Stat. 754; 85 Stat. 132.

"§ 3216. Reimbursement for franked mailings

"(a) The equivalent of—

"(1) postage on, and fees and charges in connection with, mail matter sent through the mails—

"(A) under the franking privilege (other than under section 3219 of this title), by the Vice President, Members of and Members-elect to Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate, each of the elected officers of the House of Representatives (other than a Member of the House), and the Legislative Counsels of the House of Representatives and the Senate; and *Post*, p. 746.

"(B) by the surviving spouse of a Member of Congress under section 3218 of this title; and

"(2) those portions of fees and charges to be paid for handling and delivery by the Postal Service of Mailgrams considered as franked mail under section 3219 of this title;

shall be paid by a lump-sum appropriation to the legislative branch for that purpose and then paid to the Postal Service as postal revenue. Except as to Mailgrams and except as provided by sections 733 and 907 of title 44, envelopes, wrappers, cards, or labels used to transmit franked mail shall bear, in the upper right-hand corner, the sender's signature, or a facsimile thereof, and the printed words 'Postage paid by Congress'. *Infra.*

"(b) Postage on, and fees and charges in connection with, mail matter sent through the mails under section 3214 of this title shall be paid each fiscal year, out of any appropriation made for that purpose, to the Postal Service as postal revenue in an amount equivalent to the postage, fees, and charges which would otherwise be payable on, or in connection with, such mail matter. *Ante*, p. 742.

"(c) Payment under subsection (a) or (b) of this section shall be deemed payment for all matter mailed under the frank and for all fees and charges due the Postal Service in connection therewith.

"(d) Money collected for matter improperly mailed under the franking privilege shall be deposited as miscellaneous receipts in the general fund of the Treasury.".

SEC. 8. (a) Section 733 of title 44, United States Code, is amended by striking out "Free." and inserting in lieu thereof "Postage paid by Congress.". 82 Stat. 1253.

(b) Section 907 of title 44, United States Code, is amended as follows: 82 Stat. 1259.

(1) the second sentence is amended by inserting immediately before the period at the end thereof a comma and the following: "if such part, speeches, or reports are mailable as franked mail under section 3210 of title 39"; and *Ante*, p. 737.

(2) the third sentence is amended by striking out "Free" and inserting in lieu thereof "Postage paid by Congress".

SEC. 9. Section 3206 of title 39, United States Code, is amended by adding at the end thereof the following new subsection: Transfer of funds. 84 Stat. 753.

"(d) The Department of State shall transfer to the Postal Service as postal revenues out of any appropriations made to it for that purpose the equivalent amount of postage, as determined by the Postal Service,

for penalty mailings under clause (1) (C) and (D) of section 3202(a) of this title.".

84 Stat. 751.

SEC. 10. The last sentence of section 3215 of title 39, United States Code, is amended to read as follows: "This section does not apply to any standing, select, special, or joint committee, or subcommittee thereof, or commission, of the Senate, House of Representatives, or Congress, composed of Members of Congress, or to the Democratic caucus or the Republican conference of the House of Representatives or of the Senate.".

84 Stat. 754.

SEC. 11. Section 3218 of title 39, United States Code, is amended by inserting "nonpolitical" immediately before "correspondence".

84 Stat. 755.

SEC. 12. (a) Chapter 32 of title 39, United States Code, is amended by adding at the end thereof the following new section:

39 USC 3218.

"§ 3219. Mailgrams

"Any Mailgram sent by the Vice President, a Member of or Member-elect to Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate, an elected officer of the House of Representatives (other than a Member of the House), or the Legislative Counsel of the House of Representatives or the Senate, and then delivered by the Postal Service, shall be considered as franked mail, subject to section 3216(a)(2) of this title, if such Mailgram contains matter of the kind authorized to be sent by that official as franked mail under section 3210 of this title.".

Ante, p. 745.

Ante, p. 737.

(b) The table of sections of such chapter 32 is amended by adding at the end thereof the following:

"3219. Mailgrams.".

Repeal.

SEC. 13. The last sentence of section 1303(d) of the Revenue Act of 1918 (2 U.S.C. 277) is repealed.

43 Stat. 353.

Effective dates.

SEC. 14. (a) Except as provided in subsection (b) of this section, the provisions of this Act shall become effective on the date of enactment of this Act.

(b) The provisions of section 3214 of title 39, United States Code, as amended by section 4 of this Act, and the provisions of subsection (b) of section 3216 of title 39, United States Code, as amended by section 7 of this Act, shall take effect as of December 27, 1972.

Separability.

SEC. 15. If a provision of this Act is held invalid, all valid provisions severable from the invalid provision remain in effect. If a provision of this Act is held invalid in one or more of its applications, such provision remains in effect in all valid applications severable from the invalid application or applications.

Approved December 18, 1973.

Public Law 93-192

December 18, 1973
[H. R. 8877]

AN ACT

Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1974, and for other purposes.

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, and shall be made available for expenditure except that not to exceed $400,000,000, including not more than 5 per centum of the amount specified in any appropriation provision contained in this Act or any activity, program, or project within such appropriation may be withheld from obligation and expenditure for the Departments of Labor, and Health, Education, and Welfare, and related

agencies, for the fiscal year ending June 30, 1974, and for other purposes, namely:

TITLE I—DEPARTMENT OF LABOR

MANPOWER ADMINISTRATION

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of benefits and allowances to unemployed Federal employees and ex-servicemen, as authorized by title 5, chapter 85 of the United States Code, and for trade adjustment benefit payments and allowances, as provided by law (19 U.S.C. 1941–1944 and 1952), $365,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of benefits for any period subsequent to June 15 of the current year: *Provided*, That, in addition, there shall be transferred from the Postal Service Fund to this appropriation such sums as the Secretary of Labor determines to be the cost of benefits for ex-Postal Service employees through June 30, 1974.

80 Stat. 585.
5 USC 8501.
76 Stat. 892.

FEDERAL GRANTS TO STATES FOR EMPLOYMENT SERVICES

For grants as authorized by section 5(a) of the Act of June 6, 1933, as amended (29 U.S.C. 49–49n), including, upon the request of any State, the payment of rental for space made available to such State in lieu of grants for such purpose, $64,400,000: *Provided*, That any funds granted to a State in the current fiscal year from this appropriation and not obligated by the State in that year shall be returned to the Treasury.

64 Stat. 822.

LIMITATION ON GRANTS TO STATES FOR UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICES

For grants for activities authorized by the Act of June 6, 1933, as amended (29 U.S.C. 49–49n, 39 U.S.C. 3202(a)(1)(E)); Veterans' Employment and Readjustment Act of 1972 (38 U.S.C. 2001–2013); title III of the Social Security Act, as amended (42 U.S.C. 501–503); and necessary expenses for carrying out 5 U.S.C. 8501–8523 and 19 U.S.C. 1941–1944, 1952, including upon the request of any State, the payment of rental for space made available to such State in lieu of grants for such purpose, $817,400,000 may be expended from the Employment Security Administration account in the Unemployment Trust Fund, of which $28,000,000 shall be available only to the extent necessary to meet increased costs of administration resulting from changes in a State law or increases in the number of unemployment insurance claims filed and claims paid or increased salary costs resulting from changes in State salary compensation plans embracing employees of the State generally over those upon which the State's basic grant (or the allocation for the District of Columbia) was based, which cannot be provided for by normal budgetary adjustments: *Provided*, That any portion of the funds granted to a State in the current fiscal year and not obligated by the State in that year shall be returned to the Treasury and credited to the account from which derived.

48 Stat. 113.
84 Stat. 751.
86 Stat. 1094.
49 Stat. 626;
74 Stat. 982.
80 Stat. 585;
81 Stat. 218.

LABOR-MANAGEMENT SERVICES ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Labor-Management Services Administration, $23,500,000.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $52,410,000.

SPECIAL BENEFITS

For the payment of compensation, benefits and expenses (except administrative expenses) as authorized by title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended, and title V, chapter 81 of the United States Code, accruing during the current or any prior fiscal year, including medical examinations and treatment; advancement of costs for enforcement of recoveries in third-party cases; continuation of benefits as provided for under the head "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; furnishing of medical treatment, hospital services and supplies, funeral and burial expenses, including transportation and other expenses incidental to such services for enrollees of the Civilian Conservation Corps that were certified by the Director of such Corps as receiving hospital services and treatment at Government expense on June 30, 1943, and who are not otherwise entitled thereto as civilian employees of the United States, and the limitations and authority formerly provided by the Act of September 7, 1916 (48 Stat. 351), as amended, shall apply in providing such services, treatment, and expenses in such cases and for payments pursuant to sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and not to exceed $1,800,000 which may be transferred to the fund created by section 44 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, $141,250,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to June 15 of the current year.

83 Stat. 792; 86 Stat. 155. 30 USC 901. 80 Stat. 532; 82 Stat. 98. 5 USC 8101. 60 Stat. 696. 80 Stat. 532. 5 USC 8101 and note. 62 Stat. 1241; 68 Stat. 1033. 50 USC app. 2003, 2004. 44 Stat. 1444; 86 Stat. 1256. 33 USC 944.

Whenever the Secretary of Labor finds it will promote the achievement of the above activities, qualified persons may be appointed to conduct hearings thereunder without meeting the requirements for hearing examiners appointed under 5 U.S.C. 3105: *Provided*, That no person shall hold a hearing in any case with which he has been concerned previously in the administration of such activities.

80 Stat. 415.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $70,408,000.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $47,400,000, of which $10,235,000 shall be for expenses of revising the Consumer Price Index, including salaries of temporary personnel assigned to this project without regard to competitive civil service requirements.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for departmental management and $941,000 for the President's Committee on Employment of the Handicapped, $23,322,000, together with not to exceed $797,000 to be derived from the Employment Security Administration account, Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. Appropriations in this Act available for salaries and expenses shall be available for supplies, services, and rental of conference space within the District of Columbia, as the Secretary of Labor shall deem necessary for settlement of labor-management disputes.

This title may be cited as the "Department of Labor Appropriation Act, 1974". Citation of title.

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

MENTAL HEALTH

For carrying out the Public Health Service Act with respect to mental health and, except as otherwise provided, the Community Mental Health Centers Act (42 U.S.C. 2681, et seq.), the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 (Public Law 91-616), the Narcotic Addict Rehabilitation Act of 1966 (Public Law 89-793), and the Drug Abuse Office and Treatment Act of 1972 (Public Law 92-255), $815,975,000, of which $15,000,000 shall remain available until June 30, 1975, for grants pursuant to part A of the Community Mental Health Centers Act. 77 Stat. 290. 84 Stat. 1848. 42 USC 4551 note. 80 Stat. 1438. 42 USC 3401 note. 86 Stat. 65. 21 USC 1101 note. 79 Stat. 427. 42 USC 2681.

SAINT ELIZABETHS HOSPITAL

For expenses necessary for the maintenance and operation of the hospital, including clothing for patients, and cooperation with organizations or individuals in the scientific research into the nature, causes, prevention, and treatment of mental illness, $38,000,000, or such amounts as may be necessary to provide a total appropriation equal to the difference between the amount of the reimbursements received during the current fiscal year on account of patient care provided by the hospital during such year and $59,524,000.

HEALTH SERVICES PLANNING AND DEVELOPMENT

To carry out titles VI and IX, sections 314(a) through 314(c), and except as otherwise provided, sections 301, 304, 311, 402(a)(7), 403(a)(1) and 433(a) of the Public Health Service Act; $388,520,000, of which $197,200,000 shall be available until June 30, 1976 for grants pursuant to section 601 of the Public Health Service Act for the construction or modernization of medical facilities.

42 USC 291, 299, 246, 241, 242b, 243, 282, 283, 289c.
42 USC 291a.

HEALTH SERVICES DELIVERY

For carrying out, except as otherwise provided, sections 225, 301, 310, 311, 314(d), 314(e), 317, 321, 322, 324, 326, 328, 329, 331, 332, 502, 504, title X of the Public Health Service Act, the Act of August 8, 1946 (5 U.S.C. 7901), section 1010 of the Act of July 1, 1944 (33 U.S.C. 763c), section 1 of the Act of July 19, 1963 (42 U.S.C. 253a), and title V of the Social Security Act, $853,280,000, of which $1,200,000 shall be available only for payments to the State of Hawaii for care and treatment of persons afflicted with leprosy: *Provided*, That any allotment to a State pursuant to section 503(2) or 504(2) of the Social Security Act shall not be included in computing for the purposes of subsections (a) and (b) of section 506 of such Act an amount expended or estimated to be expended by the State: *Provided further*, That when the Health Services and Mental Health Administration operates an employee health program for any Federal department or agency, payment for the estimated cost shall be made by way of reimbursement or in advance to this appropriation: *Provided further*, That in addition, $5,419,000 may be transferred to this appropriation as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided further*, That $15,000,000 of the funds contained in this appropriation for Public Health Service hospitals shall remain available until expended.

42 USC 234, 241, 242h, 243, 246, 247b, 248, 249, 251, 253, 254a, 254b, 255, 256, 220, 222, 300.
42 USC 701.
42 USC 703, 704.
42 USC 706.
42 USC 401.

PREVENTIVE HEALTH SERVICES

To carry out, to the extent not otherwise provided, sections 301, 308, 311, 314(e), 315, 317, 318, 322(e), 325, 328, 353, and 361 to 369 of the Public Health Service Act, the functions of the Secretary under the Federal Coal Mine Health and Safety Act of 1969, and sections 6–8 and 18–27 of the Occupational Safety and Health Act of 1970; including insurance of official motor vehicles in foreign countries; and purchase, hire, maintenance, and operation of aircraft; $134,565,000: *Provided*, That when the Health Services and Mental Health Administration conducts training classes in occupational safety and health for employees of Federal, State, and local governments and of private agencies, payment for the estimated cost shall be made by way of reimbursement or in advance to this appropriation.

42 USC 242f, 247, 247c, 252, 263a, 264-272.
83 Stat. 742.
30 USC 801 note.
29 USC 655-657, 667-676.

NATIONAL HEALTH STATISTICS

For carrying out, except as otherwise provided, sections 301, 305, 311, 312(a), 313, and 315 of the Public Health Service Act; $19,335,000.

42 USC 242c, 244, 245, 247.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retired pay of commissioned officers, as authorized by law, and for payments under the Retired Servicemen's Family Protection Plan; Survivor Benefit Plan and payments for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C., ch. 55), such amount as may be required during the current fiscal year.

10 USC 1431.
10 USC 1447.
10 USC 1071 and note.

BUILDINGS AND FACILITIES

For construction, alterations, major repair, improvement, extension, and equipment, of facilities of or used by the Health Services and Mental Health Administration, not otherwise provided, $9,500,000 to remain available until expended, including $7,000,000 for repair and modernization of hospital facilities to be transferred for community use.

OFFICE OF THE ADMINISTRATOR

For expenses necessary for the Office of the Administrator, $12,000,000.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For expenses necessary to carry out title IV, part A, of the Public Health Service Act, including $25,000,000 to remain available until June 30, 1975, $551,191,500, of which $4,500,000 shall be for the Norris Cotton Cancer Center. 58 Stat. 707. 42 USC 281.

NATIONAL HEART AND LUNG INSTITUTE

For expenses, not otherwise provided for, necessary to carry out title IV, part B, and title XI of the Public Health Service Act, $302,915,000. 62 Stat. 464. 42 USC 287. 86 Stat. 137. 42 USC 300b.

NATIONAL INSTITUTE OF DENTAL RESEARCH

For expenses, not otherwise provided for, to carry out title IV, part C, of the Public Health Service Act, $45,565,500. 62 Stat. 598. 42 USC 288.

NATIONAL INSTITUTE OF ARTHRITIS, METABOLISM, AND DIGESTIVE DISEASES

For expenses necessary to carry out title IV, part D, of the Public Health Service Act with respect to arthritis, rheumatism, metabolic diseases, and digestive diseases, $159,447,000. 64 Stat. 444. 42 USC 289a.

NATIONAL INSTITUTE OF NEUROLOGICAL DISEASES AND STROKE

For expenses necessary to carry out, to the extent not otherwise provided, title IV, part D of the Public Health Service Act with respect to neurology and stroke, $125,000,000. 82 Stat. 1362. 42 USC 289a note.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For expenses, not otherwise provided for, to carry out title IV, part D of the Public Health Service Act with respect to allergy and infectious diseases, $114,000,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For expenses, not otherwise provided for, necessary to carry out title IV, part E, of the Public Health Service Act with respect to general medical sciences, including grants of therapeutic and chemical substances for demonstrations and research, $176,778,000. 76 Stat. 1072. 42 USC 289e.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

To carry out, except as otherwise provided, title IV, part E and title X of the Public Health Service Act with respect to child health and human development, $130,254,000. 84 Stat. 1506. 42 USC 300.

NATIONAL EYE INSTITUTE

82 Stat. 771.
42 USC 289i.

For expenses necessary to carry out title IV, part F, of the Public Health Service Act, with respect to eye diseases and visual disorders, $41,631,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

58 Stat. 691; 81 Stat. 536.
42 USC 241, 243.

To carry out, except as otherwise provided, sections 301 and 311 of the Public Health Service Act, with respect to environmental health sciences, $28,879,000.

RESEARCH RESOURCES

To carry out, except as otherwise provided, section 301 of the Public Health Service Act with respect to the support of clinical research centers, laboratory animal facilities, other research resources and general research support grants, $133,472,000: *Provided*, That none of these funds shall be used to pay recipients of the general research support grants programs any amount for indirect expenses in connection with such grants.

JOHN E. FOGARTY INTERNATIONAL CENTER FOR ADVANCED STUDY IN THE HEALTH SCIENCES

For the John E. Fogarty International Center for Advanced Study in the Health Sciences, $4,767,000, of which not to exceed $500,000 shall be available for payment to the Gorgas Memorial Institute for maintenance and operation of the Gorgas Memorial Laboratory.

HEALTH MANPOWER

42 USC 242d, 242g, 243, 288a, 292, 296.
42 USC 293, 296.

To carry out, to the extent not otherwise provided, sections 301, 306, 309, 311, and 422 with respect to training grants, title VII, and title VIII of the Public Health Service Act, $710,795,000, of which $2,000,000 shall be available for loan guarantees and interest subsidies under part B of title VII and part A of title VIII, $100,000,000 shall be for grants for construction of facilities (including $20,000,000 for dental teaching facilities) under part B of title VII, and $20,000,000 shall be for grants for construction of facilities under part A of title VIII: *Provided*, That the funds appropriated under part B of title VII and part A of title VIII shall remain available until expended.

42 USC 242d, 294, 295, 295g, 297, 298c.

Loans, grants, and payments for the next succeeding fiscal year: For making, after December 31 of the current fiscal year, loans, grants, and payments under section 306, parts C, D, F, and G of title VII, and parts B and D of title VIII of the Public Health Service Act for the first quarter of the next succeeding fiscal year, such sums as may be necessary, and obligations incurred and expenditures made hereunder shall be charged to the appropriation for that purpose for such fiscal year: *Provided*, That such loans, grants, and payments pursuant to this paragraph may not exceed 50 per centum of the amounts authorized in section 306, parts C, D, and G of title VII, and in part B of title VIII for these purposes for the next succeeding fiscal year.

NATIONAL LIBRARY OF MEDICINE

42 USC 275, 280b.

To carry out, to the extent not otherwise provided for, section 301 with respect to health information communications and parts I and J of title III of the Public Health Service Act, $25,871,000.

BUILDINGS AND FACILITIES

For construction, major repair, improvement, extension, alteration, and equipment, including acquisition of sites, of facilities of or used by the National Institutes of Health, where not otherwise provided, $8,000,000, to remain available until expended.

OFFICE OF THE DIRECTOR

For expenses necessary for the Office of the Director, National Institutes of Health, $12,000,000.

Funds advanced to the National Institutes of Health management fund from appropriations in this Act shall be available for the expenses of sharing medical care facilities and resources pursuant to section 328 of the Public Health Service Act and for the purchase of not to exceed nine passenger motor vehicles for replacement only.

81 Stat. 539.
42 USC 254a.

SCIENTIFIC ACTIVITIES OVERSEAS (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses for conducting scientific activities overseas, as authorized by law, $1,912,000, to remain available until expended: *Provided*, That this appropriation shall be available in addition to other appropriations for such activities, for payments in the foregoing currencies.

PAYMENT OF SALES INSUFFICIENCES AND INTEREST LOSSES

For the payment of such insufficiencies as may be required by the trustee on account of outstanding beneficial interest or participations in the Health Professions Education Fund assets or Nurse Training Fund assets, authorized by the Department of Health, Education, and Welfare Appropriation Act, 1968, to be issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act, $164,000, and for payment of amounts pursuant to section 744(b) or 827(b) of the Public Health Service Act to schools which borrow any sums from the Health Professions Education Fund or Nurse Training Fund, $3,836,000: *Provided*, That the amounts appropriated herein shall remain available until expended.

81 Stat. 401.
78 Stat. 800; 80 Stat. 164.
12 USC 1717.
80 Stat. 1230, 1233.
42 USC 294d, 297f.

HEALTH PROFESSIONS EDUCATION FUND

The Secretary is hereby authorized to make such expenditures, within the limits of funds available in the Health Professions Education Fund and the Nurse Training Fund, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year.

61 Stat. 584.
31 USC 849.

EDUCATION DIVISION

OFFICE OF THE ASSISTANT SECRETARY FOR EDUCATION

SALARIES AND EXPENSES, ASSISTANT SECRETARY FOR EDUCATION

For necessary expenses to carry out section 402 of the General Education Provisions Act, and not to exceed $1,000 for official reception and representation expenses, $1,722,000.

81 Stat. 814.
20 USC 1222.

POSTSECONDARY INNOVATION

For carrying out, to the extent not otherwise provided, section 404 of the General Education Provisions Act, $10,000,000.

81 Stat. 814; 84 Stat. 165. 20 USC 1224.

OFFICE OF EDUCATION

ELEMENTARY AND SECONDARY EDUCATION

For carrying out, to the extent not otherwise provided, title I ($1,810,000,000), title III ($146,393,000), title V, parts A and C ($41,500,000), and title VII of the Elementary and Secondary Education Act; title III–A ($30,000,000) of the National Defense Education Act of 1958; and section 222(a)(2) of the Economic Opportunity Act of 1964, $2,121,893,000: *Provided*, That the aggregate amounts made available to each State under title I–A of the Elementary and Secondary Education Act for grants to local educational agencies within that State shall not be more than 120 per centum of, nor less than, such amounts as were made available for that purpose for fiscal year 1973, and the amount made available to each local educational agency under said title I–A shall not be less than 90 per centum of the amount made available for that purpose for fiscal year 1973: *Provided further*, That the requirements of section 307(e) of Public Law 89–10, as amended, shall be satisfied when the combined fiscal effort of the local education agency and the State for the preceding fiscal year was not less than such combined fiscal effort in the second preceding fiscal year.

20 USC 821, 841, 861, 867, 880b. 20 USC 441. 42 USC 2809. 20 USC 845.

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), $610,000,000, of which $591,000,000, including $41,500,000 for amounts payable under section 6 shall be for the maintenance and operation of schools as authorized by said title I of the Act of September 30, 1950, as amended, and $19,000,000, which shall remain available until expended, shall be for providing school facilities as authorized by said Act of September 23, 1950: *Provided*, That none of the funds contained herein shall be available to pay any local educational agency in excess of 68 per centum of the amounts to which such agency would otherwise be entitled pursuant to section 3(b) of title I: *Provided further*, That none of the funds contained herein shall be available to pay any local educational agency in excess of 90 per centum of the amounts to which such agency would otherwise be entitled pursuant to section 3(a) of said title I if the number of children in average daily attendance in schools of that agency eligible under said section 3(a) is less than 25 per centum of the total number of children in such schools: *Provided further*, That none of the funds contained herein for providing school facilities shall be available to pay for any other section of the Act of September 23, 1950, until payment has been made of 100 per centum of the amounts payable under section 5 and subsections 14(a) and 14(b): *Provided further*, That of the funds provided herein for carrying out the Act of September 23, 1950, no more than 50 per centum may be used to fund section 5 of said Act.

20 USC 236. 20 USC 631. 20 USC 241. 20 USC 238. 20 USC 240.

EMERGENCY SCHOOL ASSISTANCE

For carrying out section 705 ($204,131,000), section 708(a) ($12,447,000), section 708(c) ($9,958,000), section 711 ($7,468,000),

and section 713 ($2,489,000) of the Emergency School Aid Act and title IV of the Civil Rights Act of 1964 relating to functions of the Commissioner of Education, $258,193,000. 20 USC 1604, 1607, 1610, 1612. 42 USC 2000c.

EDUCATION FOR THE HANDICAPPED

For carrying out, to the extent not otherwise provided, the Education of the Handicapped Act, $152,404,000. 20 USC 1401 note.

OCCUPATIONAL, VOCATIONAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, section 102 (b) ($20,000,000), parts B and C ($444,682,000), D, F ($32,625,000), G ($19,500,000), H ($8,262,000) and I of the Vocational Educational Act of 1963, as amended (20 U.S.C. 1241–1391), and the Adult Education Act of 1966 (20 U.S.C. ch. 30) ($66,300,000), $614,903,000 including $16,000,000 for exemplary programs under part D of said 1963 Act of which 50 per centum shall remain available until expended and 50 per centum shall remain available through June 30, 1975, and not to exceed $18,000,000 for research and training under part C of said 1963 Act: *Provided*, That grants to each State under the Adult Education Act shall not be less than grants made to such State agencies in fiscal year 1972. 20 USC 1201 note.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles I, III, IV, section 745 of title VII, parts B and D of title IX, and section 1203 of the Higher Education Act, as amended, the Emergency Insured Student Loan Act of 1969 as amended, section 207 and title VI of the National Defense Education Act, as amended, the Mutual Educational and Cultural Exchange Act of 1961, section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), section 421 of the General Education Provisions Act, and Public Law 92–506 of October 19, 1972, $1,889,414,000, of which $210,300,000 for supplemental educational opportunity grants and amounts reallotted for work-study shall remain available through June 30, 1975, $25,000,000 shall be for veterans cost-of-instruction payments to institutions of higher education, and $500,000,000 shall be for basic opportunity grants (including not to exceed $11,500,000 for administrative expenses), of which $488,500,000 shall remain available through June 30, 1976, and the following amounts shall remain available until expended: $310,000,000 for subsidies on guaranteed student loans and $31,425,000 for annual interest grants for subsidized construction loans: *Provided*, That amounts for basic opportunity grants shall be available only for full-time students at institutions of higher education who are not enrolled as regular students (as defined by the Commissioner of Education) at such institutions prior to April 1, 1973. 20 USC 1001, 1051, 1061, 1132c-4, 1134d, 1134i, 1142b. 20 USC 1078a note. 20 USC 427, 511. 22 USC 2451 note. 20 USC 1232. 86 Stat. 907.

LIBRARY RESOURCES

For carrying out, to the extent not otherwise provided, titles I ($46,479,000) and III ($2,730,000) of the Library Services and Construction Act (20 U.S.C. ch. 16); title II ($95,000,000) of the Elementary and Secondary Education Act; and title II (except section 231) and title VI ($12,500,000) of the Higher Education Act; $171,709,000. 20 USC 352, 355e. 20 USC 821. 20 USC 1021, 1121.

EDUCATIONAL DEVELOPMENT

For carrying out, to the extent not otherwise provided, title VIII and IX of the Elementary and Secondary Education Act, section 504 20 USC 881, 900.

20 USC 1091c, 1101, 1119, 1119b, 1119c. 47 USC 390. 20 USC 331 note. 21 USC 1001 note. 20 USC 1531 note.

($300,000), parts B–1 ($37,500,000), D ($48,660,000), E ($2,100,000), and F ($11,860,000) of the Education Professions Development Act, part IV of title III of the Communications Act of 1934, the Cooperative Research Act (except section 4), the Drug Abuse Education Act of 1970, and the Environmental Education Act, $157,170,000 of which $16,500,000 shall be for educational broadcasting facilities and shall remain available until expended.

EDUCATIONAL ACTIVITIES OVERSEAS (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Office of Education, as authorized by law, $1,000,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such office, for payments in the foregoing currencies.

SALARIES AND EXPENSES

For carrying out, to the extent not otherwise provided, the General Education Provisions Act, as amended, sections 400(c), 411, 422, and part D, including rental of conference rooms in the District of Columbia, $86,747,000.

86 Stat. 326. 20 USC 1221, 1222, 1231a, 1233.

STUDENT LOAN INSURANCE FUND

For the Student Loan Insurance Fund authorized by the Higher Education Act of 1965, $57,883,000 to remain available until expended.

20 USC 1001 note.

HIGHER EDUCATION FACILITIES LOAN AND INSURANCE FUND

The Secretary is hereby authorized to make such expenditures, within the limits of funds available in the Higher Education Facilities Loan and Insurance Fund, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 849) as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such fund: *Provided*, That loans may be made during the current fiscal year from the fund to the extent that amounts are available from commitments withdrawn prior to July 1, 1974, by the Commissioner of Education.

61 Stat. 584.

PAYMENT OF PARTICIPATION SALES INSUFFICIENCIES

For the payment of such insufficiencies as may be required by the trustee on account of outstanding beneficial interests or participations in assets of the Office of Education authorized by the Department of Health, Education, and Welfare Appropriation Act, 1968, to be issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(c)), $2,948,000, to remain available until expended.

81 Stat. 391. 78 Stat. 800; 82 Stat. 537, 542.

NATIONAL INSTITUTE OF EDUCATION

NATIONAL INSTITUTE OF EDUCATION

For carrying out section 405 of the General Education Provisions Act, and for the necessary expenses of the National Institute of Education, including rental of conference rooms in the District of Columbia, $75,000,000.

20 USC 1221e.

SOCIAL AND REHABILITATION SERVICE

GRANTS TO STATES FOR PUBLIC ASSISTANCE

For carrying out, except as otherwise provided, titles I, IV, VI, X, XI, XIV, XVI, and XIX of the Social Security Act, and the Act of July 5, 1960 (24 U.S.C. ch. 9), $12,853,279,000, of which $50,000,000 shall be for child welfare services under part B of title IV. 86 Stat. 1484. 42 USC 301, 601, 801, 1201, 1301, 1351, 1381, 1396.

For making, after June 15 of the current fiscal year, payments to States under titles I, IV, VI, X, XIV, XVI, and XIX, respectively, of the Social Security Act, for any period during the last fifteen days of the current fiscal year (except with respect to activities included in the appropriation for "Work incentives"); and for making, after April 30 of the current fiscal year, payments for the first quarter of the next succeeding fiscal year; such sums as may be necessary, the obligations incurred and the expenditures made thereunder for payments under each of such titles to be charged to the subsequent appropriations therefor for the current or succeeding fiscal year. 74 Stat. 308. 24 USC 321. 42 USC 620.

In the administration of titles I, IV (other than part C thereof) VI, X, XIV, XVI, and XIX, respectively, of the Social Security Act, payments to a State under any such titles for any quarter in the period beginning April 1 of the prior year, and ending June 30 of the current year, may be made with respect to a State plan approved under such title prior to or during such period, but no such payment shall be made with respect to any plan for any quarter prior to the quarter in which such plan was submitted for approval.

Such amounts as may be necessary from this appropriation shall be available for grants to States for any period in the prior fiscal year subsequent to March 31 of that year.

WORK INCENTIVES

For carrying out a work incentive program, as authorized by part C of title IV of the Social Security Act, including registration of individuals for such program, and for related child care and other supportive services, as authorized by section 402(a)(19)(G) of the Act, including transfer to the Secretary of Labor, as authorized by section 431 of the Act, $340,443,000, which shall be the maximum amount available for transfer to the Secretary of Labor and to which the States may become entitled pursuant to section 403(d) of such Act, for these purposes. 42 USC 630. 42 USC 602. 42 USC 631. 42 USC 603.

SOCIAL AND REHABILITATION SERVICES

For carrying out, except as otherwise provided, sections 301 and 303 of the Public Health Service Act, parts B, C, and D of the Developmental Disabilities Services and Facilities Construction Act, titles III, IV, V, VII, and VIII of the Older Americans Act of 1965, the Juvenile Delinquency Prevention Act, sections 426, 707, 1110, and 1115 of the Social Security Act, and the International Health Research Act of 1960, $298,917,000; of which $32,500,000 shall be for grants under part C of the Developmental Disabilities Services and Facilities Construction Act, to remain available until June 30, 1976, except that grants made from these funds after June 30, 1974, will be for construction only as specified in section 132(a)(3) of such Act; and $4,250,000 shall be for grants under part B of the Developmental Disabilities Services and Facilities Construction Act, to remain available until expended: *Provided*, That there may be transferred to this appropriation from the appropriation "Mental health" an amount not to exceed the sum of the allotment adjustment made by the Secretary pursuant to section 202(c) of the Community Mental Health Centers Act. 42 USC 241, 242a. 42 USC 2661, 2670, 2678. 42 USC 3021, 3031, 3041, 3045, 3051. 42 USC 626, 908, 1310, 1315, 22 USC 2101 note. 42 USC 2672. 42 USC 2682.

SALARIES AND EXPENSES

For expenses, not otherwise provided, necessary for the Social and Rehabilitation Service, $72,200,000, together with not to exceed $600,000 to be transferred from the Federal Disability Insurance Trust Fund, and the Federal Old-Age and Survivors Insurance Trust Fund, as provided in section 201(g)(1) of the Social Security Act.

79 Stat. 338; 86 Stat. 1484. 42 USC 401.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance, the Federal Disability Insurance, the Federal Hospital Insurance, and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g), 228(g), 229(b), and 1844 of the Social Security Act, and sections 103(c) and 111(d) of the Social Security Amendments of 1965, $3,110,181,000.

42 USC 417, 428, 429, 1395w. 42 USC 426a, 1395i-1.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

Black Lung benefits.

For carrying out title IV of the Federal Coal Mine Health and Safety Act of 1969, including the payment of travel expenses either on an actual cost or commuted basis, to an individual for travel incident to medical examinations, and to parties, their representatives and all reasonably necessary witnesses for travel within the United States, Puerto Rico, and the Virgin Islands, to reconsideration interviews and to proceedings before administrative law judges, $967,868,000: *Provided*, That such amounts as may be agreed upon by the Department of Health, Education, and Welfare and the Postal Service shall be used for payment, in such manner as said parties may jointly determine, of postage for the transmission of official mail matter by States in connection with the administration of said Act.

83 Stat. 792; 86 Stat. 150. 30 USC 901.

Benefit payments after April 30: For making, after April 30 of the current fiscal year, payments to entitled beneficiaries under title IV of the Federal Coal Mine Health and Safety Act of 1969, for the last two months of the current fiscal year, such sums as may be necessary, the obligations and expenditures therefor to be charged to the appropriation for the succeeding fiscal year.

Whenever the Commissioner of Social Security finds it will promote the achievement of the provisions of title IV of the Federal Coal Mine Health and Safety Act of 1969, qualified persons may be appointed to conduct hearings thereunder without meeting the requirements for administrative law judges appointed under 5 U.S.C. 3105, but such appointments shall terminate not later than December 31, 1974: *Provided*. That no person shall hold a hearing in any case with which he has been concerned previously in the administration of such title.

80 Stat. 415.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out section 301 of the Social Security Amendments of 1972, including payment to the social security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $2,211,636,000.

86 Stat. 1465. 42 USC 1381 and note.

Assistance payments after April 30: For making after April 30 of the current fiscal year, payments to entitled beneficiaries under title XVI of the Social Security Act and Federal contributions toward State supplementation for the last two months of the current fiscal year, such sums as may be necessary, the obligations and expenditures therefor to be charged to the appropriation for the succeeding fiscal year.

86 Stat. 1465. 42 USC 1381.

LIMITATION ON SALARIES AND EXPENSES

For necessary expenses, not more than $1,887,898,000 may be expended as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided*, That such amounts as are required shall be available to pay travel expenses either on an actual cost or commuted basis, to an individual for travel incident to medical examinations, and to parties, their representatives and all reasonably necessary witnesses for travel within the United States, Puerto Rico, and the Virgin Islands to reconsideration interviews and to proceedings before administrative law judges under title II and title XVIII of the Social Security Act, as amended and section 301 of the Social Security Amendments of 1972: *Provided further*, That $25,000,000 of the foregoing amount shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), only to the extent necessary to process workloads not anticipated in the budget estimates and to meet mandatory increases in costs of agencies or organizations with which agreements have been made to participate in the administration of section 301 of the Social Security Amendments of 1972, title XVIII and section 221 of title II of the Social Security Act, and after maximum absorption of such costs within the remainder of the existing limitation has been achieved: *Provided further*, That such amounts as may be agreed upon by the Department of Health, Education, and Welfare and the United States Postal Service shall be used for payment, in such manner as said organizations may jointly determine, of postage for the transmission of official mail matter in connection with the administration of the social security program by States participating in the program: *Provided further*, That such amounts as may be required may be expended for administration within the United States of the Social Insurance Program of the United Kingdom, under terms of an agreement wherein similar services will be provided by the United Kingdom in that country for administration of the social insurance program of the United States.

79 Stat. 338; 86 Stat. 1484. 42 USC 401.

42 USC 401, 1395. 86 Stat. 1465. 42 USC 1381 and note.

42 USC 421.

SPECIAL INSTITUTIONS

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101–105), $1,817,000.

20 Stat. 468; 84 Stat. 194.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For carrying out the National Technical Institute for the Deaf Act (20 U.S.C. 681, et seq.), $6,487,000, of which $1,400,000 shall be for construction and shall remain available until expended.

79 Stat. 125.

MODEL SECONDARY SCHOOL FOR THE DEAF

For carrying out the Model Secondary School for the Deaf Act (80 Stat. 1027), $3,975,000.

D.C. Code 31-1051 note.

GALLAUDET COLLEGE

For the partial support of Gallaudet College, including repairs and improvements as authorized by the Act of June 18, 1954 (68 Stat. 265), $10,599,000.

D.C. Code 31-1025.

HOWARD UNIVERSITY

For the partial support of Howard University, $58,784,000.

OFFICE OF CHILD DEVELOPMENT

CHILD DEVELOPMENT

81 Stat. 915.
42 USC 626.
37 Stat. 79, 737.

For carrying out, except as otherwise provided, section 426 of the Social Security Act and the Act of April 9, 1912 (42 U.S.C. 191), $434,600,000 including $415,788,000 to carry out Project Head Start, as authorized by section 222(a)(1) of the Economic Opportunity Act of 1964.

81 Stat. 698;
86 Stat. 690.
42 USC 2809.

OFFICE OF THE SECRETARY

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $17,943,000, together with not to exceed $1,253,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one one or all of the trust funds referred to therein.

79 Stat. 338;
86 Stat. 1484.
42 USC 401.

DEPARTMENTAL MANAGEMENT

For expenses, not otherwise provided, necessary for departmental management, including hire of six medium sedans, and for carrying out sections 222(a) and 232 of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2825), $107,898,000, together with not to exceed $7,861,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein; and not to exceed $29,000 to be transferred from "Revolving fund for certification and other services," Food and Drug Administration: *Provided*, That not to exceed $10,000,000 may be transferred to this appropriation from other appropriations in this title as reimbursement for reductions in public affairs activities charged against this appropriation.

81 Stat. 698;
86 Stat. 690.
42 USC 2809, 2825.

GENERAL PROVISIONS

Withholding of funds, restriction.

SEC. 201. None of the funds appropriated by this title to the Social and Rehabilitation Service for grants-in-aid of State agencies to cover, in whole or in part, the cost of operation of said agencies, including the salaries and expenses of officers and employees of said agencies, shall be withheld from the said agencies of any States which have established by legislative enactment and have in operation a merit system and classification and compensation plan covering the selection, tenure in office, and compensation of their employees, because of any disapproval of their personnel or the manner of their selection by the agencies of the said States, or the rates of pay of said officers or employees.

Motor vehicles, transfer.

SEC. 202. The Secretary is authorized to make such transfers of motor vehicles, between bureaus and officers, without transfer of funds, as may be required in carrying out the operations of the Department.

SEC. 203. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project.

Research grants.

SEC. 204. None of the funds contained in this Act shall be used for any activity the purpose of which is to require any recipient of any project grant for research, training, or demonstration made by any officer or employee of the Department of Health, Education, and Welfare to pay to the United States any portion of any interest or other income earned on payments of such grant made before July 1, 1964; nor shall any of the funds contained in this Act be used for any activity the purpose of which is to require payment to the United

States of any portion of any interest or other income earned on payments made before July 1, 1964, to the American Printing House for the Blind.

Expenditures subject to audit.

SEC. 205. Funds appropriated under this title to the American Printing House for the Blind, Howard University, the National Technical Institute for the Deaf, the Model Secondary School for the Deaf, and Gallaudet College shall be awarded to these institutions in the form of lump-sum grants and expenditures made therefrom shall be subject to audit by the Secretary of Health, Education, and Welfare.

Federal positions in Washington area.

SEC. 206. None of the funds contained in this title shall be available for additional permanent Federal positions in the Washington area if the proportion of additional positions in the Washington area in relation to the total new positions is allowed to exceed the proportion existing at the close of fiscal year 1966.

SEC. 207. Appropriations in this Act for the Health Services and Mental Health Administration, the National Institutes of Health, and Office of the Secretary shall be available for expenses for active commissioned officers in the Public Health Service Reserve Corps and for not to exceed two thousand eight hundred commissioned officers in the Regular Corps; expenses incident to the dissemination of health information in foreign countries through exhibits and other appropriate means; advances of funds for compensation, travel, and subsistence expenses (or per diem in lieu thereof) for persons coming from abroad to participate in health or scientific activities of the Department pursuant to law; expenses of primary and secondary schooling of dependents in foreign countries, of Public Health Service commissioned officers stationed in foreign countries, at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools available in the locality are unable to provide adequately for the education of such dependents, and for the transportation of such dependents between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation; rental or lease of living quarters (for periods not exceeding 5 years), and provision of heat, fuel, and light, and maintenance, improvement, and repair of such quarters, and advance payments therefor, for civilian officers and employees of the Public Health Service who are United States citizens and who have a permanent station in a foreign country; not to exceed $9,500 for official reception and representation expenses when specifically approved by the Assistant Secretary for Health; purchase, erection, and maintenance of temporary or portable structures; and for the payment of compensation to consultants or individual scientists appointed for limited periods of time pursuant to section 207(f) or section 207(g) of the Public Health Service Act, at rates established by the Assistant Secretary for Health, or the Secretary where such action is required by statute, not to exceed the per diem rate equivalent to the rate for GS–18.

58 Stat. 685; 70 Stat. 116. 42 USC 209.

5 USC 5332 note.

Forced student busing.

SEC. 208. No part of the funds contained in this title may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88–352, to take any action to force the busing of students; to force on account of race, creed, or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

78 Stat. 246. 42 USC 2000c.

SEC. 209. No part of the funds contained in this title shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law

78 Stat. 246.
42 USC 2000c.

88–352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed, or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school.

Citation of title.

This title may be cited as the "Department of Health, Education, and Welfare Appropriation Act, 1974".

TITLE III—RELATED AGENCIES

ACTION

OPERATING EXPENSES, DOMESTIC PROGRAMS

72 Stat. 393; 75 Stat. 666.
83 Stat. 111; *Ante*, p. 55.

For expenses necessary for Action to carry out section 637(b) of the Small Business Act (15 U.S.C. 637(b)), not otherwise provided for; and title VI of the Older Americans Act of 1965, as amended (42 U.S.C. 3044–3044f); $43,004,000.

PAYMENT TO THE CORPORATION FOR PUBLIC BROADCASTING

84 Stat. 888.
47 USC 396.

To enable the Department of Health, Education, and Welfare to make payment to the Corporation for Public Broadcasting, as authorized by section 396(k)(1) of the Communications Act of 1934, as amended, for expenses of the Corporation, $45,000,000 to remain available until expended: *Provided*, That in addition, there is appropriated in accordance with the authorization contained in section 396(k)(2) of such Act, to remain available until expended, amounts equal to the amount of total grants, donations, bequests or other contributions (including money and the fair market value of any property) from non-Federal sources received by the Corporation during the current fiscal year, but not to exceed a total of $5,000,000.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

61 Stat. 152.

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor-Management Relations Act, 1947 (29 U.S.C. 171–180, 182), including expenses of the Labor-Management Panel and boards of inquiry appointed by the President; hire of passenger motor vehicles; not to exceed $500 for official reception and representation expenses; and rental of conference rooms in the District of Columbia; $10,960,000.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

84 Stat. 440.
20 USC 1501 note.

For necessary expenses of the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91–345), $406,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

61 Stat. 136.

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141–167), and other laws,

$55,050,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 per centum of the water stored or supplied thereby is used for farming purposes.

61 Stat. 137.

61 Stat. 136.
29 USC 141.
52 Stat. 1060.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary for carrying out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151–188), including emergency boards appointed by the President, $2,867,000.

44 Stat. 577; 49 Stat. 1189.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission, $4,890,000.

OFFICE OF ECONOMIC OPPORTUNITY

ECONOMIC OPPORTUNITY PROGRAM

For expenses necessary to carry out the provisions of the Economic Opportunity Act of 1964 (Public Law 88–452, approved August 20, 1964), as amended, $346,300,000, plus reimbursements: *Provided*, That this appropriation shall be available for the purchase and hire of passenger motor vehicles, and for the construction, alteration, and repair of buildings and other facilities, as authorized by section 602 of the Economic Opportunity Act of 1964: *Provided further*, That no part of the funds appropriated in this paragraph shall be available for any grant until the Director has determined that the grantee is qualified to administer the funds and programs involved in the proposed grant: *Provided further*, That all grant agreements shall provide that the General Accounting Office shall have access to the records of the grantee which bear exclusively upon the Federal grant.

78 Stat. 508.
42 USC 2701 note.

42 USC 2942.

RAILROAD RETIREMENT BOARD

PAYMENTS FOR MILITARY SERVICE CREDITS

For payments to the railroad retirement account for military service credits under the Railroad Retirement Act, as amended (45 U.S.C. 228c–1), $22,478,000.

54 Stat. 1014.

LIMITATION ON SALARIES AND EXPENSES

For expenses necessary for the Railroad Retirement Board, including purchase (for replacement only and at a cost not to exceed $4,500) of one passenger motor vehicle, $21,330,000, to be derived from the railroad retirement accounts: *Provided*, That $500,000 of the foregoing amount shall be apportioned for use pursuant to section 3679

of the Revised Statutes, as amended (31 U.S.C. 665), only to the extent necessary to process workloads not anticipated in the budget estimates and after maximum absorption of the costs of such workloads within the remainder of the foregoing limitation has been achieved.

SOLDIERS' AND AIRMEN'S HOME

OPERATION AND MAINTENANCE

For maintenance and operation of the United States Soldiers' and Airmen's Home, to be paid from the Soldiers' Home permanent fund, $13,326,000: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the Home in United States Army hospitals at rates in excess of those prescribed by the Secretary of the Army, upon recommendation of the Board of Commissioners of the Home and the Surgeon General of the Army.

CAPITAL OUTLAY

For construction of buildings and facilities, including plans and specifications, and furnishings, to be paid from the Soldiers' and Airmen's Home permanent fund, $456,000 to remain available until expended.

TITLE IV—GENERAL PROVISIONS

Experts and consultants.
80 Stat. 416.
5 USC 5332 note.

SEC. 401. Appropriations contained in this Act, available for salaries and expenses, shall be available for services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18.

Uniform allowances.
80 Stat. 508; 81 Stat. 206.

SEC. 402. Appropriations contained in this Act available for salaries and expenses shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

Meetings.

SEC. 403. Appropriations contained in this Act available for salaries and expenses shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

Official receptions.

SEC. 404. The Secretary of Labor and the Secretary of Health, Education, and Welfare are each authorized to make available not to exceed $7,500 from funds available for salaries and expenses under titles I and II, respectively, for official reception and representation expenses.

Fiscal year limitation.

SEC. 405. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 406. No part of any appropriation contained in this Act shall be used to finance any Civil Service Interagency Board of Examiners.

Funds to campus disrupters, prohibition.

SEC. 407. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution.

SEC. 408. The Secretary of Labor and the Secretary of Health, Education, and Welfare are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided*, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated. Transfer of funds.

SEC. 409. Funds contained in this Act used to pay for contract services by profitmaking consultant firms or to support consultant appointments shall not exceed the fiscal year 1973 level: *Provided*, That obligations made from funds contained in this Act for consultant fees and services to any individual or group of consulting firms on any one project in excess of $25,000 shall be reported to the Senate and House of Representatives at least twice annually. Fiscal year limitation.

SEC. 410. No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself. Funds restriction.

This Act may be cited as the "Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1974". Short title.

Approved December 18, 1973.

Public Law 93-193

AN ACT

December 19, 1973
[S. 1747]

To amend the International Travel Act of 1961 to authorize appropriations for fiscal years 1974, 1975, and 1976, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 6 of the International Travel Act of 1961 (22 U.S.C. 2126) is amended to read as follows: "For purposes of carrying out the provisions of this Act, there is authorized to be appropriated an aggregate amount not in excess of (1) $15,000,000 for the fiscal year ending June 30, 1974; (2) $20,000,000 for the fiscal year ending June 30, 1975; and (3) $25,000,000 for the fiscal year ending June 30, 1976.". International Travel Act of 1961, amendment. 84 Stat. 1072.

(b) In determining whether appropriations for the fiscal year ending June 30, 1974, for carrying out the International Travel Act of 1961 exceed $15,000,000 in the aggregate, any appropriation made to carry out such Act for such fiscal year before the date of enactment of this Act shall be included. 75 Stat. 129. 22 USC 2121 note.

SEC. 2. (a) There are hereby transferred to and vested in the Secretary of Commerce all functions, powers, and duties of the Secretary of the Interior and other offices and officers of the Department of the Interior under the Act of July 19, 1940 (54 Stat. 773; 16 U.S.C. 18–18d). Transfer of functions.

(b) The assets, liabilities, contracts, property, records, authorizations, and allocations, employed, held, used, rising from, available or to be made available in connection with the functions, powers, and duties transferred by subsection (a) of this section are hereby transferred to the Secretary of Commerce. Transfer of property.

Approved December 19, 1973.

Public Law 93-194

December 20, 1973
[H. R. 11459]

AN ACT

Making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1974, and for other purposes.

Military Construction Appropriation Act, 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1974, for military construction functions administered by the Department of Defense, and for other purposes, namely:

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, and facilities for the Army as currently authorized in military public works or military construction Acts, and in sections 2673 and 2675 of title 10, United States Code, $578,120,000, to remain available until expended.

72 Stat. 1459; 84 Stat. 1224.

MILITARY CONSTRUCTION, NAVY

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, and facilities for the Navy as currently authorized in military public works or military construction Acts, and in sections 2673 and 2675 of title 10, United States Code, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $609,292,000, to remain available until expended.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, and facilities for the Air Force as currently authorized in military public works or military construction Acts, and in sections 2673 and 2675 of title 10, United States Code, $247,277,000, to remain available until expended.

MILITARY CONSTRUCTION, DEFENSE AGENCIES

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, and facilities for activities and agencies of the Department of Defense (other than the military departments and the Defense Civil Preparedness Agency), as currently authorized in military public works or military construction Acts, and in sections 2673 and 2675 of title 10, United States Code, to remain available until expended, not to exceed $20,000,000 to be derived by transfer from the appropriation "Research, development, test, and evaluation, Defense Agencies" as determined by the Secretary of Defense: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction as he may designate.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard as authorized by chapter 133 of title 10, United

States Code, as amended, and the Reserve Forces Facilities Acts, $35,200,000, to remain available until expended. 70A Stat. 120. 10 USC 2231.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, as amended, and the Reserve Forces Facilities Acts, $20,000,000, to remain available until expended.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 133 of title 10, United States Code, as amended, and the Reserve Forces Facilities Acts, $40,700,000, to remain available until expended.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 133 of title 10, United States Code, as amended, and the Reserve Forces Facilities Acts, $22,900,000, to remain available until expended.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 133 of title 10, United States Code, as amended, and the Reserve Forces Facilities Acts, $10,000,000, to remain available until expended.

FAMILY HOUSING, DEFENSE

For expenses of family housing for the Army, Navy, Marine Corps, Air Force, and Defense agencies, for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation, maintenance, and debt payment, including leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $1,188,539,000, to be obligated and expended in the Family Housing Management Account established pursuant to section 501(a) of Public Law 87-554, in not to exceed the following amounts: 76 Stat. 236. 42 USC 1594a-1.

For the Army:
Construction, $179,320,000;
For the Navy and Marine Corps:
Construction, $97,947,000;
For the Air Force:
Construction, $83,939,000;
For Defense agencies:
Construction, $540,000;
For Department of Defense:
Debt payment, $159,177,000;
Operation, maintenance, $667,616,000.

Provided, That the amounts provided under this head for construction and for debt payment shall remain available until expended.

HOMEOWNERS ASSISTANCE FUND, DEFENSE

For use in the Homeowners Assistance Fund established pursuant to section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (Public Law 89–754, as amended), $7,000,000.

80 Stat. 1290; 86 Stat. 1150. 42 USC 3374.

GENERAL PROVISIONS

Prior appropriations.

SEC. 101. Funds appropriated to the Department of Defense for construction in prior years are hereby made available for construction authorized for each such department by the authorizations enacted into law during the first session of the Ninety-third Congress.

Contracts.

SEC. 102. None of the funds appropriated in this Act shall be expended for payments under a cost-plus-a-fixed-fee contract for work, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

Construction costs, expedition.

SEC. 103. None of the funds appropriated in this Act shall be expended for additional costs involved in expediting construction unless the Secretary of Defense certifies such costs to be necessary to protect the national interest and establishes a reasonable completion date for each project, taking into consideration the urgency of the requirement, the type and location of the project, the climatic and seasonal conditions affecting the construction, and the application of economical construction practices.

Service facilities.

SEC. 104. None of the funds appropriated in this Act shall be used for the construction, replacement, or reactivation of any bakery, laundry, or drycleaning facility in the United States, its territories, or possessions, as to which the Secretary of Defense does not certify, in writing, giving his reasons therefor, that the services to be furnished by such facilities are not obtainable from commercial sources at reasonable rates.

Motor vehicles, hire.

SEC. 105. Funds herein appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

Access roads, construction.

SEC. 106. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

72 Stat. 908.

New bases.

SEC. 107. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

Land purchases or easements.

SEC. 108. No part of the funds provided in this Act shall be used for purchase of land or land easements in excess of 100 per centum of the value as determined by the Corps of Engineers or the Naval Facilities Engineering Command, except: (a) where there is a determination of value by a Federal court, or (b) purchases negotiated by the Attorney General or his designee, or (c) where the estimated value is less than $25,000, or (d) as otherwise determined by the Secretary of Defense to be in the public interest.

Foreign projects.

SEC. 109. None of the funds appropriated in this Act may be used to make payments under contracts for any project in a foreign country unless the Secretary of Defense or his designee, after consultation with the Secretary of the Treasury or his designee, certifies to the Congress that the use, by purchase from the Treasury, of currencies of such country acquired pursuant to law is not feasible for the purpose, stating the reason therefor.

SEC. 110. None of the funds appropriated in this Act shall be used to (1) acquire land, (2) provide for site preparation, or (3) install utilities for any family housing, except housing for which funds have been made available in annual military construction appropriation Acts. Family housing limitations.

This Act may be cited as the "Military Construction Appropriation Act, 1974". Short title.

Approved December 20, 1973.

Public Law 93-195

AN ACT

December 20, 1973
[H. R. 5089]

To determine the rights and interests of the Choctaw Nation, the Chickasaw Nation, and the Cherokee Nation in and to the bed of the Arkansas River below the Canadian Fork and to the eastern boundary of Oklahoma.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Choctaw-Chickasaw-Cherokee Boundary Dispute Act". Choctaw-Chickasaw-Cherokee Boundary Dispute Act.

SEC. 2. The consent of the United States is hereby given to the Choctaw Nation, the Chickasaw Nation, and the Cherokee Nation to bring suit against each other to quiet the title in and to the bed of the Arkansas River below the Canadian Fork and to the eastern boundary of Oklahoma.

SEC. 3. Any action commenced pursuant to section 2 of this Act shall be heard and determined by a Federal court of three judges selected in the manner provided by law, sitting in the United States District Court for the Eastern District of Oklahoma, in accordance with the provisions of section 4 of this Act. Any party may appeal directly to the Supreme Court of the United States from the final determination by such three-judge district court. Jurisdiction.

SEC. 4. It is hereby declared to be the intent and the objective of the Congress that the relative rights and interests of said tribes making claims against each other in and to the surface and the subsurface of the lands identified in section 2 of this Act shall be judicially determined in accordance with principles of law and equity, including a consistent award or awards or release or releases to the Choctaw Nation, the Chickasaw Nation, and the Cherokee Nation of such bonus sums, rentals, and royalties, or other moneys paid or received on account of leasing of any portion of such lands. In furtherance of the accomplishment of this intent and the attainment of this objective, the parties are hereby authorized to enter into a settlement agreement in which provision may be made for a recognition in perpetuity of their relative rights to use and to enjoy the surface and the subsurface of the lands identified in section 2 of this Act, including the division of any and all of such bonus sums, rentals, and royalties, or other moneys paid or received on account of the leasing of any portion of said lands for any purpose or purposes. Such settlement agreement may be embodied in and be made a part of any decree of the court, which thereupon shall be final and conclusive with respect to the rights and interests of the parties. Settlement agreement.

SEC. 5. Nothing in this Act shall be deemed to be a congressional determination of the merits of the conflicting tribal claims with respect to the lands that are the subject of this Act.

Approved December 20, 1973.

Public Law 93-196

December 20, 1973
[S. J. Res. 180]

JOINT RESOLUTION

Relative to the convening of the second session of the Ninety-third Congress.

93rd Congress.
Second session.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second regular session of the Ninety-third Congress shall begin at noon on Monday, January 21, 1974, or at noon on the second day after their respective Members are notified to reassemble in accordance with section 2 of this resolution, whichever event first occurs.

SEC. 2. The Speaker of the House of Representatives and the President pro tempore of the Senate, or the Majority Leader of the Senate and the Majority Leader of the House of Representatives, or the Minority Leader of the Senate and the Minority Leader of the House of Representatives, shall notify the Members of the Senate and the House of Representatives, respectively, to reassemble whenever in their opinion the public interest shall warrant it.

Approved December 20, 1973.

Public Law 93-197

December 22, 1973
[H. R. 10717]

AN ACT

To repeal the Act terminating Federal supervision over the property and members of the Menominee Indian Tribe of Wisconsin; to reinstitute the Menominee Indian Tribe of Wisconsin as a federally recognized sovereign Indian tribe; and to restore to the Menominee Tribe of Wisconsin those Federal services furnished to American Indians because of their status as American Indians; and for other purposes.

Menominee Restoration Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Menominee Restoration Act".

Definitions.

SEC. 2. For the purposes of this Act—

(1) The term "tribe" means the Menominee Indian Tribe of Wisconsin.

(2) The term "Secretary" means the Secretary of the Interior.

(3) The term "Menominee Restoration Committee" means that committee of nine Menominee Indians who shall be elected pursuant to subsections 4(a) and 4(b) of this Act.

Menominee Indian Tribe, Wis., Federal recognition.

SEC. 3. (a) Notwithstanding the provisions of the Act of June 17, 1954 (68 Stat. 250; 25 U.S.C. 891–902), as amended, or any other law, Federal recognition is hereby extended to the Menominee Indian Tribe of Wisconsin and the provisions of the Act of June 18, 1934 (48 Stat. 984; 25 U.S.C. 461 et seq.), as amended, are made applicable to it.

Repeal; reinstatement of tribal rights and privileges.

(b) The Act of June 17, 1954 (68 Stat. 250; 25 U.S.C. 891–902), as amended, is hereby repealed and there are hereby reinstated all rights and privileges of the tribe or its members under Federal treaty, statute, or otherwise which may have been diminished or lost pursuant to such Act.

(c) Nothing contained in this Act shall diminish any rights or privileges enjoyed by the tribe or its members now or prior to June 17, 1954, under Federal treaty, statute, or otherwise, which are not inconsistent with the provisions of this Act.

(d) Except as specifically provided in this Act, nothing contained in this Act shall alter any property rights or obligations, any con-

tractual rights or obligations, including existing fishing rights, or any obligations for taxes already levied.

Grants.

(e) In providing to the tribe such services to which it may be entitled upon its recognition pursuant to subsection (a) of this section, the Secretary of the Interior and the Secretary of Health, Education, and Welfare, as appropriate, are authorized from funds appropriated pursuant to the Act of November 2, 1921 (42 Stat 208; 25 U.S.C. 13), the Act of August 5, 1954 (68 Stat. 674), as amended, or any other Act authorizing appropriations for the administration of Indian affairs, upon the request of the tribe and subject to such terms and conditions as may be mutually agreed to, to make grants and contract to make grants which will accomplish the general purposes for which the funds were appropriated. The Menominee Restoration Committee shall have full authority and capacity to be a party to receive such grants to make such contracts, and to bind the tribal governing body as the successor in interest to the Menominee Restoration Committee: *Provided, however*, That the Menominee Restoration Committee shall have no authority to bind the tribe for a period of more than six months after the date on which the tribal governing body takes office.

73 Stat. 267.
42 USC 2001.

Menominee Restoration Committee, election.

SEC. 4. (a) Within fifteen days after the enactment of this Act, the Secretary shall announce the date of a general council meeting of the tribe to nominate candidates for election to the Menominee Restoration Committee. Such general council meeting shall be held within thirty days of the date of enactment of this Act. Within forty-five days of the general council meeting provided for herein, the Secretary shall hold an election by secret ballot, absentee balloting to be permitted, to elect the membership of the Menominee Restoration Committee from among the nominees submitted to him from the general council meeting provided for herein. The ballots shall provide for write-in votes. The Secretary shall approve the Menominee Restoration Committee elected pursuant to this section if he is satisfied that the requirements of this section relating to the nominating and election process have been met. The Menominee Restoration Committee shall represent the Menominee people in the implementation of this Act and shall have no powers other than those given to it in accordance with this Act. The Menominee Restoration Committee shall have no power or authority under this Act after the time which the duly-elected tribal governing body takes office: *Provided, however*, That this provision shall in no way invalidate or affect grants or contracts made pursuant to the provisions of subsection 3(e) of this Act.

Voting, eligibility.

(b) In the absence of a completed tribal roll prepared pursuant to subsection (c) hereof and solely for the purposes of the general council meeting and the election provided for in subsection (a) hereof, all living persons on the final roll of the tribe published under section 3 of the Act of June 17, 1954 (25 U.S.C. 893), and all descendants, who are at least eighteen years of age and who possess at least one-quarter degree of Menominee Indian blood, of persons on such roll shall be entitled to attend, participate, and vote at such general council meeting and such election. Verification of descendancy, age, and blood quantum shall be made upon oath before the Secretary or his authorized representative and his determination thereon shall be conclusive and final. The Secretary shall assure that adequate notice of such meeting and election shall be provided eligible voters.

68 Stat. 250.

Meeting, notice.

Membership roll, revision.

(c) The membership roll of the tribe which was closed as of June 17, 1954, is hereby declared open. The Secretary, under contract with the

Menominee Restoration Committee, shall proceed to make current the roll in accordance with the terms of this Act. The names of all enrollees who are deceased as of the date of enactment of this Act shall be stricken. The names of any descendants of an enrollee shall be added to the roll provided such descendant possesses at least one-quarter degree Menominee Indian blood. Upon installation of elected constitutional officers of the tribe, the Secretary and the Menominee Restoration Committee shall deliver their records, files, and any other material relating to enrollment matters to the tribal governing body. All further work in bringing and maintaining current the tribal roll shall be performed in such manner as may be prescribed in accordance with the tribal governing documents. Until responsibility for the tribal roll is assumed by the tribal governing body, appeals from the omission or inclusion of any name upon the tribal roll shall lie with the Secretary and his determination thereon shall be final. The Secretary shall make the final determination of each such appeal within ninety days after an appeal is initiated.

Tribal constitution and bylaws.

48 Stat. 984.
25 USC 461.

SEC. 5. (a) Upon request from the Menominee Restoration Committee, the Secretary shall conduct an election by secret ballot, pursuant to the provisions of the Act of June 18, 1934, as amended, for the purpose of determining the tribe's constitution and bylaws. The election shall be held within sixty days after final certification of the tribal roll.

(b) The Menominee Restoration Committee shall distribute to all enrolled persons who are entitled to vote in the election, at least thirty days before the election, a copy of the constitution and bylaws as drafted by the Menominee Restoration Committee which will be presented at the election, along with a brief impartial description of the constitution and bylaws. The Menominee Restoration Committee shall freely consult with persons entitled to vote in the election concerning the text and description of the constitution and bylaws. Such consultation shall not be carried on within fifty feet of the polling places on the date of the election.

Tribal officials, election.

(c) Within one hundred and twenty days after the tribe adopts a constitution and bylaws, the Menominee Restoration Committee shall conduct an election by secret ballot for the purpose of determining the individuals who will serve as tribal officials as provided in the tribal constitution and bylaws. For the purpose of this initial election and notwithstanding any provision in the tribal constitution and bylaws to the contrary, absentee balloting shall be permitted and all tribal members who are eighteen years of age or over shall be entitled to vote in the election. All further elections of tribal officers shall be as provided in the tribal constitution and bylaws and ordinances adopted thereunder.

(d) In any election held pursuant to this section, the vote of a majority of those actually voting shall be necessary and sufficient to effectuate the adoption of a tribal constitution and bylaws and the initial election of the tribe's governing body, so long as, in each such election, the total vote cast is at least 30 per centum of those entitled to vote.

(e) The time periods set forth in subsections 4(c), 5(a), and 5(c) may be changed by the written agreement of the Secretary and the Menominee Restoration Committee.

Menominee Enterprises, Inc., asset assumption plan, submittal to Congress.

SEC. 6. (a) The Secretary shall negotiate with the elected members of the Menominee Common Stock and Voting Trust and the Board of Directors of Menominee Enterprises, Incorporated, or their authorized representatives, to develop a plan for the assumption of the assets of

the corporation. The Secretary shall submit such plan to the Congress within one year from the date of the enactment of this Act.

(b) If neither House of Congress shall have passed a resolution of disapproval of the plan within sixty days of the date the plan is submitted to Congress, the Secretary shall, subject to the terms and conditions of the plan negotiated pursuant to subsection (a) of this section, accept the assets (excluding any real property not located in or adjacent to the territory, constituting, on the effective date of this Act, the county of Menominee, Wisconsin) of Menominee Enterprises, Incorporated, but only if transferred to him by the Board of Directors of Menominee Enterprises, Incorporated, subject to the approval of the shareholders as required by the laws of Wisconsin. Such assets shall be subject to all valid existing rights, including, but not limited to, liens, outstanding taxes (local, State, and Federal), mortgages, outstanding corporate indebtedness of all types, and any other obligation. The land and other assets transferred to the Secretary pursuant to this subsection shall be subject to foreclosure or sale pursuant to the terms of any valid existing obligation in accordance with the laws of the State of Wisconsin. Subject to the conditions imposed by this section, the land transferred shall be taken in the name of the United States in trust for the tribe and shall be their reservation. The transfer of assets authorized by this section shall be exempt from all local, State, and Federal taxation. All assets transferred under this section shall, as of the date of transfer, be exempt from all local, State, and Federal taxation.

Tribal land held in trust by U.S.

Tax exemption.

(c) The Secretary shall accept the real property (excluding any real property not located in or adjacent to the territory constituting, on the effective date of this Act, the county of Menominee, Wisconsin) of members of the Menominee Tribe, but only if transferred to him by the Menominee owner or owners. Such property shall be subject to all valid existing rights including, but not limited to, liens, outstanding taxes (local, State, and Federal), mortgages, and any other obligations. The land transferred to the Secretary pursuant to this subsection shall be subject to foreclosure or sale pursuant to the terms of any valid existing obligation in accordance with the laws of the State of Wisconsin. Subject to the conditions imposed by this subsection, the land transferred shall be taken in the name of the United States in trust for the Menominee Tribe of Wisconsin and shall be part of their reservation. The transfer of assets authorized by this section shall be exempt from all local, State, and Federal taxation. All assets transferred under this section shall, as of the date of transfer, be exempt from all local, State, and Federal taxation.

Menominee land owners, property transfer to U.S.

Tribal land held in trust by U.S.

Tax exemption.

(d) The Secretary and the Menominee Restoration Committee shall consult with appropriate State and local government officials to assure that the provision of necessary governmental services is not impaired as a result of the transfer of assets provided for in this section.

(e) For the purpose of implementing subsection (d), the State of Wisconsin may establish such local government bodies, political subdivisions, and service arrangements as will best provide the State or local government services required by the people in the territory constituting, on the effective date of this Act, the county of Menominee.

SEC. 7. The Secretary is hereby authorized to make such rules and regulations as are necessary to carry out the provisions of this Act.

Rules and regulations.

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Appropriation.

Approved December 22, 1973.

Public Law 93-198

December 24, 1973
[S. 1435]

AN ACT

To reorganize the governmental structure of the District of Columbia, to provide a charter for local government in the District of Columbia subject to acceptance by a majority of the registered qualified electors in the District of Columbia, to delegate certain legislative powers to the local government, to implement certain recommendations of the Commission on the Organization of the Government of the District of Columbia, and for other purposes.

District of Columbia Self-Government and Governmental Reorganization Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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TITLE I—SHORT TITLE, PURPOSES, AND DEFINITIONS

SHORT TITLE

SEC. 101. This Act may be cited as the "District of Columbia Self-Government and Governmental Reorganization Act".

STATEMENT OF PURPOSES

SEC. 102. (a) Subject to the retention by Congress of the ultimate legislative authority over the Nation's Capital granted by article I, section 8, of the Constitution, the intent of Congress is to delegate certain legislative powers to the government of the District of Columbia: authorize the election of certain local officials by the registered qualified electors in the District of Columbia; grant to the inhabitants of the District of Columbia powers of local self-government; to modernize, reorganize, and otherwise improve the governmental structure of the District of Columbia; and, to the greatest extent possible, consistent with the constitutional mandate, relieve Congress of the burden of legislating upon essentially local District matters. USC prec. title 1.

(b) Congress further intends to implement certain recommendations of the Commission on the Organization of the Government of the District of Columbia and take certain other actions irrespective of whether the charter for greater self-government provided for in title IV of this Act is accepted or rejected by the registered qualified electors of the District of Columbia.

DEFINITIONS

SEC. 103. For the purposes of this Act—

(1) The term "District" means the District of Columbia.

(2) The term "Council" means the Council of the District of Columbia provided for by part A of title IV.

(3) The term "Commissioner" means the Commissioner of the District of Columbia established under Reorganization Plan Numbered 3 of 1967.

(4) The term "District of Columbia Council" means the Council of the District of Columbia established under Reorganization Plan Numbered 3 of 1967. 81 Stat. 948.

(5) The term "Chairman" means, unless otherwise provided in this Act, the Chairman of the Council provided for by part A of title IV. 5 USC app. II. D.C. Code 1-app.

(6) The term "Mayor" means the Mayor provided for by part B of title IV.

(7) The term "act" includes any legislation passed by the Council, except where the term "Act" is used to refer to this Act or other Acts of Congress herein specified.

(8) The term "capital project" means (A) any physical public betterment or improvement and any preliminary studies and surveys relative thereto; (B) the acquisition of property of a permanent nature; or (C) the purchase of equipment for any public betterment or improvement when first erected or acquired.

(9) The term "pending", when applied to any capital project, means authorized but not yet completed.

(10) The term "District revenues" means all funds derived from taxes, fees, charges, and miscellaneous receipts, including all annual Federal payments to the District authorized by law, and from the sale of bonds.

(11) The term "election", unless the context otherwise provides, means an election held pursuant to the provisions of this Act.

(12) The terms "publish" and "publication", unless otherwise specifically provided herein, mean publication in a newspaper of general circulation in the District.

(13) The term "District of Columbia courts" means the Superior Court of the District of Columbia and the District of Columbia Court of Appeals.

(14) The term "resources" means revenues, balances, revolving funds, funds realized from borrowing, and the District share of Federal grant programs.

(15) The term "budget" means the entire request for appropriations and loan or spending authority for all activities of all agencies of the District financed from all existing or proposed resources and shall include both operating and capital expenditures.

TITLE II—GOVERNMENTAL REORGANIZATION

REDEVELOPMENT LAND AGENCY

SEC. 201. The District of Columbia Redevelopment Act of 1945 (D.C. Code, secs. 5–701—5–719) is amended as follows:

60 Stat. 793.

(a) Subsection (a) of section 4 of such Act (D.C. Code, sec. 5–703 (a)) is amended to read as follows:

"(a) The District of Columbia Redevelopment Land Agency is hereby established as an instrumentality of the District of Columbia government, and shall be composed of five members appointed by the Commissioner of the District of Columbia (hereinafter referred to as the 'Commissioner'), with the advice and consent of the Council of the District of Columbia (hereinafter referred to as the 'Council'). The Commissioner shall name one member as chairman. No more than two members may be officers of the District of Columbia government. Each member shall serve for a term of five years except that of the members first appointed under this section, one shall serve for a term of one year, one shall serve for a term of two years, one shall serve for a term of three years, one shall serve for a term of four years, and one shall serve for a term of five years, as designated by the Commissioner. The terms of the members first appointed under this section shall begin on or after January 2, 1975. Should any member who is an officer of the District of Columbia government cease to be such an officer, then his term as a member shall end on the day he ceases to be such an officer. Any person appointed to fill a vacancy in the Agency shall be appointed to serve for the remainder of the term during which such vacancy arose. Any member who holds no other salaried public position shall receive compensation at the rate of $100 for each day such member is engaged in the actual performance of duties vested in the agency."

D.C. government authority.

(b) Subsection (b) of section 4 of such Act (D.C. Code, sec. 5–703 (b)) is amended—

(1) by inserting after "forth" at the end of the first sentence of such section ", except that nothing in this section shall prohibit the District of Columbia government from dissolving the corporation, eliminating the board of directors, or taking such other action with respect to the powers and duties of such Agency, including those actions specified in subsection (c), as is deemed necessary and appropriate", and

(2) by striking out in the second sentence "including the selection of its chairman and other officers," and inserting in lieu thereof "including the selection of officers other than its chairman,".

(c) Section 4 of such Act is amended by adding at the end thereof the following new subsection:

Factfinding board.

"(c) The Council is authorized, by act, to adopt legislation—

"(1) establishing, for the purpose of assuring uniform procedures relating to the disposition of complaints and other claims involving the Redevelopment Land Agency (or its successor) and other administrative units of the District of Columbia govern-

ment, a factfinding board to receive, hear, and act on such complaints and claims arising out of or in connection with administrative and other actions of such Agency or units in carrying out their powers and functions;

"(2) providing that all planning, designing, construction, and supervision of public facilities which are to be contributed to any redevelopment area as the local non-cash grant-in-aid to the project under title I of the Housing Act of 1949, shall, to the extent practicable, be carried out by an appropriate District of Columbia department or agency on the basis of a contractual or other arrangement with the Redevelopment Land Agency or its successor; 68 Stat. 622. 42 USC 1450.

"(3) providing that any occupied rental property owned by the Agency shall be maintained by such Agency (or its successor) in a safe and sanitary condition; or

"(4) providing that the Commissioner shall have authority to waive all or any part of any special assessments levied against abutting property owners for the cost of sewers, streets, curbs, gutters, sidewalks, utilities, and other supporting facilities or project improvements where the costs therefor to the District of Columbia can be applied as a non-cash local grant-in-aid, as defined by the Secretary of the Department of Housing and Urban Development.".

(d) The first sentence of subsection (b) of section 5 of such Act (D.C. Code, sec. 5–704(b)) is amended to read as follows "Condemnation proceedings for the acquisition of real property for said purposes shall be conducted in accordance with subchapter II of chapter 13 of title 16 of the District of Columbia Code.". 84 Stat. 587. D.C. Code 16-1311.

(e) None of the amendments contained in this section shall be construed to affect the eligibility of the District of Columbia Redevelopment Land Agency to continue participation in the small business procurement programs under section 8(a) of the Small Business Act (67 Stat. 547). 72 Stat. 389. 15 USC 637.

(f) For the purposes of subsection 713(d), employees in the District of Columbia Redevelopment Land Agency shall be deemed to be transferred to the District of Columbia as of the effective date of this title without a break in service. *Post*, p. 819.

NATIONAL CAPITAL HOUSING AUTHORITY

SEC. 202. (a) The National Capital Housing Authority (hereinafter referred to as the "Authority") established under the District of Columbia Alley Dwelling Act (D.C. Code, secs. 5–103—5–116) shall be an agency of the District of Columbia government subject to the organizational and reorganizational powers specified in sections 404(b) and 422(12) of this Act. 48 Stat. 930; 52 Stat. 1186.

(b) All functions, powers, and duties of the President under the District of Columbia Alley Dwelling Act shall be vested in and exercised by the Commissioner. All employees, property (real and personal), and unexpended balances (available or to be made available) of appropriations, allocations, and all other funds, and assets and liabilities of the Authority are authorized to be transferred to the District of Columbia government.

NATIONAL CAPITAL PLANNING COMMISSION AND MUNICIPAL PLANNING

SEC. 203. (a) Subsections (a) and (b) of section 2 of the Act entitled "An Act providing for a comprehensive development of the park and

66 Stat. 782; 76 Stat. 575. 40 USC 71a. Federal planning agency.

playground system of the National Capital", approved June 6, 1924 (D.C. Code, sec. 1–1002), are amended to read as follows:

"(a)(1) The National Capital Planning Commission (hereinafter referred to as the 'Commission') is created as the central Federal planning agency for the Federal Government in the National Capital, and to preserve the important historical and natural features thereof, except with respect to the United States Capitol buildings and grounds as defined in sections 1 and 16 of the Act of July 31, 1946 (40 U.S.C. 193a, 193m), and to any extension thereof or additions thereto, or to buildings and grounds under the care of the Architect of the Capitol.

60 Stat. 718; 81 Stat. 275. D.C. Code 9-118, 9-132. D.C. planning agency.

"(2) The Commissioner of the District of Columbia (hereinafter referred to as the 'Commissioner') shall be the central planning agency for the government of the District of Columbia (hereinafter referred to as the 'District') in the National Capital. The Commissioner shall be responsible for coordinating the planning activities of the District government and for preparing and implementing the District elements of the comprehensive plan for the National Capital, which may include land use elements, urban renewal and redevelopment elements, a multi-year program of public works for the District, and physical, social, economic, transportation, and population elements. The Commissioner's planning responsibility shall not extend to Federal or international projects and developments in the District, as determined by the Commission, or to the United States Capitol buildings and grounds as defined in sections 1 and 16 of the Act of July 31, 1946 (40 U.S.C. 193a, 193m), or to any extension thereof or additions thereto, or to buildings and grounds under the care of the Architect of the Capitol. In carrying out his responsibility under this section, the Commissioner shall establish procedures for citizen participation in the planning process, and for appropriate meaningful consultation with any State or local government or planning agency in the National Capital region affected by any aspect of a comprehensive plan (including amendments thereto) affecting or relating to the District.

"(3) The Commissioner shall submit each District element of the comprehensive plan and any amendment thereto, to the Council for revision or modification, and adoption, by act, following public hearings. Following adoption and prior to implementation, the Council shall submit each such element or amendment to the Commission for review and comment with regard to the impact of such element or amendment on the interests or functions of the Federal Establishment in the National Capital.

"(4)(A) The Commission shall, within sixty days after receipt of such a District element of the comprehensive plan, or amendment thereto, from the Council, certify to the Council whether such element or amendment has a negative impact on the interests or functions of the Federal Establishment in the National Capital. If within such sixty days the Commission takes no action with respect to such element or amendment, such element or amendment shall be deemed to have no such negative impact, and such element or amendment shall be incorporated into the comprehensive plan for the National Capital and shall be implemented.

"(B) If the Commission finds, within such sixty days, such negative impact, it shall certify its findings and recommendations with respect to such negative impact to the Council. Upon receipt of the Commission's findings and recommendations, the Council may—

"(i) reject such findings and recommendations and resubmit such element or amendment, in a modified form, to the Commission for reconsideration; or

"(ii) accept such findings and recommendations and modify such element or amendment accordingly.

If the Council accepts such findings and recommendations and modifies such element or amendment under clause (ii), the Council shall submit such element or amendment to the Commission for it to determine whether such modification has been made in accordance with the Commission's findings and recommendations. If, within thirty days after receipt of the modified element or amendment, the Commission takes no action with respect to such element or amendment, it shall be deemed to have been modified in accordance with such findings or recommendations, and shall be incorporated into the comprehensive plan for the National Capital and shall be implemented. If within such thirty days, the Commission again determines such element or amendment to have a negative impact on the functions or interests of the Federal Establishment in the National Capital such element or amendment shall not be implemented.

"(C) If the Council rejects the findings and recommendations of the Commission and resubmits a modified element or amendment to it under clause (i), the Commission shall, within sixty days after receipt of such modified element or amendment from the Council, determine whether such modified element or amendment has a negative impact on the interests or functions of the Federal Establishment within the National Capital. If the Commission finds such negative impact it shall certify its findings (in sufficient detail that the Council can understand the basis of the objection of the Commission) and recommendations to the Council, and such element or amendment shall not be implemented. If the Commission takes no action with respect to such modified element or amendment within such sixty days, such modified element or amendment shall be deemed to have no such negative impact and shall be incorporated into the comprehensive plan and it shall be implemented. Any element or amendment which the Commission has determined to have a negative impact on the Federal Establishment in the National Capital, and which is submitted again in a modified form not less than one year from the day it was last rejected by the Commission shall be deemed to be a new element or amendment for purposes of the review procedure specified in this section.

Joint publication of plan.

"(D) The Commission and the Commissioner shall jointly publish, from time to time as appropriate, a comprehensive plan for the National Capital, consisting of the elements of the comprehensive plan for the Federal activities in the National Capital developed by the Commission, and the District elements developed by the Commissioner and the Council in accordance with the provisions of this section.

Time limitation extension, authority.

"(E) The Council may grant, upon request made to it by the Commission, an extension of any time limitation contained in this section.

"(F) The Commission and the Commissioner shall jointly establish procedures for appropriate meaningful continuing consultation throughout the planning process for the National Capital.

"(b) The National Capital Planning Commission shall be composed of—

"(1) ex officio, the Secretary of the Interior, the Secretary of Defense, the Administrator of the General Services Administration, the Commissioner, the Chairman of the District of Columbia Council, and the chairmen of the Committees on the District of Columbia of the Senate and the House of Representatives, or such alternates as each such person may from time to time designate to serve in his stead, and in addition,

"(2) five citizens with experience in city or regional planning, three of whom shall be appointed by the President and two of whom shall be appointed by the Commissioner. The citizen mem-

bers appointed by the Commissioner shall be bona fide residents of the District of Columbia and of the three appointed by the President at least one shall be a bona fide resident of Virginia and at least one shall be a bona fide resident of Maryland. The terms of office of members appointed by the President shall be for six years, except that of the members first appointed, the President shall designate one to serve two years and one to serve four years. Members appointed by the Commissioner shall serve for four years. The members first appointed under this section shall assume their office on January 2, 1975. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The citizen members shall each receive compensation at the rate of $100 for each day such member is engaged in the actual performance of duties vested in the Commission in addition to reimbursement for necessary expenses incurred by them in the performance of such duties.".

66 Stat. 783. 40 USC 71a.

(b) Subsection (e) of section 2 of such Act of June 6, 1924 (D.C. Code, sec. 1–1002(e)), is amended by (1) inserting "Federal activities in the" immediately before "National Capital" in clause (1); and (2) striking out "and District Governments," and inserting in lieu thereof "government" in clause (2).

40 USC 71c.

(c) Section 4 of such Act of June 6, 1924 (D.C. Code, sec. 1–1004), is amended as follows:

(1) The first sentence of subsection (a) of such section is amended to read as follows: "The Commission is hereby charged with the duty of preparing and adopting a comprehensive, consistent, and coordinated plan for the National Capital, which plan shall include the Commission's recommendations or proposals for Federal developments or projects in the environs, and those District elements, or amendments thereto, of the comprehensive plan adopted by the Council and with respect to which the Commission has not determined a negative impact to exist, which elements or amendments shall be incorporated into such comprehensive plan without change.".

(2) The third sentence of subsection (a) of such section is amended by striking out "within the District of Columbia" and "or District".

Repeals.

(3) Subsections (b) and (c) of such section are repealed.

40 USC 71d.

(d) Section 5 of such Act of June 6, 1924 (D.C. Code, sec. 1–1005), is amended as follows:

(1) Subsection (c) of such section is amended to read as follows:

52 Stat. 802.

"(c) The provisions of section 16 of the Act approved June 20, 1938 (D.C. Code, sec. 5–428), are extended to include public buildings erected by any agency of the Government of the District of Columbia within the boundaries of the central area of the District, as such central area may be defined and from time to time redefined by concurrent action of the Commission and the Council, except that the Commission shall transmit its approval or disapproval respecting any such building within thirty days after the day it was submitted to the Commission.".

Federal Government agencies, cooperation.

(2) The first and second sentences of subsection (e) of such section are amended to read as follows: "It is the intent of this section to obtain cooperation and correlation of effort between the various agencies of the Federal Government which are responsible for public developments and projects, including the acquisition of land. These agencies, therefore, shall look to the Commission and utilize it as the central planning agency for the Federal activities in the National Capital region.".

Repeal. 66 Stat. 789. 40 USC 71e, 71f.

(e) Section 6 of such Act (D.C. Code, sec. 1–1006) is repealed.

(f) Section 7 of such Act (D.C. Code, sec. 1–1007) is amended to read as follows:

"SEC. 7. (a) The Commission shall recommend a six-year program of public works projects for the Federal Government which it shall review annually with the agencies concerned. To this end, each Federal agency shall submit to the Commission in the first quarter of each fiscal year a copy of its advance program of capital improvements within the National Capital and its environs. Public works projects.

"(b) The Commissioner shall submit to the Commission, by February 1 of each year, a copy of the multiyear capital improvements plan for the District developed by him under section 444 of the District of Columbia Self-Government and Governmental Reorganization Act. The Commission shall have thirty days within which to comment upon such plan but shall have no authority to change or disapprove of such plan." Multiyear capital improvements plan, submittal to Commission. *Post*, p. 800.

(g) The first sentence of subsection (a) of section 8 of such Act of June 6, 1924 (D.C. Code, sec. 1–1008(a)), is amended to read as follows: "The Commission may make a report and recommendation to the Zoning Commission of the District of Columbia, as provided in section 5 of the Act of March 1, 1920 (D.C. Code, sec. 5–417), on proposed amendments of the zoning regulations and maps as to the relation, conformity, or consistency of such amendments with the comprehensive plan for the National Capital." 66 Stat. 790. 40 USC 71g. 52 Stat. 798.

DISTRICT OF COLUMBIA MANPOWER ADMINISTRATION

SEC. 204. (a) All functions of the Secretary of Labor (hereafter in this section referred to as the "Secretary") under section 3 of the Act entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes", approved June 6, 1933 (29 U.S.C. 49–49k), with respect to the maintenance of a public employment service for the District, are transferred to the Commissioner. After the effective date of this transfer, the Secretary shall maintain with the District the same relationship with respect to a public employment service in the District, including the financing of such service, as he has with the States (with respect to a public employment service in the States) generally. 48 Stat. 113; 53 Stat. 1409; 68 Stat. 665.

(b) The Commissioner is authorized and directed to establish and administer a public employment service in the District and to that end he shall have all necessary powers to cooperate with the Secretary in the same manner as a State under the Act of June 6, 1933, specified in subsection (a). Public employment service.

(c)(1) Section 3(a) of the Act entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes", approved June 6, 1933 (29 U.S.C. 49b(a)), is amended by striking out "to maintain a public employment service for the District of Columbia".

(2) Section 3(b) of such Act (29 U.S.C. 49b(b)) is amended by inserting "the District of Columbia," immediately after "Guam,". 70 Stat. 910.

(d) All functions of the Secretary and of the Director of Apprenticeship under the Act entitled "An Act to provide for voluntary apprenticeship in the District of Columbia", approved May 20, 1946 (D.C. Code, secs. 36–121—36–133), are transferred to and shall be exercised by the Commissioner. The office of Director of Apprenticeship provided for in section 3 of such Act (D.C. Code, sec. 36–123) is abolished. 60 Stat. 204; 84 Stat. 583.

(e) All functions of the Secretary under chapter 81 of title 5 of the United States Code, with respect to the processing of claims filed by employees of the government of the District for compensation for work injuries, are transferred to and shall be exercised by the Commissioner, 5 USC 8101.

effective the day after the day on which the District establishes an independent personnel system or systems.

Transfer of property.

(f) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, held, used, available, or to be made available in connection with functions transferred to the Commisisoner by the provisions of this section, as the Director of the Federal Office of Management and Budget shall determine, are authorized to be transferred from the Secretary to the Commissioner.

(g) Any employee in the competitive service of the United States transferred to the government of the District under the provisions of this section shall retain all the rights, benefits, and privileges pertaining thereto held prior to such transfer. When such an employee vacates the position into which he was transferred, such position shall no longer be a position in such competitive service.

50 Stat. 664. "State."

(h) The first section of the Act of August 16, 1937 (29 U.S.C. 50 et seq.) (relating to the welfare of apprentices), is amended by inserting at the end thereof "For the purposes of this Act the term 'State' shall include the District of Columbia.".

TITLE III—DISTRICT CHARTER PREAMBLE, LEGISLATIVE POWER, AND CHARTER AMENDING PROCEDURE

DISTRICT CHARTER PREAMBLE

Post, p. 785.

SEC. 301. The charter for the District of Columbia set forth in title IV shall establish the means of governance of the District following its acceptance by a majority of the registered qualified electors of the District voting thereon in the charter referendum held with respect thereto.

LEGISLATIVE POWER

Post, pp. 813, 814.

SEC. 302. Except as provided in sections 601, 602, and 603, the legislative power of the District shall extend to all rightful subjects of legislation within the District consistent with the Constitution of the United States and the provisions of this Act subject to all the restrictions and limitations imposed upon the States by the tenth section of the first article of the Constitution of the United States.

CHARTER AMENDING PROCEDURE

SEC. 303. (a) The charter set forth in title IV (including any provision of law amended by such title), except sections 401(a) and 421 (a), and part C of such title, may be amended by an act passed by the Council and ratified by a majority of the registered qualified electors of the District voting in the referendum held for such ratification. The Chairman of the Council shall submit all such acts to the Speaker of the House of Representatives and the President of the Senate on the day the Board of Elections certifies that such act was ratified by a majority of the registered qualified electors voting thereon in such referendum.

(b) An amendment to the charter ratified by the registered qualified electors shall take effect only if within thirty-five calendar days (excluding Saturdays, Sundays, holidays, and days on which either House of Congress is not in session) of the date such amendment was submitted to the Congress both Houses of Congress adopt a concurrent resolution, according to the procedures specified in section 604 of this Act, approving such amendment.

(c) The Board of Elections shall prescribe such rules as are necessary with respect to the distribution and signing of petitions and the holding of elections for ratifying amendments to title IV of this Act according to the procedures specified in subsection (a).

(d) The amending procedure provided in this section may not be used to enact any law or affect any law with respect to which the Council may not enact any act, resolution, or rule under the limitations specified in sections 601, 602, and 603.

Post, pp. 813, 814.

TITLE IV—THE DISTRICT CHARTER

PART A—THE COUNCIL

Subpart 1—Creation of the Council

CREATION AND MEMBERSHIP

Establishment; membership.

SEC. 401. (a) There is established a Council of the District of Columbia; and the members of the Council shall be elected by the registered qualified electors of the District.

(b)(1) The Council established under subsection (a) shall consist of thirteen members elected on a partisan basis. The Chairman and four members shall be elected at large in the District, and eight members shall be elected one each from the eight election wards established, from time to time, under the District of Columbia Election Act. The term of office of the members of the Council shall be four years, except as provided in paragraph (3), and shall begin at noon on January 2 of the year following their election.

69 Stat. 699. D.C. Code 1-1101 note.

(2) In the case of the first election held for the office of member of the Council after the effective date of this title, not more than two of the at-large members (excluding the Chairman) shall be nominated by the same political party. Thereafter, a political party may nominate a number of candidates for the office of at-large member of the Council equal to one less than the total number of at-large members (excluding the Chairman) to be elected in such election.

(3) Of the members first elected after the effective date of this title, the Chairman and two members elected at-large and four of the members elected from election wards shall serve for four-year terms; and two of the at-large members and four of the members elected from election wards shall serve for two-year terms. The members to serve the four-year terms and the members to serve the two-year terms shall be determined by the Board of Elections by lot, except that not more than one of the at-large members nominated by any political party shall serve for any such four-year term.

(c) The Council may establish and select such other officers and employees as it deems necessary and appropriate to carry out the functions of the Council.

(d)(1) In the event of a vacancy in the Council of a member elected from a ward, the Board of Elections shall hold a special election in such ward to fill such vacancy on the first Tuesday occurring more than one hundred and fourteen days after the date on which such vacancy occurs, unless the Board of Elections determines that such vacancy could be more practicably filled in a special election held on the same day as the next general election to be held in the District occurring within sixty days of the date on which a special election would otherwise have been held under the provisions of this subsection. The person elected as a member to fill a vacancy on the Council shall take office on the day on which the Board of Elections certifies his election,

and shall serve as a member of the Council only for the remainder of the term during which such vacancy occurred.

Mayoral vacancy.

(2) In the event of a vacancy in the office of Mayor, and if the Chairman becomes a candidate for the office of Mayor to fill such vacancy, the office of Chairman shall be deemed vacant as of the date of the filing of his candidacy. In the event of a vacancy in the Council of a member elected at large, other than a vacancy in the office of Chairman, who is affiliated with a political party, the central committee of such political party shall appoint a person to fill such vacancy, until the Board of Elections can hold a special election to fill such vacancy, and such special election shall be held on the first Tuesday occurring more than one hundred and fourteen days after the date on which such vacancy occurs unless the Board of Elections determines that such vacancy could be more practicably filled in a special election held on the same day as the next general election to be held in the District occurring within sixty days of the date on which a special election would otherwise be held under the provision of this subsection. The person appointed to fill such vacancy shall take office on the date of his appointment and shall serve as a member of the Council until the day on which the Board certifies the election of the member elected to fill such vacancy in either a special election or a general election. The person elected as a member to fill such a vacancy on the Council shall take office on the day on which the Board of Elections certifies his election, and shall serve as a member of the Council only for the remainder of the term during which such vacancy occurred. With respect to a vacancy on the Council of a member elected at large who is not affiliated with any political party, the Council shall appoint a similarly nonaffiliated person to fill such vacancy until such vacancy can be filled in a special election in the manner prescribed in this paragraph. Such person appointed by the Council shall take office and serve as a member at the same time and for the same term as a member appointed by a central committee of a political party.

(3) Notwithstanding any other provision of this section, at no time shall there be more than three members (including the Chairman) serving at large on the Council who are affiliated with the same political party.

QUALIFICATIONS FOR HOLDING OFFICE

SEC. 402. No person shall hold the office of member of the Council, including the office of Chairman, unless he (a) is a qualified elector, (b) is domiciled in the District and if he is nominated for election from a particular ward, resides in the ward from which he is nominated, (c) has resided and been domiciled in the District for one year immediately preceding the day on which the general or special election for such office is to be held, and (d) holds no public office (other than his employment in and position as a member of the Council), for which he is compensated in an amount in excess of his actual expenses in connection therewith, except that nothing in this clause shall prohibit any such person, while a member of the Council, from serving as a delegate or alternate delegate to a convention of a political party nominating candidates for President and Vice President of the United States, or from holding an appointment in a Reserve component of an armed force of the United States other than a member serving on active duty under a call for more than thirty days. A member of the Council shall forfeit his office upon failure to maintain the qualifications required by this section, and, in the case of the Chairman, section 403(c).

COMPENSATION

SEC. 403. (a) Each member of the Council shall receive compensation, payable in periodic installments, at a rate equal to the maximum rate as may be established from time to time for grade 12 of the General Schedule under section 5332 of title 5 of the United States Code. On and after the end of the two-year period beginning on the day the members of the Council first elected under this Act take office, the Council may, by act, increase or decrease such rate of compensation. Such change in compensation, upon enactment by the Council in accordance with the provisions of this Act, shall apply with respect to the term of members of the Council beginning after the date of enactment of such change.

5 USC 5332 note.

(b) All members of the Council shall receive additional allowances for actual and necessary expenses incurred in the performance of their duties of office as may be approved by the Council.

(c) The Chairman shall receive, in addition to the compensation to which he is entitled as a member of the Council, $10,000 per annum, payable in equal installments, for each year he serves as Chairman, but the Chairman shall not engage in any employment (whether as an employee or as a self-employed individual) or hold any position (other than his position as Chairman), for which he is compensated in an amount in excess of his actual expenses in connection therewith.

Chairman, additional compensation.

POWERS OF THE COUNCIL

SEC. 404. (a) Subject to the limitations specified in title VI of this Act, the legislative power granted to the District by this Act is vested in and shall be exercised by the Council in accordance with this Act. In addition, except as otherwise provided in this Act, all functions granted to or imposed upon, or vested in or transferred to the District of Columbia Council, as established by Reorganization Plan Numbered 3 of 1967, shall be carried out by the Council in accordance with the provisions of this Act.

81 Stat. 948. 5 USC app. II. D.C. Code 1-app.

(b) The Council shall have authority to create, abolish, or organize any office, agency, department, or instrumentality of the government of the District and to define the powers, duties, and responsibilities of any such office, agency, department, or instrumentality.

(c) The Council shall adopt and publish rules of procedures which shall include provisions for adequate public notification of intended actions of the Council.

Public notification.

(d) Every act shall be published and codified upon becoming law as the Council may direct.

(e) An act passed by the Council shall be presented by the Chairman of the Council to the Mayor, who shall, within ten calendar days (excluding Saturdays, Sundays, and holidays) after the act is presented to him, either approve or disapprove such act. If the Mayor shall approve such act, he shall indicate the same by affixing his signature thereto, and such act shall become law subject to the provisions of section 602(c). If the Mayor shall disapprove such act, he shall, within ten calendar days (excluding Saturdays, Sundays, and holidays) after it is presented to him, return such act to the Council setting forth in writing his reasons for such disapproval. If any act so passed shall not be returned to the Council by the Mayor within ten calendar days after it shall have been presented to him, the Mayor shall be deemed to have approved it, and such act shall become law subject to the provisions of section 602(c). If, within thirty calendar days after an act has been timely returned by the Mayor to the Council with his disapproval, two-thirds of the members of the Council present and

Ten-day legislative decision.

Transmittals to President.

voting vote to reenact such act, the act so reenacted shall be transmitted by the Chairman to the President of the United States. Subject to the provisions of section 602(c), such act, except any act of the Council submitted to the President in accordance with the Budget and Accounting Act, 1921, shall become law at the end of the thirty day period beginning on the date of such transmission, unless during such period the President disapproves such act.

Post, p. 814.

42 Stat. 20
31 USC 1.

(f) In the case of any budget act adopted by the Council pursuant to section 446 of this Act and submitted to the Mayor in accordance with subsection (e) of this section, the Mayor shall have power to disapprove any items or provisions, or both, of such act and approve the remainder. In any case in which the Mayor so disapproves of any item or provision, he shall append to the act when he signs it a statement of the item or provision which he disapproves, and shall, within such ten-day period, return a copy of the act and statement with his objections to the Council. If, within thirty calendar days after any such item or provision so disapproved has been timely returned by the Mayor to the Council, two-thirds of the members of the Council present and voting vote to reenact any such item or provision, such item or provision so reenacted shall be transmitted by the Chairman to the President of the United States. In any case in which the Mayor fails to timely return any such item or provision so disapproved to the Council, the Mayor shall be deemed to have approved such item or provision not returned, and such item or provision not returned shall be transmitted by the Chairman to the President of the United States.

Subpart 2—Organization and Procedure of the Council

THE CHAIRMAN

SEC. 411. (a) The Chairman shall be the presiding officer of the Council.

(b) When the Office of Mayor is vacant, the Chairman shall act in his stead. While the Chairman is Acting Mayor he shall not exercise any of his authority as Chairman or member of the Council.

ACTS, RESOLUTIONS, AND REQUIREMENTS FOR QUORUM

SEC. 412. (a) The Council, to discharge the powers and duties imposed herein, shall pass acts and adopt resolutions, upon a vote of a majority of the members of the Council present and voting, unless otherwise provided in this Act or by the Council. The Council shall use acts for all legislative purposes. Each proposed act shall be read twice in substantially the same form, with at least thirteen days intervening between each reading. Upon final adoption by the Council each act shall be made immediately available to the public in a manner which the Council shall determine. If the Council determines, by a vote of two-thirds of the members, that emergency circumstances make it necessary that an act be passed after a single reading, or that it take effect immediately upon enactment, such act shall be effective for a period of not to exceed ninety days. Resolutions shall be used to express simple determinations, decisions, or directions of the Council of a special or temporary character.

Special election.

(b) A special election may be called by resolution of the Council to present for an advisory referendum vote of the people any proposition upon which the Council desires to take action.

Quorum.

(c) A majority of the Council shall constitute a quorum for the lawful convening of any meeting and for the transaction of business of the Council, except a lesser number may hold hearings.

INVESTIGATIONS BY THE COUNCIL

SEC. 413. (a) The Council, or any committee or person authorized by it, shall have power to investigate any matter relating to the affairs of the District, and for that purpose may require the attendance and testimony of witnesses and the production of books, papers, and other evidence. For such purpose any member of the Council (if the Council is conducting the inquiry) or any member of the committee may issue subpenas and administer oaths upon resolution adopted by the Council or committee, as appropriate.

(b) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Council by resolution may refer the matter to the Superior Court of the District of Columbia, which may by order require such person to appear and give or produce testimony or books, papers, or other evidence, bearing upon the matter under investigation. Any failure to obey such order may be punished by such Court as a contempt thereof as in the case of failure to obey a subpena issued, or to testify, in a case pending before such Court.

PART B—THE MAYOR

ELECTION, QUALIFICATIONS, VACANCY, AND COMPENSATION

Office of Mayor, establishment.

SEC. 421. (a) There is established the Office of Mayor of the District of Columbia; and the Mayor shall be elected by the registered qualified electors of the District.

(b) The Mayor established by subsection (a) shall be elected, on a partisan basis, for a term of four years beginning at noon on January 2 of the year following his election.

(c)(1) No person shall hold the Office of Mayor unless he (A) is a qualified elector, (B) has resided and been domiciled in the District for one year immediately preceding the day on which the general or special election for Mayor is to be held, and (C) is not engaged in any employment (whether as an employee or as a self-employed individual) and holds no public office or position (other than his employment in and position as Mayor), for which he is compensated in an amount in excess of his actual expenses in connection therewith, except that nothing in this clause shall be construed as prohibiting such person, while holding the Office of Mayor, from serving as a delegate or alternate delegate to a convention of a political party nominating candidates for President and Vice President of the United States, or from holding an appointment in a reserve component of an armed force of the United States other than a member serving on active duty under a call for more than thirty days. The Mayor shall forfeit his office upon failure to maintain the qualifications required by this paragraph.

(2) To fill a vacancy in the Office of Mayor, the Board of Elections shall hold a special election in the District on the first Tuesday occurring more than one hundred and fourteen days after the date on which such vacancy occurs, unless the Board of Elections determines that such vacancy could be more practicably filled in a special election held on the same day as the next general election to be held in the District occurring within sixty days of the date on which a special election would otherwise have been held under the provisions of this paragraph. The person elected Mayor to fill a vacancy in the Office of Mayor shall take office on the day on which the Board of Elections certifies his election, and shall serve as Mayor only for the remainder of the term during which such vacancy occurred. When the Office of Mayor becomes vacant the Chairman shall become Acting Mayor and shall serve from the date such vacancy occurs until the

date on which the Board of Elections certifies the election of the new Mayor at which time he shall again become Chairman. While the Chairman is Acting Mayor, the Chairman shall receive the compensation regularly paid the Mayor, and shall receive no compensation as Chairman or member of the Council. While the Chairman is Acting Mayor, the Council shall select one of the elected at-large members of the Council to serve as Chairman and one to serve as chairman pro tempore, until the return of the regularly elected Chairman.

(d) The Mayor shall receive compensation, payable in equal installments, at a rate equal to the maximum rate, as may be established from time to time, for level III of the Executive Schedule in section 5314 of title 5 of the United States Code. Such rate of compensation may be increased or decreased by act of the Council. Such change in such compensation, upon enactment by the Council in accordance with the provisions of this Act, shall apply with respect to the term of Mayor next beginning after the date of such change. In addition, the Mayor may receive an allowance, in such amount as the Council may from time to time establish, for official, reception, and representation expenses, which he shall certify in reasonable detail to the Council.

80 Stat. 460; 83 Stat. 863.

POWERS AND DUTIES

SEC. 422. The executive power of the District shall be vested in the Mayor who shall be the chief executive officer of the District government. In addition, except as otherwise provided in this Act, all functions granted to or vested in the Commissioner of the District of Columbia, as established under Reorganization Plan Numbered 3 of 1967, shall be carried out by the Mayor in accordance with this Act. The Mayor shall be responsible for the proper execution of all laws relating to the District, and for the proper administration of the affairs of the District coming under his jurisdiction or control, including but not limited to the following powers, duties, and functions:

81 Stat. 948. 5 USC app. II. D.C. Code 1-app.

(1) The Mayor may designate the officer or officers of the executive department of the District who may, during periods of disability or absence from the District of the Mayor execute and perform the powers and duties of the Mayor.

(2) The Mayor shall administer all laws relating to the appointment, promotion, discipline, separation, and other conditions of employment of personnel in the office of the Mayor, personnel in executive departments of the District, and members of boards, commissions, and other agencies, who, under laws in effect on the date immediately preceding the effective date of section 711(a) of this Act, were subject to appointment and removal by the Commissioner of the District of Columbia. All actions affecting such personnel and such members shall, until such time as legislation is enacted by the Council superseding such laws and establishing a permanent District government merit system, pursuant to paragraph (3), continue to be subject to the provisions of Acts of Congress relating to the appointment, promotion, discipline, separation, and other conditions of employment applicable to officers and employees of the District government, to section 713(d) of this Act, and where applicable, to the provisions of the joint agreement between the Commissioners and the Civil Service Commission authorized by Executive Order Numbered 5491 of November 18, 1930, relating to the appointment of District personnel. He shall appoint or assign persons to positions formerly occupied, ex-officio, by the Commissioner of the District of Columbia or by the Assistant to the Commissioner and shall have power to remove such persons from such positions. The officers and employees of each agency with respect to which legislative power is delegated

by this Act and which immediately prior to the effective date of section 711(a) of this Act, was not subject to the administrative control of the Commissioner of the District, shall continue to be appointed and removed in accordance with applicable laws until such time as such laws may be superseded by legislation passed by the Council establishing a permanent District government merit system pursuant to paragraph (3).

Personnel functions.

(3) The Mayor shall administer the personnel functions of the District covering employees of all District departments, boards, commissions, offices and agencies, except as otherwise provided by this Act. Personnel legislation enacted by Congress prior to or after the effective date of this section, including, without limitation, legislation relating to appointments, promotions, discipline, separations, pay, unemployment compensation, health, disability and death benefits, leave, retirement, insurance, and veterans' preference applicable to employees of the District government as set forth in section 714(c), shall continue to be applicable until such time as the Council shall, pursuant to this section, provide for coverage under a District government merit system. The District government merit system shall be established by act of the Council. The system may provide for continued participation in all or part of the Federal Civil Service System and shall provide for persons employed by the District government immediately preceding the effective date of such system personnel benefits, including but not limited to pay, tenure, leave, residence, retirement, health and life insurance, and employee disability and death benefits, all at least equal to those provided by legislation enacted by Congress, or regulation adopted pursuant thereto, and applicable to such officers and employees immediately prior to the effective date of the system established pursuant to this Act. The District government merit system shall take effect not earlier than one year nor later than five years after the effective date of this section.

Post, p. 819.

(4) The Mayor shall, through the heads of administrative boards, offices, and agencies, supervise and direct the activities of such boards, offices, and agencies.

(5) The Mayor may submit drafts of acts to the Council.

Delegation of functions.

(6) The Mayor may delegate any of his functions (other than the function of approving or disapproving acts passed by the Council or the function of approving contracts between the District and the Federal Government under section 731) to any officer, employee, or agency of the executive office of the Mayor, or to any director of an executive department who may, with the approval of the Mayor, make a further delegation of all or a part of such functions to subordinates under his jurisdiction.

Post, p. 822.

City Administrator, appointment.

(7) The Mayor shall appoint a City Administrator, who shall serve at the pleasure of the Mayor. The City Administrator shall be the chief administrative officer of the Mayor, and he shall assist the Mayor in carrying out his functions under this Act, and shall perform such other duties as may be assigned to him by the Mayor. The City Administrator shall be paid at a rate established by the Mayor, not to exceed level IV of the Executive Schedule established under section 5315 of title 5 of the United States Code.

80 Stat. 460; 83 Stat. 863.

(8) The Mayor may propose to the executive or legislative branch of the United States Government legislation or other action dealing with any subject whether or not falling within the authority of the District government, as defined in this Act.

(9) The Mayor, as custodian thereof, shall use and authenticate the corporate seal of the District in accordance with law.

(10) The Mayor shall have the right, under rules to be adopted by the Council, to be heard by the Council or any of its committees.

(11) The Mayor is authorized to issue and enforce administrative orders, not inconsistent with this or any other Act of the Congress or any act of the Council, as are necessary to carry out his functions and duties.

(12) The Mayor may reorganize the offices, agencies, and other entities within the executive branch of the government of the District by submitting to the Council a detailed plan of such reorganization. Such a reorganization plan shall be valid only if the Council does not adopt, within sixty days (excluding Saturdays, Sundays, and holidays) after such reorganization plan is submitted to it by the Mayor, a resolution disapproving such reorganization.

MUNICIPAL PLANNING

SEC. 423. (a) The Mayor shall be the central planning agency for the District. He shall be responsible for the coordination of planning activities of the municipal government and the preparation and implementation of the District's elements of the comprehensive plan for the National Capital which may include land use elements, urban renewal and redevelopment elements, a multi-year program of municipal public works for the District, and physical, social, economic, transportation, and population elements. The Mayor's planning responsibility shall not extend to Federal and international projects and developments in the District, as determined by the National Capital Planning Commission, or to the United States Capitol buildings and grounds as defined in sections 1 and 16 of the Act of July 31, 1946 (40 U.S.C. 193a, 193m), or to any extension thereof or addition thereto, or to buildings and grounds under the care of the Architect of the Capitol. In carrying out his responsibilities under this section, the Mayor shall establish procedures for citizen involvement in the planning process and for appropriate meaningful consultation with any State or local government or planning agency in the National Capital region affected by any aspect of a proposed District element of the comprehensive plan (including amendments thereto) affecting or relating to the District.

Planning responsibility, limitation.

60 Stat. 718; 81 Stat. 275. D.C. Code 9-118, 9-132.

(b) The Mayor shall submit the District's elements and amendments thereto, to the Council for revision or modification, and adoption by act, following public hearings. Following adoption and prior to implementation, the Council shall submit such elements and amendments thereto, to the National Capital Planning Commission for review and comment with regard to the impact of such elements or amendments on the interests and functions of the Federal Establishment, as determined by the Commission.

(c) Such elements and amendments thereto shall be subject to and limited by determinations with respect to the interests and functions of the Federal Establishment as determined in the manner provided by Act of Congress.

PART C—THE JUDICIARY

JUDICIAL POWERS

SEC. 431. (a) The judicial power of the District is vested in the District of Columbia Court of Appeals and the Superior Court of the District of Columbia. The Superior Court has jurisdiction of any civil action or other matter (at law or in equity) brought in the District and of any criminal case under any law applicable exclusively to the District. The Superior Court has no jurisdiction over any civil or criminal matter over which a United States court has exclusive jurisdiction pursuant to an Act of Congress. The Court of Appeals has jurisdiction

District of Columbia Court of Appeals; Superior Court of the District of Columbia, jurisdiction.

of appeals from the Superior Court and, to the extent provided by law, to review orders and decisions of the Mayor, the Council, or any agency of the District. The District of Columbia courts shall also have jurisdiction over any other matters granted to the District of Columbia courts by other provisions of law.

Chief judge, designation.

(b) The chief judge of a District of Columbia court shall be designated by the District of Columbia Judicial Nominating Commission established by section 434 from among the judges of the court in regular active service, and shall serve as chief judge for a term of four years or until his successor is designated, except that his term as chief judge shall not extend beyond the chief judge's term as a judge of a District of Columbia court. He shall be eligible for redesignation as chief judge.

84 Stat. 475. D.C. Code note prec. 11-101.

(c) A judge of a District of Columbia court appointed on or after the date of enactment of the District of Columbia Court Reorganization Act of 1970 shall be appointed for a term of fifteen years subject to mandatory retirement at age seventy or removal, suspension, or involuntary retirement pursuant to section 432 and upon completion of such term, such judge shall continue to serve until reappointed or his successor is appointed and qualifies. A judge may be reappointed as provided in subsection (c) of section 433.

District of Columbia Commission on Judicial Disabilities and Tenure. Establishment.

(d)(1) There is established a District of Columbia Commission on Judicial Disabilities and Tenure (hereinafter referred to as the "Tenure Commission"). The Tenure Commission shall consist of seven members selected in accordance with the provisions of subsection (e). Such members shall serve for terms of six years, except that the member selected in accordance with subsection (e)(3)(A) shall serve for five years; of the members first selected in accordance with subsection (e)(3)(B), one member shall serve for three years and one member shall serve for six years; of the members first selected in accordance with subsection (e)(3)(C), one member shall serve for a term of three years and one member shall serve for five years; the member first selected in accordance with subsection (e)(3)(D) shall serve for six years; and the member first appointed in accordance with subsection (e)(3)(E) shall serve for six years. In making the respective first appointments according to subsections (e)(3)(B) and (e)(3)(C), the Mayor and the Board of Governors of the unified District of Columbia Bar shall designate, at the time of such appointments, which member shall serve for the shorter term and which member shall serve for the longer term.

(2) The Tenure Commission shall act only at meetings called by the Chairman or a majority of the Tenure Commission held after notice has been given of such meeting to all Tenure Commission members.

(3) The Tenure Commission shall choose annually, from among its members, a Chairman and such other officers as it may deem necessary. The Tenure Commission may adopt such rules of procedures not inconsistent with this Act as may be necessary to govern the business of the Tenure Commission.

Confidential information, availability.

(4) The District government shall furnish to the Tenure Commission, upon the request of the Tenure Commission, such records, information, services, and such other assistance and facilities as may be necessary to enable the Tenure Commission properly to perform its functions. Information so furnished shall be treated by the Tenure Commission as privileged and confidential.

(e)(1) No person may be appointed to the Tenure Commission unless he—

(A) is a citizen of the United States;

(B) is a bona fide resident of the District and has maintained an actual place of abode in the District for at least ninety days immediately prior to his appointment; and

(C) is not an officer or employee of the legislative branch or of an executive or military department or agency of the United States (listed in sections 101 and 202 of title 5 of the United States Code); and (except with respect to the person appointed or designated according to subsection (b)(4)(D)) is not an officer or employee of the judicial branch of the United States, or an officer or employee of the District government (including its judicial branch).

80 Stat. 378, 948; 84 Stat. 775.

Vacancies.

(2) Any vacancy on the Tenure Commission shall be filled in the same manner is which the original appointment was made. Any person so appointed to fill a vacancy occurring other than upon the expiration of a prior term shall serve only for the remainder of the unexpired term of his predecesor.

(3) In addition to all other qualifications listed in this section, lawyer members of the Tenure Commission shall have the qualifications prescribed for persons appointed as judges of the District of Columbia courts. Members of the Tenure Commission shall be appointed as follows:

(A) One member shall be appointed by the President of the United States.

(B) Two members shall be appointed by the Board of Governors of the unified District of Columbia Bar, both or whom shall have been engaged in the practice of law in the District for at least five successive years preceding their appointment.

(C) Two members shall be appointed by the Mayor, one of whom shall not be a lawyer.

(D) One member shall be appointed by the Council, and shall not be a lawyer.

(E) One member shall be appointed by the chief judge of the United States District Court for the District of Columbia, and such member shall be an active or retired Federal judge serving in the District.

No person may serve at the same time on both the District of Columbia Judicial Nomination Commission and on the District of Columbia Commission on Judicial Disabilities and Tenure.

Compensation.

(f) Any member of the Tenure Commission who is an active or retired Federal judge shall serve without additional compensation. Other members shall receive the daily equivalent at the rate provided by grade 18 of the General Schedule, established under section 5332 of title 5 of the United States Code, while actually engaged in service for the Commission.

5 USC 5332 note.

(g) The Tenure Commission shall have the power to suspend, retire, or remove a judge of a District of Columbia court as provided in section 432.

REMOVAL, SUSPENSION, AND INVOLUNTARY RETIREMENT

SEC. 432. (a)(1) A judge of a District of Columbia court shall be removed from office upon the filing in the District of Columbia Court of Appeals by the Tenure Commission of an order of removal certifying the entry, in any court within the United States, of a final judgment of conviction of a crime which is punishable as a felony under Federal law or which would be a felony in the District.

(2) A judge of a District of Columbia court shall also be removed from office upon affirmance of an appeal from an order of removal filed in the District of Columbia Court of Appeals by the Tenure Commission (or upon expiration of the time within which such an appeal may be taken) after a determination by the Tenure Commission of—

(A) willful misconduct in office,

(B) willful and persistent failure to perform judicial duties, or

(C) any other conduct which is prejudicial to the administration of justice or which brings the judicial office into disrepute.

(b) A judge of a District of Columbia court shall be involuntarily retired from office when (1) the Tenure Commission determines that the judge suffers from a mental or physical disability (including habitual intemperance) which is or is likely to become permanent and which prevents, or seriously interferes with, the proper performance of his judicial duties, and (2) the Tenure Commission files in the District of Columbia Court of Appeals an order of involuntary retirement and the order is affirmed on appeal or the time within which an appeal may be taken from the order has expired.

(c)(1) A judge of a District of Columbia court shall be suspended, without salary—

(A) upon—

(i) proof of his conviction of a crime referred to in subsection (a)(1) which has not become final, or

(ii) the filing of an order of removal under subsection (a)(2) which has not become final; and

(B) upon the filing by the Tenure Commission of an order of suspension in the District of Columbia Court of Appeals.

Suspension under this paragraph shall continue until termination of all appeals. If the conviction is reversed or the order of removal is set aside, the judge shall be reinstated and shall recover his salary and all rights and privileges of his office.

(2) A judge of a District of Columbia court shall be suspended from all judicial duties, with such retirement salary as he may be entitled, upon the filing by the Tenure Commission of an order of involuntary retirement under subsection (b) in the District of Columbia Court of Appeals. Suspension shall continue until termination of all appeals. If the order of involuntary retirement is set aside, the judge shall be reinstated and shall recover his judicial salary less any retirement salary received and shall be entitled to all the rights and privileges of his office.

(3) A judge of a District of Columbia court shall be suspended from all or part of his judicial duties, with salary, if the Tenure Commission, upon concurrence of five members, (A) orders a hearing for the removal or retirement of the judge pursuant to this subchapter and determines that his suspension is in the interest of the administration of justice, and (B) files an order of suspension in the District of Columbia Court of Appeals. The suspension shall terminate as specified in the order (which may be modified, as appropriate, by the Tenure Commission) but in no event later than the termination of all appeals.

NOMINATION AND APPOINTMENT OF JUDGES

SEC. 433. (a) Except as provided in section 434(d)(1), the President shall nominate, from the list of persons recommended to him by the District of Columbia Judicial Nomination Commission established under section 434, and, by and with the advice and consent of the Senate, appoint all judges of the District of Columbia courts.

Qualifications.

(b) No person may be nominated or appointed a judge of a District of Columbia court unless he—

(1) is a citizen of the United States;

(2) is an active member of the unified District of Columbia Bar and has been engaged in the active practice of law in the District for the five years immediately preceding his nomination or for such five years has been on the faculty of a law school in

the District, or has been employed as a lawyer by the United States or the District of Columbia government;

(3) is a bona fide resident of the District of Columbia and has maintained an actual place of abode in the District for at least ninety days immediately prior to his nomination, and shall retain such residency as long as he serves as such judge, except judges appointed prior to the effective date of this part who retain residency as required by section 1501(a) of title 11 of the District of Columbia Code shall not be required to be residents of the District to be eligible for reappointment or to serve any term to which reappointed;

84 Stat. 491.

(4) is recommended to the President, for such nomination and appointment, by the District of Columbia Judicial Nomination Commission; and

(5) has not served, within a period of two years prior to his nomination, as a member of the Tenure Commission or of the District of Columbia Judicial Nomination Commission.

Declaration of candidacy for reappointment.

(c) Not less than three months prior to the expiration of his term of office, any judge of the District of Columbia courts may file with the Tenure Commission a declaration of candidacy for reappointment. If a declaration is not so filed by any judge, a vacancy shall result from the expiration of his term of office and shall be filled by appointment as provided in subsections (a) and (b). If a declaration is so filed, the Tenure Commission shall, not less than thirty days prior to the expiration of the declaring candidate's term of office, prepare and submit to the President a written evaluation of the declaring candidate's performance during his present term of office and his fitness for reappointment to another term. If the Tenure Commission determines the declaring candidate to be exceptionally well qualified or well qualified for reappointment to another term, then the term of such declaring candidate shall be automatically extended for another full term, subject to mandatory retirement, suspension, or removal. If the Tenure Commission determines the declaring candidate to be qualified for reappointment to another term, then the President may nominate such candidate, in which case the President shall submit to the Senate for advice and consent the renomination of the declaring candidate as judge. If the President determines not to so nominate such declaring candidate, he shall nominate another candidate for such position only in accordance with the provisions of subsections (a) and (b). If the Tenure Commission determines the declaring candidate to be unqualified for reappointment to another term, then the President shall not submit to the Senate for advice and consent the renomination of the declaring candidate as judge and such judge shall not be eligible for reappointment or appointment as a judge of a District of Columbia court.

Written performance evaluation, submittal to President.

DISTRICT OF COLUMBIA JUDICIAL NOMINATION COMMISSION

Establishment; membership.

SEC. 434. (a) There is established for the District of Columbia the District of Columbia Judicial Nomination Commission (hereafter in this section referred to as the "Commission"). The Commission shall consist of seven members selected in accordance with the provisions of subsection (b). Such members shall serve for terms of six years, except that the member selected in accordance with subsection (b)(4)(A) shall serve for five years; of the members first selected in accordance with subsection (b)(4)(B), one member shall serve for three years and one member shall serve for six years; of the members first selected in accordance with subsection (b)(4)(C), one member shall serve for a term of three years and one member shall serve for

five years; the member first selected in accordance with subsection (b)(4)(D) shall serve for six years; and the member first appointed in accordance with subsection (b)(4)(E) shall serve for six years. In making the respective first appointments according to subsections (b)(4)(B) and (b)(4)(C), the Mayor and the Board of Governors of the unified District of Columbia Bar shall designate, at the time of such appointments, which member shall serve for the shorter term and which member shall serve for the longer term.

Qualifications.

(b)(1) No person may be appointed to the Commission unless he—

(A) is a citizen of the United States;

(B) is a bona fide resident of the District and has maintained an actual place of abode in the District for at least 90 days immediately prior to his appointment; and

(C) is not a member, officer, or employee of the legislative branch or of an executive or military department or agency of the United States (listed in sections 101 and 202 of title 5 of the United States Code); and (except with respect to the person appointed or designated according to subsection (b)(4)(D)) is not an officer or employee of the judicial branch of the United States, or an officer or employee of the District government (including its judicial branch).

80 Stat. 378, 948; 84 Stat. 775.

(2) Any vacancy on the Commission shall be filled in the same manner in which the original appointment was made. Any person so appointed to fill a vacancy occurring other than upon the expiration of a prior term shall serve only for the remainder of the unexpired term of his predecessor.

(3) It shall be the function of the Commission to submit nominees for appointment to positions as judges of the District of Columbia courts in accordance with section 433 of this Act.

(4) In addition to all other qualifications listed in this section, lawyer members of the Commission shall have the qualifications prescribed for persons appointed as judges for the District of Columbia courts. Members of the Commission shall be appointed as follows:

(A) One member shall be appointed by the President of the United States.

(B) Two members shall be appointed by the Board of Governors of the unified District of Columbia Bar, both of whom shall have been engaged in the practice of law in the District for at least five successive years preceding their appointment.

(C) Two members shall be appointed by the Mayor, one of whom shall not be a lawyer.

(D) One member shall be appointed by the Council, and shall not be a lawyer.

(E) One member shall be appointed by the chief judge of the United States District Court for the District of Columbia, and such member shall be an active or retired Federal judge serving in the District.

Compensation.

(5) Any member of the Commission who is an active or retired Federal judge shall serve without additional compensation. Other members shall receive the daily equivalent at the rate provided by grade 18 of the General Schedule, established under section 5332 of title 5 of the United States Code, while actually engaged in service for the Commission.

5 USC 5332 note.

(c)(1) The Commission shall act only at meetings called by the Chairman or a majority of the Commission held after notice has been given of such meeting to all Commission members.

(2) The Commission shall choose annually, from among its members, a Chairman, and such other officers as it may deem necessary. The Commission may adopt such rules of procedures not inconsistent

with this Act as may be necessary to govern the business of the Commission.

Confidential information, availability.

(3) The District government shall furnish to the Commission, upon the request of the Commission, such records, information, services, and such other assistance and facilities as may be necessary to enable the Commission properly to perform its function. Information so furnished shall be treated by the Commission as privileged and confidential.

(d) (1) In the event of a vacancy in any position of the judge of a District of Columbia court, the Commission shall, within thirty days following the occurrence of such vacancy, submit to the President, for possible nomination and appointment, a list of three persons for each vacancy. If more than one vacancy exists at one given time, the Commission must submit lists in which no person is named more than once and the President may select more than one nominee from one list. Whenever a vacancy will occur by reason of the expiration of such a judge's term of office, the Commission's list of nominees shall be submitted to the President not less than thirty days prior to the occurrence of such vacancy. In the event the President fails to nominate, for Senate confirmation, one of the persons on the list submitted to him under this section within sixty days after receiving such list, the Commission shall nominate, and with the advice and consent of the Senate, appoint one of those persons to fill the vacancy for which such list was originally submitted to the President.

(2) In the event any person recommended by the Commission to the President requests that his recommendation be withdrawn, dies, or in any other way becomes disqualified to serve as a judge of the District of Columbia courts, the Commission shall promptly recommend to the President one person to replace the person originally recommended.

(3) In no instance shall the Commission recommend any person, who in the event of timely nomination following a recommendation by the Commission, does not meet, upon such nomination, the qualifications specified in section 433.

PART D—DISTRICT BUDGET AND FINANCIAL MANAGEMENT

Subpart 1—Budget and Financial Management

FISCAL YEAR

SEC. 441. The fiscal year of the District shall begin on the first day of July and shall end on the thirtieth day of June of the succeeding calendar year. Such fiscal year shall also constitute the budget and accounting year.

SUBMISSION OF ANNUAL BUDGET

SEC. 442. (a) At such time as the Council may direct, the Mayor shall prepare and submit to the Council each year, and make available to the public, an annual budget for the District of Columbia government which shall include—

(1) the budget for the forthcoming fiscal year in such detail as the Mayor determines necessary to reflect the actual financial condition of the District government for such fiscal year, and specify the agencies and purposes for which funds are being requested; and which shall be prepared on the assumption that proposed expenditures resulting from financial transactions undertaken on either an obligation or cash-outlay basis, for such fiscal

year shall not exceed estimated resources from existing sources and proposed resources;

(2) an annual budget message which shall include supporting financial and statistical information on the budget for the forthcoming fiscal year and information on the approved budgets and expenditures for the immediately preceding three fiscal years;

(3) a multiyear plan for all agencies of the District government as required under section 443;

(4) a multiyear capital improvements plan for all agencies of the District govenment as required under section 444;

(5) a program performance report comparing actual performance of as many programs as is practicable for the last completed fiscal year against proposed goals for such programs for such year, and, in addition, presenting as many qualitative or quantitative measures of program effectiveness as possible (including results of statistical sampling or other special analyses), and indicating the status of efforts to comply with the reports of the District of Columbia Auditor and the Comptroller General of the United States;

(6) an issue analysis statement consisting of a reasonable number of issues, identified by the Council in its action on the budget in the preceding fiscal year, having significant revenue or budgetary implications, and other similar issues selected by the Mayor, which shall consider the cost and benefits of alternatives and the rationale behind action recommended or adopted; and

(7) a summary of the budget for the forthcoming fiscal year designed for distribution to the general public.

(b) The budget prepared and submitted by the Mayor shall include, but not be limited to, recommended expenditures at a reasonable level for the forthcoming fiscal year for the Council, the District of Columbia Auditor, the District of Columbia Board of Elections, the District of Columbia Judicial Nomination Commission, the Zoning Commission of the District of Columbia, the Public Service Commission, the Armory Board, and the Commission on Judicial Disabilities and Tenure.

Supplemental budget recommendations, submittal to Council.

(c) The Mayor from time to time may prepare and submit to the Council such proposed supplemental or deficiency budget recommendations as in his judgment are necessary on account of laws enacted after transmission of the budget or are otherwise in the public interest. The Mayor shall submit with such proposals a statement of justifications, including reasons for their omission from the annual budget. Whenever such proposed supplemental or deficiency budget recommendations are in an amount which would result in expenditures in excess of estimated resources, the Mayor shall make such recommendations as are necessary to increase resources to meet such increased expenditures.

MULTIYEAR PLAN

SEC. 443. The Mayor shall prepare and include in the annual budget a multiyear plan for all agencies included in the District budget, for all sources of funding, and for such program categories as the Mayor identifies. Such plan shall be based on the actual experience of the immediately preceding three fiscal years, on the approved current fiscal year budget, and on estimates for at least the four succeeding fiscal years. The plan shall include, but not be limited to, provisions identifying—

(1) future cost implications of maintaining programs at currently authorized levels, including anticipated changes in wage, salary, and benefit levels;

(2) future cost implications of all capital projects for which funds have already been authorized, including identification of the amount of already appropriated but unexpended capital project funds;

(3) future cost implications of new, improved, or expanded programs and capital project commitments proposed for each of the succeeding four fiscal years;

(4) the effects of current and proposed capital projects on future operating budget requirements;

(5) revenues and funds likely to be available from existing revenue sources at current rates or levels;

(6) the specific revenue and tax measures recommended for the forthcoming fiscal year and for the next following fiscal year necessary to balance revenues and expenditures;

(7) the actuarial status and anticipated costs and revenues of retirement systems covering District employees; and

(8) total debt service payments in each fiscal year in which debt service payments must be made for all bonds which have been or will be issued, and all loans from the United States Treasury which have been or will be received, to finance the total cost on a full funding basis of all projects listed in the capital improvements plan prepared under section 444; and for each such fiscal year, the percentage relationship of the total debt service payments (with payments for issued and proposed bonds and loans from the United States Treasury, received or proposed, separately identified) to the bonding limitation for the current and forthcoming fiscal year as specified in section 603(b).

MULTIYEAR CAPITAL IMPROVEMENTS PLAN

SEC. 444. The Mayor shall prepare and include in the annual budget a multiyear capital improvements plan for all agencies of the District which shall be based upon the approved current fiscal year budget and shall include—

(1) the status, estimated period of usefulness, and total cost of each capital project on a full funding basis for which any appropriation is requested or any expenditure will be made in the forthcoming fiscal year and at least four fiscal years thereafter, including an explanation of change in total cost in excess of 5 per centum for any capital project included in the plan of the previous fiscal year;

(2) an analysis of the plan, including its relationship to other programs, proposals, or elements developed by the Mayor as the central planning agency for the District pursuant to section 423 of this Act;

(3) identification of the years and amounts in which bonds would have to be issued, loans made, and costs actually incurred on each capital project identified; and

(4) appropriate maps or other graphics.

DISTRICT OF COLUMBIA COURTS' BUDGET

SEC. 445. The District of Columbia courts shall prepare and annually submit to the Mayor, for inclusion in the annual budget, annual estimates of the expenditures and appropriations necessary for the maintenance and operation of the District of Columbia court system. All such estimates shall be forwarded by the Mayor to the Council, for its action pursuant to sections 446 and 603(c), without revision but subject to his recommendations. Notwithstanding any other provision

of this Act, the Council may comment or make recommendations concerning such annual estimates involving the expenditures and appropriations necessary for the maintenance and operation of the District of Columbia court system submitted by such courts but shall have no authority under this Act to revise such estimates. The courts shall submit as part of their budgets both a multiyear plan and a multiyear capital improvements plan and shall submit a statement presenting qualitative and quantitative descriptions of court activities and the status of efforts to comply with reports of the District of Columbia Auditor and the Comptroller General of the United States.

ENACTMENT OF APPROPRIATIONS BY CONGRESS

SEC. 446. The Council, within fifty calendar days after receipt of the budget proposal from the Mayor, and after public hearing, shall by act adopt the annual budget for the District of Columbia government. Any supplements thereto shall also be adopted by act by the Council after public hearing. Such budget so adopted shall be submitted by the Mayor to the President for transmission by him to the Congress. No amount may be obligated or expended by any officer or employee of the District of Columbia government unless such amount has been approved by Act of Congress, and then only according to such Act. Notwithstanding any other provision of this Act, the Mayor shall not transmit any annual budget or amendments or supplements thereto, to the President of the United States until the completion of the budget procedures contained in this Act.

CONSISTENCY OF BUDGET, ACCOUNTING, AND PERSONNEL SYSTEMS

SEC. 447. The Mayor shall implement appropriate procedures to insure that budget, accounting, and personnel control systems and structures are synchronized for budgeting and control purposes on a continuing basis. No employee shall be hired on a full-time or part-time basis unless such position is authorized by Act of Congress. Employees shall be assigned in accordance with the program, organization, and fund categories specified in the Act of Congress authorizing such position. Hiring of temporary employees and temporary employee transfers among programs shall be consistent with applicable Acts of Congress and reprogramming procedures to insure that costs are accurately associated with programs and sources of funding.

FINANCIAL DUTIES OF THE MAYOR

SEC. 448. Subject to the limitations in section 603, the Mayor shall have charge of the administration of the financial affairs of the District and to that end he shall—

(1) supervise and be responsible for all financial transactions to insure adequate control of revenues and resources and to insure that appropriations are not exceeded;

(2) maintain systems of accounting and internal control designed to provide—

(A) full disclosure of the financial results of the District government's activities,

(B) adequate financial information needed by the District government for management purposes,

(C) effective control over and accountability for all funds, property, and other assets,

(D) reliable accounting results to serve as the basis for preparing and supporting agency budget requests and controlling the execution of the budget;

(3) submit to the Council a financial statement in any detail and at such times as the Council may specify;

(4) submit to the Council, by November 1 of each fiscal year, a complete financial statement and report for the preceding fiscal year;

(5) supervise and be responsible for the assessment of all property subject to assessment and special assessments within the corporate limits of the District for taxation, prepare tax maps, and give such notice of taxes and special assessments, as may be required by law;

(6) supervise and be responsible for the levying and collection of all taxes, special assessments, license fees, and other revenues of the District, as required by law, and receive all moneys receivable by the District from the Federal Government or from any court, agency, or instrumentality of the District;

(7) have custody of all public funds belonging to or under the control of the District, or any agency of the District government, and deposit all funds coming into his hands, in such depositories as may be designated and under such terms and conditions as may be prescribed by act of the Council;

(8) have custody of all investments and invested funds of the District government, or in possession of such government in a fiduciary capacity, and have the safekeeping of all bonds and notes of the District and the receipt and delivery of District bonds and notes for transfer, registration or exchange; and

(9) apportion the total of all appropriations and funds made available during the fiscal year for obligation so as to prevent obligation or expenditure thereof in a manner which would indicate a necessity for deficiency or supplemental appropriations for such fiscal year, and with respect to all appropriations or funds not limited to a definite period, and all authorizations to create obligations by contract in advance of appropriations, apportion the total of such appropriations or funds or authorizations so as to achieve the most effective and economical use thereof.

ACCOUNTING SUPERVISION AND CONTROL

SEC. 449. The Mayor shall—

(a) prescribe the forms of receipts, vouchers, bills and claims to be used by all the agencies, offices, and instrumentalities of the District government;

(b) examine and approve all contracts, orders, and other documents by which the District government incurs financial obligations, having previously ascertained that money has been appropriated and allotted and will be available when the obligations shall become due and payable;

(c) audit and approve before payment all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the District government and with the advice of the legal officials of the District determine the regularity, legality, and correctness of such claims, demands, or charges; and

(d) perform internal audits of accounts and operations and agency records of the District government, including the examination of any accounts or records of financial transactions, giving due consideration to the effectiveness of accounting systems, internal control, and related administrative practices of the respective agencies.

GENERAL AND SPECIAL FUNDS

SEC. 450. The general fund of the District shall be composed of those District revenues which on the effective date of this title are paid into the Treasury of the United States and credited either to the general fund of the District or its miscellaneous receipts, but shall not include any revenues which are applied by law to any special fund existing on the date of enactment of this title. The Council may from time to time establish such additional special funds as may be necessary for the efficient operation of the government of the District. All money received by any agency, officer, or employee of the District in its or his official capacity shall belong to the District government and shall be paid promptly to the Mayor for deposit in the appropriate fund.

CONTRACTS EXTENDING BEYOND ONE YEAR

SEC. 451. No contract involving expenditures out of an appropriation which is available for more than one year shall be made for a period of more than five years unless, with respect to a particular contract, the Council, by a two-thirds vote of its members present and voting, authorizes the extension of such period for such contract. Such contracts shall be made pursuant to criteria established by act of the Council.

ANNUAL BUDGET FOR THE BOARD OF EDUCATION

SEC. 452. With respect to the annual budget for the Board of Education in the District of Columbia, the Mayor and the Council may establish the maximum amount of funds which will be allocated to the Board, but may not specify the purposes for which such funds may be expended or the amount of such funds which may be expended for the various programs under the jurisdiction of the Board of Education.

Subpart 2—Audit

DISTRICT OF COLUMBIA AUDITOR

SEC. 455. (a) There is established for the District of Columbia the Office of District of Columbia Auditor who shall be appointed by the Chairman, subject to the approval of a majority of the Council. The District of Columbia Auditor shall serve for a term of six years and shall be paid at a rate of compensation as may be established from time to time by the Council.

Office of District of Columbia Auditor. Establishment.

(b) The District of Columbia Auditor shall each year conduct a thorough audit of the accounts and operations of the government of the District in accordance with such principles and procedures and under such rules and regulations as he may prescribe. In the determination of the auditing procedures to be followed and the extent of the examination of vouchers and other documents and records, the District of Columbia Auditor shall give due regard to generally accepted principles of auditing including the effectiveness of the accounting organizations and systems, internal audit and control, and related administrative practices.

(c) The District of Columbia Auditor shall have access to all books, accounts, records, reports, findings and all other papers, things, or property belonging to or in use by any department, agency, or other instrumentality of the District government and necessary to facilitate the audit.

Records, accessibility.

(d) The District of Columbia Auditor shall submit his audit reports to the Congress, the Mayor, and the Council. Such reports shall set forth the scope of the audits conducted by him and shall include such

Audit reports, submittal to Congress, Mayor, and Council.

comments and information as the District of Columbia Auditor may deem necessary to keep the Congress, the Mayor, and the Council informed of the operations to which the reports relate, together with such recommendations with respect thereto as he may deem advisable.

Public information.

(e) The Council shall make such report, together with such other material as it deems pertinent thereto, available for public inspection.

(f) The Mayor shall state in writing to the Council, within an appropriate time, what action he has taken to effectuate the recommendations made by the District of Columbia Auditor in his reports.

PART E—BORROWING

Subpart 1—Borrowing

DISTRICT'S AUTHORITY TO ISSUE AND REDEEM GENERAL OBLIGATION BONDS FOR CAPITAL PROJECTS

SEC. 461. (a) Subject to the limitations in section 603(b), the District may incur indebtedness by issuing general obligation bonds to refund indebtedness of the District at any time outstanding and to provide for the payment of the cost of acquiring or undertaking its various capital projects. Such bonds shall bear interest, payable annually or semi-annually, at such rate and at such maturities as the Mayor, subject to the provisions of section 462 of this Act, may from time to time determine to be necessary to make such bonds marketable.

(b) The District may reserve the right to redeem any or all of its obligations before maturity in such manner and at such price as may be fixed by the Mayor prior to the issuance of such obligations.

CONTENTS OF BORROWING LEGISLATION

SEC. 462. The Council may by act authorize the issuance of general obligation bonds for the purposes specified in section 461. Such an act shall contain, at least, provisions—

(1) briefly describing each such project;

(2) identifying the Act authorizing each such project;

(3) setting forth the maximum amount of the principal of the indebtedness which may be incurred for each such project;

(4) setting forth the maximum rate of interest to be paid on such indebtedness;

(5) setting forth the maximum allowable maturity for the issue and the maximum debt service payable in any year; and

(6) setting forth, in the event that the Council determines in its discretion, to submit the question of issuing such bonds to a vote of the qualified voters of the District, the manner of holding such election, the manner of voting for or against the incurring of such indebtedness, and the form of ballot to be used at such election.

PUBLICATION OF BORROWING LEGISLATION

SEC. 463. The Mayor shall publish any act authorizing the issuance of general obligation bonds at least once within five days after the enactment thereof, together with a notice of the enactment thereof in substantially the following form:

"NOTICE

"The following act (published herewith) authorizing the issuance of general obligation bonds, has become effective. The time

within which a suit, action, or proceeding questioning the validity of such bonds can be commenced, will expire twenty days from the date of the first publication of this notice, as provided in the District of Columbia Self-Government and Governmental Reorganization Act.

Ante, p. 774.

"_____ _____,
"Mayor."

SHORT PERIOD OF LIMITATION

SEC. 464. At the end of the twenty-day period beginning on the date of publication of the notice of the enactment of an act authorizing the issuance of general obligation bonds without the submission of the proposition for the issuance thereof to the qualified voters, or upon the expiration of twenty days from the date of publication of the promulgation of the results of an election upon the proposition of issuing bonds, as the case may be—

(1) any recitals or statements of fact contained in such act or in the preambles or the titles thereof or in the results of the election of any proceedings in connection with the calling, holding, or conducting of election upon the issuance of such bonds shall be deemed to be true for the purpose of determining the validity of the bonds thereby authorized, and the District and all others interested shall thereafter be estopped from denying same;

(2) such act and all proceedings in connection with the authorization of the issuance of such bonds shall be conclusively presumed to have been duly and regularly taken, passed, and done by the District and the Board of Elections in full compliance with the provisions of this Act and of all laws applicable thereto; and

(3) the validity of such act and said proceedings shall not thereafter be questioned by either a party plaintiff or a party defendant, and no court shall have jurisdiction in any suit, action, or proceeding questioning the validity of same, except in a suit, action, or proceeding commenced prior to the expiration of such twenty-day period.

ACTS FOR ISSUANCE OF GENERAL OBLIGATION BONDS

SEC. 465. At the end of the twenty-day period specified in section 464, the Council may by act establish an issue of general obligation bonds as authorized pursuant to the provisions of sections 461 to 465 inclusive, hereof. An issue of general obligation bonds is hereby defined to be all or any part of an aggregate principal amount of bonds authorized pursuant to such sections, but no indebtedness shall be deemed to have been incurred within the meaning of this Act until such bonds have been sold, delivered, and paid for, and then only to the extent of the principal amount of such bonds so sold and delivered. The bonds of each issue shall be payable in annual installments beginning not more than three years after the date of such bonds and ending not more than thirty years from such date. The amount of said issues to be payable in each year shall be so fixed that when the annual interest is added to the principal amount payable in each year, the total amount payable either serially or to a sinking fund shall be substantially equal. It shall be an immaterial variance if the difference between the largest and smallest amounts of principal and interest so payable during each fiscal year during the term of the general obligation bonds does not exceed 3 per centum of the total authorized amount of such series. Such bonds and coupons may be executed by the facsimile signatures of the officer designated by the act authorizing such bonds, to sign the bonds, within the exception that at least one signature shall

be manual. Such bonds may be issued in coupon form in the denomination of $1,000, or $1,000 and $5,000, registerable as to principal only or as to both principal and interest, and if registered as to both principal and interest may be issuable in denominations of multiples of $1,000. Such bonds and the interest thereon may be payable at such place or places within or without the District as the Council may determine.

PUBLIC SALE

SEC. 466. All general obligation bonds issued under this part shall be sold at public sale upon sealed proposals after publication of a notice of such sale at least once not less than ten days prior to the date fixed for sale in a daily newspaper carrying municipal bond notices and devoted primarily to financial news or to the subject of State and municipal bonds published in the city of New York, New York, and in one or more newspapers of general circulation published in the District. Such notice shall state, among other things, that no proposal shall be considered unless there is deposited with the District as a downpayment a certified check or cashier's check for an amount equal to at least 2 per centum of the par amount of general obligation bonds bid for, and the Council shall reserve the right to reject any and all bids.

Subpart 2—Short-Term Borrowing

BORROWING TO MEET APPROPRIATIONS

SEC. 471. In the absence of unappropriated available revenues to meet appropriations made pursuant to section 446, the Council may by act authorize the issuance of negotiable notes, in a total amount not to exceed 2 per centum of the total appropriations for the current fiscal year, each of which may be renewed from time to time, but all such notes and renewals thereof shall be paid not later than the close of the fiscal year following that in which such act becomes effective.

BORROWING IN ANTICIPATION OF REVENUES

SEC. 472. For any fiscal year, in anticipation of the collection or receipt of revenues of that fiscal year, the Council may by act authorize the borrowing of money by the execution of negotiable notes of the District, not to exceed in the aggregate at any time outstanding 20 per centum of the total anticipated revenue, each of which shall be designated "Revenue Note for the Fiscal Year 19__". Such notes may be renewed from time to time, but all such notes, together with the renewals, shall mature and be paid not later than the end of the fiscal year for which the original notes have been issued.

NOTES REDEEMABLE PRIOR TO MATURITY

SEC. 473. No notes issued pursuant to this part shall be made payable on demand, but any note may be made subject to redemption prior to maturity on such notice and at such time as may be stated in the note.

SALES OF NOTES

SEC. 474. All notes issued pursuant to this part may be sold at not less than par and accrued interest at private sale without previous advertising.

Subpart 3—Payment of Bonds and Notes

SPECIAL TAX

SEC. 481. (a) The act of the Council authorizing the issuance of general obligation bonds pursuant to this title, shall, where necessary, provide for the levy annually of a special tax or charge without limitation as to rate or amount in amounts which, together with other revenues of the District available and applicable for said purposes, will be sufficient to pay the principal of and interest on such bonds and the premium, if any, upon the redemption thereof, as the same respectively become due and payable, which tax shall be levied and collected at the same time and in the same manner as other District taxes are levied and collected, and when collected shall be set aside in a sinking fund and irrevocably dedicated to the payment of such principal, interest, and premium.

(b) The full faith and credit of the District shall be and is hereby pledged for the payment of the principal of and the interest on all general obligation bonds and notes of the District hereafter issued pursuant to subparts 1, 2, and 3 of part E of this title whether or not such pledge be stated in such bonds or notes or in the act authorizing the issuance thereof.

Review.

(c) (1) As soon as practicable following the beginning of each fiscal year, the Mayor shall review the amounts of District revenues which have been set aside and deposited in a sinking fund as provided in subsection (a). Such review shall be carried out with a view to determining whether the amounts so set aside and deposited are sufficient to pay the principal of and interest on general obligation bonds issued pursuant to this title, and the premium (if any) upon the redemption thereof, as the same respectively become due and payable. To the extent that the Mayor determines that sufficient District revenues have not been so set aside and deposited, the Federal payment made for the fiscal year within which such review is conducted shall be first utilized to make up any deficit in such sinking fund.

(2) The Comptroller General of the United States shall make annual audits of the amounts set aside and deposited in the sinking fund.

Subpart 4—Tax Exemption; Legal Investment; Water Pollution; Reservoirs; Metro Contributions; and Revenue Bonds

TAX EXEMPTION

SEC. 485. Bonds and notes issued by the Council pursuant to this title and the interest thereon shall be exempt from all Federal and District taxation except estate, inheritance, and gift taxes.

LEGAL INVESTMENT

SEC. 486. Notwithstanding any restriction on the investment of funds by fiduciaries contained in any other law, all domestic insurance companies, domestic insurance associations, executors, administrators, guardians, trustees, and other fiduciaries within the District may legally invest any sinking funds, moneys, trust funds, or other funds belonging to them or under or within their control in any bonds issued pursuant to this title, it being the purpose of this section to authorize the investment in such bonds or notes of all sinking, insurance, retirement, compensation, pension, and trust funds. National banking associations are authorized to deal in, underwrite, purchase and sell, for their own accounts or for the accounts of customers, bonds and notes issued by the Council to the same extent as national banking associa-

tions are authorized by paragraph seven of section 5136 of the Revised Statutes (12 U.S.C. 24), to deal in, underwrite, purchase and sell obligations of the United States, States, or political subdivisions thereof. All Federal building and loan associations and Federal savings and loan associations; and banks, trust companies, building and loan associations, and savings and loan associations, domiciled in the District, may purchase, sell, underwrite, and deal in, for their own account or for the account of others, all bonds or notes issued pursuant to this title. Nothing contained in this section shall be construed as relieving any person, firm, association, or corporation from any duty of exercising due and reasonable care in selecting securities for purchase or investment.

WATER POLLUTION

SEC. 487. (a) The Mayor shall annually estimate the amount of the District's principal and interest expense which is required to service District obligations attributable to the Maryland and Virginia pro rata share of District sanitary sewage water works and other water pollution projects which provide service to the local jurisdictions in those States. Such amounts as determined by the Mayor pursuant to the agreements described in subsection (b) shall be used to exclude the Maryland and Virginia share of pollution projects cost from the limitation on the District's capital project obligations as provided in section 603(b).

(b) The Mayor shall enter into agreements with the States and local jurisdictions concerned for annual payments to the District of rates and charges for waste treatment services in accordance with the use and benefits made and derived from the operation of the said waste treatment facilities. Each such agreement shall require that the estimated amount of such rates and charges will be paid in advance, subject to adjustment after each year. Such rates and charges shall be sufficient to cover the cost of construction, interest on capital, operation and maintenance, and the necessary replacement of equipment during the useful life of the facility.

COST OF RESERVOIRS ON POTOMAC RIVER

Contract authority.

SEC. 488. (a) The Mayor is authorized to contract with the United States, any State in the Potomac River Basin, any agency or political subdivision thereof, and any other competent State or local authority, with respect to the payment by the District to the United States, either directly or indirectly, of the District's equitable share of any part or parts of the non-Federal portion of the costs of any reservoirs authorized by the Congress for construction on the Potomac River or any of its tributaries. Every such contract may contain such provisions as the Mayor may deem necessary or appropriate.

(b) Unless hereafter otherwise provided by legislation enacted by the Council, all payments made by the District and all moneys received by the District pursuant to any contract made under the authority of this Act shall be paid from, or be deposited in, a fund designated by the Mayor. Charges for water delivered from the District water system for use outside the District may be adjusted to reflect the portions of any payments made by the District under contracts authorized by this Act which are equitably attributable to such use outside the District.

DISTRICT'S CONTRIBUTIONS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

SEC. 489. Notwithstanding any provision of law to the contrary, beginning with fiscal year 1976 the District share of the cost of the

Adopted Regional System described in the National Capital Transportation Act of 1969 (83 Stat. 320), may be payable from the proceeds of the sale of District general obligation bonds issued pursuant to this title. D.C. Code 1-1441 note.

REVENUE BONDS AND OTHER OBLIGATIONS

SEC. 490. (a) The Council may by act issue revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance or assist in the financing of undertakings in the areas of housing, health facilities, transit and utility facilities, recreational facilities, college and university facilities, and industrial and commercial development. Such bonds, notes, or other obligations shall be fully negotiable and payable, as to both principal and interest, solely from and secured solely by a pledge of the revenues realized from the property, facilities, developments, and improvements whose financing is undertaken by the issuance of such bonds, notes, or other obligations, including existing facilities to which such new facilities and improvements are related, which financing may be effected through loans made directly or indirectly (including the purchase of mortgages, in those cases described in subsection (b) of this section, notes, or other securities) to any public, quasi-public, or private corporation, partnership, association, person, or other legal entity.

(b) Except in the case of housing, recreation, commercial and industrial development, the property, facilities, developments, and improvements being financed may not be mortgaged as additional security for bonds, notes, or other obligations, but in no event shall any property owned by the District of Columbia or the United States be mortgaged for the purpose of this section.

(c) Any and all such bonds, notes, or other obligations shall not be general obligations of the District and shall not be a pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as contained in section 602(a)(2).

(d) Any and all such bonds, notes, or other obligations shall be issued pursuant to an act of the Council without the necessity of submitting the question of such issuance to the registered qualified electors of the District for approval or disapproval.

(e) Any such act may contain provisions—

(1) briefly describing the purpose for which such bond, note, or other obligation is to be issued;

(2) identifying the Act authorizing such purpose;

(3) prescribing the form, terms, provisions, manner or method of issuing and selling (including negotiated as well as competitive bid sale), and the time of issuance, of such bonds, notes, or other obligations; and

(4) prescribing any and all other details with respect to any such bonds, notes, or other obligations and the issuance and sale thereof.

The act may authorize and empower the Mayor to do any and all things necessary, proper, or expedient in connection with the issuance and sale of such notes, bonds, or other obligations authorized to be issued under the provisions of this section.

PART F—INDEPENDENT AGENCIES

BOARD OF ELECTIONS

SEC. 491. Section 3 of the District of Columbia Elections Act (D.C. Code, sec. 1-1103) is amended to read as follows: 69 Stat. 699.

"SEC. 3. (a) There is created a District of Columbia Board of Elections (hereafter in this section referred to as the 'Board'), to be composed of three members, no more than two of whom shall be of the same political party, appointed by the Mayor, with the advice and consent of the Council. Members shall be appointed to serve for terms of three years, except of the members first appointed under this Act. One member shall be appointed to serve for a one-year term, one member shall be appointed to serve for a two-year term, and one member shall be appointed to serve for a three-year term, as designated by the Mayor.

"(b) Any person appointed to fill a vacancy on the Board shall be appointed only for the unexpired term of the member whose vacancy he is filling.

"(c) A member may be reappointed, and, if not reappointed, the member shall serve until his successor has been appointed and qualifies.

"(d) The Mayor shall, from time to time, designate the Chairman of the Board."

ZONING COMMISSION

41 Stat. 500; 48 Stat. 389.

SEC. 492. (a) The first section of the Act of March 1, 1920 (D.C. Code, sec. 5–412) is amended to read as follows: "That (a) to protect the public health, secure the public safety, and to protect property in the District of Columbia there is created a Zoning Commission for the District of Columbia, which shall consist of the Architect of the Capitol, the Director of the National Park Service, and three members appointed by the Mayor, by and with the advice and consent of the Council. Each member appointed by the Mayor shall serve for a term of four years, except of the members first appointed under this section—

"(1) one member shall serve for a term of two years, as determined by the Mayor;

"(2) one member shall serve for a term of three years, as determined by the Mayor; and

"(3) one member shall serve for a term of four years, as determined by the Mayor.

"(b) Members of the Zoning Commission appointed by the Mayor shall be entitled to receive compensation as determined by the Mayor, with the approval of a majority of the Council. The remaining members shall serve without additional compensation.

"(c) Members of the Zoning Commission appointed by the Mayor may be reappointed. Each member shall serve until his successor has been appointed and qualifies.

"(d) The Chairman of the Zoning Commission shall be selected by the members.

"(e) The Zoning Commission shall exercise all the powers and perform all the duties with respect to zoning in the District as provided by law.".

(b) The Act of June 20, 1938 (D.C. Code, sec. 5–413, et seq.) is amended as follows:

52 Stat. 797.

(1) The first sentence of section 2 of such Act (D.C. Code, sec. 5–414) is amended by striking out "Such regulations shall be made in accordance with a comprehensive plan and" and inserting in lieu thereof "Zoning maps and regulations, and amendments thereto, shall not be inconsistent with the comprehensive plan for the National Capital, and zoning regulations shall be".

52 Stat. 798.

(2) Section 5 of such Act (D.C. Code, sec. 5–417) is amended to read as follows:

"SEC. 5. (a) No zoning regulation or map, or any amendment thereto, may be adopted by the Zoning Commission until the Zoning Commission—

"(1) has held a public hearing, after notice, on such proposed regulation, map, or amendment; and

"(2) after such public hearing, submitted such proposed regulation, map, or amendment to the National Capital Planning Commission for comment and review.

If the National Capital Planning Commission fails to submit its comments regarding any such regulation, map, or amendment within thirty days after submission of such regulation, map, or amendment to it, then the Zoning Commission may proceed to act upon the proposed regulation, map, or amendment without further comment from the National Capital Planning Commission.

"(b) The notice required by clause (1) of subsection (a) shall be published at least thirty days prior to such public hearing and shall include a statement as to the time and place of the hearing and a summary of all changes in existing zoning regulations which would be made by adoption of the proposed regulation, map, or amendment. The Zoning Commission shall give such additional notice as it deems expedient and practicable. All interested persons shall be given a reasonable opportunity to be heard at such public hearing. If the hearing is adjourned from time to time, the time and place of reconvening shall be publicly announced prior to adjournment. Hearing notice.

"(c) The Zoning Commission shall deposit with the National Capital Planning Commission all zoning regulations, maps, or amendments thereto, adopted by it."

PUBLIC SERVICE COMMISSION

SEC. 493. (a) There shall be a Public Service Commission whose function shall be to insure that every public utility doing business within the District of Columbia is required to furnish service and facilities reasonably safe and adequate and in all respects just and reasonable. The charge made by any such public utility for any facility or services furnished, or rendered, or to be furnished or rendered, shall be reasonable, just, and nondiscriminatory. Every unjust or unreasonable or discriminating charge for such facility or service is prohibited and is hereby declared unlawful.

(b) The first sentence of paragraph 97(a) of section 8 of the Act of March 4, 1913 (making appropriations for the government of the District of Columbia) (D.C. Code, sec. 43–201), is amended to read as follows: "The Public Service Commission of the District of Columbia shall be composed of three Commissioners appointed by the Mayor by and with the advice and consent of the Council.". 37 Stat. 995; 78 Stat. 634.

ARMORY BOARD

SEC. 494. The first sentence of section 2 of the Act of June 4, 1948 (D.C. Code, sec. 2–1702), is amended to read as follows: "There is established an Armory Board, to be composed of the commanding general of the District of Columbia Militia, and two other members appointed by the Mayor of the District of Columbia by and with the advice and consent of the Council of the District of Columbia. The members appointed by the Mayor shall each serve for a term of four years beginning on the date such member qualifies.". 62 Stat. 339.

BOARD OF EDUCATION

SEC. 495. The control of the public schools in the District of Columbia is vested in a Board of Education to consist of eleven elected members, three of whom are to be elected at large, and one to be elected from each of the eight school election wards established under the District

69 Stat. 699; 85 Stat. 788. D.C. Code 1-1101 note.

of Columbia Election Act. The election of the members of the Board of Education shall be conducted on a nonpartisan basis and in accordance with such Act.

TITLE V—FEDERAL PAYMENT

DUTIES OF THE MAYOR, COUNCIL, AND FEDERAL OFFICE OF MANAGEMENT AND BUDGET

SEC. 501. (a) It shall be the duty of the Mayor in preparing an annual budget for the government of the District to develop meaningful intercity expenditure and revenue comparisons based on data supplied by the Bureau of the Census, and to identify elements of cost and benefits to the District which result from the unusual role of the District as the Nation's Capital. The results of the studies conducted by the Mayor under this subsection shall be made available to the Council and to the Federal Office of Management and Budget for their use in reviewing and revising the Mayor's request with respect to the level of the appropriation for the annual Federal payment to the District. Such Federal payment should operate to encourage efforts on the part of the government of the District to maintain and increase its level of revenues and to seek such efficiencies and economies in the management of its programs as are possible.

(b) The Mayor, in studying and identifying the costs and benefits to the District brought about by its role as the Nation's Capital, should to the extent feasible, among other elements, consider—

(1) revenues unobtainable because of the relative lack of taxable commercial and industrial property;

(2) revenues unobtainable because of the relative lack of taxable business income;

(3) potential revenues that would be realized if exemptions from District taxes were eliminated;

(4) net costs, if any, after considering other compensation for tax base deficiencies and direct and indirect taxes paid, of providing services to tax-exempt nonprofit organizations and corporate offices doing business only with the Federal Government;

(5) recurring and nonrecurring costs of unreimbursed services to the Federal Government;

(6) other expenditure requirements placed on the District by the Federal Government which are unique to the District;

(7) benefits of Federal grants-in-aid relative to aid given other States and local governments;

(8) recurring and nonrecurring costs of unreimbursed services rendered the District by the Federal Government; and

(9) relative tax burden on District residents compared to that of residents in other jurisdictions in the Washington, District of Columbia, metropolitan area and in other cities of comparable size.

Federal payment request.

Submittal to President.

42 Stat. 20.

(c) The Mayor shall submit his request, with respect to the amount of an annual Federal payment, to the Council. The Council shall by act approve, disapprove, or modify the Mayor's request. After the action of the Council, the Mayor shall, by December 1 of each calendar year, in accordance with the provisions in the Budget and Accounting Act, 1921 (31 U.S.C. 2), submit such request to the President for submission to the Congress. Each request regarding an annual Federal payment shall be submitted to the President seven months prior to the beginning of the fiscal year for which such request is made and shall include a request for an annual Federal payment for the next following fiscal year.

AUTHORIZATION OF APPROPRIATIONS

SEC. 502. Notwithstanding any other provision of law, there is authorized to be appropriated as the annual Federal payment to the District of Columbia for the fiscal year ending June 30, 1975, the sum of $230,000,000; for the fiscal year ending June 30, 1976, the sum of $254,000,000; for the fiscal year ending June 30, 1977, the sum of $280,000,000; for the fiscal year ending June 30, 1978, and for each fiscal year thereafter, the sum of $300,000,000.

TITLE VI—RESERVATION OF CONGRESSIONAL AUTHORITY

RETENTION OF CONSTITUTIONAL AUTHORITY

SEC. 601. Notwithstanding any other provision of this Act, the Congress of the United States reserves the right, at any time, to exercise its constitutional authority as legislature for the District, by enacting legislation for the District on any subject, whether within or without the scope of legislative power granted to the Council by this Act, including legislation to amend or repeal any law in force in the District prior to or after enactment of this Act and any act passed by the Council.

LIMITATIONS ON THE COUNCIL

SEC. 602. (a) The Council shall have no authority to pass any act contrary to the provisions of this Act except as specifically provided in this Act, or to—

(1) impose any tax on property of the United States or any of the several States;

(2) lend the public credit for support of any private undertaking;

(3) enact any act, or enact any act to amend or repeal any Act of Congress, which concerns the functions or property of the United States or which is not restricted in its application exclusively in or to the District;

(4) enact any act, resolution, or rule with respect to any provision of title 11 of the District of Columbia Code (relating to organization and jurisdiction of the District of Columbia courts); D.C. Code 11-101.

(5) impose any tax on the whole or any portion of the personal income, either directly or at the source thereof, of any individual not a resident of the District (the terms "individual" and "resident" to be understood for the purposes of this paragraph as they are defined in section 4 of title I of the District of Columbia Income and Franchise Tax Act of 1947); 61 Stat. 332; 83 Stat. 176.

(6) enact any act, resolution, or rule which permits the building of any structure within the District of Columbia in excess of the height limitations contained in section 5 of the Act of June 1, 1910 (D.C. Code, sec. 5–405), and in effect on the date of enactment of this Act; D.C. Code 47-1551c. 36 Stat. 452; 75 Stat. 583.

(7) enact any act, resolution, or regulation with respect to the Commission on Mental Health;

(8) enact any act or regulation relating to the United States District Court for the District of Columbia or any other court of the United States in the District other than the District courts, or relating to the duties or powers of the United States attorney or the United States Marshal for the District of Columbia; or

(9) enact any act, resolution, or rule with respect to any provision of title 23 of the District of Columbia Code (relating to criminal procedure), or with respect to any provision of any law codified in title 22 or 24 of the District of Columbia Code D.C. Code 23-101.

D.C. Code 22-101, 24-101.

(relating to crimes and treatment of prisoners) during the twenty-four full calendar months immediately following the day on which the members of the Council first elected pursuant to this Act take office.

(b) Nothing in this Act shall be construed as vesting in the District government any greater authority over the National Zoological Park, the National Guard of the District of Columbia, the Washington Aqueduct, the National Capital Planning Commission, or, except as otherwise specifically provided in this Act, over any Federal agency, than was vested in the Commissioner prior to the effective date of title IV of this Act.

Post, p. 836.

(c) (1) Except acts of the Council which are submitted to the President in accordance with the Budget and Accounting Act, 1921, any act which the Council determines according to section 412(a), should take effect immediately because of emergency circumstances, and acts proposing amendments to title IV of this Act, the Chairman of the Council shall transmit to the Speaker of the House of Representatives, and the President of the Senate a copy of each act passed by the Council and signed by the Mayor, or vetoed by the Mayor and repassed by two-thirds of the Council present and voting (and with respect to which the President has not sustained the Mayor's veto), and every act passed by the Council and allowed to become effective by the Mayor without his signature. Except as provided in paragraph (2), no such act shall take effect until the end of the 30-day period (excluding Saturdays, Sundays, and holidays, and any day on which either House is not in session) beginning on the day such act is transmitted by the Chairman to the Speaker of the House of Representatives and the President of the Senate and then only if during such 30-day period both Houses of Congress do not adopt a concurrent resolution disapproving such act. The provisions of section 604, except subsections (d), (e), and (f) of such section, shall apply with respect to any concurrent resolution disapproving any act pursuant to this paragraph.

42 Stat. 20. 31 USC 1. *Ante*, p. 788.

D.C. acts, transmittal to Speaker of the House and President of the Senate.

(2) In the case of any such act transmitted by the Chairman with respect to any Act codified in titles 22, 23, or 24 of the District of Columbia Code, such act shall take effect at the end of the 30-day period beginning on the day such act is transmitted by the Chairman to the Speaker of the House of Representatives and the President of the Senate only if during such 30-day period one House of Congress does not adopt a resolution disapproving such act. The provisions of section 604, relating to an expedited procedure for consideration of resolutions, shall apply to a simple resolution disapproving such act as specified in this paragraph.

D.C. Code 22-101 to 24-101.

BUDGET PROCESS; LIMITATIONS ON BORROWING AND SPENDING

SEC. 603. (a) Nothing in this Act shall be construed as making any change in existing law, regulation, or basic procedure and practice relating to the respective roles of the Congress, the President, the Federal Office of Management and Budget, and the Comptroller General of the United States in the preparation, review, submission, examination, authorization, and appropriation of the total budget of the District of Columbia government.

(b) (1) No general obligation bonds (other than bonds to refund outstanding indebtedness) or Treasury capital project loans shall be issued during any fiscal year in an amount which would cause the amount of principal and interest required to be paid both serially and into a sinking fund in any fiscal year on the aggregate amounts of all outstanding general obligation bonds and such Treasury loans, to exceed 14 per centum of the District revenues (less court fees, any

fees or revenues directed to servicing revenue bonds, retirement contributions, revenues from retirement systems, and revenues derived from such Treasury loans and the sale of general obligation or revenue bonds) which the Mayor estimates, and the District of Columbia Auditor certifies, will be credited to the District during the fiscal year in which the bonds will be issued. Treasury capital project loans include all borrowings from the United States Treasury, except those funds advanced to the District by the Secretary of the Treasury under the provisions of section 2501, title 47 of the District of Columbia Code, as amended.

50 Stat. 692; 58 Stat. 533.

(2) Obligations incurred pursuant to the authority contained in the District of Columbia Stadium Act of 1957 (71 Stat. 619; D.C. Code title 2, chapter 17, subchapter II), and obligations incurred by the agencies transferred or established by sections 201 and 202, whether incurred before or after such transfer or establishment, shall not be included in determining the aggregate amount of all outstanding obligations subject to the limitation specified in the preceding subsection.

D.C. Code 2-1720.
Ante, p. 778.

(3) The 14 per centum limitation specified in paragraph (1) shall be calculated in the following manner:

(A) Determine the dollar amount equivalent to 14 percent of the District revenues (less court fees, any fees or revenues directed to servicing revenue bonds, retirement contributions, revenues from retirement systems, and revenues derived from such Treasury loans and the sale of general obligation or revenue bonds) which the Mayor estimates, and the District of Columbia Auditor certifies, will be credited to the District during the fiscal year for which the bonds will be issued.

(B) Determine the actual total amount of principal and interest to be paid in each fiscal year for all outstanding general obligation bonds and such Treasury loans.

(C) Determine the amount of principal and interest to be paid during each fiscal year over the term of the proposed general obligation bond or such Treasury loan to be issued.

(D) If in any one fiscal year the sum arrived at by adding subparagraphs (B) and (C) exceeds the amount determined under subparagraph (A), then the proposed general obligation bond or such Treasury loan in subparagraph (C) cannot be issued.

(c) The Council shall not approve any budget which would result in expenditures being made by the District Government, during any fiscal year, in excess of all resources which the Mayor estimates will be available from all funds available to the District for such fiscal year. The budget shall identify any tax increases which shall be required in order to balance the budget as submitted. The Council shall be required to adopt such tax increases to the extent its budget is approved. For the purposes of this section, the Council shall use a Federal payment amount not to exceed the amount authorized by Congress. In determining whether any such budget would result in expenditures so being made in excess of such resources, amounts included in the budget estimates of the District of Columbia courts in excess of the recommendations of the Council shall not be applicable.

(d) The Mayor shall not forward to the President for submission to Congress a budget which is not balanced according to the provision of subsection 603(c).

(e) Nothing in this Act shall be construed as affecting the applicability to the District government of the provisions of section 3679 of the Revised Statutes of the United States (31 U.S.C. 665), the so-called Anti-Deficiency Act.

CONGRESSIONAL ACTION ON CERTAIN DISTRICT MATTERS

SEC. 604. (a) This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such these provisions are deemed a part of the rule of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described by this section; and they supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rule (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

"Resolution."

(b) For the purpose of this section, "resolution" means only a concurrent resolution, the matter after the resolving clause of which is as follows: "That the ———— approves/disapproves of the action of the District of Columbia Council described as follows: ————.", the blank spaces therein being appropriately filled, and either approval or disapproval being appropriately indicated; but does not include a resolution which specifies more than one action.

Referral to congressional committees.

(c) A resolution with respect to Council action shall be referred to the Committee on the District of Columbia of the House of Representatives, or the Committee on the District of Columbia of the Senate, by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

(d) If the committee to which a resolution has been referred has not reported it at the end of twenty calendar days after its introduction, it is in order to move to discharge the committee from further consideration of any other resolution with respect to the same Council action which has been referred to the committee.

(e) A motion to discharge may be made only by an individual favoring the resolution, is highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same action), and debate thereon shall be limited to not more than one hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(f) If the motion to discharge is agreed to or disagreed to, the motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same action.

(g) When the committee has reported, or has been discharged from further consideration of, a resolution, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion is highly privileged and is not debatable. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(h) Debate on the resolution shall be limited to not more than ten hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is not debatable. An amendment to, or motion to recommit, the resolution is not in order, and it is not in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

(i) Motions to postpone made with respect to the discharge from committee or the consideration of a resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

(j) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution shall be decided without debate.

TITLE VII—REFERENDUM; SUCCESSION IN GOVERNMENT; TEMPORARY PROVISIONS; MISCELLANEOUS; AMENDMENTS TO DISTRICT OF COLUMBIA ELECTION ACT; RULES OF CONSTRUCTION; AND EFFECTIVE DATES

PART A—CHARTER REFERENDUM

REFERENDUM

SEC. 701. On a date to be fixed by the Board of Elections, not more than five months after the date of enactment of this Act, a referendum (in this part referred to as the "charter referendum") shall be conducted to determine whether the registered qualified electors of the District accept the charter set forth as title IV of this Act.

BOARD OF ELECTIONS AUTHORITY

SEC. 702. (a) The Board of Elections shall conduct the charter referendum and certify the results thereof as provided in this part.

(b) Notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted under this title, the applicable provisions of part E of title VII of this Act shall govern the Board of Elections in the performance of its duties under this Act.

REFERENDUM BALLOT AND NOTICE OF VOTING

SEC. 703. (a) The charter referendum ballot shall contain the following, with a blank space appropriately filled:

"The District of Columbia Self-Government and Governmental Reorganization Act, enacted ————, proposes to establish a charter for the governance of the District of Columbia, but provides that the charter shall take effect only if it is accepted by a majority of the registered qualified voters of the District voting on this issue.

"Indicate in one of the squares provided below whether you are for or against the charter.

"☐ For the charter

"☐ Against the charter.

"In addition, the Act referred to above authorizes the establishment of Advisory Neighborhood Councils if a majority of the registered qualified voters in the District vote for such Councils.

"Indicate in one of the squares provided below whether you are for or against the establishment of Advisory Neighborhood Councils.

"☐ For Advisory Neighborhood Councils

"☐ Against Advisory Neighborhood Councils.".

(b) Voting may be by paper ballot or by voting machine. The Board of Elections may make such changes in the second and fourth paragraphs of the charter referendum ballot as it determines to be necessary to permit the use of voting machines if such machines are used.

(c) Not less than five days before the date of the charter referendum, the Board of Elections shall mail to each registered qualified elector (1) a sample of the charter referendum ballot, and (2) information

showing the polling place of such elector and the date and hours of voting.

Voting information, publication.

(d) Not less than one day before the charter referendum, the Board of Elections shall publish, in one or more newspapers of general circulation published in the District, a list of the polling places and the date and hours of voting.

ACCEPTANCE OR NONACCEPTANCE OF CHARTER

SEC. 704. (a) If a majority of the registered qualified electors voting in the charter referendum vote for the charter, the charter shall be considered accepted as of the time the Board of Elections certifies the result of the charter referendum to the President of the United States, as provided in subsection (b).

Certification.

(b) The Board of Elections shall, within a reasonable time, but in no event more than thirty days after the date of the charter referendum, certify the results of the charter referendum to the President of the United States and to the Secretary of the Senate and the Clerk of the House of Representatives.

PART B—SUCCESSION IN GOVERNMENT

ABOLISHMENT OF EXISTING GOVERNMENT AND TRANSFER OF FUNCTIONS

SEC. 711. The District of Columbia Council, the offices of Chairman of the District of Columbia Council, Vice Chairman of the District of Columbia Council, and the seven other members of the District of Columbia Council, and the offices of the Commissioner of the District of Columbia and Assistant to the Commissioner of the District of Columbia, as established by Reorganization Plan Numbered 3 of 1967, are abolished as of noon January 2, 1975. This subsection shall not be construed to reinstate any governmental body or office in the District abolished in said plan or otherwise heretofore.

81 Stat. 948.
5 USC app. II.
D.C. Code 1-app.

CERTAIN DELEGATED FUNCTIONS AND FUNCTIONS OF CERTAIN AGENCIES

SEC. 712. No function of the District of Columbia Council (established under Reorganization Plan Numbered 3 of 1967) or of the Commissioner of the District of Columbia which such District of Columbia Council or Commissioner has delegated to an officer, employee, or agency (including any body of or under such agency) of the District, nor any function now vested pursuant to section 501 of Reorganization Plan Numbered 3 of 1967 in the District Public Service Commission, Zoning Advisory Council, Board of Zoning Adjustment, Office of the Recorder of Deeds, or Armory Board, or in any officer, employee, or body of or under such agency, shall be considered as a function transferred to the Council pursuant to section 404(a) of this Act. Each such function is hereby transferred to the officer, employee, or agency (including any body of or under such agency), to whom or to which it was delegated, or in whom or in which it has remained vested, until the Mayor or Council established under this Act, or both, pursuant to the powers herein granted, shall revoke, modify, or transfer such delegation or vesting.

TRANSFER OF PERSONNEL, PROPERTY, AND FUNDS

SEC. 713. (a) In each case of the transfer, by any provision of this Act, of functions to the Council, to the Mayor, or to any agency or officer, there are hereby authorized to be transferred (as of the time of such transfer of functions) to the Council, to the Mayor, to such

agency, or to the agency of which such officer is the head, for use in the administration of the functions of the Council or such agency or officer, the personnel (except the Commissioner of the District of Columbia, the Assistant to the Commissioner, the Chairman of the District of Columbia Council, the Vice Chairman of the District of Columbia Council, the other members thereof, all of whose offices are abolished by this Act), property, records, and unexpended balances of appropriations and other funds which relate primarily to the functions so transferred.

(b) If any question arises in connection with the carrying out of subsection (a), such questions shall be decided—

(1) in the case of functions transferred from a Federal officer or agency, by the Director of the Office of Management and Budget; and

(2) in the case of other functions (A) by the Council, or in such manner as the Council shall provide, if such functions are transferred to the Council, and (B) by the Mayor if such functions are transferred to him or to any other officer or agency.

(c) Any of the personnel authorized to be transferred to the Council, the Mayor, or any agency by this section which the Council or the head of such agency shall find to be in excess of the personnel necessary for the administration of its or his function shall, in accordance with law, be retransferred to other positions in the District or Federal Government or be separated from the service.

(d) No officer or employee shall, by reason of his transfer to the District government under this Act or his separation from service under this Act, be deprived of any civil service rights, benefits, and privileges held by him prior to such transfer or any right of appeal or review he may have by reason of his separation from service.

EXISTING STATUTES, REGULATIONS, AND OTHER ACTIONS

SEC. 714. (a) Any statute, regulation, or other action in respect of (and any regulation or other action issued, made, taken, or granted by) any officer or agency from which any function is transferred by this Act shall, except to the extent modified or made inapplicable by or under authority of law, continue in effect as if such transfer had not been made; but after such transfer, references in such statute, regulation, or other action to an officer or agency from which a transfer is made by this Act shall be held and considered to refer to the officer or agency to which the transfer is made.

"Other action."

(b) As used in subsection (a), the term "other action" includes, without limitation, any rule, order, contract, compact, policy, determination, directive, grant, authorization, permit, requirement, or designation.

(c) Unless otherwise specifically provided in this Act, nothing contained in this Act shall be construed as affecting the applicability to the District government of personnel legislation relating to the District government until such time as the Council may otherwise elect to provide equal or equivalent coverage.

PENDING ACTIONS AND PROCEEDINGS

SEC. 715. (a) No suit, action, or other judicial proceeding lawfully commenced by or against any officer or agency in his or its official capacity or in relation to the exercise of his or its official functions, shall abate by reason of the taking effect of any provision of this Act; but the court, unless it determines that the survival of such suit, action, or other proceedings is not necessary for purposes of settlement of the

questions involved, shall allow the same to be maintained, with such substitutions as to parties as are appropriate.

(b) No administrative action or proceeding lawfully commenced shall abate solely by reason of the taking effect of any provision of this Act, but such action or proceeding shall be continued with such substitutions as to parties and officers or agencies as are appropriate.

VACANCIES RESULTING FROM ABOLISHMENT OF OFFICES OF COMMISSIONER AND ASSISTANT TO THE COMMISSIONER

SEC. 716. Until the 1st day of July next after the first Mayor takes office under this Act no vacancy occurring in any District agency by reason of section 711, abolishing the offices of Commissioner of the District of Columbia and Assistant to the Commissioner, shall affect the power of the remaining members of such agency to exercise its functions; but such agency may take action only if a majority of the members holding office vote in favor of it.

STATUS OF THE DISTRICT

SEC. 717. (a) All of the territory constituting the permanent seat of the Government of the United States shall continue to be designated as the District of Columbia. The District of Columbia shall remain and continue a body corporate, as provided in section 2 of the Revised Statutes relating to the District (D.C. Code, sec. 1–102). Said Corporation shall continue to be charged with all the duties, obligations, responsibilities, and liabilities, and to be vested with all of the powers, rights, privileges, immunities, and assets, respectively, imposed upon and vested in said Corporation or the Commissioner.

20 Stat. 102.

(b) No law or regulation which is in force on the effective date of title IV of this Act shall be deemed amended or repealed by this Act except to the extent specifically provided herein or to the extent that such law or regulation is inconsistent with this Act, but any such law or regulation may be amended or repealed by act or resolution as authorized in this Act, or by Act of Congress, except that, notwithstanding the provisions of section 752 of this Act, such authority to repeal shall not be construed as authorizing the Council to repeal or otherwise alter, by amendment or otherwise, any provision of subchapter III of chapter 73 of title 5, United States Code, in whole or in part.

80 Stat. 525.
5 USC 7321.

(c) Nothing contained in this section shall affect the boundary line between the District of Columbia and the Commonwealth of Virginia as the same was established or may be subsequently established under the provisions of title I of the Act of October 31, 1945 (59 Stat. 552).

D.C. Code 1-101 note.

CONTINUATION OF THE DISTRICT OF COLUMBIA COURT SYSTEM

SEC. 718. (a) The District of Columbia Court of Appeals, the Superior Court of the District of Columbia, and the District of Columbia Commission on Judicial Disabilities and Tenure shall continue as provided under the District of Columbia Court Reorganization Act of 1970 subject to the provisions of part C of title IV of this Act and section 602(a)(4).

84 Stat. 475.
D.C. Code note prec. 11-101.

(b) The term and qualifications of any judge of any District of Columbia court, and the term and qualifications of any member of the District of Columbia Commission on Judicial Disabilities and Tenure appointed prior to the effective date of title IV of this Act shall not be affected by the provisions of part C of title IV of this Act. No provision of this Act shall be construed to extend the term of any such judge or member of such Commission. Judges of the

District of Columbia courts and members of the District of Columbia Commission on Judicial Disabilities and Tenure appointed after the effective date of title IV of this Act shall be appointed according to part C of such title IV.

(c) Nothing in this Act shall be construed to amend, repeal, or diminish the duties, rights, privileges, or benefits accruing under sections 1561 through 1571 of title 11 of the District of Columbia Code, and sections 703 and 904 of such title, dealing with the retirement and compensation of the judges of the District of Columbia courts. 84 Stat. 449. 84 Stat. 479.

CONTINUATION OF THE BOARD OF EDUCATION

SEC. 719. The term of any member elected to the District of Columbia Board of Education, and the powers and duties of the Board of Education, shall not be affected by the provisions of section 495. No provision of such section shall be construed to extend the term of any such member or to terminate the term of any such member.

PART C—TEMPORARY PROVISIONS

POWERS OF THE PRESIDENT DURING TRANSITIONAL PERIOD

SEC. 721. The President of the United States is hereby authorized and requested to take such action during the period following the date of the enactment of this Act and ending on the date of the first meeting of the Council, by Executive order or otherwise, with respect to the administration of the functions of the District government, as he deems necessary to enable the Board of Elections properly to perform its functions under this Act.

REIMBURSABLE APPROPRIATIONS FOR THE DISTRICT

SEC. 722. (a) The Secretary of the Treasury is authorized to advance to the District of Columbia the sum of $750,000, out of any money in the Treasury not otherwise appropriated, for use (1) in paying the expenses of the Board of Elections (including compensation of the members thereof), and (2) in otherwise carrying into effect the provisions of this Act.

(b) The full amount expended out of the money advanced pursuant to this section shall be reimbursed to the United States, without interest, during the second fiscal year which begins after the effective date of title IV, from the general fund of the District.

INTERIM LOAN AUTHORITY

SEC. 723. (a) The Mayor is authorized to accept loans for the District from the Treasury of the United States, and the Secretary is authorized to lend to the Mayor, such sums as the Mayor may determine are required to complete capital projects for which construction and construction services funds have been authorized or appropriated, as the case may be, by Congress prior to the effective date of title IV. In addition, such loans may include funds to pay the District's share of the cost of the adopted regional system specified in the National Capital Transportation Act of 1969. 83 Stat. 320. D.C. Code 1-1441 note.

(b) Loans advanced pursuant to this section during any six-month period shall be at a rate of interest determined by the Secretary as of the beginning of such period, which, in his judgment, would reflect the cost of money to the Treasury for borrowing at a maturity approximately equal to the period of time the loan is outstanding. Interest rate.

Appropriation.

(c) Subject to the limitations contained in section 603(b), there are authorized to be appropriated such sums as may be necessary to make loans under this section.

PART D—MISCELLANEOUS

AGREEMENTS WITH UNITED STATES

Federal government services.

SEC. 731. (a) For the purpose of preventing duplication of effort or for the purpose of otherwise promoting efficiency and economy, any Federal officer or agency may furnish services to the District government and any District officer or agency may furnish services to the Federal Government. Except where the terms and conditions governing the furnishing of such services are prescribed by other provisions of law, such services shall be furnished pursuant to an agreement (1) negotiated by the Federal and District authorities concerned, and (2) approved by the Director of the Federal Office of Management and Budget and by the Mayor. Each such agreement shall provide that the cost of furnishing such services shall be borne in the manner provided in subsection (c) by the government to which such services are furnished at rates or charges based on the actual cost of furnishing such services.

Delegation of functions.

(b) For the purpose of carrying out any agreement negotiated and approved pursuant to subsection (a), any District officer or agency may in the agreement delegate any of his or its functions to any Federal officer or agency, and any Federal officer or agency may in the agreement delegate any of his or its functions to any District officer or agency. Any function so delegated may be exercised in accordance with the terms of the delegation.

Costs, payment.

(c) The cost to each Federal officer and agency in furnishing services to the District pursuant to any such agreement are authorized to be paid, in accordance with the terms of the agreement, out of appropriations available to the District officers and agencies to which such services are furnished. The costs to each District officer and agency in furnishing services to the Federal Government pursuant to any such agreement are authorized to be paid, in accordance with the terms of the agreement, out of appropriations made by the Congress or other funds available to the Federal officers and agencies to which such services are furnished, except that the Chief of the Metropolitan Police shall on a nonreimbursable basis when requested by the Director of the United States Secret Service assist the Secret Service and the Executive Protection Service in the performance of their respective protective duties under section 3056 of title 18 of the United States Code and section 302 of title 3 of the United States Code.

Metropolitan police, assistance to U.S. Secret Service and Executive Protective Service.

65 Stat. 122; 84 Stat. 1941. 65 Stat. 712.

PERSONAL INTEREST IN CONTRACTS OR TRANSACTIONS

SEC. 732. Any officer or employee of the District who is convicted of a violation of section 208 of title 18, United States Code, shall forfeit his office or position.

76 Stat. 1124.

COMPENSATION FROM MORE THAN ONE SOURCE

SEC. 733. (a) Except as provided in this Act, no person shall be ineligible to serve or to receive compensation as a member of the Board of Elections because he occupies another office or position or because he receives compensation (including retirement compensation) from another source.

(b) The right to another office or position or to compensation from another source otherwise secured to such a person under the laws of the

United States shall not be abridged by the fact of his service or receipt of compensation as a member of such Board, if such service does not interfere with the discharge of his duties in such other office or position.

ASSISTANCE OF THE UNITED STATES CIVIL SERVICE COMMISSION IN DEVELOPMENT OF DISTRICT MERIT SYSTEM

SEC. 734. The United States Civil Service Commission is hereby authorized to advise and assist the Mayor and the Council in the further development of the merit system or systems required by section 422(3) and the said Commission is authorized to enter into agreements with the District government to make available its registers of eligibles as a recruiting source to fill District positions as needed. The costs of any specific services furnished by the Civil Service Commission may be compensated for under the provisions of section 731 of this Act.

Ante, p. 791.

Costs.

REVENUE SHARING RESTRICTIONS

SEC. 735. Section 141(c) of the State and Local Fiscal Assistance Act of 1972 (86 Stat. 919) is amended to read as follows:

31 USC 1261.

"(c) DISTRICT OF COLUMBIA.—For purposes of this title, the District of Columbia shall be treated both—

"(1) as a State (and any reference to the Governor of a State shall, in the case of the District of Columbia, be treated as a reference to the Mayor of the District of Columbia), and

"(2) as a county area which has no units of local government (other than itself) within its geographic area.".

INDEPENDENT AUDIT

SEC. 736. (a) In addition to the audit carried out under section 455, the accounts and operations of the District government shall be audited annually by the General Accounting Office in accordance with such principles and procedures, and in such detail, and under such rules and regulations as may be prescribed by the Comptroller General of the United States. In the determination of the auditing procedures to be followed and the extent of the examination of vouchers and other documents, the Comptroller General shall give due regard to generally accepted principles of auditing, including consideration of the effectiveness of the accounting organizations and systems, internal audit and control, and related administrative practices. The representatives of the General Accounting Office shall have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or in use by the District and necessary to facilitate the audit, and such representatives shall be afforded full facilities for auditing the accounts and operations of the District government.

Annual GAO audit.

Records, accessibility.

(b)(1) The Comptroller General shall submit his audit reports to the Congress, the Mayor, and the Council. The reports shall set forth the scope of the audits and shall include such comments and information as the Comptroller General may deem necessary to keep the Congress, the Mayor, and the Council informed of the operations to which the reports relate, together with such recommendations with respect thereto as the Comptroller General may deem advisable.

Reports to Congress, Mayor, and Council.

(2) After the Mayor has had an opportunity to be heard, the Council may make such report, together with such other material as it deems pertinent thereto, available for public inspection.

Public inspection.

Audit recommendations, compliance.

(3) The Mayor, within ninety days after receipt of the audit from the Comptroller General, shall state in writing to the Council, with a copy to the Congress, what has been done to comply with the recommendations made by the Comptroller General in the report.

ADJUSTMENTS

Debt payment.

SEC. 737. (a) Subject to section 731, the Mayor, with the approval of the Council, and the Director of the Office of Management and Budget, is authorized and empowered to enter into an agreement or agreements concerning the manner and method by which amounts owed by the District to the United States, or by the United States to the District, shall be ascertained and paid.

Demonstration costs, reimbursement.

(b) The United States shall reimburse the District for necessary expenses incurred by the District in connection with assemblages, marches, and other demonstrations in the District which relate primarily to the Federal Government. The manner and method of ascertaining and paying the amounts needed to so reimburse the District shall be determined by agreement entered into in accordance with subsection (a) of this section.

Surety bond.

(c) Each officer and employee of the District required to do so by the Council shall provide a bond with such surety and in such amount as the Council may require. The premiums for all such bonds shall be paid out of appropriations for the District.

Premiums, payment.

ADVISORY NEIGHBORHOOD COUNCILS

Petition requirement.

SEC. 738. (a) The Council shall by act divide the District into neighborhood council areas and, upon receiving a petition signed by at least 5 per centum of the registered qualified electors of a neighborhood council area, shall establish for that neighborhood an elected advisory neighborhood council. In designating such neighborhoods, the Council shall consider natural geographic boundaries, election districts, and divisions of the District made for the purpose of administration of services.

Elections.

(b) Elections for members of each advisory neighborhood council shall be nonpartisan, shall be scheduled to coincide with the elections of members of the Board of Education held in the District, and shall be administered by the Board of Elections. Advisory neighborhood council members shall be elected from single member districts within each neighborhood council area by the registered qualified electors thereof.

Administration.

Functions.

(c) Each advisory neighborhood council—

(1) may advise the District government on matters of public policy including decisions regarding planning, streets, recreation, social services programs, health, safety, and sanitation in that neighborhood council area;

(2) may employ staff and expend, for public purposes within its neighborhood council area, public funds and other funds donated to it; and

(3) shall have such other powers and duties as may be provided by act of the Council.

Notices.

(d) In the manner provided by act of the Council, in addition to any other notice required by law, timely notice shall be given to each advisory neighborhood council of requested or proposed zoning changes, variances, public improvements, licenses or permits of significance to neighborhood planning and development within its neighborhood council area for its review, comment, and recommendation.

(e) In order to pay the expenses of the advisory neighborhood councils, enable them to employ such staff as may be necessary, and to conduct programs for the welfare of the people in a neighborhood council area, the District government shall apportion to each advisory neighborhood council, out of the revenue of the District received from the tax on real property in the District including improvements thereon, a sum not less than that part of such revenue raised by levying 1 cent per $100 of assessed valuation which bears the same ratio to the full sum raised thereby as the population of the neighborhood bears to the population of the District. The Council may authorize additional methods of financing advisory neighborhood councils. Council expenses, funds, apportionment.

(f) The Council shall by act make provisions for the handling of funds and accounts by each advisory neighborhood council and shall establish guidelines with respect to the employment of persons by each advisory neighborhood council which shall include fixing the status of such employees with respect to the District government, but all such provisions and guidelines shall be uniform for all advisory neighborhood councils and shall provide that decisions to employ and discharge employees shall be made by the advisory neighborhood council. These provisions shall conform to the extent practicable to the regular budgetary, expenditure and auditing procedures and the personnel merit system of the District. Employment guidelines.

(g) The Council shall have authority in accordance with the provisions of this Act, to legislate with respect to the advisory neighborhood councils established in this section. Legislative authority.

(h) The foregoing provisions of this section shall take effect only if agreed to in accordance with the provisions of section 703(a) of this Act.

NATIONAL CAPITAL SERVICE AREA

SEC. 739. (a) There is established within the District of Columbia the National Capital Service Area which shall include, subject to the following provisions of this section, the principal Federal monuments, the White House, the Capitol Building, the United States Supreme Court Building, and the Federal executive, legislative, and judicial office buildings located adjacent to the Mall and the Capitol Building, and is more particularly described in subsection (f). Establishment.

(b) There is established in the Executive Office of the President the National Capital Service Director who shall be appointed by the President. The President, through the National Capital Service Director, shall assure that there is provided, utilizing District of Columbia governmental services to the extent practicable, within the area specified in subsection (a) and particularly described in subsection (f), adequate fire protection and sanitation services. Except with respect to that portion of the National Capital Service Area comprising the United States Capitol Buildings and Grounds as defined in sections 1 and 16 of the Act of July 31, 1946, as amended (40 U.S.C. 193a and 193m), the United States Supreme Court Building and Grounds as defined in section 11 of the Act of August 18, 1949, as amended (40 U.S.C. 13p), and the Library of Congress Buildings and Grounds as defined in section 11 of the Act of August 4, 1950, as amended (2 U.S.C. 167j), the National Capital Service Director shall assure that there is provided within the remainder of such area specified in subsection (a) and subsection (f), adequate police protection and maintenance of streets and highways. Director.

60 Stat. 718; 81 Stat. 275. D.C. Code 9-118, 9-132. 63 Stat. 617. 64 Stat. 412; 84 Stat. 309.

(c) The National Capital Service Director shall be entitled to receive compensation at the maximum rate as may be established from time to time for level IV of the Executive Schedule of section 5314 of title 5 of the United States Code. The Director may appoint, subject to the provisions of title 5 of the United States Code governing appointments in the competitive service, and fix the pay of, in accord- Compensation.

5 USC 101 *et seq.*

80 Stat. 443, 467.
5 USC 5101, 5331.

ance with the provisions of chapter 51 and subchapter 3 of chapter 53 of such title relating to classification and General Schedule pay rates, such personnel as may be necessary.

25 Stat. 778; 35 Stat. 634.

(d) Section 45 of the Act entitled "An Act to provide for the organization of the militia of the District of Columbia", approved March 1, 1889 (D.C. Code, sec. 39–603), is amended by inserting after "United States Marshal for the District of Columbia," the following: "or for the National Capital Service Director,".

Presidential report to Congress.

(e) (1) Within one year after the effective date of this section, the President is authorized and directed to submit to the Congress a report on the feasibility and advisability of combining the Executive Protective Service and the United States Park Police within the National Capital Service Area, and placing them under the National Capital Service Director.

(2) Such report shall include such recommendations, including recommendations for legislative and executive action, as the President deems necessary in carrying out the provisions of paragraph (1) of this subsection.

Boundaries.

(f) (1) (A) The National Capital Service Area referred to in subsection (a) is more particularly described as follows:

Beginning at that point on the present Virginia-District of Columbia boundary due west of the northernmost point of Theodore Roosevelt Island and running due east to the eastern shore of the Potomac River;

thence generally south along the shore at the mean high water mark to the northwest corner of the Kennedy Center;

thence east along the north side of the Kennedy Center to a point where it reaches the E Street Expressway;

thence east on the expressway to E Street Northwest and thence east on E Street Northwest to Eighteenth Street Northwest;

thence south on Eighteenth Street Northwest to Constitution Avenue Northwest;

thence east on Constitution Avenue to Seventeenth Street Northwest;

thence north on Seventeenth Street Northwest to Pennsylvania Avenue Northwest;

thence east on Pennsylvania Avenue to Jackson Place Northwest;

thence north on Jackson Place to H Street Northwest;

thence east on H Street Northwest to Madison Place Northwest;

thence south on Madison Place Northwest to Pennsylvania Avenue Northwest;

thence east on Pennsylvania Avenue Northwest to Fifteenth Street Northwest;

thence south on Fifteenth Street Northwest to Pennsylvania Avenue Northwest;

thence southeast on Pennsylvania Avenue Northwest to John Marshall Place Northwest;

thence north on John Marshall Place Northwest to C Street Northwest;

thence east on C Street Northwest to Third Street Northwest;

thence north on Third Street Northwest to D Street Northwest;

thence east on D Street Northwest to Second Street Northwest;

thence south on Second Street Northwest to the intersection of Constitution Avenue Northwest and Louisiana Avenue Northwest;

thence northeast on Louisiana Avenue Northwest to North Capitol Street;

thence north on North Capitol Street to Massachusetts Avenue Northwest;

thence southeast on Massachusetts Avenue Northwest so as to encompass Union Square;

thence following Union Square to F Street Northeast;

thence east on F Street Northeast to Second Street Northeast;

thence south on Second Street Northeast to D Street Northeast;

thence west on D Street Northeast to First Street Northeast;

thence south on First Street Northeast to Maryland Avenue Northeast;

thence generally north and east on Maryland Avenue to Second Street Northeast;

thence south on Second Street Northeast to C Street Southeast;

thence west on C Street Southeast to New Jersey Avenue Southeast;

thence south on New Jersey Avenue Southeast to D Street Southeast;

thence west on D Street Southeast to Canal Street Parkway;

thence southeast on Canal Street Parkway to E Street Southeast;

thence west on E Street Southeast to the intersection of Canal Street Southwest and South Capitol Street;

thence northwest on Canal Street Southwest to Second Street Southwest;

thence south on Second Street Southwest to Virginia Avenue Southwest;

thence generally west on Virginia Avenue to Third Street Southwest;

thence north on Third Street Southwest to C Street Southwest;

thence west on C Street Southwest to Sixth Street Southwest;

thence north on Sixth Street Southwest to Independence Avenue;

thence west on Independence Avenue to Twelfth Street Southwest;

thence south on Twelfth Street Southwest to D Street Southwest;

thence west on D Street Southwest to Fourteenth Street Southwest;

thence south on Fourteenth Street Southwest to the middle of the Washington Channel;

thence generally south and east along the midchannel of the Washington Channel to a point due west of the northern boundary line of Fort Lesley McNair;

thence due east to the side of the Washington Channel;

thence following generally south and east along the side of the Washington Channel at the mean high water mark, to the point of confluence with the Anacostia River, and along the northern shore at the mean high water mark to the northern most point of the Eleventh Street Bridge;

thence generally south and east along the northern side of the Eleventh Street Bridge to the eastern shore of the Anacostia River;

thence generally south and west along such shore at the mean high water mark to the point of confluence of the Anacostia and Potomac Rivers;

thence generally south along the eastern shore at the mean high water mark of the Potomac River to the point where it meets the present southeastern boundary line of the District of Columbia;

thence south and west along such southeastern boundary line

to the point where it meets the present Virginia-District of Columbia boundary;

thence generally north and west up the Potomac River along the Virginia-District of Columbia boundary to the point of beginning.

(B) Where the area in paragraph (1) is bounded by any street, such street, and any sidewalk thereof, shall be included within such area.

(2) Any Federal real property affronting or abutting, as of the date of the enactment of this Act, the area described in paragraph (1) shall be deemed to be within such area.

(3) For the purposes of paragraph (2), Federal real property affronting or abutting such area described in paragraph (1) shall—

(A) be deemed to include, but not limited to, Fort Lesley McNair, the Washington Navy Yard, the Anacostia Naval Annex, the United States Naval Station, Bolling Air Force Base, and the Naval Research Laboratory; and

(B) not be construed to include any area situated outside of the District of Columbia boundary as it existed immediately prior to the date of the enactment of this Act, nor be construed to include any portion of the Anacostia Park situated east of the northern side of the Eleventh Street Bridge, or any portion of the Rock Creek Park.

Presidential survey.

(g)(1) Subject to the provisions of paragraph (2) of this subsection, the President is authorized and directed to conduct a survey of the area described in this section in order to establish the proper metes and bounds of such area, and to file, in such manner and at such place as he may designate, a map and a legal description of such area, and such description and map shall have the same force and effect as if included in this Act, except that corrections of clerical, typographical and other errors in any such legal descriptions and map may be made. In conducting such survey, the President shall make such adjustments as may be necessary in order to exclude from the National Capital Service Area any privately owned properties, and buildings and adjacent parking facilities owned by the District of Columbia government.

Map and description, filing.

(2) In carrying out the provisions of paragraph (1) of this subsection, the President shall, to the extent that such survey, legal description, and map involves areas comprising the United States Capitol Buildings and Grounds as defined in sections 1 and 16 of the Act of July 31, 1946, as amended (40 U.S.C. 193a and 193m), and other buildings and grounds under the care of the Architect of the Capitol, consult with the Architect of the Capitol.

60 Stat. 718; 81 Stat. 275. D.C. Code 9-118, 9-132.

(3) Section 1 of the Act of July 31, 1946, as amended by the Act of October 20, 1967 (60 Stat. 718; 81 Stat. 275; 40 U.S.C. 193a), is hereby amended to include within the definition of the United States Capitol Grounds, the following streets: "Independence Avenue from the west curb of First Street S.E. to the east curb of First Street S.W., New Jersey Avenue S.E. from the south curb of Independence Avenue to the north curb of D Street S.E., South Capitol Street from the south curb of Independence Avenue to the north curb of D Street; Delaware Avenue S.W. from the south curb of C Street S.W. to the north curb of D Street S.W., C Street from the west curb of First Street S.E. to the intersection of First and Canal Streets, S.W., D Street from the west curb of First Street S.E. to the intersection of Canal Street and Delaware Avenue S.W., that part of First Street lying west of the outer face of the curb of the sidewalk on the east side thereof from D Street, N.E. to D Street S.E., that part of First Street within the east and west curblines thereof extending from the north side of Pennsylvania Avenue N.W. to the intersection of C Street and Canal Street S.W., including the two circles within such area.

Nothing in this section shall be construed as repealing, or otherwise altering, modifying, affecting, or superseding those provisions of law in effect on the date immediately preceding the effective date of title IV of this Act vesting authority in the United States Supreme Court police and Library of Congress police to make arrests in adjacent streets, including First Street N.E. and First Street S.E.".

(4) Section 9 of the Act of July 31, 1946, as amended (40 U.S.C. 212a), is amended by deleting "or of any State," and inserting in lieu thereof a comma and the following: "of the District of Columbia, or of any State,". 60 Stat. 719. D.C. Code 9-126.

(5) Section 9 of such Act is further amended by deleting the following: ", with the exception of the streets and roadways shown on the map referred to in section 1 of this Act as being under the jurisdiction and control of the Commissioners of the District of Columbia.". 40 USC 193a. D.C. Code 9-118.

(6) Section 14(a) of the Act of July 31, 1946, as amended (40 U.S.C. 212b), is amended by deleting: ", except on those streets and roadways shown on the map referred to in section 1 of this Act as being under the jurisdiction and control of the Commissioners of the District of Columbia". 60 Stat. 720; 84 Stat. 570. D.C. Code 9-131.

(7) Section 1 of the Act of July 31, 1946, as amended (40 U.S.C. 193a), is amended by deleting ": *Provided*, That those streets and roadways in said United States Capitol Grounds shown on said map as being under the jurisdiction and control of the Commissioners of the District of Columbia shall continue under such jurisdiction and control, and said Commissioners shall be responsible for the maintenance and improvement thereof: *Provided further*," and inserting in lieu thereof a comma and the following: "including those streets and roadways in said United States Capitol Grounds as shown on said map as being under the jurisdiction and control of the Commissioners of the District of Columbia, except that the Commissioner of the District of Columbia shall be responsible for the maintenance and improvement of those portions of the following streets which are situated between the curblines thereof: Constitution Avenue from First Street N.E. to Second Street N.W., First Street from D Street N.E. to D Street S.E., D Street from First Street S.E. to Canal Street S.W., and First Street from the north side of Louisiana Avenue to the intersection of C Street and Canal Street S.W.: *Provided*,".

(8) Section 9 of the Act of August 18, 1949, as amended (40 U.S.C. 13n), is amended by deleting "or of any State" and inserting in lieu thereof a comma and the following: "any law of the District of Columbia, or of any State,". 63 Stat. 617.

(9) Section 9 of the Act of August 4, 1950, as amended (2 U.S.C. 167h), is amended by deleting "or of any State" and inserting in lieu thereof a comma and the following: "any law of the District of Columbia, or of any State,". 64 Stat. 412.

(h)(1) Except to the extent specifically provided by the provisions of this section, and amendments made by this section, nothing in this section shall be applicable to the United States Capitol Buildings and Grounds as defined in sections 1 and 16 of the Act of July 31, 1946, as amended (40 U.S.C. 193a, 193m), or to any other buildings and grounds under the care of the Architect of the Capitol, the United States Supreme Court Building and Grounds as defined in section 11 of the Act of August 18, 1949, as amended (40 U.S.C. 13p), and the Library of Congress Buildings and Grounds as defined in section 11 of the Act of August 4, 1950, as amended (2 U.S.C. 167j), and except to the extent herein specifically provided, including amendments made by this section, nothing in this section shall be construed to repeal, amend, alter, modify, or supersede any provision of the Act of July 31, 1946, as amended (40 U.S.C. 193a et seq.), or any other of the general 60 Stat. 718; 81 Stat. 275. D.C. Code 9-118, 9-132. 63 Stat. 617. 64 Stat. 412; 84 Stat. 309.

laws of the United States or any of the laws enacted by the Congress and applicable exclusively to the District of Columbia, or any rule or regulation promulgated pursuant thereto, in effect on the date immediately preceding the effective date of title IV of this Act pertaining to said buildings and grounds, or any existing authority, with respect to such buildings and grounds, vested by law, or otherwise, on such date immediately preceding such effective date, in the Senate, the House of Representatives, the Congress, or any committee or commission or board thereof, the Architect of the Capitol, or any other officer of the legislative branch, the Chief Justice of the United States, the Marshal of the Supreme Court of the United States, or the Librarian of Congress.

Services and facilities, availability.

(2) Notwithstanding the foregoing provision of this section, any of the services and facilities authorized by this Act to be rendered or furnished (including maintenance of streets and highways, and services under section 731 of this Act) shall, as far as practicable, be made available to the Senate, the House of Representatives, the Congress, or any committee or commission or board thereof, the Architect of the Capitol, or any other officer of the legislative branch vested by law or otherwise on such date immediately preceding the effective date of title IV of this Act with authority over such buildings and grounds, the Chief Justice of the United States, the Marshal of the Supreme Court of the United States, and the Librarian of Congress, upon their request, and, if payment would be required for the rendition or furnishing of a similar service or facility to any other Federal agency, payment therefor shall be made by the recipient thereof, upon presentation of proper vouchers, in advance or by reimbursement (as may be agreed upon by the parties rendering and receiving such services).

U.S. laws, applicability.

(i) Except to the extent otherwise specifically provided in the provisions of this section, and amendments made by this section, all general laws of the United States and all laws enacted by the Congress and applicable exclusively to the District of Columbia, including regulations and rules promulgated pursuant thereto, in effect on the date immediately preceding the effective date of title IV of this Act and which, on such date immediately preceding the effective date of such title, are applicable to and within the areas included within the National Capital Service Area pursuant to this section shall, on and after such effective date, continue to be applicable to and within such National Capital Service Area in the same manner and to the same extent as if this section had not been enacted, and shall remain so applicable until such time as they are repealed, amended, altered, modified, or superseded, and such laws, regulations and rules shall thereafter be applicable to and within such area in the manner and to the extent so provided by any such amendment, alteration, or modification.

(j) In no case shall any person be denied the right to vote or otherwise participate in any manner in any election in the District of Columbia solely because such person resides within the National Capital Service Area.

EMERGENCY CONTROL OF POLICE

SEC. 740. (a) Notwithstanding any other provision of law, whenever the President of the United States determines that special conditions of an emergency nature exist which require the use of the Metropolitan Police force for Federal purposes, he may direct the Mayor to provide him, and the Mayor shall provide, such services of the Metropolitan Police force as the President may deem necessary and appropriate. In no case, however, shall such services made avail-

Limitation.

able pursuant to any such direction under this subsection extend for a period in excess of forty-eight hours unless the President has, prior to the expiration of such period, notified the Chairman and ranking minority Members of the Committees on the District of Columbia of the Senate and the House of Representatives, in writing, as to the reason for such direction and the period of time during which the need for such services is likely to continue.

Notification requirement.

(b) Subject to the provisions of subsection (c) of this section, such services made available in accordance with subsection (a) of this section shall terminate upon the end of such emergency, the expiration of a period of thirty days following the date on which such services are first made available, or the adoption of a resolution by either the Senate or the House of Representatives providing for such termination, whichever first occurs.

Termination.

(c) Notwithstanding the foregoing provisions of this section, in any case in which such services are made available in accordance with the provisions of subsection (a) of this section during any period of an adjournment of the Congress sine die, such services shall terminate upon the end of the emergency, the expiration of the thirty-day period following the date on which Congress first convenes following such adjournment, or the adoption of a resolution by either the Senate or the House of Representatives providing for such termination, whichever first occurs.

(d) Except to the extent provided for in subsection (c) of this section, no such services made available pursuant to the direction of the President pursuant to subsection (a) of this section shall extend for any period in excess of thirty days, unless the Senate and the House of Representatives approve a concurrent resolution authorizing such an extension.

Extension.

HOLDING OFFICE IN THE DISTRICT

SEC. 741. Notwithstanding any other provision of law, no person who is otherwise qualified to hold the office of Chairman or member of the Council or Mayor shall be disqualified from being a candidate for such office by reason of his employment in the competitive or excepted service of the United States. For the purposes of this section, a person shall be deemed to be a candidate on and after the date he qualifies under applicable provisions of law in the District to have his name placed on the ballot in either a primary or general election for the office for which he is a candidate. Such candidacy shall terminate—

(1) with respect to a person who has been defeated in a primary election held to nominate candidates for the office for which he is a candidate, on the day of such primary election;

(2) with respect to a person who is defeated in the general election held for the office for which he is a candidate, on the date of such general election; and

(3) with respect to a person who is elected in the general election held for the office for which he is a candidate, on the date such person assumes such office.

OPEN MEETINGS

SEC. 742. (a) All meetings (including hearings) of any department, agency, board, or commission of the District government, including meetings of the District Council, at which official action of any kind is taken shall be open to the public. No resolution, rule, act, regulation or other official action shall be effective unless taken, made, or enacted at such meeting.

Written transcript, availability.

(b) A written transcript or a transcription shall be kept for all such meetings and shall be made available to the public during normal business hours of the District government. Copies of such written transcripts or copies of such transcriptions shall be available upon request to the public at reasonable cost.

TERMINATION OF THE DISTRICT'S AUTHORITY TO BORROW FROM THE TREASURY

SEC. 743. (a) The first section of the Act entitled "An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City", approved June 6, 1958 (72 Stat. 183; D.C. Code, sec. 9–220), is amended by striking out subsections (b), (c), (d), and (e).

(b) The Act entitled "An Act authorizing loans from the United States Treasury for the expansion of the District of Columbia water system", approved June 2, 1950 (60 Stat. 195; D.C. Code, sec. 43–1540), is repealed.

(c) Title II of the Act entitled "An Act to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes", approved May 18, 1954 (68 Stat. 108), is amended by striking out sections 213, 214, 216, 217, and 218 (D.C. Code, sections 43–1612, 43–1613, 43–1615, 43–1616, and 43–1617), authorizing loans from the United States Treasury for sanitary and combined sewer systems of the District.

(d) Section 402 of title IV of such Act approved May 18, 1954 (68 Stat. 110; D.C. Code, sec. 7–133), authorizing loans from the United States Treasury for the District of Columbia highway construction program, is repealed.

Loan payment obligation.

(e) Nothing contained in this section shall be deemed to relieve the District of its obligation to repay any loan made to it under the authority of the Acts specified in the preceding subsections, nor to preclude the District from using the unexpended balance of any such loan appropriated to the District prior to the effective date of this provision, nor to prevent the District from fulfilling the provisions of section 722.

PART E—AMENDMENTS TO THE DISTRICT OF COLUMBIA ELECTION ACT

AMENDMENTS

SEC. 751. The District of Columbia Election Act (D.C. Code, secs. 1–1101—1–1115) is amended as follows:

69 Stat. 699; 85 Stat. 788.

(1) The first section of such Act (D.C. Code, sec. 1–1101) is amended by inserting immediately after "Board of Education,", the following: "the members of the Council of the District of Columbia, the Mayor".

Ante, p. 311.

(2) Section 2 of such Act (D.C. Code, sec. 1–1102) is amended by adding at the end thereof the following new paragraphs:

Definitions.

"(8) The term 'Council' or 'Council of the District of Columbia' means the Council of the District of Columbia established pursuant to the District of Columbia Self-Government and Governmental Reorganization Act.

"(9) The term 'Mayor' means the office of Mayor of the District of Columbia established pursuant to the District of Columbia Self-Government and Governmental Reorganization Act."

(3) Subsections (h), (i), (j), and (k) of section 8 of such Act (D.C. Code, sec. 1–1108) are amended to read as follows:

84 Stat. 849; 85 Stat. 790; *Ante*, p. 312, 313.

"(h) (1) (A) The Delegate, Mayor, Chairman of the District Council and the four at-large members of the Council shall be elected by the registered qualified electors of the District of Columbia in a general election. Each candidate for the office of Delegate, Mayor, Chairman of the District Council, and at-large members of the Council in any general election shall, except as otherwise provided in subsection (j) of this section and section 10(d), have been elected by the registered qualified electors of the District as such candidate by the next preceding primary election.

Delegate, Mayor, Chairman of the District Council and at-large members, election.

69 Stat. 702; 84 Stat. 851. D.C. Code 1-1110.

"(B) (i) A member of the office of Council (other than the Chairman and any member elected at large) shall be elected in a general election by the registered qualified electors of the respective ward of the District from which the individual seeking such office was elected as a candidate for such office as provided in clause (ii) of this paragraph.

"(ii) Each candidate for the office of member of the Council (other than Chairman and at-large members) shall, except as otherwise provided in subsection (j) of this section and section 10(d), have been elected as such a candidate, by the registered qualified electors of the ward of the District from which such individual was nominated, at the next preceding primary election to fill such office within that ward.

"(2) The nomination and election of any individual to the office of Delegate, Mayor, Chairman of the Council and member of the Council shall be governed by the provisions of this Act. No political party shall be qualified to hold a primary election to select candidates for election to any such office in a general election unless, in the next preceding election year, at least seven thousand five hundred votes were cast in the general election for a candidate of such party for any such office or for its candidates for electors of President and Vice President.

Restrictions.

"(i) (1) Each individual in a primary election for candidate for the office of Delegate, Mayor, Chairman of the Council, or at-large member of the Council shall be nominated for any such office by a petition (A) filed with the Board not later than sixty days before the date of such primary election, and (B) signed by at least two thousand registered qualified electors of the same political party as the nominee, or by 1 per centum of the duly registered members of such political party, whichever is less, as shown by the records of the Board of Elections as of the one hundred fourteenth day before the date of such election.

Nomination petition.

"(2) Each individual in a primary election for candidate for the office of member of the Council (other than the Chairman and at-large members) shall be nominated for such office by a petition (A) filed with the Board not later than sixty days before the date of such primary election, and (B) signed by at least two hundred and fifty persons in the ward from which such individual seeks election who are duly registered in such ward under section 7 of this Act, and who are of the same political party as the nominee.

69 Stat. 700; 85 Stat. 790, 795. D.C. Code 1-1107.

"(3) A nominating petition for a candidate in a primary election for any such office may not be circulated for signature before the one hundred fourteenth day preceding the date of such election and may not be filed with the Board before the eighty-fifth day preceding such date. The Board may prescribe rules with respect to the preparation and presentation of nominating petitions. The Board shall arrange the ballot of each political party in each such primary election as to enable a voter of such party to vote for nominated candidates of that party.

Petition, circulation.

"(j) (1) A duly qualified candidate for the office of Delegate, Mayor, Chairman of the Council, or member of the Council may, subject to

the provisions of this subsection, be nominated directly as such a candidate for election for such office (including any such election to be held to fill a vacancy). Such person shall be nominated by petition (A) filed with the Board not less than sixty days before the date of such general election, and (B) in the case of a person who is a candidate for the office of member of the Council (other than the Chairman or an at-large member), signed by five hundred voters who are duly registered under section 7 in the ward from which the candidate seeks election; and in the case of a person who is a candidate for the office of Delegate, Mayor, Chairman of the Council, or at-large member of the Council, signed by duly registered voters equal in number to 1½ per centum of the total number of registered voters in the District, as shown by the records of the Board as of one hundred fourteen days before the date of such election, or by three thousand persons duly registered under section 7, whichever is less. No signatures on such a petition may be counted which have been made on such petition more than one hundred fourteen days before the date of such election.

69 Stat. 700; 85 Stat. 790, 795. D.C. Code 1-1107.

"(2) Nominations under this subsection for candidates for election in a general election to any office referred to in paragraph (1) shall be of no force and effect with respect to any person whose name has appeared on the ballot of a primary election for that office held within eight months before the date of such general election.

"(k)(1) In each general election for the office of member of the Council (other than the office of the Chairman or an at-large member) the Board shall arrange the ballots in each ward to enable a voter registered in that ward to vote for any one candidate who (A) has been duly elected by any political party in the next preceding primary election for such office from such ward, (B) has been duly nominated to fill a vacancy in such office in such ward pursuant to section 10(d), or (C) has been nominated directly as a candidate for such office in such ward under subsection (j) of this section.

69 Stat. 702. 84 Stat. 851. D.C. Code 1-1110.

"(2) In each general election for the office of Chairman and member of the Council at large, the Board shall arrange the ballots to enable a registered qualified elector to vote for as many candidates for election as members at large as there are members at large to be elected in such election, including the Chairman. Such candidates shall be only those persons who (A) have been duly elected by any political party in the next preceding primary election for such office, (B) have been duly nominated to fill vacancies in such office pursuant to section 10(d), or (C) have been nominated directly as a candidate under subsection (j) of this section.

"(3) In each general election for the office of Delegate and Mayor, the Board shall arrange the ballots to enable a registered qualified elector to vote for any one of the candidates for any such office who (A) has been duly elected by any political party in the next preceding primary election for such office, (B) has been duly nominated to fill a vacancy in such office pursuant to section 10(d), or (C) has been nominated directly as a candidate under subsection (j) of this section.".

(4) Paragraph (3) of section 10(a) of such Act (D.C. Code, sec. 1-1110) is amended (1) by inserting "(A)" immediately before the word "Except", and (2) by adding at the end thereof the following:

85 Stat. 792. D.C. Code 1-1110. Primary election dates.

"(B) Except as otherwise provided in the case of special elections under this Act primary elections of each political party for the office of member of the Council shall be held on the first Tuesday after the second Monday in September in 1974, and every second year thereafter, and general election for such offices shall be held on the first Tuesday after the first Monday in November in 1974 and every second year thereafter.

"(C) Except as otherwise provided in the case of a special election under this Act, primary elections of each political party for the office of Mayor and Chairman shall be held on the first Tuesday after the second Monday in September of every fourth year, commencing with calendar year 1974, and the general election for such office shall be held on the first Tuesday after the first Monday in November in 1974 and every fourth year thereafter.".

Repeals.

(5) Paragraphs (6), (7), (8), and (9) of section 10(a) of such Act (D.C. Code, sec. 1–1110) are repealed, and paragraphs (4) and (5) of such section 10(a) are amended to read as follows:

69 Stat. 702; 84 Stat. 850.

Special elections.

"(4) With respect to special elections required or authorized by this Act, the Board may establish the dates on which such special elections are to be held and prescribe such other terms and conditions as may, in the Board's opinion, be necessary or appropriate for the conduct of such elections in a manner comparable to that prescribed for other elections held pursuant to this Act.

General elections.

"(5) General elections for members of the Board of Education shall be held on the first Tuesday after the first Monday in November of each odd-numbered calendar year."

(6) Section 10(b) of such Act (D.C. Code, sec. 1–1110) is amended by striking out "other than general elections for the Office of Delegate and for members of the Board of Education.".

(7) Section 10(c) of such Act (D.C. Code, sec. 1–1110) is amended by striking out the words "other than an election for members of the Board of Education".

(8) Section 10(d) of such Act (D.C. Code, sec. 1–1110) is amended to read as follows:

Succession.

"(d) In the event that any official, other than the Delegate, Mayor, member of the Council, member of the Board of Education, or a winner of a primary election for the office of Delegate, Mayor, or member of the Council, elected pursuant to this Act dies, resigns, or becomes unable to serve during his or her term of office leaving no person elected pursuant to this Act to serve the remainder of the unexpired term of office, the successor or successors to serve the remainder of such term shall be chosen pursuant to the rules of the duly authorized party committee, except that such successor shall have the qualifications required by this Act for such office. In the event that such a vacancy occurs in the office of a candidate for the office of Delegate, Mayor, or member of the Council who has been declared the winner in the preceding primary election of such office, the vacancy may be filled not later than fifteen days prior to the next general election for such office, by nomination by the party committee of the party which nominated his predecessor. In the event that such a vacancy occurs in the office of Delegate more than eight months before the expiration of its term of office, the Board shall call special elections to fill such vacancy for the remainder of its term of office."

Vacancies.

(9) The first sentence of section 15 of such Act (D.C. Code, sec. 1–1115) is amended to read as follows: "No person shall be a candidate for more than one office on the Board of Education or the Council in any election for members of the Board of Education or Council, and no person shall be a candidate for more than one office on the Council in any primary election."

82 Stat. 106.

(10) Section 15 of such Act (D.C. Code, sec. 1–1115) is further amended (1) by designating the existing text of such section as subsection (a), and (2) by adding at the end thereof the following new subsection:

"(b) No person who is holding the office of Mayor, Delegate, Chairman or member of the Council, or member of the School Board shall, while holding such office, be eligible as a candidate for any other of

such offices in any primary or general election, unless the term of the office which he so holds expires on or prior to the date on which he would be eligible, if elected in such primary or general election, to take the office with respect to which such election is held."

DISTRICT COUNCIL AUTHORITY OVER ELECTIONS

SEC. 752. Notwithstanding any other provision of this Act or of any other law, the Council shall have authority to enact any act or resolution with respect to matters involving or relating to elections in the District.

PART F—RULES OF CONSTRUCTION

CONSTRUCTION

SEC. 761. To the extent that any provisions of this Act are inconsistent with the provisions of any other laws the provisions of this Act shall prevail and shall be deemed to supersede the provisions of such laws.

PART G—EFFECTIVE DATES

EFFECTIVE DATES

SEC. 771. (a) Titles I and V, and parts A and G, and section 722, of title VII shall take effect on the date of enactment of this Act.

(b) Title II shall take effect on July 1, 1974, except that any provision thereof which in effect transfers authority to appoint any citizen member of the National Capital Planning Commission or the District of Columbia Redevelopment Land Agency shall take effect on January 2, 1975.

(c) Titles III and IV shall take effect January 2, 1975, if title IV is accepted by a majority of the registered qualified electors in the District of Columbia voting on the charter issue in the charter referendum.

(d) Title VI and parts B, D, and F, and sections 721 and 723, of title VII shall take effect only if and upon the date that title IV becomes effective.

(e) Part E of title VII shall take effect on the date on which title IV is accepted by a majority of the registered qualified electors in the District voting on the charter issue in the charter referendum.

Approved December 24, 1973.

Public Law 93-199

December 26, 1973
[H. R. 11088]

AN ACT

To provide emergency security assistance authorizations for Israel and Cambodia.

Emergency Security Assistance Act of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Security Assistance Act of 1973".

SEC. 2. In addition to such amounts as may be otherwise authorized to be appropriated to the President for security assistance for the fiscal year 1974, there are hereby authorized to be appropriated to the

President not to exceed $2,200,000,000 for emergency military assistance or foreign military sales credits, or for both as the President may determine, for Israel, of which sum amounts in excess of $1,500,000,000 may be used pursuant to this section or section 4 of this Act only if the President (1) determines it to be important to our national interest that Israel receive assistance hereunder exceeding $1,500,000,000, and (2) reports to Congress each such determination (if more than one) at least twenty days prior to date on which funds are obligated or expended under this Act in excess of such $1,500,000,000 limitation. The twenty-day requirement contained in the preceding sentence shall not apply if hostilities are renewed in the Middle East. The President shall include in his report the amount of funds to be used pursuant to the determination, the terms of the additional assistance under section 2 or section 4, and the justification for the determination. All information contained in the justification shall be public information except to the extent that the President concludes that publication would be incompatible with the security interests of the United States.

Public information.

SEC. 3. Military assistance furnished out of funds appropriated under section 2 of this Act shall be furnished in accordance with all of the provisions applicable to military assistance under the Foreign Assistance Act of 1961 (75 Stat. 424; Public Law 87-195), as amended. Foreign military sales credits extended to Israel out of such funds shall be provided on such terms and conditions as the President may determine and without regard to the provisions of the Foreign Military Sales Act (82 Stat. 1320; Public Law 90-629), as amended.

22 USC 2151 note.

22 USC 2751 note.

SEC. 4. At any time prior to June 30, 1974, the President is hereby authorized, within the limits of funds appropriated under section 2 of this Act for Israel, to release Israel from its contractual liability to pay for defense articles and defense services purchased or financed under the said Foreign Military Sales Act or under this Act during the period beginning October 6, 1973, and ending June 30, 1974, and such funds shall be used to reimburse current applicable appropriations, funds, and accounts of the Department of Defense for the value of such defense articles and defense services.

Contractual liability of Israel, release.

SEC. 5. The Secretary of Defense shall conduct a study of the 1973 Arab-Israeli conflict to ascertain the effectiveness of the foreign military assistance program as it relates to the Middle East conflict, including weapons that the United States is providing to Israel through foreign assistance programs, and to compare them to the effectiveness of the weapons which the Soviet Union is providing to the Arab States. In conducting such study and submitting such report, the Secretary shall take care not to disclose, directly or indirectly, intelligence sources or methods or confidential information received from any other nation. A report of the conclusions of such study shall be submitted to the Congress as soon as practical and in any case not later than December 31, 1974.

1973 Arab-Israeli conflict, study.

Report to Congress.

SEC. 6. Of the funds appropriated pursuant to section 2, the President may use such sums as may be necessary from time to time for payment by the United States of its share of the expenses of the United Nations Emergency Force in the Middle East, as apportioned by the United Nations in accordance with article 17 of the United Nations Charter.

59 Stat. 1039.

Approved December 26, 1973.

Public Law 93-200

December 27, 1973
[H. R. 3490]

AN ACT

To amend section 40b of the Bankruptcy Act (11 U.S.C. 68(b)) to remove the restriction on change of salary of full-time referees.

Bankruptcy.
Referees, salaries.
60 Stat. 326.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision b of section 40 of the Bankruptcy Act (11 U.S.C. 68(b)) is amended to read as follows:

"b. The conference, in the light of the recommendations of the councils, made after advising with the district judges of their respective circuits, and of the Director, may increase or decrease any salary, within the limits prescribed in subdivision a of this section, if there has been a material increase or decrease in the volume of business or other change in the factors which may be considered material in fixing salaries: *Provided, however*, That during the tenure of any full-time referee his salary shall not be reduced below that at which he was originally appointed under this amendatory Act, and during any term of any such referee his salary shall not be reduced below the salary fixed for him at the beginning of that term."

Approved December 27, 1973.

Public Law 93-201

December 27, 1973
[S. 2267]

AN ACT

To amend section 303(b) of the Interstate Commerce Act to remove certain restrictions upon the application and scope of the exemption provided therein, and for other purposes.

Water carriers.
Bulk commodities.
84 Stat. 1587.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303(b) of the Interstate Commerce Act, as amended (49 U.S.C. 903(b)), is amended to read as follows:

"(b) Nothing in this part shall apply to the transportation by a water carrier of commodities in bulk. This subsection shall apply only in the case of commodities in bulk which are (in accordance with the existing custom of the trade in the handling and transportation of such commodities as of June 1, 1939) loaded and carried without wrappers or containers and received and delivered by the carrier without transportation mark or count. This subsection shall not apply to transportation subject, at the time this part takes effect, to the provisions of the Intercoastal Shipping Act, 1933, as amended.".

47 Stat. 1425.
46 USC 848.
Repeal.
49 USC 903 notes.

SEC. 2. Sections 2 and 3 of the Act of December 28, 1970 (84 Stat. 1587), are hereby repealed.

Approved December 27, 1973.

Public Law 93-202

December 28, 1973
[H. R. 11441]

AN ACT

To postpone the implementation of the Headstart fee schedule.

Headstart.
Fee schedule.
81 Stat. 698;
86 Stat. 690.
42 USC 2809.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of section 222(a)(1) of the Economic Opportunity Act of 1964 is amended to read as follows: "The Secretary shall defer the implementation of a fee schedule established under this paragraph until July 1, 1975.".

Approved December 28, 1973.

Public Law 93-203

AN ACT

December 28, 1973
[S. 1559]

To assure opportunities for employment and training to unemployed and underemployed persons.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Comprehensive Employment and Training Act of 1973".

Comprehensive Employment and Training Act of 1973.

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to provide job training and employment opportunities for economically disadvantaged, unemployed, and underemployed persons, and to assure that training and other services lead to maximum employment opportunities and enhance self-sufficiency by establishing a flexible and decentralized system of Federal, State, and local programs.

TRANSITIONAL PROVISIONS

SEC. 3. (a) To the extent necessary to provide for the orderly transition of supporting job training programs, and to provide continued financial assistance for such programs, prior to July 1, 1974, the Secretary is authorized to provide financial assistance in the same manner and on the same conditions as provided in the Manpower Development and Training Act of 1962, as in effect prior to June 30, 1973, title I of the Economic Opportunity Act of 1964, and the Emergency Employment Act of 1971, as in effect prior to June 30, 1973, from funds appropriated pursuant to this Act.

76 Stat. 23.
42 USC 2571 note.
78 Stat. 508.
42 USC 2701 note.

(b) The authority contained in this section shall not be construed to postpone or impede the prompt designation of prime sponsors and the implementation of other provisions of this Act.

85 Stat. 146.
42 USC 4871 note.

(c) Notwithstanding any other provision of this Act other than the provisions of section 4(d)(1), the Secretary is authorized from appropriations available under this Act for fiscal year 1974 to provide financial assistance for the program described in section 304(a)(3) during the period June 1, 1974, through October 1, 1974, in the same manner and on the same conditions as provided pursuant to the Manpower Development and Training Act of 1962, as in effect prior to June 30, 1973, and title I of the Economic Opportunity Act of 1964, as in effect prior to repeal by this Act.

Post, p. 859.

AUTHORIZATION OF APPROPRIATIONS

SEC. 4. (a) There are authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1974, and for each of the three succeeding fiscal years for carrying out the provisions of this Act.

(b) Notwithstanding any other provision of law, unless enacted in specific limitation of the provisions of this subsection, any funds appropriated to carry out this Act which are not obligated prior to the end of the fiscal year for which such funds were appropriated shall remain available for obligation during the succeeding fiscal year, and any funds obligated in any fiscal year may be expended during a period of two years from the date of obligation.

(c)(1) For the purpose of affording adequate notice of funding available under this Act, appropriations under this Act are authorized to be included in an appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation.

(2) In order to effect a transition to the advance funding method

of timing appropriation action, the provisions of this subsection shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

(d) (1) Of the amounts appropriated to carry out this Act, the Secretary shall reserve and make available not less than $250,000,000 in the fiscal year ending June 30, 1974, and not less than $350,000,000 in the fiscal year ending June 30, 1975, to carry out public service employment programs under title II.

(2) In addition to the amounts reserved under paragraph (1) of this subsection, there are authorized to be appropriated and made available for the fiscal years ending June 30, 1974, and June 30, 1975, such sums as may be necessary to carry out public service employment programs under title II. There are authorized to be appropriated and made available for the fiscal year ending June 30, 1976, and for the succeeding fiscal year such sums as may be necessary to carry out public service employment programs under title II.

(e) Of the amount appropriated to carry out this Act for any fiscal year, not more than 20 percent of such amount (excluding any amount in excess of $250,000,000 of the amount made available for carrying out title II) shall be available for carrying out the provisions of title III and title IV.

Post, pp. 859, 863.

TITLE I—COMPREHENSIVE MANPOWER SERVICES

DESCRIPTION OF PROGRAM

SEC. 101. It is the purpose of this title to establish a program to provide comprehensive manpower services throughout the Nation. Such program shall include the development and creation of job opportunities and the training, education, and other services needed to enable individuals to secure and retain employment at their maximum capacity. Comprehensive manpower services may include, but shall not be limited to, programs and activities designed to carry out the purpose of this title, such as—

(1) outreach to make persons aware of the availability of manpower services and persuade them to use such services,

(2) assessment of the individual's needs, interests, and potential in the labor market and referral to appropriate employment, training, or other opportunities,

(3) orientation, counseling, education, and institutional skill training to prepare the individual to enter the labor market or to qualify for more productive job opportunities,

(4) training on the job,

(5) payments or other inducements to public or private employers to expand job opportunities, but payments to employers organized for profit shall not exceed the difference between the costs of recruiting, training, and providing supportive services for low-income persons and those regularly employed,

(6) services to individuals to enable them to retain employment,

(7) payment of allowances to persons in training for which they receive no remuneration and payment of such allowances for transportation, subsistence, or other expenses incurred in participating in manpower services or employment as are necessary to enable the individual to participate therein,

(8) supportive services to enable individuals to take advantage of employment opportunities, including necessary health care and medical services, child care, residential support, assistance in securing bonds, or any other necessary assistance incident to

employment, and any other service needed to participate in employment or manpower services.

(9) development of information concerning the labor market and activities, such as job restructuring, to make it more responsive to objectives of the manpower services program,

(10) manpower training, employment opportunities, and related services conducted by community-based organizations,

(11) transitional public service employment programs, and

(12) any programs authorized by part A of title III and by title IV of this Act.

Post, pp. 859, 863.

PRIME SPONSORS

SEC. 102. (a) The Secretary may make financial assistance available to a prime sponsor to enable it to carry out all or a substantial part of a comprehensive manpower program. A prime sponsor shall be—

(1) a State;

(2) a unit of general local government which has a population of one hundred thousand or more persons on the basis of the most satisfactory current data available to the Secretary;

(3) any combination of units of general local government which includes any unit of general local government qualifying under paragraph (2) of this subsection;

(4) any unit of general local government or any combination of such units, without regard to population, which, in exceptional circumstances, is determined by the Secretary of Labor—

(A) (i) to serve a substantial portion of a functioning labor market area, or (ii) to be a rural area having a high level of unemployment; and

(B) to have demonstrated (i) that it has the capability for adequately carrying out programs under this Act, and (ii) that there is a special need for services within the area to be served, and (iii) that it will carry out such programs and services in such area as effectively as the State; or

(5) a limited number of existing concentrated employment program grantees serving rural areas having a high level of unemployment which the Secretary determines have demonstrated special capabilities for carrying out programs in such areas and are designated by him for that purpose.

(b) (1) A State shall not qualify as a prime sponsor for any geographical area within the jurisdiction of any prime sponsor described in paragraph (2), (3), (4), or (5) of subsection (a) unless such prime sponsor has not submitted an approvable comprehensive manpower plan for such area.

(2) A unit of general local government shall not qualify as a prime sponsor with respect to any area within the jurisdiction of another eligible unit of general local government unless such smaller unit has not submitted an approvable comprehensive manpower plan for such area.

(c) (1) To be eligible for prime sponsorship for any fiscal year, an otherwise eligible applicant must submit to the Secretary a notice of intent to apply for prime sponsorship by such date as the Secretary shall prescribe.

(2) The Secretary may not, prior to March 1, 1974, designate as a prime sponsor, any State or unit of general local government containing another unit of general local government meeting the requirements of subsection (a) (2) of this section unless such smaller unit has submitted to the Secretary written consent for such designation.

ALLOCATION OF FUNDS

SEC. 103. (a)(1) Eighty percent of the amount available for this title in any fiscal year shall be allotted in accordance with the provisions of this subsection.

(2) Subject to the provisions of paragraph (4)—

(A) 50 percent of the amount allotted under this subsection shall be allotted on the basis of the manpower allotment of the State in the fiscal year prior to the year for which the determination is made compared to the manpower allotment for all States in that year;

(B) 37½ percent of the amount allotted under this subsection shall be allotted on the basis of the relative number of unemployed persons within the State as compared to such numbers in all States;

(C) 12½ percent of the amount allotted under this subsection shall be allotted on the basis of the relative number of adults in families with an annual income below the low-income level within the State compared to such total numbers in all States;

(D) Not less than $2,000,000 shall be allotted among Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands, in accordance with their respective needs.

(3) The sum allotted to each State shall be allotted by the Secretary among areas within the State on an equitable basis based upon the factors set forth in paragraph (2).

(4) No prime sponsor shall be allocated an amount which is in excess of 150 percent of the amount received by the area served by that prime sponsor in the fiscal year immediately preceding the fiscal year for which the determination was made except that if the amount so allocated is less than 50 percent of the amount to which such prime sponsor is entitled under paragraph (2) in the fiscal year for which a determination was made, then such allocation shall be increased to 50 percent of the amount of such entitlement.

(b) Not more than 5 percent of the amount available for this title shall be available to the Secretary to encourage, after consultation with and receiving recommendations from the Governor of the appropriate State, voluntary combinations formed under section 102(a)(3).

(c) Five percent of the funds available under title I shall be available only for grants under section 112 except that such grants shall not increase the funds available in any prime sponsor's area by more than 20 percent of the amount allocated to such prime sponsor under subsection (a).

(d) One percent of the amount allocated under subsection (a) shall be available to the Secretary to be allocated in the same manner as provided under subsection (a) to State prime sponsors for the costs incurred in carrying out the provisions of section 107(a)(2)(B). If any State does not need the amount allocated under this subsection for any fiscal year, that amount shall be available for State services under section 106.

(e) Four percent of the amounts available for this title shall be available to each State in the same proportion as that State's allocation under subsection (a) for State services under section 106.

(f) The remainder of the funds shall be available in the Secretary's discretion. In exercising his discretion the Secretary shall first utilize such funds to provide each prime sponsor with an amount for any fiscal year equal to 90 percent of such area's manpower allotment in the preceding fiscal year. The remainder shall be distributed in the Secretary's discretion among areas served by prime sponsors (or where a prime sponsor's plan has not been approved an area served

by the Secretary under his authority in section 110). In exercising his discretion the Secretary shall take into account the need for continued funding of programs of demonstrated effectiveness.

(g) Grants made to prime sponsors designated under section 102 (a)(5) shall be from funds not allocated under subsection (a).

Publication in Federal Register.

(h) As soon as practicable after funds are appropriated to carry out this Act for any fiscal year, the Secretary shall publish in the Federal Register the allotments made pursuant to this section. Allotments under this section shall be based on the latest satisfactory data and estimates available.

Reallocations.

(i) The Secretary is authorized to make such reallocations under this title as he deems appropriate of the unobligated amount of any allotment pursuant to subsection (a) to the extent that the Secretary determines that it will not be required for the period for which such allotment is available. Allotted amounts may not be reallocated for any reason before the expiration of the ninth month of the fiscal year for which such funds were allotted and thereafter may be reallocated only if the Secretary has provided thirty days' advance notice to the prime sponsor for such area and to the Governor of the State of the proposed reallocation, during which period of time the prime sponsor and the Governor may submit comments to the Secretary. After considering any comments submitted during such period of time, the Secretary shall notify the Governor and affected prime sponsors of any decision to reallocate funds and shall publish any such decision in the Federal Register. Priority shall be given in reallocating such funds to other areas within the same State.

Publication in Federal Register.

PRIME SPONSOR'S PLANNING COUNCILS

Establishment; membership.

SEC. 104. Each prime sponsor designated under this title shall establish a planning council consisting, to the extent practical, of members who are representative of the client community and of community-based organizations, the employment service, education and training agencies and institutions, business, labor, and, where appropriate, agriculture. The prime sponsor shall appoint the members of the council, designate the chairman, and provide professional, technical, and clerical staff to serve the council. It is the function of the council to submit recommendations regarding program plans and basic goals, policies, and procedures, to monitor and provide for objective evaluations of employment and training programs conducted in the prime sponsorship area, and to provide for continuing analyses of needs for employment, training, and related services in such area. Any final decision with respect to such recommendations shall be made by the prime sponsor.

CONDITIONS FOR RECEIPT OF FINANCIAL ASSISTANCE

SEC. 105. (a) The Secretary shall not provide financial assistance for any fiscal year to a prime sponsor unless such sponsor submits a comprehensive manpower plan, in such detail as the Secretary deems necessary, which—

(1) sets forth a comprehensive manpower program which meets the objectives of this title, including (A) a description of the services to be provided, and performance goals, (B) assurance that such services will be administered by or under the supervision of the prime sponsor, (C) a description of the geographical areas to be served under the plan, and (D) assurances that to the maximum extent feasible manpower services, including the development of job opportunities, will be provided to those most in need of them, including low-income persons and persons of lim-

ited English-speaking ability, and that the need for continued funding of programs of demonstrated effectiveness is taken into account in serving such groups and persons;

(2) provides, in the case of prime sponsors who are recipients of funds under title II for the development of a public service employment program, that it is fully integrated with the services under this title in order to assure that persons employed in such a program are afforded a better opportunity to find regular employment not supported under this Act;

(3)(A) provides appropriate arrangements with community-based organizations serving the poverty community, and other special target groups for their participation in the planning of programs included in the plan; (B) provides for utilizing those services and facilities which are available, with or without reimbursement of the reasonable cost, from Federal, State, and local agencies to the extent deemed appropriate by the prime sponsor, after giving due consideration to the effectiveness of such existing services and facilities, including, but not limited to, the State employment service, State vocational education and vocational rehabilitation agencies, area skills centers, local educational agencies, postsecondary training and education institutions, and community action agencies, but nothing contained herein shall be construed to limit the utilization of services and facilities of private agencies, institutions and organizations (such as private businesses, labor organizations, private employment agencies, and private educational and vocational institutions) which can, at comparable cost, provide substantially equivalent training or services or otherwise aid in reducing more quickly unemployment or current and prospective manpower shortages; (C) provides that in making arrangements for institutional training priority shall be given (to the extent feasible) to the use of skills centers established under the authority of section 231 of the Manpower Development and Training Act of 1962; (D) provides arrangements to the extent feasible for the coordination of services for which financial assistance is provided under programs administered by the Secretary of Labor relating to manpower and manpower-related services;

76 Stat. 30; 82 Stat. 1353. 42 USC 2601.

(4) provides for paying the allowances and compensation provided by section 111;

(5) provides that any transitional public service employment programs meet the requirements of section 205(c) and section 208, and that persons hired to fill jobs created by such programs will be residents of the areas described under paragraph (1)(C) of this subsection;

(6) provides assurances that programs of institutional training be designed for occupations in which skill shortages exist and assurances that such programs and training on the job shall, wherever possible, result in employment which provides economic self-sufficiency;

(7) contains such other information, assurances, statements, and arrangements consistent with the provisions of this Act as the Secretary shall prescribe by regulation including provisions designed to assist the Secretary in carrying out his special responsibilities under this section and section 108.

(b) The Secretary shall not provide financial assistance for any fiscal year to a prime sponsor unless such sponsor certifies that—

(1) its plan meets all the requirements of this section; and

(2) it will comply with all provisions of this Act.

(c) The Secretary shall provide financial assistance to each prime

sponsor under this title to carry out the plan submitted by each such prime sponsor upon determining that—

(1) the plan is consistent with the provisions of this title;

(2) the plan was made public prior to submission to the Secretary;

(3) the prime sponsor has demonstrated maximum efforts to implement the provisions in the prior year's plan.

SPECIAL PROVISIONS RELATING TO STATE PRIME SPONSORS

State comprehensive manpower plan.

SEC. 106. (a) Any State seeking assistance under this Act shall submit a State comprehensive manpower plan to the Secretary for approval in accordance with the requirements of this section.

(b) The State comprehensive manpower plan shall in addition to meeting the requirements of section 105—

(1) provide satisfactory arrangements for serving all geographical areas under its jurisdiction except areas served by an eligible applicant who has filed a notice of intent under section 102(c), except that such plan may be amended to include areas served by an eligible applicant whose plan is finally disapproved without prejudice to the remedies available to such eligible applicant under section 109;

(2) provide for the cooperation and participation of all State agencies providing manpower and manpower-related services in the implementation of comprehensive manpower services plans by prime sponsors in accordance with the provisions of this Act;

(3) set forth an overall State plan for the development and sharing of resources and facilities needed to conduct manpower programs under its direct sponsorship without unnecessary duplication and otherwise in the most efficient and economical manner;

(4) provide for the coordination of programs financed under the Wagner-Peyser Act in accordance with such rules, regulations, and guidelines as the Secretary determines necessary for the purpose of providing coordinated and comprehensive assistance to those individuals requiring manpower and manpower-related services to achieve their full occupational potential in accordance with the policies of this Act;

48 Stat. 113.
29 USC 49.

(5) set forth arrangements for assisting the Secretary in carrying out his responsibilities for enforcing the requirement for Federal contractors and subcontractors to list all suitable employment openings with local offices of the State employment service and provide special emphasis, as required in section 2012(a) of title 38, United States Code;

86 Stat. 1097.

(6) set forth arrangements, if any, which the State may desire to provide for planning areas to serve geographical regions within the State; and

(7) make adequate provision for the coordination of the manpower and related services to be provided by the State in areas to be served by prime sponsors other than the State, and that provision has been made for the establishment of mechanisms to (A) provide for the exchange of information between States and local governments on State, intrastate, and regional planning in areas such as economic development, human resource development, education, and such other areas that may be relevant to manpower planning; and (B) promote the coordination of all manpower plans in a State so as to eliminate conflict, duplication, and overlapping between manpower services.

(c) Funds available to each State under section 103(e) may be used for—

(1) the provision of services under this Act throughout the State by State agencies responsible for employment and training and related services;

(2) providing financial assistance for special programs and services designed to meet the needs of rural areas outside major labor market areas;

(3) developing and publishing information regarding economic, industrial, and labor market conditions, including but not limited to job opportunities and skill requirements, labor supply in various skills, occupational outlook and employment trends in various occupations, and economic and business development and location trends;

(4) providing, without reimbursement and upon request, to any prime sponsor serving an area within the State, such information and technical assistance as may be appropriate to assist any such prime sponsor in developing and implementing its programs under this Act; and

(5) carrying out special model training and employment programs and related services, including programs for offenders similar to programs described in section 301(c) of this Act.

(d) The State prime sponsor shall annually certify compliance with all the requirements for State prime sponsors.

STATE MANPOWER SERVICES COUNCIL

Establishment.

SEC. 107. (a)(1) Any State which desires to be designated as a prime sponsor and to enter into arrangements with the Secretary under this title shall establish a Manpower Services Council (hereinafter referred to as the "Council") which shall exercise the powers and duties set forth in this section.

(2) The Council established pursuant to paragraph (1) shall—

(A) be appointed by the Governor (who shall designate one member thereof to be Chairman), and shall be composed of—

(i) representatives of the units or combinations of units of general local government in such State, who shall comprise at least one-third of the membership of the Council, which have comprehensive manpower plans approved under section 108 (except that the initial appointments to the Council may consist of representatives of units or combinations of units of general local government described in clauses (2), (3), (4), and (5) of section 102(a) which have indicated an intention to submit a plan for approval under section 108), and such representatives shall be designated by the chief executive officers of the units or combination of units of general local government which qualify for representation under this section in accordance with procedures agreed upon by such chief executive officers;

(ii) one representative each of the State board of vocational education and the public employment service of such State;

(iii) one representative of each such other State agency as the Governor may determine to have a direct interest in overall manpower training and utilization within the State;

(iv) representatives of organized labor;

(v) representatives of business and industry;

(vi) representatives of community-based organizations and of the client community to be served under this Act (including, where persons of limited English-speaking abil-

ity represent a substantial portion of the client population, appropriate representation of such persons); and

(vii) representatives of the general public.

(B) be appropriately staffed and serviced by the State prime sponsor;

(C) meet at such times and in such places as it deems necessary.

(b) The Council shall—

(1) review the plans of each prime sponsor and the plans of State agencies for the provision of services to such prime sponsors, and make recommendations to such prime sponsors and agencies for the more effective coordination of efforts to meet the overall manpower needs of the State;

(2) continuously monitor the operation of programs conducted by each prime sponsor, and the availability, responsiveness, and adequacy of State services, and make recommendations to the prime sponsors, to agencies providing manpower services, and to the Governor and the general public with respect to ways to improve the effectiveness of such programs or services in fulfilling the purposes of this Act;

(3) make an annual report to the Governor which shall be a public document, and issue such other studies, reports, or documents as it deems advisable to assist prime sponsors or to otherwise help carry out the purposes of this Act. Report to Governor.

REVIEW OF PLANS

SEC. 108. (a) The Secretary shall not approve a comprehensive manpower plan or any amendment thereto until he determines that it meets the requirements of section 105, and in the case of a State plan section 106, and that the plan was submitted to, and an opportunity to comment thereon provided, the Governor of the State and appropriate officials in units of general local government of the area to be served.

(b) (1) The Secretary shall not finally disapprove any comprehensive manpower plan submitted under this title, or any modifications thereof, without first affording the prime sponsor submitting the plan reasonable notice and opportunity for a hearing. Hearing, notice.

(2) If the Secretary receives a formal allegation from an affected unit of general local government that a prime sponsor has changed its comprehensive manpower plan so that it no longer complies with section 105 or that in the administration of the plan there is a failure to comply substantially with any such provision, with any provision of the plan, or with any requirements of section 603 or 604, he shall, and, if he receives such an allegation from any other interested person, he may, or, if such allegation is supported by substantial evidence, he shall, after due notice and opportunity for a hearing to the prime sponsor, determine whether the allegation is true. If he determines such an allegation to be true, the Secretary shall notify the prime sponsor that no further payments will be made to the prime sponsor under the plan (or, in his discretion, that further payments will be limited to programs under or portions of the plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, the Secretary shall make no further payments to such sponsor under the plan (or shall limit payments to programs under the plan not affected by the failure). Post, p. 878.

(c) The Secretary shall not disapprove any plan solely because of the percentage of funds devoted to a particular program or activity authorized under section 101 of this Act.

(d) Whenever the Secretary determines, after notice and oppor-

tunity for a public hearing, that any prime sponsor designated to serve under this Act is—

(1) maintaining a pattern or practice of discrimination in violation of section 603(1) or section 612(a) of this Act or otherwise failing to serve equitably the economically disadvantaged, unemployed, or underemployed persons in the area it serves;

(2) incurring unreasonable administrative costs in the conduct of activities and programs, as determined pursuant to regulation;

(3) failing to give due consideration to continued funding of programs of demonstrated effectiveness including those previously conducted under provisions of law repealed by section 614 of this Act; or

(4) otherwise materially failing to carry out the purposes and provisions of this Act;

the Secretary shall revoke the prime sponsor's plan for the area, in whole or in part, and to the extent necessary and appropriate shall not make any further payments to such prime sponsor under this Act, and he shall notify such sponsor to return to him all or part of the unexpended sums paid under this Act during that fiscal year.

JUDICIAL REVIEW

SEC. 109. (a) If any prime sponsor is dissatisfied with the Secretary's final action with respect to the approval of its comprehensive manpower plan submitted under section 105 or section 106 or with his final action under section 108, such prime sponsor may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which the prime sponsor is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary. Thereupon the Secretary shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

72 Stat. 941; 80 Stat. 1323.

(b) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

62 Stat. 928.

AUTHORITY OF SECRETARY TO PROVIDE SERVICES

SEC. 110. (a) In any area of a State which has not qualified as a prime sponsor and for which no other prime sponsor has qualified under paragraph (2), (3), (4), or (5) of section 102(a) or where the Secretary has taken an action under subsection (b)(2) or (d) of section 108 which results in such services not being provided in such area, the Secretary is authorized and directed out of funds allotted to such State or local area under section 103(a) to provide for continuing programs by making payments directly to public and private nonprofit agencies and organizations conducting activities which he determines are not in violation of the requirements of this section. To the extent necessary to assure the delivery of services in the areas served by any prime sponsor subject to the provisions of this section, the Secretary is author-

ized (if no other eligible prime sponsor is designated under section 102 of this Act to serve such area) to make grants to and enter into contracts with public and private nonprofit agencies and organizations in the same manner and to the same extent as if the Secretary were the prime sponsor for that area.

(b) The Secretary shall, prior to making any payments under this Act for any fiscal year, enter into an agreement with any prime sponsor receiving payments under this Act which contains provisions adequate to assure that the provisions of this section are carried out effectively.

ALLOWANCES

SEC. 111. (a) Basic weekly allowances for individuals receiving training or education under this title for which no wages are payable shall be at a rate prescribed by the Secretary which when added to amounts received by the trainee in the form of unemployment compensation payments shall equal the minimum wage for a work week of forty hours under section 6(a)(1) of the Fair Labor Standards Act of 1938 or, if higher, under the applicable State or local minimum wage law, and such basic allowances shall, in the case of an individual with dependents, be increased by $5 a week for each dependent over two up to a maximum of four additional dependents. The prime sponsor may waive the payment of all or part of the allowances when it determines, under regulations prescribed by the Secretary, that such waiver will promote the purposes of this Act. Trainees receiving public assistance or whose needs or income are taken into account in determining such public assistance payments to others, shall receive an incentive allowance of $30 per week. Such allowance shall be disregarded in determining the amount of public assistance payments under Federal or Federally assisted public assistance programs. In prescribing allowances, the prime sponsor shall, in accordance with regulations prescribed by the Secretary, allow additional sums for special circumstances such as exceptional expenses incurred by trainees, including but not limited to meal and travel allowances, or he may reduce such allowances by an amount reflecting the fair value of meals, lodging, or other necessaries furnished to the trainee. The prime sponsor shall take such action as may be necessary to insure that such persons receive no allowances with respect to periods during which they are failing to participate in such programs, training, or instruction as prescribed herein without good cause. Notwithstanding the preceding provisions of this subsection, the prime sponsor shall, in accordance with such regulations as the Secretary shall prescribe, make such adjustments as he deems appropriate in allowances which would otherwise be payable under this title, including but not limited to adjustments which take into account the amount of time per week spent by the individual participating in such programs and adjustments to reflect the special economic circumstances which exist in the area in which the program is to be carried on. Allowances shall not be paid for any course of training having a duration in excess of one hundred and four weeks.

80 Stat. 838.
29 USC 206.

(b) Individuals receiving training on the job shall be compensated by the employer at such rates, including periodic increases, as may be deemed reasonable under regulations prescribed by the Secretary, considering such factors as industry, geographical region, and trainee proficiency, but in no event at a rate less than that specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 or, if higher, under the applicable State or local minimum wage law.

SUPPLEMENTAL VOCATIONAL EDUCATION ASSISTANCE

Grants to Governors.

SEC. 112. (a) From the funds available to him for this section, the Secretary shall make grants to Governors to provide financial assistance, through State vocational education boards, to provide needed vocational education services in areas served by prime sponsors.

(b) All of the sums available to carry out this section shall be allotted among the States in the manner provided for allotting funds under section 103(a).

(c) Funds available under this section shall be used only for providing vocational education and services to participants in programs under this title in accordance with an agreement between the State vocational education board and the prime sponsor.

TITLE II—PUBLIC EMPLOYMENT PROGRAMS

STATEMENT OF PURPOSE

SEC. 201. It is the purpose of this title to provide unemployed and underemployed persons with transitional employment in jobs providing needed public services in areas of substantial unemployment and, wherever feasible, related training and manpower services to enable such persons to move into employment or training not supported under this title.

ALLOCATION OF FUNDS

SEC. 202. (a) Eighty per centum of funds available for any fiscal year under this title shall be allocated among eligible applicants in accordance with the number of unemployed residing in areas of substantial unemployment within the jurisdiction of the applicant compared to the number of unemployed residing in all such areas.

(b) The remainder may be distributed by the Secretary in his discretion taking into account the severity of unemployment within such areas.

FINANCIAL ASSISTANCE

SEC. 203. (a) The Secretary shall enter into arrangements with eligible applicants in accordance with the provisions of this title in order to make financial assistance available in areas of substantial unemployment for the purpose of providing transitional employment for unemployed and underemployed persons in jobs providing needed public services, and training and manpower services related to such employment which are otherwise unavailable, and enabling such persons to move into employment or training not supported under this title.

(b) Not less than 90 per centum of the funds appropriated pursuant to this title which are used by an eligible applicant for public service employment programs shall be expended only for wages and employment benefits to persons employed in public service jobs pursuant to this title.

ELIGIBLE APPLICANTS

SEC. 204. (a) Financial assistance under this title may be provided by the Secretary only pursuant to applications submitted by eligible applicants which are—

(1) prime sponsors qualified under title I; or

(2) Indian tribes on Federal or State reservations and which include areas of substantial unemployment.

(b) For fiscal year 1974, eligible applicants include any entity eligible to be a prime sponsor under section 102(a).

"Areas of substantial unemployment."

(c) For the purpose of this title "areas of substantial unemployment" means any area of sufficient size and scope to sustain a public service employment program and which has a rate of unemployment equal to or in excess of 6.5 per centum for three consecutive months as determined by the Secretary. Determinations concerning the rate of unemployment shall be made by the Secretary at least once each fiscal year.

(d)(1) Whenever an area of substantial unemployment within the jurisdiction of an eligible applicant is also within the jurisdiction of a unit of general local government or a combination of such units having a population of 50,000 or more (but less than that necessary to qualify as a prime sponsor under title I), the eligible applicant shall delegate to such unit or units of general local government the functions of program agent with respect to the funds allocated to such eligible applicant on account of such area of substantial unemployment.

(2) For purposes of this subsection the functions of program agent include the administrative responsibility for developing, funding, overseeing, and monitoring programs within the area but such functions shall be carried on consistently with the application for financial assistance which shall be developed by the eligible applicant in cooperation with the program agent.

(3) Whenever two or more units of general local government qualify as program agents with respect to the same area of substantial unemployment the provisions of section 102(b)(2) shall be applicable.

Notice to Congress; publication in Federal Register.

(e) Whenever the Secretary makes any determination required by this section, he shall promptly notify the Congress and shall publish such determination in the Federal Register.

APPLICATIONS

SEC. 205. (a) Financial assistance under this title may be provided by the Secretary for any fiscal year only pursuant to an application which is submitted by an eligible applicant and which is approved by the Secretary in accordance with the provisions of this title. Any such application shall set forth a public service employment program designed to provide employment, in jobs providing needed public services, for persons residing in areas of substantial unemployment who have been unemployed for at least thirty days and, where appropriate, training and manpower services related to such employment which are otherwise unavailable, and to enable such persons to move into employment or training not supported under this title.

(b) Programs assisted under this title shall, to the extent feasible, be designed with a view toward—

(1) developing new careers, or

(2) providing opportunities for career advancement, or

(3) providing opportunities for continued training, including on-the-job training, or

(4) providing transitional public service employment which will enable the individuals so employed to move into public or private employment or training not supported under this Act.

(c) An application for financial assistance for a public service employment program under this title shall include provisions setting forth—

(1) assurances that the activities and services for which assistance is sought under this title will be administered by or under the supervision of the applicant, identifying any agency or institution designated to carry out such activities or services under such supervision;

(2) a description of the area to be served by such programs, and a plan for effectively serving on an equitable basis the significant

segments of the population to be served, including data indicating the number of potential eligible participants and their income and employment status;

(3) assurances that only persons residing within the areas of substantial unemployment qualifying for assistance will be hired to fill jobs created under this title, and that the public services provided by such jobs shall, to the extent feasible, be designed to benefit the residents of such areas;

(4) assurances that special consideration will be given to the filling of jobs which provide sufficient prospects for advancement or suitable continued employment by providing complementary training and manpower services designed to (A) promote the advancement of participants to employment or training opportunities suitable to the individuals involved, whether in the public or private sector of the economy, (B) provide participants with skills for which there is an anticipated high demand, or (C) provide participants with self-development skills, but nothing contained in this paragraph shall be construed to preclude persons or programs for whom the foregoing goals are not feasible or appropriate;

Veterans, special consideration.

(5) assurances (A) that special consideration in filling transitional public service jobs will be given to unemployed persons who served in the Armed Forces in Indochina or Korea on or after August 5, 1964, in accordance with criteria established by the Secretary (and who have received other than dishonorable discharges), and a description of the specific steps to be undertaken during such fiscal year to provide such special consideration, and of the types of jobs to be made available to such veterans, with special emphasis on the development of jobs which will utilize, to the maximum extent feasible, the skills which such veterans acquired in connection with their military training and service, and (B) that the applicant shall (i) make special efforts to acquaint such veterans with the program and the public service jobs available to veterans under this Act, and (ii) coordinate efforts in behalf of such veterans with those activities authorized by chapter 41 of title 38, United States Code (relating to Job Counseling and Employment Services for Veterans), or carried out by other public or private organizations or agencies;

86 Stat. 1094.
38 USC 2001.

(6) assurances that, to the extent feasible, public service jobs shall be provided in occupational fields which are most likely to expand within the public or private sector as the unemployment rate recedes;

(7) assurances that special consideration in filling transitional public service jobs will be given to unemployed persons who are the most severely disadvantaged in terms of the length of time they have been unemployed and their prospects for finding employment without assistance under this title, but such special consideration shall not authorize the hiring of any person when any other person is on lay-off from the same or any substantially equivalent job;

(8) assurances that no funds received under this title will be used to hire any person to fill a job opening created by the action of an employer in laying off or terminating the employment of any regular employee not supported under this title in anticipation of filling the vacancy so created by hiring an employee to be supported under this title;

(9) assurances that due consideration be given to persons who have participated in manpower training programs for whom employment opportunities would not be otherwise immediately available;

(10) a description of the methods to be used to recruit, select, and orient participants, including specific eligibility criteria, and programs to prepare the participants for their job responsibilities;

(11) a description of unmet public service needs and a statement of priorities among such needs;

(12) a description of jobs to be filled, a listing of the major kinds of work to be performed and skills to be acquired and the approximate duration for which participants would be assigned to such jobs;

(13) the wages or salaries to be paid persons employed in public service jobs under this title and a comparison with the wages paid for similar public occupations by the same employer;

(14) where appropriate, the education, training, and supportive services (including counseling and health care services) which complement the work performed;

(15) the planning for and training of supervisory personnel in working with participants;

(16) a description of career opportunities and job advancement potentialities for participants;

(17) assurances that procedures established pursuant to section 207(a) will be complied with;

(18) assurances that agencies and institutions to whom financial assistance is made available under this title have undertaken, or will undertake, analyses of job descriptions and revaluations and, where shown necessary, revisions of qualification requirements at all levels of employment, including civil service requirements and practices relating thereto, in accordance with regulations prescribed by the Secretary, with a view toward removing artificial barriers to public employment of those whom it is the purpose of this title to assist;

(19) assurances that the applicant will, where appropriate, maintain or provide linkages with upgrading and other manpower programs for the purpose of (A) providing those persons employed in public service jobs under this title who want to pursue work with the employer, in the same or similar work, with opportunities to do so and to find permanent, upwardly mobile careers in that field, and (B) providing those persons so employed who do not wish to pursue permanent careers in such field, with opportunities to seek, prepare for, and obtain work in other fields;

(20) assurances that all persons employed under any such program, other than necessary technical, supervisory, and administrative personnel, will be selected from among unemployed and underemployed persons;

(21) assurances that the program will, to the maximum extent feasible, contribute to the elimination of artificial barriers to employment and occupational advancement, including civil service requirements which restrict employment opportunities for the disadvantaged;

(22) assurances that not more than one-third of the participants in the program will be employed in a bona fide professional capacity (as such term is used in section 13(a)(1) of the Fair Labor Standards Act of 1938), except that this paragraph shall not be applicable in the case of participants employed as classroom teachers, and the Secretary may waive this limitation in exceptional circumstances; 75 Stat. 71; 80 Stat. 837. 29 USC 213.

(23) a description of the manpower needs of local governments and of local educational agencies within the area to be served together with the comments of such governments and agencies

where appropriate, and assurances that jobs will be allocated equitably to such governments and agencies taking into account the number of unemployed within their jurisdictions and the needs of the agencies;

(24) assurances that the jobs in each job category in no way infringe upon the promotional opportunities which would otherwise be available to persons currently employed in public service jobs not subsidized under this title, and assurances that no job will be filled in other than an entry level position in each job category until applicable personnel procedures and collective bargaining agreements have been complied with;

(25) assurances that jobs funded under this title are in addition to those that would be funded by the sponsor in the absence of assistance under this Act; and

(26) such other assurances, arrangements, and conditions, consistent with the provisions of this title, as the Secretary deems necessary, in accordance with such regulations as he shall prescribe.

APPROVAL OF APPLICATIONS

SEC. 206. An application, or modification or amendment thereof, for financial assistance under this title may be approved only if the Secretary determines that—

(1) the application meets the requirements set forth in this title;

(2) an opportunity has been provided to officials of the appropriate units of general local government to submit comments with respect to the application to the applicant and to the Secretary;

(3) an opportunity has been provided to the Governor of the State to submit comments with respect to the application to the applicant and to the Secretary; and

(4) where a labor organization represents employees who are engaged in similar work in the same area to that proposed in the application, an opportunity has been provided such organization to submit comments with respect to the application to the applicant and to the Secretary.

SPECIAL RESPONSIBILITIES OF THE SECRETARY

SEC. 207. (a) The Secretary shall establish procedures for periodic reviews by an appropriate agency of the status of each person employed in a public service job under this title to assure that in the event that any person employed in a public service job under this title and the reviewing agency find that such job will not provide sufficient prospects for advancement or suitable continued employment, maximum efforts shall be made to locate employment or training opportunities providing such prospects, and such person shall be offered appropriate assistance in securing placement in the opportunity which he chooses after appropriate counseling.

(b) The Secretary shall review the implementation of the procedures established under subsection (a) of this section six months after funds are first obligated under this title and at six-month intervals thereafter.

Indians, public service employment programs, assistance.

(c) Where the Secretary determines that an Indian tribe on a Federal or State reservation is unable to submit an application to carry out a public service employment program which meets the requirements of section 205, the Secretary shall assist such tribe in preparing, submitting, and implementing a public service employment program. The provisions of section 208 shall apply to programs carried out under this subsection.

SPECIAL CONDITIONS

SEC. 208. (a) The Secretary shall not provide financial assistance for any program or activity under this title unless he determines, in accordance with such regulations as he shall prescribe, that—

(1) the program (A) will result in an increase in employment opportunities over those opportunities which would otherwise be available, (B) will not result in the displacement of currently employed workers (including partial displacement such as a reduction in the hours of non-overtime work or wages or employment benefits), (C) will not impair existing contracts for services or result in the substitution of Federal for other funds in connection with work that would otherwise be performed, and (D) will not substitute public service jobs for existing federally assisted jobs;

(2) persons employed in public service jobs under this Act shall be paid wages which shall not be lower than whichever is the highest of (A) the minimum wage which would be applicable to the employee under the Fair Labor Standards Act of 1938, if section 6(a)(1) of such title applied to the participant and if he were not exempt under section 13 thereof, (B) the State or local minimum wage for the most nearly comparable covered employment, or (C) the prevailing rates of pay for persons employed in similar public occupations by the same employer; 52 Stat. 1060; 63 Stat. 910. 29 USC 201 note. 29 USC 206. 29 USC 213.

(3) funds under this title will not be used to pay persons employed in public service jobs under this title at a rate in excess of $10,000 per year;

(4) all persons employed in public service jobs under this title will be assured of workmen's compensation, health insurance, unemployment insurance, and other benefits at the same levels and to the same extent as other employees of the employer and to working conditions and promotional opportunities neither more nor less favorable than such other employees enjoy;

(5) the provisions of section 2(a)(3) of Public Law 89-286 (relating to health and safety conditions) shall apply to such program or activity; 79 Stat. 1034. 41 USC 351.

(6) the program will, to the maximum extent feasible, contribute to the occupational development or upward mobility of individual participants;

(7) no funds under this title will be used for the acquisition of, or for the rental or leasing of supplies, equipment, materials, or real property; and

(8) every participant shall be advised, prior to entering upon employment, of his rights and benefits in connection with such employment.

(b) Consistent with the provisions of this title, the Secretary shall make financial assistance under this title available in such a manner that, to the extent practicable, public service employment opportunities will be available on an equitable basis in accordance with the purposes of this title among significant segments of the population of unemployed persons, giving consideration to the relative numbers of unemployed persons in each such segment.

(c) Where a labor organization represents employees who are engaged in similar work in the same area to that proposed to be performed under any program for which an application is being developed for submission under this title, such organization shall be notified and afforded a reasonable period of time prior to the submission of the application in which to make comments to the applicant and to the Secretary. Labor organizations, notification.

(d) The Secretary shall prescribe regulations to assure that pro- Regulations.

grams under this title have adequate internal administrative controls, accounting requirements, personnel standards, evaluation procedures, and other policies as may be necessary to promote the effective use of funds.

Periodic reports.

(e) The Secretary shall not provide financial assistance for any program under this title unless he determines, in accordance with regulations which he shall prescribe, that periodic reports will be submitted to him containing data designed to enable the Secretary and the Congress to measure the relative and, where programs can be compared appropriately, comparative effectiveness of the programs authorized under this title and other federally supported manpower programs. Such data shall include information on—

(1) characteristics of participants including age, sex, race, health, education level, and previous wage and employment experience;

(2) duration in employment situations, including information on the duration of employment of program participants for at least a year following the termination of participation in federally assisted programs and comparable information on other employees or trainees of participating employers; and

(3) total dollar cost per participant, including breakdown between wages, training, and supportive services, all fringe benefits, and administrative costs.

The Secretary shall compile such information on a State, regional, and national basis, and shall include such information in the report required by section 209 of this title.

Discrimination, prohibition.

(f) The Secretary shall not provide financial assistance for any program under this title unless the grant, contract, or agreement with respect thereto specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any program participant or any applicant for participation in such program because of race, creed, color, national origin, sex, political affiliation, or beliefs.

(g) The Secretary shall not provide financial assistance for any program under this title which involves political activities; and neither the program, the funds provided therefor, nor personnel employed in the administration thereof, shall be, in any way or to any extent, engaged in the conduct of political activities in contravention of chapter 15 of title 5, United States Code.

80 Stat. 403.
5 USC 1501.

(h) The Secretary shall not provide financial assistance for any program under this title unless he determines that participants in the program will not be employed on the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship.

SPECIAL REPORT

Report to Congress.

SEC. 209. The Secretary shall transmit to the Congress at least annually a detailed report setting forth the activities conducted under this title, including information derived from evaluations required by this title and information on the extent to which (1) participants in such activities subsequently secure and retain public or private employment or participate in training or employability development programs, (2) segments of the population of unemployed persons are provided public service opportunities in accordance with the purposes of this title.

UTILIZATION OF FUNDS

SEC. 210. Funds available under this title to an eligible applicant may, at its option, be utilized for residents of the areas of substantial unemployment designated under this title for programs authorized under title I and part A of title III of this Act.

SPECIAL PROVISION

SEC. 211. The determinations to be made under section 204(c) shall take into account the rate of unemployment for a period of three consecutive months even though all or part of such period may have occurred prior to the enactment of this Act.

TITLE III—SPECIAL FEDERAL RESPONSIBILITIES

PART A—SPECIAL TARGET GROUPS

SPECIAL MANPOWER TARGET GROUPS

SEC. 301. (a) The Secretary shall use funds available under this title to provide additional manpower services as authorized under titles I and II to segments of the population that are in particular need of such services, including youth, offenders, persons of limited English-speaking ability, older workers, and other persons which the Secretary determines have particular disadvantages in the labor market. The Secretary shall take into account the need for continued funding of programs of demonstrated effectiveness.

(b) With respect to programs for persons of limited English-speaking ability under this Act, the Secretary shall establish appropriate procedures to ensure that participants are provided with manpower training and related assistance and supportive services (where feasible, at times designed to meet the needs of individuals unable to attend during normal working hours) designed to increase the employment and training opportunities for unemployed and underemployed persons of limited English-speaking ability, including (A) the teaching of occupational skills in the primary language of such persons for occupations which do not require a high proficiency in English, and (B) developing new employment opportunities for limited English-speaking persons and opportunities for promotion within existing employment situations for such persons, including programs for the dissemination of appropriate information, and job placement, and counseling assistance, and the conduct of training and employment programs, in the primary language of such persons, as well as programs designed to increase the English-speaking ability of such persons.

(c) With respect to programs for offenders referred to in subsection (a), the Secretary shall establish appropriate procedures to insure that participants are provided with such manpower training and related assistance and support services (including basic education, drug addiction or dependency rehabilitation, health care and other services) which will enable them to secure and obtain meaningful employment. To ensure the objectives of this subsection, the Secretary may, wherever feasible, provide for appropriate arrangements with employers and labor organizations, appropriate parole, probationary and judicial authorities, and for the utilization of training equipment comparable to that currently used for the job in which training is furnished. To support such programs, the Secretary shall develop information concerning the special needs of offenders for such services, including special studies regarding the incidence of unemployment

among offenders and the means of increasing employment opportunity for offenders.

(d) The Secretary shall carry out fully and effectively his responsibilities for the assignment of assistant veterans employment representatives under section 2003 of title 38, United States Code, and his other responsibilities under chapter 41 of such title and for the listing of all suitable employment openings with local offices of the State employment service by Federal contractors and subcontractors and providing for the special emphasis as required by section 2012(a) of such title.

86 Stat. 1094.
38 USC 2001.
86 Stat. 1097.

INDIAN MANPOWER PROGRAMS

SEC. 302. (a) The Congress finds that (1) serious unemployment and economic disadvantage exist among members of Indian and Alaskan native communities; (2) there is a compelling need for the establishment of comprehensive manpower training and employment programs for members of those communities; (3) such programs are essential to the reduction of economic disadvantage among individual members of those communities and to the advancement of economic and social development in these communities consistent with their goals and life styles.

(b) The Congress therefore declares that, because of the special relationship between the Federal Government and most of those to be served by the provisions of this section, (1) such programs can best be administered at the national level; (2) such programs shall be available to federally recognized Indian tribes, bands, and individuals and to other groups and individuals of native American descent such as, but not limited to, the Lummis in Washington, the Menominees in Wisconsin, the Klamaths in Oregon, the Oklahoma Indians, the Passamaquoddys and Penobscots in Maine, and Eskimos and Aleuts in Alaska; (3) such programs shall be administered in such a manner as to maximize the Federal commitment to support growth and development as determined by representatives of the communities and groups served by this part.

(c)(1) In carrying out his responsibilities under this section, the Secretary shall, wherever possible, utilize Indian tribes, bands or groups (including Alaska Native villages or groups as defined in the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688)) having a governing body, for the provision of manpower services under this title. When the Secretary determines that such tribe, band, or group has demonstrated the capability to effectively administer a comprehensive manpower program, he shall require such tribe, band, or group to submit to him a comprehensive plan meeting the requirements of section 105.

43 USC 1601 note.

(2) In carrying out his responsibilities under this section the Secretary shall make arrangements with prime sponsors and organizations (meeting requirements prescribed by the Secretary) serving non-reservation Indians for programs and projects designed to meet the needs of such Indians for employment and training and related services.

(d) Whenever the Secretary determines not to utilize Indian tribes, bands, or groups for the provisions of manpower services under this section, he shall, to the maximum extent feasible, enter into arrangements for the provision of such services with public or private nonprofit agencies which meet with the approval of the tribes, bands, or groups to be served.

(e) The Secretary is directed to take appropriate action to establish administrative procedures and machinery (including personnel having particular competence in this field) for the administration of Indian manpower programs authorized under this Act.

(f) Funds available for this section shall be expended for programs and activities consistent with the purposes of this part, including but not limited to such programs and activities carried out by eligible applicants under other provisions of this Act.

(g) For the purpose of carrying out this section, the Secretary shall reserve from funds available for this title an amount equal to not less than 4 percent of the amount allocated pursuant to section 103(a)(1).

(h) No provision of this section shall abrogate in any way the trust responsibilities of the Federal Government to Indian bands or tribes.

MIGRANT AND SEASONAL FARMWORKER MANPOWER PROGRAMS

SEC. 303. (a) The Congress finds and declares that—

(1) chronic seasonal unemployment and underemployment in the agricultural industry, substantially affected by recent advances in technology and mechanization, constitute a substantial portion of the Nation's rural manpower problem and substantially affects the entire national economy;

(2) because of the special nature of certain farmworker manpower problems such programs can best be administered at the national level.

(b)(1) Funds available for this section shall be expended for programs and activities consistent with the purposes of this section, including but not limited to programs and activities carried out by eligible applicants under other provisions of this Act.

(2) For the purpose of carrying out this section, the Secretary shall reserve from funds available for this title an amount equal to not less than 5 percent of the amount allocated pursuant to section 103(a)(1).

YOUTH PROGRAMS AND OTHER SPECIAL PROGRAMS

SEC. 304. (a) The Secretary may provide financial assistance in urban and rural areas, including areas having large concentrations or proportions of low-income, unemployed persons, and rural areas having substantial outmigration to urban areas, for comprehensive work and training programs, and necessary supportive and follow-up services, including the following:

(1) programs to provide part-time employment, on-the-job training, and useful work experience for students from low-income families who are in the ninth through twelfth grades of school (or are of an age equivalent to that of students in such grades) and who are in need of the earnings to permit them to resume or maintain attendance in school;

(2) programs to provide unemployed, underemployed, or low-income persons (aged sixteen and over) with useful work and training (which must include sufficient basic education and institutional or on-the-job training) designed to assist those persons to develop their maximum occupational potential and to obtain regular competitive employment;

(3) jobs, including those in recreation and related programs, for economically disadvantaged youths during the summer months;

(4) special programs which involve work activities directed to the needs of those chronically unemployed poor who have poor employment prospects and are unable, because of age, lack of employment opportunity, or otherwise, to secure appropriate employment or training assistance under other programs, and which, in addition to other services provided, will enable such persons to participate in projects for the betterment, physical

improvement, or beautification of the community or areas served by the program;

(5) special programs which provide unemployed or low-income persons with jobs leading to career opportunities, including new types of careers, in programs designed to improve the physical, social, economic, or cultural condition of the community or area served;

(6) special services, when required, for middle-aged and older men and women, including recruitment, placement, and counseling for such persons who are unemployed as a result of the closing of a plant or factory or a permanent large-scale reduction in the work force of a locality, and provide grants to or contracts with prime sponsors to assist such sponsors in securing part-time or temporary employment for middle-aged and older persons; and

(7) other manpower programs conducted by community-based organizations.

(b) To the maximum extent feasible, programs or components of programs conducted under this section shall be linked to comprehensive work and training programs conducted by prime sponsors under title I of this Act, but the Secretary may provide financial assistance to a public agency or private organization other than a prime sponsor to carry out one or more component programs described in subsection (a) when he determines, after soliciting and considering comments of the appropriate prime sponsor, if any, that such assistance would enhance program effectiveness. In the case of programs under subsection (a)(1) of this section, financial assistance may be provided directly to local or State education agencies, after consultation with the Secretary of Health, Education, and Welfare, for the operation of such programs.

CONSULTATION WITH SECRETARY OF HEALTH, EDUCATION, AND WELFARE

SEC. 306. The Secretary of Labor shall consult with the Secretary of Health, Education, and Welfare, with respect to arrangements for services of a health, education, or welfare character under this Act, and the Secretary of Health, Education, and Welfare shall solicit the advice and comments of State educational agencies with respect to education services. Such services include but are not limited to basic or general education; educational programs conducted for offenders; institutional training; health care, child care, and other supportive services; and new careers and job restructuring in the health, education, and welfare professions. When the Secretary of Labor arranges for the provision of basic education and vocational training directly, pursuant to the provisions of this title, he shall obtain the approval of the Secretary of Health, Education, and Welfare for such arrangements.

PART B—RESEARCH, TRAINING, AND EVALUATION

RESEARCH

SEC. 311. (a) To assist the Nation in expanding work opportunities and assuring access to those opportunities for all who desire it, the Secretary shall establish a comprehensive program of manpower research utilizing the methods, techniques, and knowledge of the behavioral and social sciences and such other methods, techniques, and knowledge as will aid in the solution of the Nation's manpower problems. This program will include, but not be limited to, studies, the findings of which may contribute to the formulation of manpower policy; development or improvement of manpower programs; increased

knowledge about labor market processes; reduction of unemployment and its relationships to price stability; promotion of more effective manpower development, training, and utilization; improved national, regional, and local means of measuring future labor demand and supply; enhancement of job opportunities; skill training to qualify employees for positions of greater skill, responsibility, and remuneration; meeting of manpower shortages; easing of the transition from school to work, from one job to another, and from work to retirement, opportunities and services for older persons who desire to enter or reenter the labor force, and for improvements of opportunities for employment and advancement through the reduction of discrimination and disadvantage arising from poverty, ignorance, or prejudice.

Experimental program.

(b) The Secretary shall establish a program of experimental, developmental, demonstration, and pilot projects, through grants to or contracts with public or private non-profit organizations, or through contracts with other private organizations, for the purpose of improving techniques and demonstrating the effectiveness of specialized methods in meeting the manpower, employment, and training problems, however, nothing in this subsection shall authorize the Secretary to carry out employment programs experimenting with subsidized wages in the private sector or with wages less than those established by the Fair Labor Standards Act of 1938, as amended, for employment subject to that Act. In carrying out this subsection with respect to programs designed to provide employment and training opportunities for low-income people, the Secretary shall consult with such other agencies as may be appropriate. Where programs under this section require institutional training, appropriate arrangements for such training shall be agreed to by the Secretary of Labor and the Secretary of Health, Education, and Welfare.

52 Stat. 1060. 29 USC 201.

Program evaluation.

(c) The Secretary is authorized to conduct, either directly or by way of contract, grant, or other arrangement, a thorough evaluation of all programs and activities conducted pursuant to this Act to determine the effectiveness of such programs and activities in meeting the special needs of disadvantaged, chronically unemployed, and low-income persons for meaningful employment opportunities and supportive services to continue or resume their education and employment and to become more responsible and productive citizens.

(d) The Secretary shall conduct such research and investigations as give promise of furthering the objectives of this Act either directly or through grants, contracts, or other arrangements.

LABOR MARKET STATISTICS AND JOB BANK

SEC. 312. (a) The Secretary shall develop a comprehensive system of labor market information on a national, State, local, or other appropriate basis, which shall be made publicly available in a timely fashion.

(b) In addition to the monthly national unemployment statistics, the Secretary shall develop reliable methods, including the use of selected sample surveys, to produce more statistically accurate data on unemployment, underemployment and labor demand by State, local, and poverty areas.

(c) The Secretary shall develop preliminary data for an annual statistical measure of labor market related economic hardship in the nation. Among the factors to be considered in developing such a measure are unemployment, labor force participation, involuntary part-time employment, and full-time employment at less than poverty wages.

Household budget data.

(d) The Secretary shall develop methods to establish and maintain more comprehensive household budget data at different levels of living, including a level of adequacy, to reflect the differences of household living costs in regions and localities, both urban and rural.

Sums set aside, notification of Congress.

(e) The Secretary shall set aside, out of sums available to the department for any fiscal year including sums available under section 4(e) of this Act, an amount which he determines is necessary and appropriate to enable him to carry out the provisions of this section, and shall no later than sixty days after such sums are appropriated and made available notify the appropriate committees of the Congress of the amount so set aside and the basis for his determination of need and appropriateness.

Report to congressional committees.

(f) The Secretary shall report to the Senate Committee on Labor and Public Welfare and to the House Committee on Education and Labor the results of his efforts under subsections (a), (b), and (c) of this section by December 31, 1974.

Job bank; matching program. Establishment.

(g) The Secretary shall establish and carry out a nationwide computerized job bank and matching program (utilizing the listing of all suitable employment openings with local offices of the State employment service by Federal contractors and subcontractors and providing for the special emphasis as required by section 2012(a) of title 38, United States Code) on a regional, State, and local basis, using electronic data processing and telecommunications systems to the maximum extent possible for the purpose of identifying sources of available persons and job vacancies, providing an expeditious means of matching the qualifications of unemployed, underemployed, and economically disadvantaged persons with employer requirements and job opportunities, and referring and placing such persons in jobs.

86 Stat. 1097.

EVALUATION

SEC. 313. (a) The Secretary shall provide for the continuing evaluation of all programs and activities conducted pursuant to this Act, including their cost in relation to their effectiveness in achieving stated goals, their impact on communities and participants, their implication for related programs, the extent to which they meet the needs of persons of various ages, and the adequacy of the mechanism for the delivery of services. In conducting the evaluations called for by this subsection, the Secretary shall compare the effectiveness of programs conducted by prime sponsors of the same class, of different classes, and shall compare the effectiveness of programs conducted by prime sponsors with similar programs carried out by the Secretary under section 110, or under title III. He shall also arrange for obtaining the opinions of participants about the strengths and weaknesses of the programs.

Program comparisons

Reports to Secretary.

(b) In order to enable the Secretary to measure the relative and, where programs can be compared appropriately, comparative effectiveness of programs authorized under this Act and part C of title IV of the Social Security Act, he shall require that periodic reports be submitted to him. Reports submitted under this subsection shall contain data which shall include information on—

81 Stat. 884; 85 Stat. 805. 42 USC 630.

(1) enrollee characteristics, including age, sex, race, health, education level, and previous wage and employment experience;

(2) duration in training and employment situations, including information on the duration of employment of program participants for at least a year following the termination of federally assisted programs and comparable information on other employees or trainees of participating employers; and

(3) total dollar cost per trainee, including breakdown between

salary or stipend, training and supportive services, and administrative costs.

From the information received pursuant to this section, the Secretary shall compile the information on a State, regional, and national basis.

Certificates and vouchers for economically disadvantaged.

(c) The Secretary is authorized to carry out a special program to demonstrate the efficacy of providing certificates or vouchers to economically disadvantaged, unemployed, and underemployed persons entitling private employers who provide employment, training, and services to each person volunteering to participate in such program to payment in amounts equal to the face value of the certificate for specified periods of time during which each such person may not be fully productive.

REMOVAL OF ARTIFICIAL BARRIERS TO EMPLOYMENT AND ADVANCEMENT

Study.

SEC. 314. The Secretary, in consultation with appropriate departments and agencies of the Federal Government, shall conduct a continuing study of the extent to which artificial barriers to employment and occupation advancement, including civil service requirements and practices relating thereto, within agencies conducting programs under this Act, restrict the opportunities for employment and advancement within such agencies and shall develop and promulgate guidelines, based upon such study, setting forth recommendations for task and skill requirements for specific jobs and recommended job descriptions at all levels of employment, designed to encourage career employment and occupational advancement within such agencies.

TRAINING AND TECHNICAL ASSISTANCE

SEC. 315. The Secretary, in consultation with the Secretary of Health, Education, and Welfare, and other appropriate officials, where appropriate, shall provide directly or through grants, contracts, or other arrangements, preservice and inservice training for specialized, supportive, and supervisory or other personnel and technical assistance which is needed in connection with the programs established under this Act.

TITLE IV—JOB CORPS

STATEMENT OF PURPOSE

SEC. 401. This title establishes a Job Corps for low-income disadvantaged young men and women, sets forth standards and procedures for selecting individuals as enrollees in the Job Corps, authorizes the establishment of residential and nonresidential centers in which enrollees will participate in intensive programs of education, vocational training work experience, counseling and other activities, and prescribes various other powers, duties, and responsibilities incident to the operation and continuing development of the Job Corps. The purpose of this title is to assist young persons who need and can benefit from an unusually intensive program, operated in a group setting, to become more responsive, employable, and productive citizens; and to do so in a way that contributes, where feasible, to the development of National, State, and community resources, and to the development and dissemination of techniques for working with the disadvantaged that can be widely utilized by public and private institutions and agencies.

ESTABLISHMENT OF THE JOB CORPS

SEC. 402. There is established within the Department of Labor a "Job Corps".

INDIVIDUALS ELIGIBLE FOR THE JOB CORPS

SEC. 403. To become an enrollee in the Job Corps, a young man or woman must be a person who—

(1) is a permanent resident of the United States who has attained age fourteen but not attained age twenty-two at the time of enrollment;

(2) is a low-income individual or member of a low-income family who requires additional education, training, or intensive counseling and related assistance in order to secure and hold meaningful employment, participate successfully in regular schoolwork, qualify for other training programs suitable to his needs, or satisfy Armed Forces requirements;

(3) is currently living in an environment so characterized by cultural deprivation, a disruptive homelife, or other disorienting conditions as to substantially impair his prospects for successful participation in any other program providing needed training, education, or assistance;

(4) is determined, after careful screening as provided for in sections 404 and 405, to have the present capabilities and aspirations needed to complete and secure the full benefit of the program authorized in this title, and to be free of medical and behavioral problems so serious that he could not or would not be able to adjust to the standards of conduct and discipline or pattern of work and training which that program involves; and

(5) meets such other standards for enrollment as the Secretary may prescribe (including special standards for the enrollment on a residential basis of 14 and 15 year olds) and agrees to comply with all applicable Job Corps rules and regulations.

SCREENING AND SELECTION OF APPLICANTS—GENERAL PROVISIONS

Rules.

SEC. 404. (a) The Secretary shall prescribe necessary rules for the screening and selection of applicants for enrollment in the Job Corps. To the extent practicable, rules established under this section shall be implemented through arrangements which make use of agencies and organizations such as community action agencies, public employment offices, professional groups, and labor organizations. The rules shall establish specific standards and procedures for conducting screening and selection activities; shall encourage recruitment through agencies and individuals having contact with youths over substantial periods of time and able, accordingly, to offer reliable information as to their needs and problems; and shall provide for necessary consultation with other individuals and organizations, including court, probation, parole, law enforcement, education, welfare, and medical authorities and advisers. The rules shall also provide for—

(1) the interviewing of each applicant for the purpose of—

(A) determining whether his educational and vocational needs can best be meet through the Job Corps or any alternative program in his home community;

(B) obtaining from the applicant pertinent data relating to his background, needs, and interests for evaluation in determining his eligibility and potential assignment; and

(C) giving the applicant a full understanding of the Job

Corps program and making clear what will be expected of him as an enrollee in the event of his acceptance; and

(2) the conduct of a careful and systematic inquiry concerning the applicant's background for the effective development and, as appropriate, clarification of information concerning his age, citizenship, school and draft status, health, employability, past behavior, family income, environment, and other matters related to a determination of his eligibility.

(b) The Secretary shall make no payments to any individual or organization solely as compensation for the service of referring the names of candidates for enrollment in the Jobs Corps.

(c) The Secretary shall take all necessary steps to assure that the enrollment of the Job Corps includes an appropriate number of candidates selected from rural areas, taking into account the proportion of eligible youth who reside in rural areas and the need to provide residential facilities for such youth in order to meet problems of wide geographic dispersion. Rural area candidates.

SCREENING AND SELECTION—SPECIAL LIMITATIONS

SEC. 405. (a) No individual shall be selected as an enrollee unless it is determined that there is reasonable expectation that he can participate successfully in group situations and activities with other enrollees, that he is not likely to engage in actions or behavior that would prevent other enrollees from receiving the benefit of the program or be incompatible with the maintenance of sound discipline and satisfactory relationships between any center to which he might be assigned and surrounding communities, and that he manifests a basic understanding of both the rules to which he will be subject and of the consequences of failure to observe those rules. Before selecting an individual who has a history of serious and violent behavior against persons or property, repetitive delinquent acts, narcotics addiction, or other major behavioral aberrations, the Secretary of Labor shall obtain a finding from a professionally qualified person who knows such potential enrollee's individual situation that there is reasonable expectation that his conduct will not be inimical to the goals and success of the Job Corps and that the opportunity provided by the Job Corps will help him to overcome his problem.

(b) An individual who otherwise qualifies for enrollment may be selected even though he is on probation or parole, but only if his release from the immediate supervision of the cognizant probation or parole officials is mutually satisfactory to those officials and the Secretary, does not violate applicable laws or regulations, and if the Secretary has arranged to provide all supervision of the individual and all reports to State or other authorities that may be necessary to comply with applicable probation or parole requirements. Parolees.

ENROLLMENT AND ASSIGNMENT

SEC. 406. (a) No individual may be enrolled in the Job Corps for more than two years, except as the Secretary may authorize in special cases.

(b) Enrollment in the Job Corps shall not relieve any individual of obligations under the Military Selective Service Act (50 U.S.C. App. 451 et seq.).

(c) Each enrollee (other than a native and citizen of Cuba described in section 609(3) of the Economic Opportunity Act of 1964 or a permanent resident of the Trust Territory of the Pacific Islands) must take and subscribe to an oath or affirmation in the following form: "I do solemnly swear (or affirm) that I bear true faith and allegiance

62 Stat. 604; 85 Stat. 348.

Oath requirement.

81 Stat. 715. 42 USC 2949.

to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies foreign and domestic." The provisions of section 1001 of title 18, United States Code, shall be applicable to this oath or affirmation.

62 Stat. 749.

Assignment to contiguous areas.

(d) After the Secretary has determined whether an enrollee is to be assigned to a men's training center, a conservation center, or a women's training center, the enrollee, shall be assigned to the center of the appropriate type in which a vacancy exists which is closest to the enrollee's home, except that the Secretary, on an individual basis, may waive this requirement when overriding considerations justify such action. Assignments to centers in areas more remote from the enrollee's home shall be carefully limited to situations in which such action is necessary in order to insure an equitable opportunity for disadvantaged youth from various sections of the country to participate in the program, to prevent undue delays in the assignment of individual enrollees, to provide an assignment which adequately meets the educational or other needs of the enrollee or is necessary for efficiency and economy in the operation of the program.

Assignment to remote areas.

Male enrollees.

(e) Assignments of male enrollees shall be made so that, at any one time, at least 40 per centum of those enrollees are assigned to conservation centers as described in section 407, or to other centers or projects where their work activity is primarily directed to the conservation, development, or management of public natural resources or recreational areas and is performed under the direction of personnel of agencies regularly responsible for the functions relating to such resources or areas.

JOB CORPS CENTERS

SEC. 407. (a) The Secretary may make agreements with Federal, State, or local agencies, or private organizations for the establishment and operation of Job Corps centers. Job Corps centers may be residential or nonresidential in character, or both, and shall be designed and operated so as to provide enrollees, in a well-supervised setting, with education, vocational training, work experience (either in direct program activities or through arrangements with employers), counseling, and other services appropriate to their needs. The centers shall include conservation centers, to be known as Civilian Conservation Centers, to be located primarily in rural areas and to provide, in addition to other training and assistance, programs of work experience focused upon activities to conserve, develop, or manage public natural resources or public recreational areas or to assist in developing community projects in the public interest. The centers shall also include men's and women's training centers to be located in either urban or rural areas and to provide activities which shall include training and other services appropriate for enrollees who can be expected to participate successfully in training for specific types of skilled or semiskilled employment.

Civilian Conservation Centers.

(b) To the extent feasible, men's and women's training centers shall offer education and vocational training opportunities, together with supportive services, on a nonresidential basis to participants in programs described in title I of this Act. Such opportunities may be offered on a reimbursable basis or through such other arrangements as the Secretary may specify.

PROGRAM ACTIVITIES

SEC. 408. (a) Each Job Corps center shall be operated so as to provide enrollees with an intensive, well-organized and fully supervised program of education, vocational training, work experience, planned avocational and recreational activities, physical rehabilitation and development, and counseling. To the fullest extent feasible, the required

program for each enrollee shall include activities designed to assist him in choosing realistic career goals, coping with problems he may encounter in his home community or in adjusting to a new community, and planning and managing his daily affairs in a manner that will best contribute to a long-term upward mobility. Center programs shall include required participation in center maintenance support and related work activity as appropriate to assist enrollees in increasing their sense of contribution, responsibility, and discipline.

Education and vocational training.

(b) To the extent practicable, the Secretary may arrange for enrollee education and vocational training through local public or private educational agencies, vocational educational institutions, or technical institutes where such institutions or institutes can provide training comparable in cost and substantially equivalent in quality to that which he could provide through other means.

Certificates.

(c) Arrangements for education shall, to the extent feasible, provide opportunities for qualified enrollees to obtain the equivalent of a certificate of graduation from high school. The Secretary, with the concurrence of the Secretary of Health, Education, and Welfare, shall develop certificates to be issued to enrollees who have satisfactorily completed their services in the Job Corps and which will reflect the enrollee's level of educational attainment.

Coordination with community work-experience programs. Regulations.

(d) The Secretary shall prescribe regulations to assure that Job Corps work-experience programs or activities do not displace presently employed workers or impair existing contracts for service and will be coordinated with other work-experience programs in the community.

ALLOWANCES AND SUPPORT

SEC. 409. (a) The Secretary may provide enrollees with such personal, travel and leave allowances, and such quarters, subsistence, transportation, equipment, clothing, recreational services, and other expenses as he may deem necessary or appropriate to their needs. Personal allowances shall be established at a rate not to exceed $35 per month during the first six months of an enrollee's participation in the program and not to exceed $50 per month thereafter, except that allowances in excess of $35 per month, but not exceeding $50 per month, may be provided from the beginning of an enrollee's participation if it is expected to be of less than six months' duration and the Secretary is authorized to pay personal allowances in excess of the rates specified herein in unusual circumstances as determined by him. Such allowances shall be graduated up to the maximum so as to encourage continued participation in the program, achievement and the best use by the enrollee of the funds so provided and shall be subject to reduction in appropriate cases as a disciplinary measure. To the degree reasonable, enrollees shall be required to meet or contribute to costs associated with their individual comfort and enjoyment from their personal allowances.

Limitations.

Enrollee contributions.

Leave accrual rules.

(b) The Secretary shall prescribe specific rules governing the accrual of leave by enrollees. Except in the case of emergency, he shall in no event assume transportation costs connected with leave of any enrollee who has not completed at least six months service in the Job Corps.

Readjustment allowance.

(c) The Secretary may provide each former enrollee upon termination, a readjustment allowance at a rate not to exceed $50 for each month of satisfactory participation in the Job Corps. No enrollee shall be entitled to a readjustment allowance, however, unless he has remained in the program at least ninety days, except in unusual circumstances as determined by the Secretary. The Secretary may, from time to time, advance to or on behalf of an enrollee such portions of his

Advancement or reduction.

readjustment allowances as the Secretary deems necessary to meet extraordinary financial obligations incurred by that enrollee; and he may also, pursuant to rules or regulations, reduce the amount of an enrollee's readjustment allowance as a penalty for misconduct during participation in the Job Corps. In the event of an enrollee's death during his period of service, the amount of any unpaid readjustment allowance shall be paid in accordance with the provisions of section 5582 of title 5, United States Code.

80 Stat. 495.

(d) Under such circumstances as the Secretary may determine, a portion of the readjustment allowance of an enrollee not exceeding $25 for each month of satisfactory service may be paid during the period of service of the enrollee directly to a spouse or child of an enrollee or to any other relative who draws substantial support from the enrollee, and any sum so paid shall be supplemented by the payment of an equal amount by the Secretary.

STANDARDS OF CONDUCT

Violations, penalties.

SEC. 410. (a) Within Job Corps centers standards of conduct and deportment shall be provided and stringently enforced. In the case of violations committed by enrollees, dismissals from the Corps or transfers to other locations shall be made in every instance where it is determined that retention in the Corps, or in the particular Job Corps center, will jeopardize the enforcement of such standards of conduct and deportment or diminish the opportunity of other enrollees.

(b) In order to promote the proper moral and disciplinary conditions in the Job Corps, the individual directors of Job Corps centers shall be given full authority to take appropriate disciplinary measures against enrollees including, but not limited to, dismissal from the Job Corps, subject to expeditious appeal procedures to higher authority, as provided under regulations established by the Secretary.

COMMUNITY PARTICIPATION

Community advisory councils.

SEC. 411. The Secretary shall encourage and shall cooperate in activities designed to establish a mutually beneficial relationship between Job Corps centers and surrounding or nearby communities. These activities shall include the establishment of community advisory councils to provide a mechanism for joint discussion of common problems and for planning programs of mutual interest. Whenever possible, such advisory councils shall be formed by and coordinated under the local community action agency. Youth participation in advisory council affairs shall be encouraged and where feasible separate youth councils may be established, to be composed of representative enrollees and representative young people from the communities. The Secretary shall establish necessary rules and take necessary action to assure that each center is operated in a manner consistent with this section with a view to achieving, so far as possible, objectives which shall include—

Rules.

(1) giving community officials appropriate advance notice of changes in center rules, procedures, or activities that may affect or be of interest to the community;

(2) affording the community a meaningful voice in center affairs of direct concern to it, including policies governing the issuance and terms of passes to enrollees;

(3) providing center officials with full and rapid access to relevant community groups and agencies, including law enforcement agencies and agencies which work with young people in the community;

(4) encouraging the fullest practicable participation of enrollees in programs or projects for community improvement or

betterment, with adequate advance consultation with business, labor, professional, and other interested community groups and organizations;

(5) arranging recreational, athletic, or similar events in which enrollees and local residents may participate together;

(6) providing community residents with opportunities to work with enrollees directly, as part-time instructors, tutors, or advisers, either in the center or in the community;

(7) developing, where feasible, job or career opportunities for enrollees in the community; and

(8) promoting interchanges of information and techniques among, and cooperative projects involving, the center and community schools, educational institutions, and agencies serving young people.

COUNSELING AND JOB PLACEMENT

SEC. 412. (a) The Secretary shall provide for the counseling and testing of each enrollee at regular intervals to follow his progress in educational and vocational programs.

(b) The Secretary shall counsel and test each enrollee prior to his scheduled termination to determine his capabilities and shall place him in a job in the vocation for which he is trained and in which he is likely to succeed, or shall assist him in attaining further training or education. In placing enrollees in jobs, the Secretary shall utilize the United States Employment Service to the fullest extent possible.

(c) The Secretary of Labor shall make arrangements to determine the status and progress of terminees and to assure that their need for further education, training, and counseling are met.

Training records, availability to Labor Department and OEO.

(d) Upon termination of an enrollee's training, a copy of his pertinent records, including data derived from his counseling and testing, other than confidential information, shall be made available immediately to the Department of Labor and the Office of Economic Opportunity.

Readjustment allowance. 81 Stat. 720. 42 USC 2979.

(e) The Secretary shall, to the extent feasible in accordance with section 637(b) of the Economic Opportunity Act of 1964, arrange for the readjustment allowance provided for in section 409(c) of this Act, less any sums already paid pursuant to subsection (d) of that section, to be paid to former enrollees (who have not already found employment) at the public employment service office nearest the home of any any such former enrollee if he is returning to his home, or at the nearest such office to the community in which the former enrollee has indicated an intent to reside. The Secretary shall make arrangements by which public employment service officers will maintain records regarding former enrollees who are thus paid at such offices including information as to—

Records of former enrollees.

(1) the number of former enrollees who have declined the offices' help in finding a job;

(2) the number who were successfully placed in jobs without further education or training;

(3) the number who were found to require further training before being placed in jobs and the types of training programs in which they participated; and

(4) the number who were found to require further remedial or basic education in order to qualify for training programs, together with information as to the types of programs for which such former enrollees were found unqualified for enrollment.

If the Secretary deems it advisable to utilize the services of any other public or private organization or agency in lieu of the public employment office, he shall arrange for that organization or agency to make

Copies to Secretary.

the payment of the readjustment allowance and maintain the same types of records regarding former enrollees as are herein specified for maintenance by public employment service offices, and shall furnish copies of such records to the Secretary. In the case of enrollees who are placed in jobs by the Secretary prior to the termination of their participation in the Job Corps, the Secretary shall maintain records providing pertinent placement and follow-up information.

EVALUATION; EXPERIMENTAL AND DEVELOPMENTAL PROJECTS

SEC. 413. (a) The Secretary shall provide for the careful and systematic evaluation of the Job Corps program, directly or by contracting for independent evaluations, with a view to measuring specific benefits, so far as practicable, and providing information needed to assess the effectiveness of program procedures, policies, and methods of operation. In particular, this evaluation shall seek to determine the costs and benefits resulting from the use of residential as opposed to nonresidential facilities, from the use of facilities combining residential and nonresidential components, from the use of centers with large as opposed to small enrollments, and from the use of different types of program sponsors, including public agencies, institutions of higher education, boards of education, and private corporations. The evaluation shall also include comparisons with proper control groups composed of persons who have not participated in the program. In carrying out such evaluations, the Secretary shall arrange for obtaining the opinions of participants about the strengths and weaknesses of the program and shall consult with other agencies and officials in order to compare the relative effectiveness of Job Corps techniques with those used in other programs, and shall endeavor to secure, through employers, schools, or other Government and private agencies specific information concerning the residence of former enrollees, their employment status, compensation, and success in adjusting to community life. The Secretary shall also secure, to the extent feasible, similar information directly from enrollees at appropriate intervals following their completion of the Job Corps program. The results of such evaluation shall be published and shall be summarized in the annual report of the Secretary.

Annual report summary, publication.

Grants or contracts.

(b) The Secretary may undertake or make grants or contracts for experimental, research, or demonstration projects directed to developing or testing ways of securing the better use of facilities, of encouraging a more rapid adjustment of enrollees to community life that will permit a reduction in the period of their enrollment, of reducing transportation and support costs, or of otherwise promoting greater efficiency and effectiveness in the program authorized under this part. These projects shall include one or more projects providing youths with education, training, and other supportive services on a combined residential and nonresidential basis. The Secretary may, if he deems it advisable, undertake one or more pilot projects designed to involve youth who have a history of serious and violent behavior against persons or property, repetitive delinquent acts, narcotics addiction, or other behavioral aberrations. Projects under this subsection shall be developed after appropriate consultation with other Federal or State agencies conducting similar or related programs or projects and with the prime sponsors, in the communities where the projects will be carried out. They may be undertaken jointly with other Federal or federally assisted programs, and funds otherwise available for activities under those programs shall, with the consent of the head of any agency concerned, be available to projects under this section to the extent they include the same or substantially similar activities. The Secretary may waive any provision of this title which he finds would

Pilot projects.

Consultation with other Federal or State agencies.

Waiver.

prevent the carrying out of elements of projects under this subsection essential to a determination of their feasibility and usefulness. He shall, in the annual report of the Secretary, report to the Congress concerning the actions taken under this section, including a full description of progress made in connection with combined residential and nonresidential projects.

Report to Congress.

(c) In order to determine whether upgraded vocational education schools could eliminate or substantially reduce the school dropout problem, and to demonstrate how communities could make maximum utilization of existing educational and training facilities, the Secretary in cooperation with the Commissioner of Education, shall enter into one or more agreements with State educational agencies to pay the cost of establishing and operating model community vocational education schools and skill centers. Such facilities shall be centrally located in an urban area having a high dropout rate, a large number of unemployed youths, and a need in the area for a combination vocational school and skill center. No such agreement shall be entered into unless it contains provisions designed to assure that—

Model community vocational education schools.

(1) a job survey be made of the area;

(2) the training program of the school and skill center reflect the job market needs as projected by the survey;

(3) an advisory committee composed of representatives of business, labor, education, and community leaders be formed to follow the center's activities and to make periodic recommendations regarding its operation;

(4) arrangements have been worked out with schools in the area and the administrator of the skill center for maximum utilization of the center both during and after school hours; and

(5) such accounting and evaluation procedures as the Secretary and the Commissioner of Education deem necessary to carry out the purpose of this project will be provided.

ADVISORY BOARDS AND COMMITTEES

SEC. 414. The Secretary shall make use of advisory committees or boards in connection with the operation of the Job Corps, and the operation of Job Corps centers, whenever he determines that the availability of outside advice and counsel on a regular basis would be of substantial benefit in identifying and overcoming problems, in planning program or center development, or in strengthening relationships between the Job Corps and agencies, institutions, or groups engaged in related activities. Nothing in this section shall be considered as limiting the functions of the National Advisory Council, established pursuant to section 605 of the Economic Opportunity Act of 1964, with respect to any matter or question involving the Job Corps; but this shall not prevent the establishment through or in cooperation with the National Advisory Council of one or more boards or committees under this section.

80 Stat. 1459. 42 USC 2945.

PARTICIPATION OF THE STATES

SEC. 415. (a) The Secretary shall take necessary action to facilitate the effective participation of States in the Job Corps program, including, but not limited to, consultation with appropriate State agencies on matters pertaining to the enforcement of applicable State laws, standards of enrollee conduct and discipline, the development of meaningful work experience and other activities for enrollees, and coordination with State-operated programs.

State-operated programs, assistance.

(b) The Secretary may enter into agreements with States to assist in the operation or administration of State-operated programs which carry out the purpose of this part. The Secretary may, pursuant to regulations, pay part or all of the operative or administrative costs of such programs.

Job Corps Center plan, submittal to Governor.

(c) No Job Corps center or other similar facility designed to carry out the purpose of this Act shall be established within a State unless a plan setting forth such proposed establishment has been submitted to the Governor, and such plan has not been disapproved by him within 30 days of such submission.

APPLICATION OF PROVISIONS OF FEDERAL LAW

SEC. 416. (a) Except as otherwise specifically provided in the following paragraphs of this subsection, and in section 8143(a) of title 5, United States Code, enrollees in the Job Corps shall not be considered Federal employees and shall not be subject to the provisions of law relating to Federal employment including those regarding hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits:

82 Stat. 1313.

(1) For purposes of the Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.) and title II of the Social Security Act (42 U.S.C. 401 et seq.), enrollees shall be deemed employees of the United States and any service performed by an individual as an enrollee shall be deemed to be performed in the employ of the United States.

68A Stat. 3.
70 Stat. 819.

"Employee."

(2) For purposes of subchapter I of chapter 81 of title 5 of the United States Code (relating to compensation to Federal employees for work injuries), enrollees shall be deemed civil employees of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provisions of that subchapter shall apply except as follows:

80 Stat. 532.
5 USC 8101.

"Performance of duty."

(A) The term "performance of duty" shall not include any act of an enrollee while absent from his or her assigned post of duty, except while participating in an activity (including an activity while on pass or during travel to or from such post of duty) authorized by or under the direction and supervision of the Job Corps;

Disability or death compensation.
5 USC 5332 note.
80 Stat. 540.

(B) In computing compensation benefits for disability or death, the monthly pay of an enrollee shall be deemed that received under the entrance salary for a grade GS–2 employee, and sections 8113 (a) and (b) of title 5, United States Code, shall apply to enrollees; and

(C) Compensation for disability shall not begin to accrue until the day following the date on which the injured enrollee is terminated.

(3) For purposes of the Federal tort claims provisions in title 28, United States Code, enrollees shall be considered employees of the Government.

62 Stat. 982.
28 USC 2671.

(b) Whenever the Secretary finds a claim for damage to persons or property resulting from the operation of the Job Corps to be a proper charge against the United States, and it is not cognizable under section 2672 of title 28, United States Code, he may adjust and settle it in an amount not exceeding $500.

80 Stat. 306.

Detailed personnel.

(c) Personnel of the uniformed services who are detailed or assigned to duty in the performance of agreements made by the Secretary for the support of the Corps shall not be counted in computing strength under any law limiting the strength of such services or in computing the percentage authorized by law for any grade therein.

SPECIAL LIMITATIONS

SEC. 417. (a) The Secretary shall not use any funds made available to carry out this part for the fiscal year ending June 30, 1968, in a manner that will increase the residential capacity of Job Corps centers above forty-five thousand enrollees.

Women enrollees, percentage.

(b) The Secretary shall take necessary action to assure that on or before June 30, 1968, of the total number of Job Corps enrollees receiving training at least 25 per centum shall be women. The Secretary shall immediately take steps to achieve an enrollment ratio of 50 per centum women enrollees in training in the Job Corps consistent with (1) efficiency and economy in the operation of the program, (2) sound administrative practice, and (3) the socioeconomic, educational, and training needs of the population to be served.

(c) The Secretary shall take necessary action to assure that for any fiscal year the direct operating costs of Job Corps centers which have been in operation for more than nine months do not exceed $6,900 per enrollee.

(d) The Secretary shall take necessary action to assure that all studies, evaluations, proposals, and data produced or developed with Federal funds in the course of the operation of any conservation or training center shall become the property of the United States.

POLITICAL DISCRIMINATION AND POLITICAL ACTIVITY

SEC. 418. (a) No officer or employee of the executive branch of the Federal Government shall make any inquiry concerning the political affiliation or beliefs of any enrollee or applicant for enrollment in the Corps. All disclosures concerning such matters shall be ignored, except as to such membership in political parties or organizations as constitutes by law a disqualification for Government employment. No discrimination shall be exercised, threatened, or promised by any person in the executive branch of the Federal Government against or in favor of any enrollee in the Corps, or any applicant for enrollment in the Corps because of his political affiliation or beliefs, except as may be specifically authorized or required by law.

(b) No officer, employee, or enrollee of the Corps shall take any active part in political management or in political campaigns, except as may be provided by or pursuant to statute, and no such officer, employee, or enrollee shall use his official position or influence for the purpose of interfering with an election or affecting the result thereof. All such persons shall retain the right to vote as they may choose and to express, in their private capacities, their opinions on all political subjects and candidates. Any officer, employee, enrollee, or other Federal employee who solicits funds for political purposes from members of the Corps shall be in violation of section 602 of title 18, United States Code.

Solicitation of political contributions.

62 Stat. 722.

Violations, penalty.

(c) Whenever the United States Civil Service Commission finds that any person has violated the provisions of this section, it shall, after giving due notice and opportunity for explanation to the officer or employee or enrollee concerned, certify the facts to the Secretary with specific instructions as to discipline or dismissal or other corrective actions.

ADMINISTRATIVE PROVISIONS

SEC. 419. (a) In carrying out the provisions of this title, the Secretary shall have the same powers as the Director of the Office of

Economic Opportunity under section 602 of the Economic Opportunity Act of 1964.

78 Stat. 528; 80 Stat. 1468. 42 USC 2942.

(b) The provisions of section 603 of this Act shall apply to this title only to the extent that such provisions are consistent with the provisions of this title.

TITLE V—NATIONAL COMMISSION FOR MANPOWER POLICY

FINDINGS AND DECLARATION OF PURPOSE

SEC. 501. (a) The Congress finds and declares that the responsibility for the development, administration, and coordination of programs of training and manpower development generally is so diffused and fragmented at all levels of government that it has been impossible to develop rational priorities in these fields, with the result that even good programs have proved to be far less effective than could reasonably be expected. The Congress further finds that the lack of a coherent, flexible, national manpower policy reduces our prospects of solving economic and social problems which threaten fundamental national interests and objectives.

(b) Accordingly, the purpose of this title is to establish a National Commission for Manpower Policy which will have the responsibility for examining these issues, for suggesting ways and means of dealing with them, and for advising the Secretary on national manpower issues.

COMMISSION ESTABLISHED

SEC. 502. (a) There is established a National Commission for Manpower Policy (hereinafter referred to as the "Commission") which shall consist of seventeen members selected as follows—

(1) the Secretary of Labor, the Secretary of Health, Education, and Welfare, the Secretary of Defense, the Secretary of Commerce, the Secretary of Agriculture, and the Administrator of the Veterans' Affairs; and

(2) eleven members broadly representative of labor, industry, commerce, education (including vocational and technical education), State and local elected officials involved with manpower programs, persons served by manpower programs and of the general public appointed by the President.

Meetings.

(b) The Commission shall meet at the call of the Chairman, who shall be selected by the President and who shall be one of the ten appointed public members, but not fewer than three times a year.

Director.

(c) The Chairman (with the concurrence of the Commission) shall appoint a Director, who shall be the chief executive officer of the Commission and shall perform such duties as are prescribed by the Chairman. The Director may appoint, with the concurrence of the Chairman and the Secretary of Labor, such clerical staff as are necessary. The Commission may utilize such staff from the Department of Labor, the Department of Health, Education, and Welfare, and such other Federal agencies as may be available to assist the Commission in carrying out its responsibilities.

Gifts and bequests, acceptance.

(d) The Commission may accept in the name of the Department of Labor and employ or dispose of gifts or bequests, to carry out its responsibilities under this title.

5 USC 5332 note.

(e) Members of the Commission who are not officers or employees of the Federal Government shall be paid compensation at a rate of up to the per diem equivalent of the rate for GS–18 when engaged in the work of the Commission, including traveltime, and shall be allowed

travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently and receiving compensation on a per diem, when actually employed, basis.

80 Stat. 499; 83 Stat. 190.

FUNCTIONS OF THE COMMISSION

SEC. 503. The Commission shall—

(1) identify the manpower goals and needs of the Nation and assess the extent to which employment and training, vocational education, institutional training, vocational rehabilitation, economic opportunity, and other programs under this and related Acts represent a consistent, integrated, and coordinated approach to meeting such needs and achieving such goals;

(2) conduct such studies, hearings, research, or other activities as it deems necessary to enable it to formulate appropriate recommendations;

(3) examine and evaluate the effectiveness of any federally assisted manpower development programs (including those assisted under this Act), with particular reference to the contributions of such programs to the achievement of objectives sought by the recommendations under clause (2) of this section;

(4) examine and evaluate major Federal programs which are intended to (or potentially could) contribute to achieving major objectives of existing manpower and related legislation or those set forth in the recommendations of the Commission and particularly the programs which are designed (or could be designed) to develop information and knowledge about manpower problems through research and demonstration projects or to train personnel in fields (such as occupational counseling, guidance, and placement) which are vital to the success of manpower programs; and

(5) evaluate and make recommendations to the Congress with respect to the report of the Secretary required under section 506, and continue to make studies of the impact of energy shortages upon manpower needs and include these findings and recommendations with respect thereto in the reports required by section 505.

COORDINATION STUDY

SEC. 504. The Commission shall conduct a study of the utilization and interrelation of programs of manpower training with closely associated programs such as those conducted under the Wagner-Peyser Act, the work incentives program under part C of title IV of the Social Security Act, and others of similar nature, with a view to determining how they could be better coordinated and more effectively combined to serve individuals, particularly at the State and local levels, and shall make a report of their findings and recommendations to the President and the Congress not later than January 31, 1975.

48 Stat. 113. 29 USC 49.

81 Stat. 884; 85 Stat. 805. 42 USC 630.

Report to President and Congress.

REPORTS

SEC. 505. The Commission shall make at least annually a report of its findings and recommendations to the President and the Congress, and the first such report shall be transmitted not later than September 1, 1974. The Commission may make such interim reports or recommendations to the Secretary of Labor or to the heads of other Federal departments and agencies, and in such form, as it may deem desirable.

Report to President and Congress.

ENERGY STUDY

SEC. 506. The Secretary shall, immediately upon enactment of this Act, make a study of the impact of energy shortages, including fuel rationing, upon manpower needs. The Secretary shall make a report of his findings and recommendations thereon to the Congress and to the Commission not later than March 31, 1974.

Report to Congress and Commission.

TITLE VI—GENERAL PROVISIONS

DEFINITIONS

SEC. 601. (a) As used in this Act, the term—

(1) Community-based organizations" means organizations which are representative of communities or significant segments of the communities and which provide manpower services (for example, Opportunities Industrialization Centers, Jobs for Progress, Mainstream, and Community Action Agencies).

(2) "Governor" means the chief executive of any State.

(3) "Health care" includes, but is not limited to, preventive and clinical medical treatment, family planning services, nutrition services, and appropriate psychiatric, psychological, and prosthetic services, to the extent any such treatment or services are necessary to enable the recipient of manpower services to obtain or retain employment.

(4) "Low-income level" means $7,000 with respect to income in 1969, and for any later year means that amount which bears the same relationship to $7,000 as the Consumer Price Index for that year bears to the Consumer Price Index for 1969, rounded to the nearest $1,000.

(5) "Manpower allotment" means sums received by a State or area under title I of this Act for any fiscal year (or, where applicable, under title II of the Manpower Development and Training Act of 1962, and part B of title I of the Economic Opportunity Act of 1964).

76 Stat. 25.
42 USC 2581.
81 Stat. 683;
86 Stat. 690.
42 USC 2737.

(6) "Offender" means any adult or juvenile who is confined in any type of correctional institution and also includes any individual or juvenile assigned to a community based facility or subject to pretrial, probationary, or parole or other stages of the judicial correctional or probationary process where manpower training and services may be beneficial, as determined by the Secretary, after consultation with judicial, correctional, probationary, or other appropriate authorities.

(7) "Public service" includes, but is not limited to, work in such fields as environmental quality, health care, education, public safety, crime prevention and control, prison rehabilitation, transportation, recreation, maintenance of parks, streets, and other public facilities, solid waste removal, pollution control, housing and neighborhood improvements, rural development, conservation, beautification, veterans outreach, and other fields of human betterment and community improvement.

(8) "Secretary" means the Secretary of Labor.

(9) "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(10) "Unit of general local government" means any city, municipality, county, town, township, parish, village or other general purpose political subdivision which has the power to levy taxes

and spend funds, as well as general corporate and police powers.

(11) "Underemployed persons" means—

(A) persons who are working part-time but seeking full-time work;

(B) persons who are working full-time but receiving wages below the poverty level determined in accordance with criteria as established by the Director of the Office of Management and Budget.

(12) "Unemployed persons" means—

(A) persons who are without jobs and who want and are available for work; and

(B) except for purposes of sections 103 and 202, adults who or whose families receive supplemental security income or money payments pursuant to a State plan approved under title I, IV, X, or XVI of the Social Security Act or would, as defined in regulations to be issued by the Secretary, be eligible for such payments but for the fact that both parents are present in the home (1) who are determined by the Secretary of Labor, in consultation with the Secretary of Health, Education, and Welfare, to be available for work, and (2) who are either (i) persons without jobs, or (ii) persons working in jobs providing insufficient income to enable such persons and their families to be self-supporting without welfare assistance;

Ante, pp. 842, 850.

42 USC 301, 601, 1201, 1381.

and the determination of whether persons are without jobs shall be made in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining persons as unemployed, but such criteria shall not be applied differently on account of a person's previous employment.

(13) "Wagner-Peyser Act" means "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes", approved June 6, 1933 (48 Stat. 113), as amended (29 U.S.C. 49 et seq.).

(b) As used in section 208(c) of this Act, the term "area" means—

(1) where the applicant is an eligible unit of government or an Indian tribe, that geographical area over which the applicant exercises general political jurisdiction, or

(2) where the applicant is a public agency or institution which is a subdivision of an eligible unit of government, that geographical area over which such unit of government exercises general political jurisdiction.

LEGAL AUTHORITY

SEC. 602. (a) The Secretary may, in accordance with chapter 5 of title 5, United States Code, prescribe such rules, regulations, guidelines, and other published interpretations under this Act as he deems necessary. Rules, regulations, guidelines and other published interpretations or orders may include adjustments authorized by section 204 of the Intergovernmental Cooperation Act of 1968. For purposes of chapter 5 of such title any condition or guideline for receipt of financial assistance shall be deemed a rule to which section 553 applies. All such rules, regulations, guidelines, and other published interpretations or orders under this Act shall be published in the Federal Register at least thirty days prior to their effective date. Copies of all such rules, regulations, guidelines, and other published interpretations or orders shall be transmitted to the appropriate committees of the Congress at the same time and shall contain with respect to each material provision of such rules, regulations, guidelines, and other published interpretations or orders,

80 Stat. 381; 81 Stat. 195. 5 USC 500.

82 Stat. 1101. 42 USC 4214.

Publication in Federal Register.

Rules and regulations, transmittal to congressional committees.

citations to the particular substantive section of law which is the basis therefor.

(b) The Secretary may make such grants, contracts, or agreements, establish such procedures (subject to such policies, rules, and regulations as he may prescribe), and make such payments, in installments and in advance or by way of reimbursement, or otherwise allocate or expend funds made available under this Act, as he may deem necessary to carry out the provisions of this Act, including (without regard to the provisions of section 4774(d) of title 10, United States Code) expenditures for construction, repairs, and capital improvements, and including necessary adjustments in payments on account of overpayments or underpayments. The Secretary may also withhold funds otherwise payable under this Act, but only in order to recover any amounts expended in the current or immediately prior fiscal year in violation of any provision of this Act or any term or condition of assistance under this Act.

70A Stat. 269.

CONDITIONS APPLICABLE TO ALL PROGRAMS

SEC. 603. The Secretary shall not provide financial assistance for any program under this Act unless—

Nondiscrimination.

(1) the grant, contract, or agreement with respect thereto specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any program participant or any applicant for participation in such program because of race, creed, color, national origin, sex, political affiliation, or beliefs;

(2) such program does not involve political activities;

(3) participants in the program will not be employed on the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship;

(4) conditions of employment or training will be appropriate and reasonable in the light of such factors as the type of work, geographical region, and proficiency of the participant;

(5) appropriate standards for the health, safety, and other conditions applicable to the performance of work and training on any project are established and will be maintained;

Workmen's compensation.

(6) appropriate workmen's compensation protection will be provided to all participants;

(7) the program will not result in the displacement of employed workers or impair existing contracts for services or result in the substitution of Federal for other funds in connection with work that would otherwise be performed;

Training.

(8) persons shall not be referred for training in an occupation which requires less than two weeks of preemployment training unless there are immediate employment opportunities available in that occupation;

(9) training and related services under any such program are designed, to the maximum extent practicable, consistent with every individual's fullest capabilities, to lead to employment opportunities enabling participants to become economically self-sufficient;

(10) no person shall be referred for training authorized under paragraph (3) or (4) of section 101 unless the Secretary or the prime sponsor, as appropriate, shall have determined that there is a reasonable expectation of employment for such person in the occupation for which he is being trained;

(11) funds will be used to supplement, to the extent practicable,

the level of funds that would otherwise be made available from non-Federal sources for the purpose of planning and administration of programs within the scope of this Act and not to supplant such other funds;

(12) the applicant will make such reports, in such form and containing such information as the Secretary may from time to time require, and will keep such records and afford such access thereto as the Secretary may find necessary to assure that funds are being expended in accordance with the provisions of this Act;

(13) the program will, to the maximum extent feasible, contribute to the occupational development or upward mobility of individual participants;

(14) the program has adequate internal administrative controls, accounting requirements, personnel standards, evaluation procedures, availability of inservice training and technical assistance programs, and other policies as may be necessary to promote the effective use of funds; and

(15) the program makes appropriate provision for the manpower needs of youths in the area to be served.

SPECIAL LIMITATION

SEC. 604. (a) No authority conferred by this Act shall be used to enter into arrangements for, or otherwise establish, any training programs in the lower wage industries in jobs where prior skill or training is typically not a prerequisite to hiring and where labor turnover is high, or to assist in relocating establishments from one area to another. Such limitations on relocation shall not prohibit assistance to a business entity in the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary of Labor finds that assistance will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless he has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations. Non-skilled jobs, exclusion.

(b) Acceptance of family planning services provided to trainees shall be voluntary on the part of the individual to whom such services are offered and shall not be a prerequisite to eligibility for or receipt of any benefit under the program.

(c) No non-governmental individual, institution, or organization shall evaluate any program under this Act if that individual or such institution or organization is associated with that program as a consultant, technical adviser, or in any similar capacity.

REPORTS

SEC. 605. (a) The Secretary shall make such reports and recommendations to the President as he deems appropriate pertaining to employment and occupational requirements, resources, use, and training, and his recommendations for the succeeding fiscal year, and the President shall transmit to the Congress within sixty days after the beginning of each regular session a report pertaining to manpower requirements, resources, utilization, and training. Reports to President. Presidential report to Congress.

(b) The Secretary and the Secretary of Health, Education, and Welfare shall report to the Congress on the extent to which community colleges, area vocational and technical schools and other vocational educational agencies and institutions, and vocational rehabilitation agencies are being utilized to carry out training programs supported in whole or in part from provisions of this and related Acts, the extent Report to Congress.

to which administrative steps have been taken and are being taken to encourage the use of such facilities and institutions and agencies in the carrying out of the provisions of this Act and any further legislation that may be required to assure effective coordination and utilization of such facilities and agencies to the end that all federally supported employment and training, vocational education, and vocational rehabilitation programs can more effectively accomplish their objectives of providing employment and training opportunities to all persons needing occupational training.

Summer youth programs, report to Congress.

(c) The Secretary shall transmit to the Congress at the earliest appropriate date, but not later than March 1, of each calendar year a report setting forth a description of summer programs providing jobs for economically disadvantaged youth to begin in June of such year, including the number of opportunities in public and private agencies or organizations that will be provided under section 304 (a)(3) of this Act or in the case of the summer of 1974 under section 3(c), and a statement as to the total number of such persons who would be eligible for such programs, together with his recommendations, if any, for supplemental appropriations for such programs.

(d) The Secretary, through the Bureau of Labor Statistics, shall annually compile and maintain information on the incidence of unemployment among offenders and shall publish the results of the information obtained pursuant to this subsection in the report required under subsection (a) of this section.

Employment opportunities for offenders, report to President and Congress.

(e) The Chairman of the United States Civil Service Commission, in consultation with the Secretary, shall report to the President and to the Congress no later than six months after the effective date of this Act on the extent to which and manner in which employment opportunities for offenders may be increased in the Federal service, with special reference to the criteria used in determining the suitability of offenders for Federal employment, including such recommendations for additional legislation as they deem advisable.

(f) Each prime sponsor shall prepare for the Secretary, and make available, to the public, a report on its activities under the Act, including a detailed comparison of program performance with approved plan.

LABOR STANDARDS

SEC. 606. All laborers and mechanics employed by contractors or subcontractors in any construction, alteration, or repair, including painting and decorating of projects, buildings, and works which are federally assisted under this Act, shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 1, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

49 Stat. 1011; 85 Stat. 879.

5 USC app.

ACCEPTANCE OF GIFTS

SEC. 607. The Secretary is authorized, in carrying out his functions and responsibilities under this Act, to accept in the name of the Department, and employ or dispose of in furtherance of the purposes of this Act, or any title thereof, an unconditional gift of any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise; and to accept voluntary and

uncompensated services, notwithstanding the provisions of section 3679(b) of the Revised Statutes of the United States. 31 USC 665.

UTILIZATION OF SERVICES AND FACILITIES

SEC. 608. (a) In addition to such other authority as he may have, the Secretary is authorized, in the performance of his functions under this Act, and to the extent permitted by law, to utilize the services and facilities of departments, agencies, and establishments of the United States. The Secretary is also authorized to accept and utilize the services and facilities of the agencies of any State or political subdivision of a State, with their consent.

(b) The Secretary shall carry out his responsibilities under this Act through the utilization, to the extent appropriate, of all resources for skill development available in industry, labor, public and private educational and training institutions, vocational rehabilitation agencies, and other State, Federal, and local agencies, and other appropriate public and private organizations and facilities, with their consent.

INTERSTATE AGREEMENTS

SEC. 609. In the event that compliance with provisions of this Act would be enhanced by cooperative agreements between States, the consent of Congress is hereby given to such States to enter into such compacts and agreements to facilitate such compliance, subject to the approval of the Secretary.

PROHIBITION AGAINST POLITICAL ACTIVITIES

SEC. 610. The Secretary shall not provide financial assistance for any program under this Act which involves political activities; and neither the program, the funds provided therefor, nor personnel employed in the administration thereof, shall be, in any way or to any extent, engaged in the conduct of political activities in contravention of chapter 15 of title 5, United States Code. 80 Stat. 403. 5 USC 1501.

CRIMINAL PROVISIONS

SEC. 611. (a) Chapter 31 of title 18, United States Code, is amended by adding a new section 665 to read as follows: 62 Stat. 725; 76 Stat. 41. 18 USC 641.

"THEFT OR EMBEZZLEMENT FROM MANPOWER FUNDS; IMPROPER INDUCEMENT

"SEC. 665. (a) Whoever, being an officer, director, agent, or employee of, or connected in any capacity with, any agency receiving financial assistance under the Comprehensive Employment and Training Act of 1973 embezzles, willfully misapplies, steals, or obtains by fraud any of the moneys, funds, assets, or property which are the subject of a grant or contract of assistance pursuant to this Act shall be fined not more than $10,000 or imprisoned for not more than two years, or both; but if the amount so embezzled, misapplied, stolen, or obtained by fraud does not exceed $100, he shall be fined not more than $1,000, or imprisoned not more than one year, or both.

"(b) Whoever, by threat of procuring dismissal of any person from employment or of refusal to employ or refusal to renew a contract of employment in connection with a grant or contract of assistance under the Comprehensive Employment and Training Act of 1973, induces any person to give up any money or thing of any value to any person (including such grantee agency) shall be fined not more than $1,000, or imprisoned not more than one year, or both."

(b) The analysis of chapter 31 is amended by adding at the end thereof the following new item:

"665. Theft or embezzlement from manpower funds; improper inducement."

NONDISCRIMINATION

SEC. 612. (a) No person in the United States shall on the ground of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this Act.

Noncompliance.

(b) Whenever the Secretary determines that a prime sponsor or eligible applicant has failed to comply with subsection (a) or an applicable regulation, he shall notify the prime sponsor or eligible applicant of the noncompliance and shall request the prime sponsor or eligible applicant to secure compliance. If within a reasonable period of time, not to exceed sixty days, the prime sponsor or eligible applicant fails or refuses to secure compliance, the Secretary, in addition to exercising the powers and functions provided for the termination of financial assistance under this Act, is authorized (1) to refer the matter to the Attorney General with a recommendation that an appropriate civil action be instituted; (2) to exercise the powers and functions provided by title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d); or (3) to take such other action as may be provided by law.

78 Stat. 252.

(c) When a matter is referred to the Attorney General pursuant to subsection (b), or whenever he has reason to believe that a prime sponsor or eligible applicant is engaged in a pattern or practice in violation of the provisions of this section, the Attorney General may bring a civil action in any appropriate United States district court for such relief as may be appropriate, including injunctive relief.

(d) The Secretary shall enforce the provsions of subsection (a) dealing with discrimination on the basis of sex in accordance with section 602 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken by the Secretary to enforce such provisions of such subsection. This section shall not be construed as affecting any other legal remedy that a person may have if that person is excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with any program or activity receiving assistance under this Act.

42 USC 2000d-1, 2000d-2.

RECORDS, AUDITS, AND REPORTS

SEC. 613. In order to assure that funds provided under this Act are used in accordance with its provisions, each recipient shall—

(1) use such fiscal, audit, and accounting procedures as may be necessary to assure (A) proper accounting for payments received by it, and (B) proper disbursement of such payments;

(2) provide to the Secretary and the Comptroller General of the United States access to, and the right to examine, any books, documents, papers, or records as he requires; and

(3) make such reports to the Secretary or the Comptroller General of the United States as he requires.

REPEALER

SEC. 614. Effective with respect to fiscal years after June 30, 1974, the Manpower Development and Training Act of 1962 and parts A, B, and E of title I of the Economic Opportunity Act of 1964 are repealed. Unexpended appropriations for carrying out such Acts may be made available to carry out this Act, as directed by the President.

Repeals.
42 USC 2571 note.
42 USC 2711, 2737, 2769.

EFFECTIVE DATE

SEC. 615. This Act shall take effect on the date of its enactment.
Approved December 28, 1973.

Public Law 93-204

AN ACT

December 28, 1973
[S. 513]

To amend section 232 of the National Housing Act to authorize insured loans to provide fire safety equipment for nursing homes and intermediate care facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 232 of the National Housing Act is amended by adding at the end thereof a new subsection as follows:

Nursing homes and intermediate care facilities.
Fire safety equipment, insured loans.
73 Stat. 663; 83 Stat. 382.
12 USC 1715w.

"(i) (1) The Secretary is authorized upon such terms and conditions as he may prescribe to make commitments to insure and to insure loans made by financial institutions or other approved mortgagees to nursing homes and intermediate care facilities to provide for the purchase and installation of fire safety equipment necessary for compliance with the 1967 edition of the Life Safety Code of the National Fire Protection Association or other such codes or requirements approved by the Secretary of Health, Education, and Welfare as conditions of participation for providers of services under title XVIII and title XIX of the Social Security Act.

42 USC 1395, 1396.

"(2) To be eligible for insurance under this subsection a loan shall—

"(A) not exceed the Secretary's estimate of the reasonable cost of the equipment fully installed;

"(B) bear interest at not to exceed a rate determined by the Secretary to be necessary to meet the loan market;

"(C) have a maturity satisfactory to the Secretary;

"(D) be made by a financial institution or other mortgagee approved by the Secretary as eligible for insurance under section 2 or a mortgagee approved under section 203(b)(1); and

48 Stat. 1248.
12 USC 1709.

"(E) comply with other such terms, conditions, and restrictions as the Secretary may prescribe.

"(3) The provisions of paragraphs (5), (6), (7), (9), and (10) of section 220(h) shall be applicable to loans insured under this subsection, except that all references to 'home improvement loans' shall be construed to refer to loans under this subsection.

75 Stat. 154.
12 USC 1715k.

"(4) The provisions of subsections (c), (d), and (h) of section 2 shall apply to loans insured under this subsection, and for the purpose of this subsection references in such subsections to 'this section' or 'this title' shall be construed to refer to this subsection.".

12 USC 1703.

Approved December 28, 1973.

Public Law 93-205

December 28, 1973
[S. 1983]

AN ACT

To provide for the conservation of endangered and threatened species of fish, wildlife, and plants, and for other purposes.

Endangered Species Act of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Endangered Species Act of 1973".

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FINDINGS, PURPOSES, AND POLICY

SEC. 2. (a) FINDINGS.—The Congress finds and declares that—

(1) various species of fish, wildlife, and plants in the United States have been rendered extinct as a consequence of economic growth and development untempered by adequate concern and conservation;

(2) other species of fish, wildlife, and plants have been so depleted in numbers that they are in danger of or threatened with extinction;

(3) these species of fish, wildlife, and plants are of esthetic, ecological, educational, historical, recreational, and scientific value to the Nation and its people;

(4) the United States has pledged itself as a sovereign state in the international community to conserve to the extent practicable the various species of fish or wildlife and plants facing extinction, pursuant to—

(A) migratory bird treaties with Canada and Mexico;

(B) the Migratory and Endangered Bird Treaty with Japan;

56 Stat. 1354.

(C) the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere;

1 UST 477.

(D) the International Convention for the Northwest Atlantic Fisheries;

4 UST 380.

(E) the International Convention for the High Seas Fisheries of the North Pacific Ocean;

(F) the Convention on International Trade in Endangered Species of Wild Fauna and Flora; and

(G) other international agreements.

(5) encouraging the States and other interested parties, through Federal financial assistance and a system of incentives, to develop and maintain conservation programs which meet national and international standards is a key to meeting the

Nation's international commitments and to better safeguarding, for the benefit of all citizens, the Nation's heritage in fish and wildlife.

(b) PURPOSES.—The purposes of this Act are to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved, to provide a program for the conservation of such endangered species and threatened species, and to take such steps as may be appropriate to achieve the purposes of the treaties and conventions set forth in subsection (a) of this section.

(c) POLICY.—It is further declared to be the policy of Congress that all Federal departments and agencies shall seek to conserve endangered species and threatened species and shall utilize their authorities in furtherance of the purposes of this Act.

DEFINITIONS

SEC. 3. For the purposes of this Act—

(1) The term "commercial activity" means all activities of industry and trade, including, but not limited to, the buying or selling of commodities and activities conducted for the purpose of facilitating such buying and selling.

(2) The terms "conserve", "conserving", and "conservation" mean to use and the use of all methods and procedures which are necessary to bring any endangered species or threatened species to the point at which the measures provided pursuant to this Act are no longer necessary. Such methods and procedures include, but are not limited to, all activities associated with scientific resources management such as research, census, law enforcement, habitat acquisition and maintenance, propagation, live trapping, and transplantation, and, in the extraordinary case where population pressures within a given ecosystem cannot be otherwise relieved, may include regulated taking.

(3) The term "Convention" means the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed on March 3, 1973, and the appendices thereto.

(4) The term "endangered species" means any species which is in danger of extinction throughout all or a significant portion of its range other than a species of the Class Insecta determined by the Secretary to constitute a pest whose protection under the provisions of this Act would present an overwhelming and overriding risk to man.

(5) The term "fish or wildlife" means any member of the animal kingdom, including without limitation any mammal, fish, bird (including any migratory, nonmigratory, or endangered bird for which protection is also afforded by treaty or other international agreement), amphibian, reptile, mollusk, crustacean, arthropod or other invertebrate, and includes any part, product, egg, or offspring thereof, or the dead body or parts thereof.

(6) The term "foreign commerce" includes, among other things, any transaction—

(A) between persons within one foreign country;

(B) between persons in two or more foreign countries;

(C) between a person within the United States and a person in a foreign country; or

(D) between persons within the United States, where the fish and wildlife in question are moving in any country or countries outside the United States.

(7) The term "import" means to land on, bring into, or introduce into, or attempt to land on, bring into, or introduce into, any

place subject to the jurisdiction of the United States, whether or not such landing, bringing, or introduction constitutes an importation within the meaning of the customs laws of the United States.

(8) The term "person" means an individual, corporation, partnership, trust, association, or any other private entity, or any officer, employee, agent, department, or instrumentality of the Federal Government, of any State or political subdivision thereof, or of any foreign government.

(9) The term "plant" means any member of the plant kingdom, including seeds, roots and other parts thereof.

(10) The term "Secretary" means, except as otherwise herein provided, the Secretary of the Interior or the Secretary of Commerce as program responsibilities are vested pursuant to the provisions of Reorganization Plan Numbered 4 of 1970; except that with respect to the enforcement of the provisions of this Act and the Convention which pertain to the importation or exportation of terrestrial plants, the term means the Secretary of Agriculture.

84 Stat. 2090.
5 USC app. II.

(11) The term "species" includes any subspecies of fish or wildlife or plants and any other group of fish or wildlife of the same species or smaller taxa in common spatial arrangement that interbreed when mature.

(12) The term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, Guam, and the Trust Territory of the Pacific Islands.

(13) The term "State agency" means the State agency, department, board, commission, or other governmental entity which is responsible for the management and conservation of fish or wildlife resources within a State.

(14) The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

(15) The term "threatened species" means any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

(16) The term "United States", when used in a geographical context, includes all States.

DETERMINATION OF ENDANGERED SPECIES AND THREATENED SPECIES

SEC. 4. (a) GENERAL.—(1) The Secretary shall by regulation determine whether any species is an endangered species or a threatened species because of any of the following factors:

(1) the present or threatened destruction, modification, or curtailment of its habitat or range;

(2) overutilization for commercial, sporting, scientific, or educational purposes;

(3) disease or predation;

(4) the inadequacy of existing regulatory mechanisms; or

(5) other natural or manmade factors affecting its continued existence.

(2) With respect to any species over which program responsibilities have been vested in the Secretary of Commerce pursuant to Reorganization Plan Numbered 4 of 1970—

(A) in any case in which the Secretary of Commerce determines that such species should—

(i) be listed as an endangered species or a threatened species, or

(ii) be changed in status from a threatened species to an endangered species,

he shall so inform the Secretary of the Interior, who shall list such species in accordance with this section;

(B) in any case in which the Secretary of Commerce determines that such species should—

(i) be removed from any list published pursuant to subsection (c) of this section, or

(ii) be changed in status from an endangered species to a threatened species,

he shall recommend such action to the Secretary of the Interior, and the Secretary of the Interior, if he concurs in the recommendation, shall implement such action; and

(C) the Secretary of the Interior may not list or remove from any list any such species, and may not change the status of any such species which are listed, without a prior favorable determination made pursuant to this section by the Secretary of Commerce.

(b) BASIS FOR DETERMINATIONS.—(1) The Secretary shall make determinations required by subsection (a) of this section on the basis of the best scientific and commercial data available to him and after consultation, as appropriate, with the affected States, interested persons and organizations, other interested Federal agencies, and, in cooperation with the Secretary of State, with the country or countries in which the species concerned is normally found or whose citizens harvest such species on the high seas; except that in any case in which such determinations involve resident species of fish or wildlife, the Secretary of the Interior may not add such species to, or remove such species from, any list published pursuant to subsection (c) of this section, unless the Secretary has first—

Publication in Federal Register.

(A) published notice in the Federal Register and notified the Governor of each State within which such species is then known to occur that such action is contemplated;

(B) allowed each such State 90 days after notification to submit its comments and recommendations, except to the extent that such period may be shortened by agreement between the Secretary and the Governor or Governors concerned; and

(C) published in the Federal Register a summary of all comments and recommendations received by him which relate to such proposed action.

(2) In determining whether or not any species is an endangered species or a threatened species, the Secretary shall take into consideration those efforts, if any, being made by any nation or any political subdivision of any nation to protect such species, whether by predator control, protection of habitat and food supply, or other conservation practices, within any area under the jurisdiction of any such nation or political subdivision, or on the high seas.

(3) Species which have been designated as requiring protection from unrestricted commerce by any foreign country, or pursuant to any international agreement, shall receive full consideration by the Secretary to determine whether each is an endangered species or a threatened species.

Publication in Federal Register.

(c) LISTS.—(1) The Secretary of the Interior shall publish in the Federal Register, and from time to time he may by regulation revise, a list of all species determined by him or the Secretary of Commerce to be endangered species and a list of all species determined by him or the Secretary of Commerce to be threatened species. Each list shall refer to the species contained therein by scientific and common name or names, if any, and shall specify with respect to each such species over what portion of its range it is endangered or threatened.

Review.
80 Stat. 383.

(2) The Secretary shall, upon the petition of an interested person under subsection 553(e) of title 5, United States Code, conduct a review of any listed or unlisted species proposed to be removed from or added to either of the lists published pursuant to paragraph (1) of this subsection, but only if he makes and publishes a finding that such person has presented substantial evidence which in his judgment warrants such a review.

(3) Any list in effect on the day before the date of the enactment of this Act of species of fish or wildlife determined by the Secretary of the Interior, pursuant to the Endangered Species Conservation Act of 1969, to be threatened with extinction shall be republished to conform to the classification for endangered species or threatened species, as the case may be, provided for in this Act, but until such republication, any such species so listed shall be deemed an endangered species within the meaning of this Act. The republication of any species pursuant to this paragraph shall not require public hearing or comment under section 553 of title 5, United States Code.

80 Stat. 926; 83 Stat. 275, 283. 16 USC 668aa note.

(d) PROTECTIVE REGULATIONS.—Whenever any species is listed as a threatened species pursuant to subsection (c) of this section, the Secretary shall issue such regulations as he deems necessary and advisable to provide for the conservation of such species. The Secretary may by regulation prohibit with respect to any threatened species any act prohibited under section 9(a)(1), in the case of fish or wildlife, or section 9(a)(2), in the case of plants, with respect to endangered species; except that with respect to the taking of resident species of fish or wildlife, such regulations shall apply in any State which has entered into a cooperative agreement pursuant to section 6(a) of this Act only to the extent that such regulations have also been adopted by such State.

(e) SIMILARITY OF APPEARANCE CASES.—The Secretary may, by regulation, and to the extent he deems advisable, treat any species as an endangered species or threatened species even though it is not listed pursuant to section 4 of this Act if he finds that—

(A) such species so closely resembles in appearance, at the point in question, a species which has been listed pursuant to such section that enforcement personnel would have substantial difficulty in attempting to differentiate between the listed and unlisted species;

(B) the effect of this substantial difficulty is an additional threat to an endangered or threatened species; and

(C) such treatment of an unlisted species will substantially facilitate the enforcement and further the policy of this Act.

(f) REGULATIONS.—(1) Except as provided in paragraphs (2) and (3) of this subsection and subsection (b) of this section, the provisions of section 553 of title 5, United States Code (relating to rulemaking procedures), shall apply to any regulation promulgated to carry out the purposes of this Act.

(2)(A) In the case of any regulation proposed by the Secretary to carry out the purposes of this Act—

Publication in Federal Register.

(i) the Secretary shall publish general notice of the proposed regulation (including the complete text of the regulation) in the Federal Register not less than 60 days before the effective date of the regulation; and

Hearing request.

(ii) if any person who feels that he may be adversely affected by the proposed regulation files (within 45 days after the date of publication of general notice) objections thereto and requests a public hearing thereon, the Secretary may grant such request, but shall, if he denies such request, publish his reasons therefor in the Federal Register.

Publication in Federal Register.

(B) Neither subparagraph (A) of this paragraph nor section 553 of title 5, United States Code, shall apply in the case of any of the following regulations and any such regulation shall, at the discretion of the Secretary, take effect immediately upon publication of the regulation in the Federal Register: 80 Stat. 383.

(i) Any regulation appropriate to carry out the purposes of this Act which was originally promulgated to carry out the Endangered Species Conservation Act of 1969. 80 Stat. 926; 83 Stat. 275, 283.

(ii) Any regulation (including any regulation implementing section 6(g)(2)(B)(ii) of this Act) issued by the Secretary in regard to any emergency posing a significant risk to the well-being of any species of fish or wildlife, but only if (I) at the time of publication of the regulation in the Federal Register the Secretary publishes therein detailed reasons why such regulation is necessary, and (II) in the case such regulation applies to resident species of fish and wildlife, the requirements of subsection (b)(A), (B), and (C) of this section have been complied with. Any regulation promulgated under the authority of this clause (ii) shall cease to have force and effect at the close of the 120-day period following the date of publication unless, during such 120-day period, the rulemaking procedures which would apply to such regulation without regard to this subparagraph are complied with. 16 USC 668aa note.

(3) The publication in the Federal Register of any proposed or final regulation which is necessary or appropriate to carry out the purposes of this Act shall include a statement by the Secretary of the facts on which such regulation is based and the relationship of such facts to such regulation. Statement by the Secretary.

LAND ACQUISITION

SEC. 5. (a) PROGRAM.—The Secretary of the Interior shall establish and implement a program to conserve (A) fish or wildlife which are listed as endangered species or threatened species pursuant to section 4 of this Act; or (B) plants which are concluded in Appendices to the Convention. To carry out such program, he—

(1) shall utilize the land acquisition and other authority under the Fish and Wildlife Act of 1956, as amended, the Fish and Wildlife Coordination Act, as amended, and the Migratory Bird Conservation Act, as appropriate; and 70 Stat. 1119. 16 USC 742a note. 60 Stat. 1080; 72 Stat. 563. 16 USC 661 note.

(2) is authorized to acquire by purchase, donation, or otherwise, lands, waters, or interest therein, and such authority shall be in addition to any other land acquisition authority vested in him. 45 Stat. 1222. 16 USC 715.

(b) ACQUISITIONS.—Funds made available pursuant to the Land and Water Conservation Fund Act of 1965, as amended, may be used for the purpose of acquiring lands, waters, or interests therein under subsection (a) of this section. 78 Stat. 897. 16 USC 460*l*-4 note.

COOPERATION WITH THE STATES

SEC. 6. (a) GENERAL.—In carrying out the program authorized by this Act, the Secretary shall cooperate to the maximum extent practicable with the States. Such cooperation shall include consultation with the States concerned before acquiring any land or water, or interest therein, for the purpose of conserving any endangered species or threatened species.

(b) MANAGEMENT AGREEMENTS.—The Secretary may enter into agreements with any State for the administration and management of any area established for the conservation of endangered species or

threatened species. Any revenues derived from the administration of such areas under these agreements shall be subject to the provisions of section 401 of the Act of June 15, 1935 (49 Stat. 383; 16 U.S.C. 715s).

78 Stat. 701.

(c) COOPERATIVE AGREEMENTS.—In furtherance of the purposes of this Act, the Secretary is authorized to enter into a cooperative agreement in accordance with this section with any State which establishes and maintains an adequate and active program for the conservation of endangered species and threatened species. Within one hundred and twenty days after the Secretary receives a certified copy of such a proposed State program, he shall make a determination whether such program is in accordance with this Act. Unless he determines, pursuant to this subsection, that the State program is not in accordance with this Act, he shall enter into a cooperative agreement with the State for the purpose of assisting in implementation of the State program. In order for a State program to be deemed an adequate and active program for the conservation of endangered species and threatened species, the Secretary must find, and annually thereafter reconfirm such finding, that under the State program—

(1) authority resides in the State agency to conserve resident species of fish or wildlife determined by the State agency or the Secretary to be endangered or threatened;

(2) the State agency has established acceptable conservation programs, consistent with the purposes and policies of this Act, for all resident species of fish or wildlife in the State which are deemed by the Secretary to be endangered or threatened, and has furnished a copy of such plan and program together with all pertinent details, information, and data requested to the Secretary;

(3) the State agency is authorized to conduct investigations to determine the status and requirements for survival of resident species of fish and wildlife;

(4) the State agency is authorized to establish programs, including the acquisition of land or aquatic habitat or interests therein, for the conservation of resident endangered species or threatened species; and

(5) provision is made for public participation in designating resident species of fish or wildlife as endangered or threatened.

(d) ALLOCATION OF FUNDS.—(1) The Secretary is authorized to provide financial assistance to any State, through its respective State agency, which has entered into a cooperative agreement pursuant to subsection (c) of this section to assist in development of programs for the conservation of endangered and threatened species. The Secretary shall make an allocation of appropriated funds to such States based on consideration of—

(A) the international commitments of the United States to protect endangered species or threatened species;

(B) the readiness of a State to proceed with a conservation program consistent with the objectives and purposes of this Act;

(C) the number of endangered species and threatened species within a State;

(D) the potential for restoring endangered species and threatened species within a State; and

(E) the relative urgency to initiate a program to restore and protect an endangered species or threatened species in terms of survival of the species.

So much of any appropriated funds allocated for obligation to any State for any fiscal year as remains unobligated at the close thereof is

authorized to be made available to that State until the close of the succeeding fiscal year. Any amount allocated to any State which is unobligated at the end of the period during which it is available for expenditure is authorized to be made available for expenditure by the Secretary in conducting programs under this section.

(2) Such cooperative agreements shall provide for (A) the actions to be taken by the Secretary and the States; (B) the benefits that are expected to be derived in connection with the conservation of endangered or threatened species; (C) the estimated cost of these actions; and (D) the share of such costs to be borne by the Federal Government and by the States; except that—

(i) the Federal share of such program costs shall not exceed 66⅔ per centum of the estimated program cost stated in the agreement; and

(ii) the Federal share may be increased to 75 per centum whenever two or more States having a common interest in one or more endangered or threatened species, the conservation of which may be enhanced by cooperation of such States, enter jointly into an agreement with the Secretary.

The Secretary may, in his discretion, and under such rules and regulations as he may prescribe, advance funds to the State for financing the United States pro rata share agreed upon in the cooperative agreement. For the purposes of this section, the non-Federal share may, in the discretion of the Secretary, be in the form of money or real property, the value of which will be determined by the Secretary, whose decision shall be final.

(e) REVIEW OF STATE PROGRAMS.—Any action taken by the Secretary under this section shall be subject to his periodic review at no greater than annual intervals.

(f) CONFLICTS BETWEEN FEDERAL AND STATE LAWS.—Any State law or regulation which applies with respect to the importation or exportation of, or interstate or foreign commerce in, endangered species or threatened species is void to the extent that it may effectively (1) permit what is prohibited by this Act or by any regulation which implements this Act, or (2) prohibit what is authorized pursuant to an exemption or permit provided for in this Act or in any regulation which implements this Act. This Act shall not otherwise be construed to void any State law or regulation which is intended to conserve migratory, resident, or introduced fish or wildlife, or to permit or prohibit sale of such fish or wildlife. Any State law or regulation respecting the taking of an endangered species or threatened species may be more restrictive than the exemptions or permits provided for in this Act or in any regulation which implements this Act but not less restrictive than the prohibitions so defined.

"Establishment period."

(g) TRANSITION.—(1) For purposes of this subsection, the term "establishment period" means, with respect to any State, the period beginning on the date of enactment of this Act and ending on whichever of the following dates first occurs: (A) the date of the close of the 120-day period following the adjournment of the first regular session of the legislature of such State which commences after such date of enactment, or (B) the date of the close of the 15-month period following such date of enactment.

(2) The prohibitions set forth in or authorized pursuant to sections 4(d) and 9(a)(1)(B) of this Act shall not apply with respect to the taking of any resident endangered species or threatened species (other than species listed in Appendix I to the Convention or otherwise specifically covered by any other treaty or Federal law) within any State—

(A) which is then a party to a cooperative agreement with the Secretary pursuant to section 6(c) of this Act (except to the extent that the taking of any such species is contrary to the law of such State); or

(B) except for any time within the establishment period when—

(i) the Secretary applies such prohibition to such species at the request of the State, or

(ii) the Secretary applies such prohibition after he finds, and publishes his finding, that an emergency exists posing a significant risk to the well-being of such species and that the prohibition must be applied to protect such species. The Secretary's finding and publication may be made without regard to the public hearing or comment provisions of section 553 of title 5, United States Code, or any other provision of this Act; but such prohibition shall expire 90 days after the date of its imposition unless the Secretary further extends such prohibition by publishing notice and a statement of justification of such extension.

80 Stat. 383.

(h) REGULATIONS.—The Secretary is authorized to promulgate such regulations as may be appropriate to carry out the provisions of this section relating to financial assistance to States.

(i) APPROPRIATIONS.—For the purposes of this section, there is authorized to be appropriated through the fiscal year ending June 30, 1977, not to exceed $10,000,000.

INTERAGENCY COOPERATION

SEC. 7. The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act. All other Federal departments and agencies shall, in consultation with and with the assistance of the Secretary, utilize their authorities in furtherance of the purposes of this Act by carrying out programs for the conservation of endangered species and threatened species listed pursuant to section 4 of this Act and by taking such action necessary to insure that actions authorized, funded, or carried out by them do not jeopardize the continued existence of such endangered species and threatened species or result in the destruction or modification of habitat of such species which is determined by the Secretary, after consultation as appropriate with the affected States, to be critical.

INTERNATIONAL COOPERATION

SEC. 8. (a) FINANCIAL ASSISTANCE.—As a demonstration of the commitment of the United States to the worldwide protection of endangered species and threatened species, the President may, subject to the provisions of section 1415 of the Supplemental Appropriation Act, 1953 (31 U.S.C. 724), use foreign currencies accruing to the United States Government under the Agricultural Trade Development and Assistance Act of 1954 or any other law to provide to any foreign country (with its consent) assistance in the development and management of programs in that country which the Secretary determines to be necessary or useful for the conservation of any endangered species or threatened species listed by the Secretary pursuant to section 4 of this Act. The President shall provide assistance (which includes, but is not limited to, the acquisition, by lease or otherwise, of lands, waters, or interests therein) to foreign countries under this section under such terms and conditions as he deems appropriate. Whenever foreign currencies are available for the provision of assistance

66 Stat. 662.

68 Stat. 454.
7 USC 1691.

under this section, such currencies shall be used in preference to funds appropriated under the authority of section 15 of this Act.

(b) ENCOURAGEMENT OF FOREIGN PROGRAMS.—In order to carry out further the provisions of this Act, the Secretary, through the Secretary of State, shall encourage—

(1) foreign countries to provide for the conservation of fish or wildlife including endangered species and threatened species listed pursuant to section 4 of this Act;

(2) the entering into of bilateral or multilateral agreements with foreign countries to provide for such conservation; and

(3) foreign persons who directly or indirectly take fish or wildlife in foreign countries or on the high seas for importation into the United States for commercial or other purposes to develop and carry out with such assistance as he may provide, conservation practices designed to enhance such fish or wildlife and their habitat.

(c) PERSONNEL.—After consultation with the Secretary of State, the Secretary may—

(1) assign or otherwise make available any officer or employee of his department for the purpose of cooperating with foreign countries and international organizations in developing personnel resources and programs which promote the conservation of fish or wildlife; and

(2) conduct or provide financial assistance for the educational training of foreign personnel, in this country or abroad, in fish, wildlife, or plant management, research and law enforcement and to render professional assistance abroad in such matters.

(d) INVESTIGATIONS.—After consultation with the Secretary of State and the Secretary of the Treasury, as appropriate, the Secretary may conduct or cause to be conducted such law enforcement investigations and research abroad as he deems necessary to carry out the purposes of this Act.

(e) CONVENTION IMPLEMENTATION.—The President is authorized and directed to designate appropriate agencies to act as the Management Authority or Authorities and the Scientific Authority or Authorities pursuant to the Convention. The agencies so designated shall thereafter be authorized to do all things assigned to them under the Convention, including the issuance of permits and certificates. The agency designated by the President to communicate with other parties to the Convention and with the Secretariat shall also be empowered, where appropriate, in consultation with the State Department, to act on behalf of and represent the United States in all regards as required by the Convention. The President shall also designate those agencies which shall act on behalf of and represent the United States in all regards as required by the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere. 56 Stat. 1354.

PROHIBITED ACTS

SEC. 9. (a) GENERAL.—(1) Except as provided in sections 6(g)(2) and 10 of this Act, with respect to any endangered species of fish or wildlife listed pursuant to section 4 of this Act it is unlawful for any person subject to the jurisdiction of the United States to—

(A) import any such species into, or export any such species from the United States;

(B) take any such species within the United States or the territorial sea of the United States;

(C) take any such species upon the high seas;

(D) possess, sell, deliver, carry, transport, or ship, by any means whatsoever, any such species taken in violation of subparagraphs (B) and (C);

(E) deliver, receive, carry, transport, or ship in interstate or foreign commerce, by any means whatsoever and in the course of a commercial activity, any such species;

(F) sell or offer for sale in interstate or foreign commerce any such species; or

(G) violate any regulation pertaining to such species or to any threatened species of fish or wildlife listed pursuant to section 4 of this Act and promulgated by the Secretary pursuant to authority provided by this Act.

(2) Except as provided in sections 6(g)(2) and 10 of this Act, with respect to any endangered species of plants listed pursuant to section 4 of this Act, it is unlawful for any person subject to the jurisdiction of the United States to—

(A) import any such species into, or export any such species from, the United States;

(B) deliver, receive, carry, transport, or ship in interstate or foreign commerce, by any means whatsoever and in the course of a commercial activity, any such species;

(C) sell or offer for sale in interstate or foreign commerce any such species; or

(D) violate any regulation pertaining to such species or to any threatened species of plants listed pursuant to section 4 of this Act and promulgated by the Secretary pursuant to authority provided by this Act.

(b) SPECIES HELD IN CAPTIVITY OR CONTROLLED ENVIRONMENT.—The provisions of this section shall not apply to any fish or wildlife held in captivity or in a controlled environment on the effective date of this Act if the purposes of such holding are not contrary to the purposes of this Act; except that this subsection shall not apply in the case of any fish or wildlife held in the course of a commercial activity. With respect to any act prohibited by this section which occurs after a period of 180 days from the effective date of this Act, there shall be a rebuttable presumption that the fish or wildlife involved in such act was not held in captivity or in a controlled environment on such effective date.

(c) VIOLATION OF CONVENTION.—(1) It is unlawful for any person subject to the jurisdiction of the United States to engage in any trade in any specimens contrary to the provisions of the Convention, or to possess any specimens traded contrary to the provisions of the Convention, including the definitions of terms in article I thereof.

(2) Any importation into the United States of fish or wildlife shall, if—

(A) such fish or wildlife is not an endangered species listed pursuant to section 4 of this Act but is listed in Appendix II to the Convention,

(B) the taking and exportation of such fish or wildlife is not contrary to the provisions of the Convention and all other applicable requirements of the Convention have been satisfied,

(C) the applicable requirements of subsections (d), (e), and (f) of this section have been satisfied, and

(D) such importation is not made in the course of a commercial activity,

be presumed to be an importation not in violation of any provision of this Act or any regulation issued pursuant to this Act.

(d) IMPORTS AND EXPORTS.—(1) It is unlawful for any person to engage in business as an importer or exporter of fish or wildlife (other than shellfish and fishery products which (A) are not listed pursuant to section 4 of this Act as endangered species or threatened species, and (B) are imported for purposes of human or animal consumption or taken in waters under the jurisdiction of the United States or on the high seas for recreational purposes) or plants without first having obtained permission from the Secretary.

(2) Any person required to obtain permission under paragraph (1) of this subsection shall— Recordkeeping.

(A) keep such records as will fully and correctly disclose each importation or exportation of fish, wildlife, or plants made by him and the subsequent disposition made by him with respect to such fish, wildlife, or plants;

(B) at all reasonable times upon notice by a duly authorized representative of the Secretary, afford such representative access to his places of business, an opportunity to examine his inventory of imported fish, wildlife, or plants and the records required to be kept under subparagraph (A) of this paragraph, and to copy such records; and

(C) file such reports as the Secretary may require. Reports.

(3) The Secretary shall prescribe such regulations as are necessary and appropriate to carry out the purposes of this subsection. Regulations.

(e) REPORTS.—It is unlawful for any person importing or exporting fish or wildlife (other than shellfish and fishery products which (1) are not listed pursuant to section 4 of this Act as endangered or threatened species, and (2) are imported for purposes of human or animal consumption or taken in waters under the jurisdiction of the United States or on the high seas for recreational purposes) or plants to fail to file any declaration or report as the Secretary deems necessary to facilitate enforcement of this Act or to meet the obligations of the Convention.

(f) DESIGNATION OF PORTS.—(1) It is unlawful for any person subject to the jurisdiction of the United States to import into or export from the United States any fish or wildlife (other than shellfish and fishery products which (A) are not listed pursuant to section 4 of this Act as endangered species or threatened species, and (B) are imported for purposes of human or animal consumption or taken in waters under the jurisdiction of the United States or on the high seas for recreational purposes) or plants, except at a port or ports designated by the Secretary of the Interior. For the purpose of facilitating enforcement of this Act and reducing the costs thereof, the Secretary of the Interior, with approval of the Secretary of the Treasury and after notice and opportunity for public hearing, may, by regulation, designate ports and change such designations. The Secretary of the Interior, under such terms and conditions as he may prescribe, may permit the importation or exportation at nondesignated ports in the interest of the health or safety of the fish or wildlife or plants, or for other reasons if, in his discretion, he deems it appropriate and consistent with the purpose of this subsection.

(2) Any port designated by the Secretary of the Interior under the authority of section 4(d) of the Act of December 5, 1969 (16 U.S.C. 666cc–4(d)), shall, if such designation is in effect on the day before the date of the enactment of this Act, be deemed to be a port designated by the Secretary under paragraph (1) of this subsection until such time as the Secretary otherwise provides. 83 Stat. 277. 16 USC 668cc-4.

(g) VIOLATIONS.—It is unlawful for any person subject to the jurisdiction of the United States to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in this section.

EXCEPTIONS

SEC. 10. (a) PERMITS.—The Secretary may permit, under such terms and conditions as he may prescribe, any act otherwise prohibited by section 9 of this Act for scientific purposes or to enhance the propagation or survival of the affected species.

(b) HARDSHIP EXEMPTIONS.—(1) If any person enters into a contract with respect to a species of fish or wildlife or plant before the date of the publication in the Federal Register of notice of consideration of that species as an endangered species and the subsequent listing of that species as an endangered species pursuant to section 4 of this Act will cause undue economic hardship to such person under the contract, the Secretary, in order to minimize such hardship, may exempt such person from the application of section 9(a) of this Act to the extent the Secretary deems appropriate if such person applies to him for such exemption and includes with such application such information as the Secretary may require to prove such hardship; except that (A) no such exemption shall be for a duration of more than one year from the date of publication in the Federal Register of notice of consideration of the species concerned, or shall apply to a quantity of fish or wildlife or plants in excess of that specified by the Secretary; (B) the one-year period for those species of fish or wildlife listed by the Secretary as endangered prior to the effective date of this Act shall expire in accordance with the terms of section 3 of the Act of December 5, 1969 (83 Stat. 275); and (C) no such exemption may be granted for the importation or exportation of a specimen listed in Appendix I of the Convention which is to be used in a commercial activity.

16 USC 668cc-3.

"Undue economic hardship."

(2) As used in this subsection, the term "undue economic hardship" shall include, but not be limited to:

(A) substantial economic loss resulting from inability caused by this Act to perform contracts with respect to species of fish and wildlife entered into prior to the date of publication in the Federal Register of a notice of consideration of such species as an endangered species;

(B) substantial economic loss to persons who, for the year prior to the notice of consideration of such species as an endangered species, derived a substantial portion of their income from the lawful taking of any listed species, which taking would be made unlawful under this Act; or

(C) curtailment of subsistence taking made unlawful under this Act by persons (i) not reasonably able to secure other sources of subsistence; and (ii) dependent to a substantial extent upon hunting and fishing for subsistence; and (iii) who must engage in such curtailed taking for subsistence purposes.

(3) The Secretary may make further requirements for a showing of undue economic hardship as he deems fit. Exceptions granted under this section may be limited by the Secretary in his discretion as to time, area, or other factor of applicability.

Publication in Federal Register.

(c) NOTICE AND REVIEW.—The Secretary shall publish notice in the Federal Register of each application for an exemption or permit which is made under this subsection. Each notice shall invite the submission from interested parties, within thirty days after the date of the notice, written data, views, or arguments with respect to the application. Information received by the Secretary as a part of any application shall be available to the public as a matter of public record at every stage of the proceeding.

(d) PERMIT AND EXEMPTION POLICY.—The Secretary may grant exceptions under subsections (a) and (b) of this section only if he finds

and publishes his finding in the Federal Register that (1) such exceptions were applied for in good faith, (2) if granted and exercised will not operate to the disadvantage of such endangered species, and (3) will be consistent with the purposes and policy set forth in section 2 of this Act.

Publication in Federal Register.

(e) ALASKA NATIVES.—(1) Except as provided in paragraph (4) of this subsection the provisions of this Act shall not apply with respect to the taking of any endangered species or threatened species, or the importation of any such species taken pursuant to this section, by—

(A) any Indian, Aleut, or Eskimo who is an Alaskan Native who resides in Alaska; or

(B) any non-native permanent resident of an Alaskan native village;

if such taking is primarily for subsistence purposes. Non-edible byproducts of species taken pursuant to this section may be sold in interstate commerce when made into authentic native articles of handicrafts and clothing; except that the provisions of this subsection shall not apply to any non-native resident of an Alaskan native village found by the Secretary to be not primarily dependent upon the taking of fish and wildlife for consumption or for the creation and sale of authentic native articles of handicrafts and clothing.

(2) Any taking under this subsection may not be accomplished in a wasteful manner.

(3) As used in this subsection—

Definitions.

(i) The term "subsistence" includes selling any edible portion of fish or wildlife in native villages and towns in Alaska for native consumption within native villages or towns; and

(ii) The term "authentic native articles of handicrafts and clothing" means items composed wholly or in some significant respect of natural materials, and which are produced, decorated, or fashioned in the exercise of traditional native handicrafts without the use of pantographs, multiple carvers, or other mass copying devices. Traditional native handicrafts include, but are not limited to, weaving, carving, stitching, sewing, lacking, beading, drawing, and painting.

(4) Notwithstanding the provisions of paragraph (1) of this subsection, whenever the Secretary determines that any species of fish or wildlife which is subject to taking under the provisions of this subsection is an endangered species or threatened species, and that such taking materially and negatively affects the threatened or endangered species, he may prescribe regulations upon the taking of such species by any such Indian, Aleut, Eskimo, or non-Native Alaskan resident of an Alaskan native village. Such regulations may be established with reference to species, geographical description of the area included, the season for taking, or any other factors related to the reason for establishing such regulations and consistent with the policy of this Act. Such regulations shall be prescribed after a notice and hearings in the affected judicial districts of Alaska and as otherwise required by section 103 of the Marine Mammal Protection Act of 1972, and shall be removed as soon as the Secretary determines that the need for their impositions has disappeared.

Regulations.

86 Stat. 1033. 16 USC 1373.

PENALTIES AND ENFORCEMENT

SEC. 11. (a) CIVIL PENALTIES.—(1) Any person who knowingly violates, or who knowingly commits an act in the course of a commercial activity which violates, any provision of this Act, or any provision of any permit or certificate issued hereunder, or of any regulation issued in order to implement subsection (a)(1)(A), (B),

(C), (D), (E), or (F), (a)(2) (A), (B), or (C), (c), (d) (other than regulation relating to recordkeeping or filing of reports), (f) or (g) of section 9 of this Act, may be assessed a civil penalty by the Secretary of not more than $10,000 for each violation. Any person who knowingly violates, or who knowingly commits an act in the course of a commercial activity which violates, any provision of any other regulation issued under this Act may be assessed a civil penalty by the Secretary of not more than $5,000 for each such violation. Any person who otherwise violates any provision of this Act, or any regulation, permit, or certificate issued hereunder, may be assessed a civil penalty by the Secretary of not more than $1,000 for each such violation. No penalty may be assessed under this subsection unless such person is given notice and opportunity for a hearing with respect to such violation. Each violation shall be a separate offense. Any such civil penalty may be remitted or mitigated by the Secretary. Upon any failure to pay a penalty assessed under this subsection, the Secretary may request the Attorney General to institute a civil action in a district court of the United States for any district in which such person is found, resides, or transacts business to collect the penalty and such court shall have jurisdiction to hear and decide any such action. The court shall hear such action on the record made before the Secretary and shall sustain his action if it is supported by substantial evidence on the record considered as a whole.

Notice; hearing opportunity.

(2) Hearings held during proceedings for the assessment of civil penalties authorized by paragraph (1) of this subsection shall be conducted in accordance with section 554 of title 5, United States Code. The Secretary may issue subpenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and administer oaths. Witnesses summoned shall be paid the same fees and mileage that are paid to witnesses in the courts of the United States. In case of contumacy or refusal to obey a subpena served upon any person pursuant to this paragraph, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Secretary or to appear and produce documents before the Secretary, or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

80 Stat. 384.

Subpenas.

Witness fees.

(b) CRIMINAL VIOLATIONS.—(1) Any person who willfully commits an act which violates any provision of this Act, of any permit or certificate issued hereunder, or of any regulation issued in order to implement subsection (a)(1) (A), (B), (C), (D), (E), or (F); (a)(2) (A), (B), or (C), (c), (d) (other than a regulation relating to recordkeeping, or filing of reports), (f), or (g) of section 9 of this Act shall, upon conviction, be fined not more than $20,000 or imprisoned for not more than one year, or both. Any person who willfully commits an act which violates any provision of any other regulation issued under this Act shall, upon conviction, be fined not more than $10,000 or imprisoned for not more than six months, or both.

(2) The head of any Federal agency which has issued a lease, license, permit, or other agreement authorizing the use of Federal lands, including grazing of domestic livestock, to any person who is convicted of a criminal violation of this Act or any regulation, permit, or certificate issued hereunder may immediately modify, suspend, or revoke each lease, license, permit, or other agreement. The Secretary shall also suspend for a period of up to one year, or cancel, any Federal hunting or fishing permits or stamps issued to any person who is convicted of a criminal violation of any provision of this Act or any

regulation, permit, or certificate issued hereunder. The United States shall not be liable for the payments of any compensation, reimbursement, or damages in connection with the modification, suspension, or revocation of any leases, licenses, permits, stamps, or other agreements pursuant to this section.

(c) DISTRICT COURT JURISDICTION.—The several district courts of the United States, including the courts enumerated in section 460 of title 28, United States Code, shall have jurisdiction over any actions arising under this Act. For the purpose of this Act, American Samoa shall be included within the judicial district of the District Court of the United States for the District of Hawaii.

65 Stat. 725; 72 Stat. 348.

(d) REWARDS.—Upon the recommendation of the Secretary, the Secretary of the Treasury is authorized to pay an amount equal to one-half of the civil penalty or fine paid, but not to exceed $2,500, to any person who furnishes information which leads to a finding of civil violation or a conviction of a criminal violation of any provision of this Act or any regulation or permit issued thereunder. Any officer or employee of the United States or of any State or local government who furnishes information or renders service in the performance of his official duties shall not be eligible for payment under this section.

(e) ENFORCEMENT.—(1) The provisions of this Act and any regulations or permits issued pursuant thereto shall be enforced by the Secretary, the Secretary of the Treasury, or the Secretary of the Department in which the Coast Guard is operating, or all such Secretaries. Each such Secretary may utilize by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency or any State agency for purposes of enforcing this Act.

Federal and State agencies, utilization.

(2) The judges of the district courts of the United States and the United States magistrates may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue such warrants or other process as may be required for enforcement of this Act and any regulation issued thereunder.

Warrants.

(3) Any person authorized by the Secretary, the Secretary of the Treasury, or the Secretary of the Department in which the Coast Guard is operating, to enforce this Act may detain for inspection and inspect any package, crate, or other container, including its contents, and all accompanying documents, upon importation or exportation. Such person may execute and serve any arrest warrant, search warrant, or other warrant or civil or criminal process issued by any officer or court of competent jurisdiction for enforcement of this Act. Such person so authorized may search and seize, with or without a warrant, as authorized by law. Any fish, wildlife, property, or item so seized shall be held by any person authorized by the Secretary, the Secretary of the Treasury, or the Secretary of the Department in which the Coast Guard is operating pending disposition of civil or criminal proceedings, or the institution of an action in rem for forfeiture of such fish, wildlife, property, or item pursuant to paragraph (4) of this subsection; except that the Secretary may, in lieu of holding such fish, wildlife, property, or item, permit the owner or consignee to post a bond or other surety satisfactory to the Secretary.

Package inspection.

Search and seizure, authority.

(4)(A) All fish or wildlife or plants taken, possessed, sold, purchased, offered for sale or purchase, transported, delivered, received, carried, shipped, exported, or imported contrary to the provisions of this Act, any regulation made pursuant thereto, or any permit or certificate issued hereunder shall be subject to forfeiture to the United States.

Forfeiture.

(B) All guns, traps, nets, and other equipment, vessels, vehicles, aircraft, and other means of transportation used to aid the taking, possessing, selling, purchasing, offering for sale or purchase, transporting, delivering, receiving, carrying, shipping, exporting, or importing of any fish or wildlife or plants in violation of this Act, any regulation made pursuant thereto, or any permit or certificate issued thereunder shall be subject to forfeiture to the United States upon conviction of a criminal violation pursuant to section 11(b)(1) of this Act.

(5) All provisions of law relating to the seizure, forfeiture, and condemnation of a vessel for violation of the customs laws, the disposition of such vessel or the proceeds from the sale thereof, and the remission or mitigation of such forfeiture, shall apply to the seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this Act, insofar as such provisions of law are applicable and not inconsistent with the provisions of this Act; except that all powers, rights, and duties conferred or imposed by the customs laws upon any officer or employee of the Treasury Department shall, for the purposes of this Act, be exercised or performed by the Secretary or by such persons as he may designate.

Administrative fees.

(f) REGULATIONS.—The Secretary, the Secretary of the Treasury, and the Secretary of the Department in which the Coast Guard is operating, are authorized to promulgate such regulations as may be appropriate to enforce this Act, and charge reasonable fees for expenses to the Government connected with permits or certificates authorized by this Act including processing applications and reasonable inspections, and with the transfer, board, handling, or storage of fish or wildlife or plants and evidentiary items seized and forfeited under this Act. All such fees collected pursuant to this subsection shall be deposited in the Treasury to the credit of the appropriation which is current and chargeable for the cost of furnishing the services. Appropriated funds may be expended pending reimbursement from parties in interest.

(g) CITIZEN SUITS.—(1) Except as provided in paragraph (2) of this subsection any person may commence a civil suit on his own behalf—

(A) to enjoin any person, including the United States and any other governmental instrumentality or agency (to the extent permitted by the eleventh amendment to the Constitution), who is alleged to be in violation of any provision of this Act or regulation issued under the authority thereof; or

(B) to compel the Secretary to apply, pursuant to section 6(g)(2)(B)(ii) of this Act, the prohibitions set forth in or authorized pursuant to section 4(d) or section 9(a)(1)(B) of this Act with respect to the taking of any resident endangered species or threatened species within any State.

Jurisdiction.

The district courts shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce any such provision or regulation, as the case may be. In any civil suit commenced under subparagraph (B) the district court shall compel the Secretary to apply the prohibition sought if the court finds that the allegation that an emergency exists is supported by substantial evidence.

(2)(A) No action may be commenced under subparagraph (1)(A) of this section—

(i) prior to sixty days after written notice of the violation has been given to the Secretary, and to any alleged violator of any such provision or regulation;

(ii) if the Secretary has commenced action to impose a penalty pursuant to subsection (a) of this section; or

(iii) if the United States has commenced and is diligently prosecuting a criminal action in a court of the United States or a State to redress a violation of any such provision or regulation.

(B) No action may be commenced under subparagraph (1)(B) of this section—

(i) prior to sixty days after written notice has been given to the Secretary setting forth the reasons why an emergency is thought to exist with respect to an endangered species or a threatened species in the State concerned; or

(ii) if the Secretary has commenced and is diligently prosecuting action under section 6(g)(2)(B)(ii) of this Act to determine whether any such emergency exists.

(3)(A) Any suit under this subsection may be brought in the judicial district in which the violation occurs.

Intervention.

(B) In any such suit under this subsection in which the United States is not a party, the Attorney General, at the request of the Secretary, may intervene on behalf of the United States as a matter of right.

Litigation costs.

(4) The court, in issuing any final order in any suit brought pursuant to paragraph (1) of this subsection, may award costs of litigation (including reasonable attorney and expert witness fees) to any party, whenever the court determines such award is appropriate.

Injunctive relief.

(5) The injunctive relief provided by this subsection shall not restrict any right which any person (or class of persons) may have under any statute or common law to seek enforcement of any standard or limitation or to seek any other relief (including relief against the Secretary or a State agency).

(h) COORDINATION WITH OTHER LAWS.—The Secretary of Agriculture and the Secretary shall provide for appropriate coordination of the administration of this Act with the administration of the animal quarantine laws (21 U.S.C. 101–105, 111–135b, and 612–614) and section 306 of the Tariff Act of 1930 (19 U.S.C. 1306). Nothing in this Act or any amendment made by this Act shall be construed as superseding or limiting in any manner the functions of the Secretary of Agriculture under any other law relating to prohibited or restricted importations or possession of animals and other articles and no proceeding or determination under this Act shall preclude any proceeding or be considered determinative of any issue of fact or law in any proceeding under any Act administered by the Secretary of Agriculture. Nothing in this Act shall be construed as superseding or limiting in any manner the functions and responsibilities of the Secretary of the Treasury under the Tariff Act of 1930, including, without limitation, section 527 of that Act (19 U.S.C. 1527), relating to the importation of wildlife taken, killed, possessed, or exported to the United States in violation of the laws or regulations of a foreign country.

46 Stat. 689; 72 Stat. 1685.

46 Stat. 741.

ENDANGERED PLANTS

SEC. 12. The Secretary of the Smithsonian Institution, in conjunction with other affected agencies, is authorized and directed to review (1) species of plants which are now or may become endangered or threatened and (2) methods of adequately conserving such species, and to

Report to Congress.

report to Congress, within one year after the date of the enactment of this Act, the results of such review including recommendations for new legislation or the amendment of existing legislation.

CONFORMING AMENDMENTS

SEC. 13. (a) Subsection 4(c) of the Act of October 15, 1966 (80 Stat. 928, 16 U.S.C. 668dd(c)), is further amended by revising the second sentence thereof to read as follows: "With the exception of endangered species and threatened species listed by the Secretary pursuant to section 4 of the Endangered Species Act of 1973 in States wherein a cooperative agreement does not exist pursuant to section 6(c) of that Act, nothing in this Act shall be construed to authorize the Secretary to control or regulate hunting or fishing of resident fish and wildlife on lands not within the system."

Ante, p. 886.

(b) Subsection 10(a) of the Migratory Bird Conservation Act (45 Stat. 1224, 16 U.S.C. 715i(a)) and subsection 401(a) of the Act of June 15, 1935 (49 Stat. 383, 16 U.S.C. 715s(a)), are each amended by striking out "threatened with extinction," and inserting in lieu thereof the following: "listed pursuant to section 4 of the Endangered Species Act of 1973 as endangered species or threatened species,".

80 Stat. 929.
78 Stat. 701; 80 Stat. 930.

(c) Section 7(a)(1) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l—9(a)(1)) is amended by striking out:

78 Stat. 897; 86 Stat. 459.

"THREATENED SPECIES.—For any national area which may be authorized for the preservation of species of fish or wildlife that are threatened with extinction."

and inserting in lieu thereof the following:

"ENDANGERED SPECIES AND THREATENED SPECIES.—For lands, waters, or interests therein, the acquisition of which is authorized under section 5(a) of the Endangered Species Act of 1973, needed for the purpose of conserving endangered or threatened species of fish or wildlife or plants."

Conservation areas.

(d) The first sentence of section 2 of the Act of September 28, 1962, as amended (76 Stat. 653, 16 U.S.C. 460k–1), is amended to read as follows:

86 Stat. 1063.

"The Secretary is authorized to acquire areas of land, or interests therein, which are suitable for—

"(1) incidental fish and wildlife-oriented recreational development,

"(2) the protection of natural resources,

"(3) the conservation of endangered species or threatened species listed by the Secretary pursuant to section 4 of the Endangered Species Act of 1973, or

"(4) carrying out two or more of the purposes set forth in paragraphs (1) through (3) of this section, and are adjacent to, or within, the said conservation areas, except that the acquisition of any land or interest therein pursuant to this section shall be accomplished only with such funds as may be appropriated therefor by the Congress or donated for such purposes, but such property shall not be acquired with funds obtained from the sale of Federal migratory bird hunting stamps."

(e) The Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407) is amended—

86 Stat. 1027.

(1) by striking out "Endangered Species Conservation Act of 1969" in section 3(1)(B) thereof and inserting in lieu thereof the following: "Endangered Species Act of 1973"; 86 Stat. 1028. 16 USC 1362. *Ante*, p. 884.

(2) by striking out "pursuant to the Endangered Species Conservation Act of 1969" in section 101(a)(3)(B) thereof and inserting in lieu thereof the following: "or threatened species pursuant to the Endangered Species Act of 1973"; 16 USC 1371.

(3) by striking out "endangered under the Endangered Species Conservation Act of 1969" in section 102(b)(3) thereof and inserting in lieu thereof the following: "an endangered species or threatened species pursuant to the Endangered Species Act of 1973"; and 16 USC 1372.

(4) by striking out "of the Interior such revisions of the Endangered Species List, authorized by the Endangered Species Conservation Act of 1969," in section 202(a)(6) thereof and inserting in lieu thereof the following: "such revisions of the endangered species list and threatened species list published pursuant to section 4(c)(1) of the Endangered Species Act of 1973". 16 USC 1402.

(f) Section 2(l) of the Federal Environmental Pesticide Control Act of 1972 (Public Law 92-516) is amended by striking out the words "by the Secretary of the Interior under Public Law 91-135" and inserting in lieu thereof the words "or threatened by the Secretary pursuant to the Endangered Species Act of 1973". 86 Stat. 973. 7 USC 136 note.

REPEALER

SEC. 14. The Endangered Species Conservation Act of 1969 (sections 1 through 3 of the Act of October 15, 1966, and sections 1 through 6 of the Act of December 5, 1969; 16 U.S.C. 668aa—668cc-6), is repealed. 80 Stat. 926. 83 Stat. 275.

AUTHORIZATION OF APPROPRIATIONS

SEC. 15. Except as authorized in section 6 of this Act, there are authorized to be appropriated—

(A) not to exceed $4,000,000 for fiscal year 1974, not to exceed $8,000,000 for fiscal year 1975 and not to exceed $10,000,000 for fiscal year 1976, to enable the Department of the Interior to carry out such functions and responsibilities as it may have been given under this Act; and

(B) not to exceed $2,000,000 for fiscal year 1974, $1,500,000 for fiscal year 1975 and not to exceed $2,000,000 for fiscal year 1976, to enable the Department of Commerce to carry out such functions and responsibilities as it may have been given under this Act.

EFFECTIVE DATE

SEC. 16. This Act shall take effect on the date of its enactment.

MARINE MAMMAL PROTECTION ACT OF 1972

SEC. 17. Except as otherwise provided in this Act, no provision of this Act shall take precedence over any more restrictive conflicting provision of the Marine Mammal Protection Act of 1972. 86 Stat. 1027. 16 USC 1361 note.

Approved December 28, 1973.

Public Law 93-206

December 28, 1973
[S. 1529]

AN ACT

To authorize the Secretary of the Interior to enter into agreements with non-Federal agencies for the replacement of the existing American Falls Dam, Minidoka project, Idaho, and for other purposes.

American Falls Dam, Minidoka project, Idaho. Replacement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter called the Secretary) is authorized to negotiate and enter into agreements with the American Falls Reservoir District or other appropriate agency representing the present spaceholders (hereinafter called the constructing agency), which agreements shall authorize the constructing agency to finance and provide for the construction of a dam and related facilities to replace the existing American Falls Dam of the Minidoka project, Idaho-Wyoming. The United States shall take title to the dam upon a determination by the Secretary that construction of the dam is substantially completed, and the dam shall be a feature of the Minidoka reclamation project and shall be considered to be a "Government dam" as defined by the Federal Power Act (Act of June 10, 1920, 41 Stat. 1063, as amended). The Secretary shall operate and maintain the replacement dam as a feature of the Minidoka project. The construction and operation of the replacement dam shall not result in an increase in the elevation of the reservoir water surface above that maintained for the original dam, and provision shall be made for the correction and prevention of erosion related to the reservoir or for the full and adequate compensation of adjacent landowners (including owners of land subject to a flowage easement for the reservoir) if such erosion cannot be corrected or prevented.

49 Stat. 863.
16 USC 791a.

Storage and contract rights, protection.

SEC. 2. (a) Replacement of the existing dam as authorized in section 1 hereof shall in no way alter or change the present proportionate storage rights of present spaceholders in the American Falls Reservoir and shall constitute a reaffirmation of existing contract rights between the Secretary and the spaceholders except as otherwise provided in this Act.

River crossing construction.

(b) The constructing agency shall: (i) include as a part of the project, a river crossing meeting the then current Department of Transportation standards for Federal-aid secondary highway two-lane traffic, which crossing shall be located on top of the replacement dam or immediately downstream from the dam, and which crossing shall be financed by State, Federal, and constructing agency funds, or any combination thereof as the parties deem appropriate; and (ii) design and construct an additional two lanes on top of the replacement dam, which additional two lanes may be funded with State, Federal, or constructing agency funds, or any combination thereof. For the purposes of subpart (ii) of this subsection, the constructing agency shall be considered an "agency" within the meaning of section 320(a) of title 23, United States Code.

72 Stat. 917.

(c) The plans and specifications for the construction of the dam shall require that an adequate two-lane, two-way crossing shall be maintained at or near the site of the dam during construction.

Repayment contracts with spaceholders.

SEC. 3. The constructing agency may enter into repayment contracts with the spaceholders in the existing American Falls Reservoir providing for the repayment by the spaceholders of proportionate shares of the total project costs incurred by the constructing agency for engineering, financing, designing, and constructing the replacement dam, and the Secretary shall be a party to said contracts and the delivery of water to the spaceholders shall be contingent upon the execution of such contracts and the fulfillment of the obligations thereunder: *Provided*, That said contracts shall be consistent with the terms of existing contracts between the Secretary and the spaceholders for repayment of the costs of the existing American Falls Dam.

Leasing contract for hydroelectric power production.

SEC. 4. The constructing agency may contract with an appropriate non-Federal entity for the use of the falling water leaving the dam for power generation, which contract shall provide for a monetary return to the constructing agency to defray the costs of construction of the replacement dam. The constructing agency may enter into agreements with an appropriate non-Federal entity to coordinate the construction of hydroelectric power facilities with the construction of the replacement dam. The contract and agreements for use of the falling water shall not be subject to the limitations of section 9(c) of the Reclamation Project Act of 1939 (53 Stat. 1194), or any similar limitations in any other applicable Acts of Congress: *Provided*, That said contract for falling water shall be approved by the Secretary and shall not impair the efficiency of the project to serve the other purposes of the Minidoka project.

43 USC 485h.

Designs and specifications, approval.

SEC. 5. Construction of the replacement dam shall not be initiated until the Secretary has approved the designs and specifications of the dam and the plan of construction of the dam and of the proposed operation of the dam and reservoir. Construction of each related facility shall not be initiated until the Secretary has approved the designs and specifications thereof. Costs incurred by the Secretary in reviewing such designs, specifications, plans, and construction shall be included as project costs allocated to beneficiaries of the replacement dam and shall be reimbursable to the Secretary.

Costs, reimbursement to Secretary of Interior.

Recreational, fish, and wildlife facilities.

SEC. 6. The Secretary is authorized to provide specific facilities for public recreation and fish and wildlife enhancement in connection with the replacement dam, and the costs of such facilities shall be repaid in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213). In addition, specific facilities for public recreation may also be provided in accordance with the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (16 U.S.C. 460, et seq.).

16 USC 460*l*-12 note.

Appropriation.

SEC. 7. There is hereby authorized to be appropriated for construction of specific facilities for public recreation and fish and wildlife enhancement the sum of $400,000 (July 1972 prices) plus or minus such amounts, if any, as may be required by reason of the changes in the cost of construction work of the type involved therein as shown by engineering cost indices. There are also authorized to be appropriated such funds as may be necessary to meet the prorated construction cost apportionable to the irrigation storage rights of the Michaud Division of the Fort Hall Indian Reservation for space in the reservoir behind the American Falls Replacement Dam and such cost shall be subject to the Act of July 1, 1932 (47 Stat. 564; 25 U.S.C. 368a). There are also authorized to be appropriated such funds as are required for the operation and maintenance of the dam and related facilities.

Fort Hall Indian Reservation, irrigation storage rights costs.

25 USC 386a.

Approved December 28, 1973.

Public Law 93-207

December 28, 1973
[S. 1776]

AN ACT

To amend the Federal Water Pollution Control Act, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Water Pollution Control Act (86 Stat. 816; 33 U.S.C. 1251 et seq.) is amended—

Federal Water Pollution Control Act, amendments.

33 USC 1254.

(1) in section 104(u)(2), by striking out "fiscal year 1973" and inserting in lieu thereof "fiscal years 1973 and 1974";

33 USC 1286.

(2) in section 206(e), by striking out "$2,000,000,000" and inserting in lieu thereof "$2,600,000,000";

33 USC 1287.

(3) in section 207, by inserting "206(e)," after "sections";

33 USC 1321.

(4) in section 311—

(A) by striking out "(b)(2)" wherever it appears in paragraphs (1), (2), and (3), of subsection (f), and inserting in lieu thereof "(b)(3)";

(B) by striking out "Secretary" in the last sentence of paragraph (2) of subsection (f), and inserting in lieu thereof "Administrator"; and

(C) by striking out "(b)(2)" wherever it appears in subsections (g) and (i), and inserting in lieu thereof "(b)(3)";

33 USC 1325.

(5) in section 315, by redesignating subsection (g) as subsection (h), and by adding a new subsection (g) to read as follows:

"(g) In addition to authority to appoint personnel subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and to pay such personnel in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, the Commission shall have authority to enter into contracts with private or public organizations who shall furnish the Commission with such administrative and technical personnel as may be necessary to carry out the purpose of this section. Personnel furnished by such organizations under this subsection are not, and shall not be considered to be, Federal employees for any purposes, but in the performance of their duties shall be guided by the standards which apply to employees of the legislative branches under rules 41 and 43 of the Senate and House of Representatives, respectively."; and

5 USC 5101, 5331.

33 USC 1369.

(6) in section 509(b)(1)(C), by striking out "treatment" and inserting in lieu thereof "pretreatment".

Assistance applications.
33 USC 1286.

SEC. 2. Notwithstanding the requirements of subsection (c) of section 206 of the Federal Water Pollution Control Act (86 Stat. 838), applications for assistance under section 206 may be filed with the Administrator of the Environmental Protection Agency until January 31, 1974.

86 Stat. 591.

SEC. 3. Funds available for reimbursement under Public Law 92-399 shall be allocated in accordance with subsection (d) of section 206 of the Federal Water Pollution Control Act (86 Stat. 838), pro rata among all projects eligible under subsection (a) of such section 206 for which applications have been submitted and approved by the Administrator pursuant to such Act. Notwithstanding the provisions of subsection (d) of such section 206, (1) the Administrator is authorized to make interim payments to each such project for which an application has been approved on the basis of estimates of maximum pro rata entitlement of all applicants under section 206(a) and (2) for the purpose of determining allocation of sums available under Public Law 92-399, the unpaid balance of reimbursement due such projects shall be computed as of January 31, 1974. Upon completion by

the Administrator of his audit and approval of all projects for which an application has been filed under subsection (a) of such section 206, the Administrator shall, within the limits of appropriated funds, allocate to each such qualified project the amount remaining, if any, of its total entitlement. Amounts allocated to projects which are later determined to be in excess of entitlement shall be available for reallocation, until expended, to other qualified projects under subsection (a) of such section 206. In no event, however, shall any payments exceed the Federal share of the cost of construction incurred to the date of the voucher covering such payment plus the Federal share of the value of the materials which have been stockpiled in the vicinity of such construction in conformity to plans and specifications for the project.

86 Stat. 838.
33 USC 1286.

Approved December 28, 1973.

Public Law 93-208

AN ACT

December 28, 1973
[S. 2794]

To amend chapter 36 of title 38, United States Code, to authorize the Administrator of Veterans' Affairs to continue making educational assistance and subsistence allowance payments to eligible veterans and eligible persons during periods that the educational institutions in which they are enrolled are temporarily closed pursuant to a policy proclaimed by the President or because of emergency conditions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1780(a) of title 38, United States Code, is amended by adding at the end thereof the following new sentence: "Notwithstanding the foregoing, the Administrator may, subject to such regulations as he shall prescribe, continue to pay allowances to eligible veterans and eligible persons enrolled in courses set forth in clause (1) or (2) of this subsection during periods when the schools are temporarily closed under an established policy based upon an Executive order of the President or due to an emergency situation, and such periods shall not be counted as absences for the purposes of clause (2).".

Veterans.
Educational assistance.
86 Stat. 1076.

Approved December 28, 1973.

Public Law 93-209

AN ACT

December 28, 1973
[H. R. 7352]

To amend section 4082(c) of title 18, United States Code, to extend the limits of confinement of Federal prisoners.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 4082(c), title 18, United States Code, is amended to read as follows:

Federal prisoners.
Limits of confinement, extension.
79 Stat. 674.

"(1) visit a specifically designated place or places for a period not to exceed thirty days and return to the same or another institution or facility. An extension of limits may be granted to permit a visit to a dying relative, attendance at the funeral of a relative, the obtaining of medical services not otherwise available, the contacting of prospective employers, the establishment or reestablishment of family and community ties or for any other significant reason consistent with the public interest; or".

Approved December 28, 1973.

Public Law 93-210

December 28, 1973
[S. 2714]

AN ACT

To amend section 291(b) of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, relating to cost-of-living increases, and to increase the pay and allowances of certain officers of the Armed Forces whose pay and allowances are not subject to adjustment to reflect changes in the Consumer Price Index.

CIA employees. Retirement, cost-of-living increases.
82 Stat. 903; 83 Stat. 849.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 291(b) of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended (78 Stat. 1043; 50 U.S.C. 403 note) is further amended—

(1) by renumbering paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively; and

(2) by inserting the following new paragraph (1):

"(1) An annuity (except a discontinued service benefit under section 234(a)) which—

"(i) is payable from the fund to a participant who retires, or to the widow or widower of a deceased participant; and

"(ii) has a commencing date after the effective date of the then last preceding annuity increase under section 291(a);

shall not be less than the annuity which would have been payable if the commencing date of such annuity had been the effective date of the then last preceding annuity increase under section 291(a). In the administration of this paragraph, a participant or deceased participant shall be deemed, for the purposes of section 221(h), to have to his credit, on the effective date of the then last preceding annuity increase under section 291(a), a number of days of unused sick leave equal to the number of days of unused sick leave to his credit on the date of his separation from the Agency.".

83 Stat. 848.

Effective date.

(b) The amendments made by subsection (a) shall apply only with respect to annuities which commence on or after July 2, 1973.

Certain retired Armed Forces personnel, payment increases.

SEC. 2. (a) Notwithstanding any other provision of law, effective on the date of enactment of this Act, the pay and allowances of members of the Armed Forces to whom this Act applies shall be increased to amounts equal to the amounts such pay and allowances would have been increased if the pay and allowances of such members had been increased, under section 1401a(b) of title 10, United States Code, by the same percentage rates, consecutively compounded, that the retired pay or retainer pay of members and former members of the Armed Forces entitled to retired pay or retainer pay since October 1, 1967, has been increased, and such member shall, on and after the date of enactment of this Act, have his pay and allowances increased effective the same day and by the same percentage rate that the retired pay or retainer pay of members and former members of the Armed Forces is increased under such section 1401a(b).

81 Stat. 652; 83 Stat. 837.

(b) This section applies to members of the Armed Forces entitled to pay and allowances under either of the following provisions of law:

(1) The Act of June 26, 1948, chapter 677 (62 Stat. 1052).

(2) The Act of September 18, 1950, chapter 952 (64 Stat. A224).

(c) No amounts shall be paid, as the result of the enactment of this section, for any period prior to the date of enactment of this section.

Approved December 28, 1973.

Public Law 93-211

JOINT RESOLUTION

December 28, 1973
[H. J. Res. 858]

To provide for the establishment of the Lyndon Baines Johnson Memorial Grove on the Potomac.

Whereas friends and admirers of the late President Lyndon Baines Johnson wish to pay tribute to him by developing a living memorial in the form of a Lyndon Baines Johnson Memorial Grove on the Potomac and have formed a committee, in cooperation with the Society for a More Beautiful National Capital, Incorporated, a nonprofit corporation established under the laws of the District of Columbia on April 21, 1965, to that end;

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Interior is authorized to cooperate with the Committee for a Lyndon Baines Johnson Memorial Grove on the Potomac and the Society for a More Beautiful National Capital, Incorporated, in developing an appropriate memorial in the form of a living grove of trees and related facilities to honor Lyndon Baines Johnson, the thirty-sixth President of the United States.

Lyndon Baines Johnson Memorial Grove on the Potomac. Establishment.

SEC. 2. The grove shall be located on a portion of the land designated by the Secretary of the Interior on November 12, 1968, as Lady Bird Johnson Park, Washington, District of Columbia. The design of the grove shall be subject to the approval of the Secretary of the Interior, the National Capital Planning Commission, and the Commission of Fine Arts.

SEC. 3. Unless funds in the amount which the Secretary of the Interior determines are sufficient to insure completion of the memorial are certified available, and the development of the memorial is begun within ten years from the date of enactment of this joint resolution, the authorization granted by this joint resolution shall lapse. The United States shall be put to no expense in or by the development of the memorial.

Conditions.

Approved December 28, 1973.

Public Law 93-212

AN ACT

December 28, 1973
[S. 2498]

To authorize the disposal of zinc from the national stockpile and the supplemental stockpile.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately three hundred fifty seven thousand three hundred short tons of zinc now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456, as amended by 73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Zinc. Disposal.

60 Stat. 596; 85 Stat. 427.

80 Stat. 1529; 82 Stat. 450. 7 USC 1704.

Approved December 28, 1973.

Public Law 93-213

December 28, 1973
[S. 1038]

AN ACT

To amend title 37, United States Code, to authorize travel and transportation allowances to certain members of the uniformed services in connection with leave.

Uniformed services.
Travel and transportation allowances.
76 Stat. 469; 85 Stat. 359.
37 USC 401.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 7 of title 37, United States Code, is amended:

(1) By inserting the following new section:

"§ 411b. Travel and transportation allowances: travel performed in connection with certain leave

"(a) Under uniform regulations prescribed by the Secretaries concerned, a member of a uniformed service stationed outside the forty-eight contiguous States and the District of Columbia who is ordered to make a change of permanent station to another duty station outside the forty-eight contiguous States and the District of Columbia may be paid travel and transportation allowances in connection with authorized leave from his last duty station to a place approved by the Secretary concerned, or his designee, or to a place no farther distant than his home of record if he is a member without dependents, and from that place to his designated post of duty, if either his last duty station or his designated post of duty is a restricted area in which dependents are not authorized.

76 Stat. 472; 83 Stat. 840.

"(b) The allowances prescribed under this section may not exceed the rate authorized under section 404(d) of this title. Authorized travel under this section is performed in a duty status.".

(2) By inserting the following new item in the analysis:

"411b. Travel and transportation allowances: travel performed in connection with certain leave."

immediately below

"411a. Travel and transportation allowances: travel performed in connection with convalescent leave.".

Approved December 28, 1973.

Public Law 93-214

December 28, 1973
[S. 2316]

AN ACT

To authorize the disposal of copper from the national stockpile and the supplemental stockpile.

Copper.
Disposal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately two hundred and fifty-one thousand six hundred short tons of copper now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456, as amended by 73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

60 Stat. 596; 85 Stat. 427.

80 Stat. 1529; 82 Stat. 450.
7 USC 1704.

Approved December 28, 1973.

Public Law 93-215

AN ACT

December 28, 1973
[S. 2178]

To name the United States courthouse and Federal office building under construction in New Orleans, Louisiana, as the "Hale Boggs Federal Building", and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States courthouse and Federal office building now under construction at the corner of Camp Street, bounded by Poydras Street, Lafayette Street, and Magazine Street, New Orleans, Louisiana, shall hereafter be known and designated as the "Hale Boggs Federal Building". Any reference in a law, map, regulation, document, record, or other paper of the United States to such building shall be held to be a reference to the "Hale Boggs Federal Building".

Hale Boggs Federal Building, La. Designation.

SEC. 2. The first sentence of section 25 of the Dwight D. Eisenhower Memorial Bicentennial Civil Center Act (Public Law 92–520) is amended by striking out "System Facilities Development Foundation at 101 West Ninth Street," and inserting in lieu thereof the following: "Systems Data Center facility in Minnehaha County near".

86 Stat. 1024.

SEC. 3. Section 11 of the Dwight D. Eisenhower Memorial Bicentennial Civil Center Act (Public Law 92–520) is hereby repealed.

Repeal.

Approved December 28, 1973.

Public Law 93-216

AN ACT

December 28, 1973
[S. 2493]

To authorize the disposal of silicon carbide from the national stockpile and the supplemental stockpile.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately one hundred and ninety-six thousand five hundred short tons of silicon carbide now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456, as amended by 73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Silicon carbide. Disposal.

60 Stat. 596; 85 Stat. 427.

80 Stat. 1529; 82 Stat. 450. 7 USC 1704.

Approved December 28, 1973.

Public Law 93-217

December 28, 1973
[H. R. 655]

AN ACT

To provide for the naming of the lake to be created by the Buchanan Dam, Chowchilla River, California.

H. V. Eastman Lake, Calif. Designation.
76 Stat. 1192.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lake to be created by the Buchanan Dam on the Chowchilla River, California, authorized by section 203 of the Flood Control Act of 1962, shall be known and designated as the "H. V. Eastman Lake". Any law, regulation, document, or record of the United States in which such lake is designated or referred to shall be held to refer to such lake as the "H. V. Eastman Lake".

Approved December 28, 1973.

Public Law 93-218

December 28, 1973
[S. 2166]

AN ACT

To authorize the disposal of opium from the national stockpile.

Opium.
Disposal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately sixty-five thousand seven hundred pounds (morphine content) of opium now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

60 Stat. 596;
85 Stat. 427.

Approved December 28, 1973.

Public Law 93-219

December 28, 1973
[S. 2551]

AN ACT

To authorize the disposal of molybdenum from the national stockpile, and for other purposes.

Molybdenum.
Disposal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately thirty-six million five hundred thousand pounds (molybdenum disulphide equivalent) of molybdenum now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

60 Stat. 596;
85 Stat. 427.

Approved December 28, 1973.

Public Law 93-220

AN ACT

December 28, 1973
[S. 2413]

To authorize the disposal of aluminum from the national stockpile and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately two hundred and seven thousand four hundred and forty short tons of aluminum now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Aluminum.
Disposal.

60 Stat. 596;
85 Stat. 427.

SEC. 2. Section 2 of Public Law 89–460 (80 Stat. 212) is repealed.

Repeal.

Approved December 28, 1973.

Public Law 93-221

AN ACT

December 29, 1973
[H. R. 5760]

To provide for the striking of medals commemorating the International Exposition on Environment at Spokane, Washington, in 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the International Exposition on Environment to be held at Spokane, Washington, in 1974, the Secretary of the Treasury (hereinafter referred to as the "Secretary") is authorized to strike and deliver to Spokane World Exposition, Incorporated, a nonprofit corporation, not more than seven hundred and fifty thousand medals, with suitable emblems, devices, and inscriptions to be determined by the Secretary in cooperation with the Exposition corporation. The medals, which may be disposed of by the corporation at a premium, may be delivered at such times as may be required by the corporation in quantities of not less than two thousand, but no medals shall be struck by the Secretary after December 31, 1974.

International
Exposition on
Environment.
Commemorative
medals.

Time limitation.

SEC. 2. The Secretary shall cause such medals to be struck and delivered at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses. Security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such costs.

Cost.

SEC. 3. The medals authorized to be struck and delivered under this Act shall be of such size or sizes and of such various metals as shall be determined by the Secretary in consultation with the corporation.

Size.

SEC. 4. At the option of the corporation, the Secretary may release the dies to a private manufacturer for production of any or all of the medals authorized under this Act.

SEC. 5. The medals, whether produced by the Secretary or by a private manufacturer from dies prepared by the Treasury, shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

Approved December 29, 1973.

Public Law 93-222

December 29, 1973
[S. 14]

AN ACT

To amend the Public Health Service Act to provide assistance and encouragement for the establishment and expansion of health maintenance organizations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Health Maintenance Organization Act of 1973.

SHORT TITLE AND TABLE OF CONTENTS

SECTION 1. This Act, with the following table of contents, may be cited as the "Health Maintenance Organization Act of 1973".

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HEALTH MAINTENANCE ORGANIZATIONS

Ante, pp. 594, 604.

SEC. 2. The Public Health Service Act is amended by adding after title XII the following new title:

"TITLE XIII—HEALTH MAINTENANCE ORGANIZATIONS

"REQUIREMENTS FOR HEALTH MAINTENANCE ORGANIZATIONS

Definition.

"SEC. 1301. (a) For purposes of this title, the term 'health maintenance organization' means a legal entity which (1) provides basic and supplemental health services to its members in the manner prescribed by subsection (b), and (2) is organized and operated in the manner prescribed by subsection (c).

"(b) A health maintenance organization shall provide, without limitations as to time or cost other than those prescribed by or under this title, basic and supplemental health services to its members in the following manner: Basic health services.

"(1) Each member is to be provided basic health services for a basic health services payment which (A) is to be paid on a periodic basis without regard to the dates health services (within the basic health services) are provided; (B) is fixed without regard to the frequency, extent, or kind of health service (within the basic health services) actually furnished; (C) is fixed under a community rating system; and (D) may be supplemented by additional nominal payments which may be required for the provision of specific services (within the basic health services), except that such payments may not be required where or in such a manner that they serve (as determined under regulations of the Secretary) as a barrier to the delivery of health services. Such additional nominal payments shall be fixed in accordance with the regulations of the Secretary.

"(2) For such payment or payments (hereinafter in this title referred to as 'supplemental health services payments') as the health maintenance organization may require in addition to the basic health services payment, the organization shall provide to each of its members each health service (A) which is included in supplemental health services (as defined in section 1302(2)), (B) for which the required health manpower are available in the area served by the organization, and (C) for the provision of which the member has contracted with the organization. Supplemental health services payments which are fixed on a prepayment basis shall be fixed under a community rating system.

"(3) The services of health professionals which are provided as basic health services shall be provided through health professionals who are members of the staff of the health maintenance organization or through a medical group (or groups) or individual practice association (or associations), except that this paragraph shall not apply in the case of (A) health professionals' services which the organization determines, in conformity with regulations of the Secretary, are unusual or infrequently used, or (B) any basic health service provided a member of the health maintenance organization other than by such a health professional because it was medically necessary that the service be provided to the member before he could have it provided by such a health professional. For purposes of this paragraph, the term 'health professionals' means physicians, dentists, nurses, podiatrists, optometrists, and such other individuals engaged in the delivery of health services as the Secretary may by regulation designate. "Health professionals."

"(4) Basic health services (and supplemental health services in the case of the members who have contracted therefor) shall within the area served by the health maintenance organization be available and accessible to each of its members promptly as appropriate and in a manner which assures continuity, and when medically necessary be available and accessible twenty-four hours a day and seven days a week. A member of a health maintenance organization shall be reimbursed by the organization for his expenses in securing basic or supplemental health services other than through the organization if it was medically necessary that the services be provided before he could secure them through the organization.

Functions.

"(c) Each health maintenance organization shall—

"(1) have a fiscally sound operation and adequate provision against the risk of insolvency which is satisfactory to the Secretary;

"(2) assume full financial risk on a prospective basis for the provision of basic health services, except that a health maintenance organization may obtain insurance or make other arrangements (A) for the cost of providing to any member basic health services the aggregate value of which exceeds $5,000 in any year, (B) for the cost of basic health services provided to its members other than through the organization because medical necessity required their provision before they could be secured through the organization, and (C) for not more than 90 per centum of the amount by which its costs for any of its fiscal years exceed 115 per centum of its income for such fiscal year;

"(3) enroll persons who are broadly representative of the various age, social, and income groups within the area it serves, except that in the case of a health maintenance organization which has a medically underserved population located (in whole or in part) in the area it serves, not more than 75 per centum of the members of that organization may be enrolled from the medically underserved population unless the area in which such population resides is also a rural area (as designated by the Secretary);

"(4) have an open enrollment period of not less than thirty days at least once during each consecutive twelve-month period during which enrollment period it accepts, up to its capacity, individuals in the order in which they apply for enrollment, except that if the organization demonstrates to the satisfaction of the Secretary that—

"(A) it has enrolled, or will be compelled to enroll, a disproportionate number of individuals who are likely to utilize its services more often than an actuarially determined average (as determined under regulations of the Secretary) and enrollment during an open enrollment period of an additional number of such individuals will jeopardize its economic viability, or

"(B) if it maintained an open enrollment period it would not be able to comply with the requirements of paragraph (3),

Waiver.

the Secretary may waive compliance by the organization with the open enrollment requirement of this paragraph for not more than three consecutive twelve-month periods and may provide additional waivers to that organization if it makes the demonstration required by subparagraph (A) or (B);

"(5) not expel or refuse to re-enroll any member because of his health status or his requirements for health services;

"(6) be organized in such a manner that assures that (A) at least one-third of the membership of the policymaking body of the health maintenance organization will be members of the organization, and (B) there will be equitable representation on such body of members from medically underserved populations served by the organization;

"(7) be organized in such a manner that provides meaningful procedures for hearing and resolving grievances between the health maintenance organization (including the medical group or groups and other health delivery entities providing health services for the organization) and the members of the organization;

"(8) have organizational arrangements, established in accordance with regulations of the Secretary, for an ongoing quality assurance program for its health services which program (A) stresses health outcomes, and (B) provides review by physicians

and other health professionals of the process followed in the provision of health services;

"(9) provide medical social services for its members and encourage and actively provide for its members health education services, education in the appropriate use of health services, and education in the contribution each member can make to the maintenance of his own health;

"(10) provide, or make arrangements for, continuing education for its health professional staff; and

"(11) provide, in accordance with regulations of the Secretary (including safeguards concerning the confidentiality of the doctor-patient relationship), an effective procedure for developing, compiling, evaluating, and reporting to the Secretary, statistics and other information (which the Secretary shall publish and disseminate on an annual basis and which the health maintenance organization shall disclose, in a manner acceptable to the Secretary, to its members and the general public) relating to (A) the cost of its operations, (B) the patterns of utilization of its services, (C) the availability, accessibility, and acceptability of its services, (D) to the extent practical, developments in the health status of its members, and (E) such other matters as the Secretary may require.

"DEFINITIONS

"SEC. 1302. For purposes of this title:

"(1) The term 'basic health services' means—

"(A) physician services (including consultant and referral services by a physician);

"(B) inpatient and outpatient hospital services;

"(C) medically necessary emergency health services;

"(D) short-term (not to exceed twenty visits), outpatient evaluative and crisis intervention mental health services;

"(E) medical treatment and referral services (including referral services to appropriate ancillary services) for the abuse of or addiction to alcohol and drugs;

"(F) diagnostic laboratory and diagnostic and therapeutic radiologic services;

"(G) home health services; and

"(H) preventive health services (including voluntary family planning services, infertility services, preventive dental care for children, and children's eye examinations conducted to determine the need for vision correction).

If a service of a physician described in the preceding sentence may also be provided under applicable State law by a dentist, optometrist, or podiatrist, a health maintenance organization may provide such service through a dentist, optometrist, or podiatrist (as the case may be) licensed to provide such service. For purposes of this paragraph, the term 'home health services' means health services provided at a member's home by health care personnel, as prescribed or directed by the responsible physician or other authority designated by the health maintenance organization. A health maintenance organization is authorized, in connection with the prescription of drugs, to maintain, review, and evaluate (in accordance with regulations of the Secretary) a drug use profile of its members receiving such service, evaluate patterns of drug utilization to assure optimum drug therapy, and provide for instruction of its members and of health professionals in the use of prescription and non-prescription drugs.

"(2) The term 'supplemental health services' means—

"(A) services of facilities for intermediate and long-term care;

"(B) vision care not included as a basic health service under paragraph (1)(A) or (1)(H);

"(C) dental services not included as a basic health service under paragraph (1)(A) or (1)(H);

"(D) mental health services not included as a basic health service under paragraph (1)(D);

"(E) long-term physical medicine and rehabilitative services (including physical therapy); and

"(F) the provision of prescription drugs prescribed in the course of the provision by the health maintenance organization of a basic health service or a service described in the preceding subparagraphs of this paragraph.

If a service of a physician described in the preceding sentence may also be provided under applicable State law by a dentist, optometrist, or podiatrist, a health maintenance organization may provide such service through an optometrist, dentist, or podiatrist (as the case may be) licensed to provide such service. A health maintenance organization is authorized, in connection with the prescription or provision of prescription drugs, to maintain, review, and evaluate (in accordance with regulations of the Secretary) a drug use profile of its members receiving such services, evaluate patterns of drug utilization to assure optimum drug therapy, and provide for instruction of its members and of health professionals in the use of prescription and non-prescription drugs.

"(3) The term 'member' when used in connection with a health maintenance organization means an individual who has entered into a contractual arrangement, or on whose behalf a contractual arrangement has been entered into, with the organization under which the organization assumes the responsibility for the provision to such individual of basic health services and of such supplemental health services as may be contracted for.

"(4) The term 'medical group' means a partnership, association, or other group—

"(A) which is composed of health professionals licensed to practice medicine or osteopathy and of such other licensed health professionals (including dentists, optometrists, and podiatrists) as are necessary for the provision of health services for which the group is responsible;

"(B) a majority of the members of which are licensed to practice medicine or osteopathy; and

"(C) the members of which (i) as their principal professional activity and as a group responsibility engage in the coordinated practice of their profession for a health maintenance organization; (ii) pool their income from practice as members of the group and distribute it among themselves according to a prearranged salary or drawing account or other plan; (iii) share medical and other records and substantial portions of major equipment and of professional, technical, and administrative staff; (iv) utilize such additional professional personnel, allied health professions personnel, and other health personnel (as specified in regulations of the Secretary) as are available and appropriate for the effective and efficient delivery of the services of the members of the group; and (v) arrange for and encourage continuing education in the field of clinical medicine and related areas for the members of the group.

"(5) The term 'individual practice association' means a partnership, corporation, association, or other legal entity which has entered into a services arrangement (or arrangements) with persons who are licensed to practice medicine, osteopathy, dentistry, podiatry, optome-

try, or other health profession in a State and a majority of whom are licensed to practice medicine or osteopathy. Such an arrangement shall provide—

"(A) that such persons shall provide their professional services in accordance with a compensation arrangement established by the entity; and

"(B) to the extent feasible (i) that such persons shall utilize such additional professional personnel, allied health professions personnel, and other health personnel (as specified in regulations of the Secretary) as are available and appropriate for the effective and efficient delivery of the services of the persons who are parties to the arrangement, (ii) for the sharing by such persons of medical and other records, equipment, and professional, technical, and administrative staff, and (iii) for the arrangement and encouragement of the continuing education of such persons in the field of clinical medicine and related areas.

"(6) The term 'section 314(a) State health planning agency' means the agency of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a) (hereinafter in this title referred to as a 'section 314(a) plan'); and the term 'section 314(b) areawide health planning agency' means a public or nonprofit private agency or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b) (hereinafter in this title referred to as a 'section 314(b) plan'). 80 Stat. 1181; 84 Stat. 1304. 42 USC 246.

"(7) The term 'medically underserved population' means the population of an urban or rural area designated by the Secretary as an area with a shortage of personal health services or a population group designated by the Secretary as having a shortage of such services. Such a designation may be made by the Secretary only after consideration of the comments (if any) of (A) each section 314(a) State health planning agency whose section 314(a) plan covers (in whole or in part) such urban or rural area or the area in which such population group resides, and (B) each section 314(b) areawide health planning agency whose section 314(b) plan covers (in whole or in part) such urban or rural area or the area in which such population group resides.

"(8) The term 'community rating system' means a system of fixing rates of payments for health services. Under such a system rates of payments may be determined on a per-person or per-family basis and may vary with the number of persons in a family, but except as otherwise authorized in the next sentence, such rates must be equivalent for all individuals and for all families of similar composition. The following differentials in rates of payments may be established under such system:

"(A) Nominal differentials in such rates may be established to reflect the different administrative costs of collecting payments from the following categories of members:

"(i) Individual members (including their families).

"(ii) Small groups of members (as determined under regulations of the Secretary).

"(iii) Large groups of members (as determined under regulations of the Secretary).

"(B) Differentials in such rates may be established for members enrolled in a health maintenance organization pursuant to a contract with a governmental authority under section 1079 or 1086 of title 10, United States Code, or under any other governmental program (other than the health benefits program authorized by chapter 89 of title 5, United States Code) or any health 80 Stat. 863. 80 Stat. 600. 5 USC 8901.

benefits program for employees of States, political subdivisions of States, and other public entities.

"(9) The term 'non-metropolitan area' means an area no part of which is within an area designated as a standard metropolitan statistical area by the Office of Management and Budget and which does not contain a city whose population exceeds fifty thousand individuals.

"GRANTS AND CONTRACTS FOR FEASIBILITY SURVEYS

"SEC. 1303. (a) The Secretary may make grants to and enter into contracts with public or nonprofit private entities for projects for surveys or other activities to determine the feasibility of developing and operating or expanding the operation of health maintenance organizations.

"(b) An application for a grant or contract under this section shall contain—

"(1) assurances satisfactory to the Secretary that, in conducting surveys or other activities with assistance under a grant or contract under this section, the applicant will (A) cooperate with the section 314(b) areawide health planning agency (if any) whose section 314(b) plan covers (in whole or in part) the area for which the survey or other activity will be conducted, and (B) notify the medical society serving such area of such surveys or other activities; and

80 Stat. 1181; 84 Stat. 1304. 42 USC 246.

"(2) such other information as the Secretary may by regulation prescribe.

"(c) In considering applications for grants and contracts under this section, the Secretary shall give priority to an application which contains or is supported by assurances satisfactory to the Secretary that at the time the health maintenance organization for which such application or proposal is submitted first becomes operational not less than 30 per centum of its members will be members of a medically underserved population.

Limitations.

"(d)(1) Except as provided in paragraph (2), the following limitations apply with respect to grants and contracts made under this section:

"(A) If a project has been assisted with a grant or contract under subsection (a), the Secretary may not make any other grant or enter into any other contract under this section for such project.

"(B) Any project for which a grant is made or contract entered into must be completed within twelve months from the date the grant is made or contract entered into.

"(2) The Secretary may make not more than one additional grant or enter into not more than one additional contract for a project for which a grant has previously been made or a contract previously entered into, and he may permit additional time (up to twelve months) for completion of the project if he determines that the additional grant or contract (as the case may be), or additional time, or both, is needed to adequately complete the project.

"(e) The amount to be paid by the United States under a grant made, or contract entered into, under subsection (a) shall be determined by the Secretary, except that (1) the amount to be paid by the United States under any single grant or contract for any project may not exceed $50,000, and (2) the aggregate of the amounts to be paid by the United States for any project under such subsection under grants or contracts, or both, may not exceed the greater of (A) 90 per centum of the cost of such project (as determined under regulations of the Secretary), or (B) in the case of a project for a health maintenance organization which will serve a medically underserved

population, such greater percentage (up to 100 per centum) of such cost as the Secretary may prescribe if he determines that the ceiling on the grants and contracts for such project should be determined by such greater percentage.

"(f) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary. Payments.

"(g) Contracts may be entered into under this section without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(h) Payments under grants and contracts under this section shall be made from appropriations made under section 1309(a).

"(i) Of the sums appropriated for any fiscal year under section 1309(a) for grants and contracts under this section, not less than 20 per centum shall be set aside and obligated in such fiscal year for projects (1) to determine the feasibility of developing and operating or expanding the operation of health maintenance organizations which the Secretary determines may reasonably be expected to have after their development or expansion not less than 66 per centum of their membership drawn from residents of non-metropolitan areas, and (2) the applications for which meet the requirements of this title for approval. Sums set aside in the fiscal year ending June 30, 1974, or June 30, 1975, for projects described in the preceding sentence but not obligated in such fiscal year for grants and contracts under this section because of a lack of applicants for projects meeting the requirements of such sentence shall remain available for obligation under this section in the succeeding fiscal year for projects other than those described in clause (1) of such sentence.

"GRANTS, CONTRACTS, AND LOAN GUARANTEES FOR PLANNING AND FOR INITIAL DEVELOPMENT COSTS

"SEC. 1304. (a) The Secretary may—

"(1) make grants to and enter into contracts with public or nonprofit private entities for planning projects for the establishment of health maintenance organizations or for the significant expansion of the membership of, or areas served by, health maintenance organizations; and

"(2) guarantee to non-Federal lenders payment of the principal of and the interest on loans made to private entities (other than nonprofit private entities) for planning projects for the establishment or expansion of health maintenance organizations to serve medically underserved populations.

Planning projects assisted under this subsection shall include development of plans for the marketing of the services of the health maintenance organization.

"(b)(1) The Secretary may—

"(A) make grants to and enter into contracts with public or nonprofit private entities for projects for the initial development of health maintenance organizations; and

"(B) guarantee to non-Federal lenders payment of the principal of and the interest on loans made to any private entity (other than a nonprofit private entity) for a project for the initial development of a health maintenance organization which will serve a medically underserved population.

"(2) For purposes of this section, the term 'initial development' when used to describe a project for which assistance is authorized by this subsection includes significant expansion of the membership of, or the area served by, a health maintenance organization. Funds under "Initial development."

grants and contracts under this subsection and under loans guaranteed under this subsection may only be utilized for such purposes as the Secretary may prescribe in regulations. Such purposes may include (A) the implementation of an enrollment campaign for such an organization, (B) the detailed design of and arrangements for the health services to be provided by such an organization, (C) the development of administrative and internal organizational arrangements, including fiscal control and fund accounting procedures, and the development of a capital financing program, (D) the recruitment of personnel for such an organization and the conduct of training activities for such personnel, and (E) the payment of architects' and engineers' fees.

"(3) A grant or contract under this subsection may only be made or entered into for initial development costs in the one-year period beginning on the first day of the first month in which such grant or contract is made or entered into. The number of grants made for any initial development project under this subsection when added to the number of contracts entered into for such project under this subsection may not exceed three. A loan guarantee under this subsection may only be made for a loan (or loans) for such costs incurred in a period not to exceed three years.

"(c)(1) An application for a grant, contract, or loan guarantee under subsection (a) for a planning project shall contain assurances satisfactory to the Secretary that in carrying out the planning project for which the grant, contract, or loan guarantee is sought, the applicant will (A) cooperate with the section 314(b) areawide health planning agency (if any) whose section 314(b) plan covers (in whole or in part) the area proposed to be served by the health maintenance organization for which the planning project will be conducted, and (B) notify the medical society serving such area of the planning project.

80 Stat. 1181; 84 Stat. 1304. 42 USC 246.

"(2) If the Secretary makes a grant or loan guarantee or enters into a contract under subsection (a) for a planning project for a health maintenance organization, he may, within the period in which the planning project must be completed, make a grant or loan guarantee or enter into a contract under subsection (b) for the initial development of that health maintenance organization; but no grant or loan guarantee may be made or contract entered into under subsection (b) for initial development of a health maintenance organization unless the Secretary determines that (A) sufficient planning for its establishment or expansion (as the case may be) has been conducted by the applicant for the grant, contract, or loan guarantee, and (B) the feasibility of establishing and operating, or of expanding, the health maintenance organization has been established by the applicant.

"(d) In considering applications for grants and contracts under this section, the Secretary shall give priority to an application which contains or is supported by assurances satisfactory to the Secretary that at the time the health maintenance organization for which such application is submitted first becomes operational not less than 30 per centum of its members will be members of a medically underserved population.

Limitations.

"(e)(1) Except as provided in paragraph (2), the following limitations apply with respect to grants, loan guarantees, and contracts made under subsection (a) of this section:

"(A) If a planning project has been assisted with grant, loan guarantee, or contract under subsection (a), the Secretary may not make any other planning grant or loan guarantee or enter into any other planning contract for such project under this section.

"(B) Any project for which a grant or loan guarantee is made or contract entered into must be completed within twelve months

from the date the grant or loan guarantee is made or contract entered into.

"(2) The Secretary may not make more than one additional grant or loan guarantee or enter into not more than one additional contract for a planning project for which a grant or loan guarantee has previously been made or a contract previously entered into, and he may permit additional time (up to twelve months) for completion of the project if he determines that the additional grant, loan guarantee, or contract (as the case may be), or additional time, or both, is needed to adequately complete the project.

"(f)(1) The amount to be paid by the United States under a grant made, or contract entered into, under subsection (a) for a planning project, and (except as provided in paragraph (3) of this subsection) the amount of principal of a loan for a planning project which may be guaranteed under such subsection, shall be determined by the Secretary, except that (A) the amount to be paid by the United States under any single grant or contract, and the amount of principal of any single loan guaranteed under such subsection, may not exceed $125,000, and (B) the aggregate of the amounts to be paid for any project by the United States under grants or contracts, or both, under such subsection, and the aggregate amount of principal of loans guaranteed under such subsection for any project, may not exceed the greater of (i) 90 per centum of the cost of such project (as determined under regulations of the Secretary), or (ii) in the case of a project for a health maintenance organization which will serve a medically underserved population, such greater percentage (up to 100 per centum) of such cost as the Secretary may prescribe if he determines that the ceiling on the grants, contracts, and loan guarantees (or any combination thereof) for such project should be determined by such greater percentage.

"(2) The amount to be paid by the United States under a grant made, or contract entered into, under subsection (b) for an initial development project, and (except as provided in paragraph (3) of this subsection) the amount of principal of a loan for an initial development project which may be guaranteed under such subsection, shall be determined by the Secretary; except that the amounts to be paid by the United States for any initial development project under grants or contracts, or both, under such subsection, and the aggregate amount of principal of loans guaranteed under such subsection for any project, may not exceed the lesser of—

"(A) $1,000,000, or

"(B) an amount equal to the greater of (i) 90 per centum of the cost of such project (as determined under regulations of the Secretary), or (ii) in the case of a project for a health maintenance organization which will serve a medically underserved population, such greater percentage (up to 100 per centum) of such cost as the Secretary may prescribe if he determines that the ceiling on the grants, contracts, and loan guarantees (or any combination thereof) for such project should be determined by such greater percentage.

"(3) The cumulative total of the principal of the loans outstanding at any time with respect to which guarantees have been issued under this section may not exceed such limitations as may be specified in appropriation Acts.

"(g) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary. Payments.

"(h) Contracts may be entered into under this section without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(i) Payments under grants and contracts under this section shall be made from appropriations under section 1309(a).

"(j) Loan guarantees under subsection (a)(2) for planning projects may be made through the fiscal year ending June 30, 1976; and loan guarantees under subsection (b)(1)(B) for initial development projects may be made through the fiscal year ending June 30, 1977.

"(k)(1) Of the sums appropriated for any fiscal year under section 1309(a) for grants and contracts under subsection (a) of this section, not less than 20 per centum shall be set aside and obligated in such fiscal year for projects (A) to plan the establishment or expansion of health maintenance organizations which the Secretary determines may reasonably be expected to have after their establishment or expansion not less than 66 per centum of their membership drawn from residents of non-metropolitan areas, and (B) the applications for which meet the requirements of this title for approval. Sums set aside in the fiscal year ending June 30, 1974, or June 30, 1975, for projects described in the preceding sentence but not obligated in such fiscal year for grants and contracts under subsection (a) of this section because of a lack of applicants for projects meeting the requirements of such sentence shall remain available for obligation under such subsection in the succeeding fiscal year for projects other than those described in clause (A) of such sentence.

"(2) Of the sums appropriated for any fiscal year under section 1309(a) for grants and contracts under subsection (b) of this section, not less than 20 per centum shall be set aside and obligated in such fiscal year for projects (A) for the initial development of health maintenance organizations which the Secretary determines may reasonably be expected to have after their initial development not less than 66 per centum of their membership drawn from residents of non-metropolitan areas, and (B) the applications for which meet the requirements of this title for approval. Sums set aside in the fiscal year ending June 30, 1974, or in either of the next two fiscal years for projects described in the preceding sentence but not obligated in such fiscal year for grants and contracts under subsection (b) of this section because of a lack of applicants for projects meeting the requirements of such sentence shall remain available for obligation under such subsection in the succeeding fiscal year for projects other than those described in clause (A) of such sentence.

"LOANS AND LOAN GUARANTEES FOR INITIAL OPERATION COSTS

"SEC. 1305. (a) The Secretary may—

"(1) make loans to public or nonprofit private health maintenance organizations to assist them in meeting the amount by which their operating costs in the period of the first thirty-six months of their operation exceed their revenues in that period;

"(2) make loans to public or nonprofit private health maintenance organizations to assist them in meeting the amount by which their operating costs, which the Secretary determines are attributable to significant expansion in their membership or area served and which are incurred in the period of the first thirty-six months of their operation after such expansion, exceed their revenues in that period which the Secretary determines are attributable to such expansion; and

Non-Federal lenders, guaranteed payment, condition.

"(3) guarantee to non-Federal lenders payment of the principal of and the interest on loans made to any private health maintenance organization (other than a private nonprofit health maintenance organization) for the amounts referred to in paragraph (1) or (2), but only if such health maintenance organization will serve a medically underserved population.

No loan or loan guarantee may be made under this subsection for the operating costs of a health maintenance organization unless the Secretary determines that the organization has made all reasonable attempts to meet such costs.

"(b)(1) Except as provided in paragraph (2), the principal amount of any loan made or guaranteed under subsection (a) in any fiscal year for a health maintenance organization may not exceed $1,000,000 and the aggregate amount of principal of loans made or guaranteed, or both, under this section for a health maintenance organization may not exceed $2,500,000. Limitations.

"(2) The cumulative total of the principal of the loans outstanding at any time which have been directly made, or with respect to which guarantees have been issued, under subsection (a) may not exceed such limitations as may be specified in appropriation Acts.

"(c) Loans under this section shall be made from the fund established under section 1308(e).

"(d) A loan or loan guarantee may be made under this section through the fiscal year ending June 30, 1978.

"(e) Of the sums used for loans under this section in any fiscal year from the loan fund established under section 1308(e), not less than 20 per centum shall be used for loans for projects (1) for the initial operation of health maintenance organizations which the Secretary determines have not less than 66 per centum of their membership drawn from residents of nonmetropolitan areas, and (2) the applications for which meet the requirements of this title for approval.

"APPLICATION REQUIREMENTS

"SEC. 1306. (a) No grant, contract, loan, or loan guarantee may be made under this title unless an application therefor has been submitted to, and approved by, the Secretary.

"(b) The Secretary may not approve an application for a grant, contract, loan, or loan guarantee under this title unless—

"(1) in the case of an application for assistance under section 1303 or 1304, such application meets the application requirements of such section and in the case of an application for a loan or loan guarantee, such application meets the requirements of section 1308;

"(2) he determines that the applicant making the application would not be able to complete the project or undertaking for which the application is submitted without the assistance applied for;

"(3) the application contains satisfactory specification of the existing or anticipated (A) population group or groups to be served by the proposed or existing health maintenance organization described in the application, (B) membership of such organization, (C) methods, terms, and periods of the enrollment of members of such organization, (D) estimated costs per member of the health and educational services to be provided by such organization and the nature of such costs, (E) sources of professional services for such organization, and organizational arrangements of such organization for providing health and educational services, (F) organizational arrangements of such organization for an ongoing quality assurance program in conformity with the requirements of section 1301(c), (G) sources of prepayment and other forms of payment for the services to be provided by such organization, (H) facilities, and additional capital investments and sources of financing therefor, available to such organization to provide the level and scope of services proposed, (I) administrative, managerial, and financial arrangements and capabilities

of such organization, (J) role for members in the planning and policymaking for such organization, (K) grievance procedures for members of such organization, and (L) evaluations of the support for and acceptance of such organization by the population to be served, the sources of operating support, and the professional groups to be involved or affected thereby;

"(4) contains or is supported by assurances satisfactory to the Secretary that the applicant making the application will, in accordance with such criteria as the Secretary shall by regulation prescribe, enroll, and maintain an enrollment of the maximum number of members that its available and potential resources (as determined under regulations of the Secretary) will enable it to effectively serve;

80 Stat. 1181; 84 Stat. 1304. 42 USC 246.

"(5) the section 314(b) areawide health planning agency whose section 314(b) plan covers (in whole or in part) the area to be served by the health maintenance organization for which such application is submitted, or if there is no such agency, the section 314(a) State health planning agency whose section 314(a) plan covers (in whole or in part) such area, has, in accordance with regulations of the Secretary under subsection (c) of this section, been provided an opportunity to review the application and to submit to the Secretary for his consideration its recommendations respecting approval of the application or if under applicable State law such an application may not be submitted without the approval of the section 314(b) areawide health planning agency or the section 314(a) State health planning agency, the required approval has been obtained;

"(6) in the case of an application made for a project which previously received a grant, contract, loan, or loan guarantee under this title, such application contains or is supported by assurances satisfactory to the Secretary that the applicant making the application has the financial capability to adequately carry out the purposes of such project and has developed and operated such project in accordance with the requirements of this title and with the plans contained in previous applications for such assistance; and

"(7) the application is submitted in such form and manner, and contains such additional information, as the Secretary shall prescribe in regulations.

Multiple applications.

An organization making multiple applications for more than one grant, contract, loan, or loan guarantee under this title, simultaneously or over the course of time, shall not be required to submit duplicate or redundant information but shall be required to update the specifications (required by paragraph (3)) respecting the existing or proposed health maintenance organization in such manner and with such frequency as the Secretary may by regulation prescribe.

Standards and procedures, regulations.

"(c) The Secretary shall by regulation establish standards and procedures for section 314(b) areawide health planning agencies and section 314(a) State health planning agencies to follow in reviewing and commenting on applications for grants, contracts, loans, and loan guarantees under this title.

"ADMINISTRATION OF ASSISTANCE PROGRAMS

Recordkeeping.

"SEC. 1307. (a)(1) Each recipient of a grant, contract, loan, or loan guarantee under this title shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of the grant, contract, or

loan (directly made or guaranteed), the total cost of the undertaking in connection with which such assistance was given or used, the amount of that portion of the cost of the undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(2) The Secretary, or any of his duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients of a grant, contract, loan, or loan guarantee under this title which relate to such assistance.

"(b) Upon expiration of the period for which a grant, contract, loan, or loan guarantee was provided an entity under this title, such entity shall make a full and complete report to the Secretary in such manner as he may by regulation prescribe. Each such report shall contain, among such other matters as the Secretary may by regulation require, descriptions of plans, developments, and operations relating to the matters referred to in section 1306(b)(3). Report to Secretary of HEW.

"(c) If in any fiscal year the funds appropriated under section 1309 are insufficient to fund all applications approved under this title for that fiscal year, the Secretary shall, after applying the applicable priorities under sections 1303 and 1304, give priority to the funding of applications for projects which the Secretary determines are the most likely to be economically viable.

"(d) An entity which provides health services to a defined population on a prepaid basis and which has members who are entitled to insurance benefits under title XVIII of the Social Security Act or to medical assistance under a State plan approved under title XIX of such Act may be considered as a health maintenance organization for purposes of receiving assistance under this title if— 79 Stat. 291; 86 Stat. 1370. 42 USC 1395. 42 USC 1396.

"(1) with respect to its members who are entitled to such insurance benefits or to such medical assistance it (A) provides health services in accordance with section 1301(b), except that (i) it does not furnish to those members the health services (within the basic health services) for which it may not be compensated under such title XVIII or such State plan, and (ii) it does not fix the basic or supplemental health services payment for such members under a community rating system, and (B) is organized and operated in the manner prescribed by section 1301(c), except that it does not assume full financial risk on a prospective basis for the provision to such members of basic or supplemental health services with respect to which it is not required under such title XVIII or such State plan to assume such financial risk; and

"(2) with respect to its other members it provides health services in accordance with section 1301(b) and is organized and operated in the manner prescribed by section 1301(c).

"(e) In any fiscal year no loan guarantee may be made under this title if the making of such guarantee would cause the cumulative total of the principal of the loans guaranteed under this title in such fiscal year to exceed the amount of grant and contract funds obligated under this title in such fiscal year; except that this subsection shall not apply if the amount of grant and contract funds obligated under this title in such fiscal year equals the sums appropriated under section 1309 for grants and contracts for such fiscal year.

"GENERAL PROVISIONS RELATING TO LOAN GUARANTEES AND LOANS

"SEC. 1308. (a)(1) The Secretary may not approve an application for a loan guarantee under this title unless he determines that (A) the terms, conditions, security (if any), and schedule and amount of repayments with respect to the loan are sufficient to protect the finan-

cial interests of the United States and are otherwise reasonable, including a determination that the rate of interest does not exceed such per centum per annum on the principal obligation outstanding as the Secretary determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the United States, and (B) the loan would not be available on reasonable terms and conditions without the guarantee under this title.

"(2)(A) The United States shall be entitled to recover from the applicant for a loan guarantee under this title the amount of any payment made pursuant to such guarantee, unless the Secretary for good cause waives such right of recovery; and, upon making any such payment, the United States shall be subrogated to all of the rights of the recipient of the payments with respect to which the guarantee was made.

"(B) To the extent permitted by subparagraph (C), any terms and conditions applicable to a loan guarantee under this title (including terms and conditions imposed under subparagraph (D)) may be modified by the Secretary to the extent he determines it to be consistent with the financial interest of the United States.

"(C) Any loan guarantee made by the Secretary under this title shall be incontestable (i) in the hands of an applicant on whose behalf such guarantee is made unless the applicant engaged in fraud or misrepresentation in securing such guarantee, and (ii) as to any person (or his successor in interest) who makes or contracts to make a loan to such applicant in reliance thereon unless such person (or his successor in interest) engaged in fraud or misrepresentation in making or contracting to make such loan.

"(D) Guarantees of loans under this title shall be subject to such further terms and conditions as the Secretary determines to be necessary to assure that the purposes of this title will be achieved.

Application requirements.

"(b)(1) The Secretary may not approve an application for a loan under this title unless—

"(A) the Secretary is reasonably satisfied that the applicant therefor will be able to make payments of principal and interest thereon when due, and

"(B) the applicant provides the Secretary with reasonable assurances that there will be available to it such additional funds as may be necessary to complete the project or undertaking with respect to which such loan is requested.

"(2) Any loan made under this title shall (A) have such security, (B) have such maturity date, (C) be repayable in such installments, (D) bear interest at a rate comparable to the current rate of interest prevailing, on the date the loan is made, with respect to loans guaranteed under this title, and (E) be subject to such other terms and conditions (including provisions for recovery in case of default), as the Secretary determines to be necessary to carry out the purposes of this title while adequately protecting the financial interests of the United States.

Recovery rights, waiver.

"(3) The Secretary may, for good cause but with due regard to the financial interests of the United States, waive any right of recovery which he has by reason of the failure of a borrower to make payments of principal of and interest on a loan made under this title, except that if such loan is sold and guaranteed, any such waiver shall have no effect upon the Secretary's guarantee of timely payment of principal and interest.

Loans, sale.

"(c)(1) The Secretary may from time to time, but with due regard to the financial interests of the United States, sell loans made by him under this title.

"(2) The Secretary may agree, prior to his sale of any such loan, to guarantee to the purchaser (and any successor in interest of the purchaser) compliance by the borrower with the terms and conditions of such loan. Any such agreement shall contain such terms and conditions as the Secretary considers necessary to protect the financial interests of the United States or as otherwise appropriate. Any such agreement may (A) provide that the Secretary shall act as agent of any such purchaser for the purpose of collecting from the borrower to which such loan was made and paying over to such purchaser, any payments of principal and interest payable by such organization under such loan; and (B) provide for the repurchase by the Secretary of any such loan on such terms and conditions as may be specified in the agreement. The full faith and credit of the United States is pledged to the payment of all amounts which may be required to be paid under any guarantee under this paragraph.

"(3) After any loan under this title to a public health maintenance organization has been sold and guaranteed under this subsection, interest paid on such loan which is received by the purchaser thereof (or his successor in interest) shall be included in the gross income of the purchaser of the loan (or his successor in interest) for the purpose of chapter 1 of the Internal Revenue Code of 1954.

68A Stat. 3.
26 USC 1 *et seq.*

"(4) Amounts received by the Secretary as proceeds from the sale of loans under this subsection shall be deposited in the loan fund established under subsection (e).

Loan guarantee fund, establishment.

"(d)(1) There is established in the Treasury a loan guarantee fund (hereinafter in this subsection referred to as the 'fund') which shall be available to the Secretary without fiscal year limitation, in such amounts as may be specified from time to time in appropriation Acts, to enable him to discharge his responsibilities under loan guarantees issued by him under this title. There are authorized to be appropriated from time to time such amounts as may be necessary to provide the sums required for the fund. To the extent authorized in appropriation Acts, there shall also be deposited in the fund amounts received by the Secretary in connection with loan guarantees under this title and other property or assets derived by him from his operations respecting such loan guarantees, including any money derived from the sale of assets.

"(2) If at any time the sums in the funds are insufficient to enable the Secretary to discharge his responsibilities under guarantees issued by him under this title, he is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions, as may be prescribed by the Secretary with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury shall purchase any notes and other obligations issued under this paragraph and for that purpose he may use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which the securities may be issued under that Act are extended to include any purchase of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this paragraph. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. Sums borrowed under this paragraph shall be deposited in the fund

40 Stat. 288.
31 USC 774.

and redemption of such notes and obligations shall be made by the Secretary from the fund.

Loan fund, establishment.

"(e) There is established in the Treasury a loan fund (hereinafter in this subsection referred to as the 'fund') which shall be available to the Secretary without fiscal year limitation, in such amounts as may be specified from time to time in appropriation Acts, to enable him to make loans under this title. There shall also be deposited in the fund amounts received by the Secretary as interest payments and repayment of principal on loans made under this title and other property or assets derived by him from his operations respecting such loans, from the sale of loans under subsection (c) of this section, or from the sale of assets.

"AUTHORIZATIONS OF APPROPRIATIONS

"SEC. 1309. (a) For the purpose of making payments under grants and contracts under sections 1303, 1304(a), and 1304(b), there are authorized to be appropriated $25,000,000 for the fiscal year ending June 30, 1974, $55,000,000 for the fiscal year ending June 30, 1975, and $85,000,000 for the fiscal year ending June 30, 1976; and for the purpose of making payments under grants and contracts under section 1304(b) for the fiscal year ending June 30, 1977, there is authorized to be appropriated $85,000,000.

"(b) There is authorized to be appropriated to the loan fund established under section 1308(e) $75,000,000 in the aggregrate for the fiscal years ending June 30, 1974, and June 30, 1975.

"EMPLOYEES' HEALTH BENEFITS PLANS

"SEC. 1310. (a) Each employer which is required during any calendar quarter to pay its employees the minimum wage specified by section 6 of the Fair Labor Standards Act of 1938 (or would be required to pay his employees such wage but for section 13(a) of such Act), and which during such calendar quarter employed an average number of employees of not less than twenty-five, shall, in accordance with regulations which the Secretary shall prescribe, include in any health benefits plan offered to its employees in the calendar year beginning after such calendar quarter the option of membership in qualified health maintenance organizations which are engaged in the provision of basic and supplemental health services in the areas in which such employees reside.

52 Stat. 1062; 80 Stat. 838. 29 USC 206. 75 Stat. 71; 80 Stat. 833; 86 Stat. 375. 29 USC 213.

"(b) If there is more than one qualified health maintenance organization which is engaged in the provision of basic and supplemental health services in the area in which the employees of an employer subject to subsection (a) reside and if—

"(1) one or more of such organizations provides basic health services through professionals who are members of the staff of the organization or a medical group (or groups), and

"(2) one or more of such organizations provides such services through an individual practice association (or associations),

then of the qualified health maintenance organizations included in a health benefits plan of such employer pursuant to subsection (a) at least one shall be an organization which provides basic health services as described in clause (1) and at least one shall be an organization which provides basic health services as described in clause (2).

"(c) No employer shall be required to pay more for health benefits as a result of the application of this section than would otherwise be required by any prevailing collective bargaining agreement or other legally enforceable contract for the provision of health benefits between the employer and its employees. Failure of any employer to

comply with the requirements of subsection (a) shall be considered a willful violation of section 15 of the Fair Labor Standards Act of 1938.

52 Stat. 1068; 63 Stat. 919. 29 USC 215.

"(d) For purposes of this section, the term 'qualified health maintenance organization' means (1) a health maintenance organization which has provided assurances satisfactory to the Secretary that it provides basic and supplemental health services to its members in the manner prescribed by section 1301(b) and that it is organized and operated in the manner prescribed by section 1301(c), and (2) an entity which proposes to become a health maintenance organization and which the Secretary determines will when it becomes operational provide basic and supplemental health services to its members in the manner prescribed by section 1301(b) and will be organized and operated in the manner prescribed by section 1301(c).

"Qualified health maintenance organization."

"RESTRICTIVE STATE LAWS AND PRACTICES

"SEC. 1311. (a) In the case of any entity—

"(1) which cannot do business as a health maintenance organization in a State in which it proposes to furnish basic and supplemental health services because that State by law, regulation, or otherwise—

"(A) requires as a condition to doing business in that State that a medical society approve the furnishing of services by the entity,

"(B) requires that physicians constitute all or a percentage of its governing body,

"(C) requires that all physicians or a percentage of physicians in the locale participate or be permitted to participate in the provision of services for the entity, or

"(D) requires that the entity meet requirements for insurers of health care services doing business in that State respecting initial capitalization and establishment of financial reserves against insolvency, and

"(2) for which a grant, contract, loan, or loan guarantee was made under this title or which is a qualified health maintenance organization for purposes of section 1310 (relating to employees' health benefits plans),

such requirements shall not apply to that entity so as to prevent it from operating as a health maintenance organization in accordance with section 1301.

"(b) No State may establish or enforce any law which prevents a health maintenance organization for which a grant, contract, loan, or loan guarantee was made under this title or which is a qualified health maintenance organization for purposes of section 1310 (relating to employees' health benefits plans), from soliciting members through advertising its services, charges, or other nonprofessional aspects of its operation. This subsection does not authorize any advertising which identifies, refers to, or makes any qualitative judgment concerning, any health professional who provides services for a health maintenance organization.

"CONTINUED REGULATION OF HEALTH MAINTENANCE ORGANIZATIONS

"SEC. 1312. (a) If the Secretary determines that an entity which received a grant, contract, loan, or loan guarantee under this title as a health maintenance organization or which was included in a health benefits plan offered to employees pursuant to section 1310—

"(1) fails to provide basic and supplemental services to its members,

"(2) fails to provide such services in the manner prescribed by section 1301(b), or

"(3) is not organized or operated in the manner prescribed by section 1301(c),

the Secretary may, in addition to any other remedies available to him, bring a civil action in the United States district court for the district in which such entity is located to enforce its compliance with any assurances it furnished him respecting the provision of basic and supplemental health services or its organization or operation, as the case may be, which assurances were made under section 1310 or when application was made under this title for a grant, contract, loan, or loan guarantee.

"(b) The Secretary, through the Assistant Secretary for Health, shall administer subsection (a) in the Office of the Assistant Secretary for Health.

"LIMITATION ON SOURCE OF FUNDING FOR HEALTH MAINTENANCE ORGANIZATIONS

"SEC. 1313. No funds appropriated under any provision of this Act other than this title may be used—

"(1) for grants or contracts for surveys or other activities to determine the feasibility of developing or expanding health maintenance organizations or other entities which provide, directly or indirectly, health services to a defined population on a prepaid basis;

"(2) for grants or contracts, or for payments under loan guarantees, for planning projects for the establishment or expansion of such organizations or entities;

"(3) for grants or contracts, or for payments under loan guarantees, for projects for the initial development or expansion of such organizations or entities; or

"(4) for loans, or for payments under loan guarantees, to assist in meeting the costs of the initial operation after establishment or expansion of such organizations or entities.

"PROGRAM EVALUATION

"SEC. 1314. (a) The Comptroller General shall evaluate the operations of at least fifty of the health maintenance organizations for which assistance was provided under section 1303, 1304, or 1305. The period of operation of such health maintenance organizations which shall be evaluated under this subsection shall be not less than thirty-six months. The Comptroller General shall report to the Congress the results of the evaluation not later than ninety days after at least fifty of such health maintenance organizations have been in operation for at least thirty-six months. Such report shall contain findings—

Report to Congress.

"(1) with respect to the ability of the organizations evaluated to operate on a fiscally sound basis without continued Federal financial assistance,

"(2) with respect to the ability of such organizations to meet the requirements of section 1301(c) respecting their organization and operation,

"(3) with respect to the ability of such organizations to provide basic and supplemental health services in the manner prescribed by section 1301(b),

"(4) with respect to the ability of such organizations to include indigent and high-risk individuals in their membership, and

"(5) with respect to the ability of such organizations to provide services to medically underserved populations.

"(b) The Comptroller General shall also conduct a study of the economic effects on employers resulting from their compliance with the requirements of section 1310. The Comptroller General shall report to the Congress the results of such study not later than thirty-six months after the date of the enactment of this title. Study. Report to Congress.

"(c) The Comptroller General shall evaluate (1) the operations of distinct categories of health maintenance organizations in comparison with each other, (2) health maintenance organizations as a group in comparison with alternative forms of health care delivery, and (3) the impact that health maintenance organizations, individually, by category, and as a group, have on the health of the public. The Comptroller General shall report to the Congress the results of such evaluation not later than thirty-six months after the date of the enactment of this title. Evaluation. Report to Congress.

"ANNUAL REPORT

"SEC. 1315. (a) The Secretary shall periodically review the programs of assistance authorized by this title and make an annual report to the Congress of a summary of the activities under each program. The Secretary shall include in such summary— Review, report to Congress.

"(1) a summary of each grant, contract, loan, or loan guarantee made under this title in the period covered by the report and a list of the health maintenance organizations which during such period became qualified health maintenance organizations for purposes of section 1310;

"(2) the statistics and other information reported in such period to the Secretary in accordance with section 1301(c)(11);

"(3) findings with respect to the ability of the health maintenance organizations assisted under this title—

"(A) to operate on a fiscally sound basis without continued Federal financial assistance,

"(B) to meet the requirements of section 1301(c) respecting their organization and operation,

"(C) to provide basic and supplemental health services in the manner prescribed by section 1301(b),

"(D) to include indigent and high-risk individuals in their membership, and

"(E) to provide services to medically underserved populations; and

"(4) findings with respect to—

"(A) the operation of distinct categories of health maintenance organizations in comparison with each other,

"(B) health maintenance organizations as a group in comparison with alternative forms of health care delivery, and

"(C) the impact that health maintenance organizations, individually, by category, and as a group, have on the health of the public.

"(b) The Office of Management and Budget may review the Secretary's report under subsection (a) before its submission to the Congress, but the Office may not revise the report or delay its submission, and it may submit to the Congress its comments (and those of other departments or agencies of the Government) respecting such report." Review. Comments, submittal to Congress.

QUALITY ASSURANCE

SEC. 3. Title III of the Public Health Service Act is amended by adding at the end thereof the following new part: 58 Stat. 691; 84 Stat. 65. 42 USC 241.

"PART K—QUALITY ASSURANCE

"QUALITY ASSURANCE

Research and evaluation programs.

"SEC. 399c. (a)(1) The Secretary, through the Assistant Secretary for Health, shall conduct research and evaluation programs respecting the effectiveness, administration, and enforcement of quality assurance programs. Such research and evaluation programs shall be carried out in cooperation with the entity within the Department which administers the programs of assistance under section 304.

81 Stat. 534. 42 USC 242b. Appropriation.

"(2) For the purpose of carrying out paragraph (1), there are authorized to be appropriated $4,000,000 for the fiscal year ending June 30, 1974, $8,000,000 for the fiscal year ending June 30, 1975, $9,000,000 for the fiscal year ending June 30, 1976, $9,000,000 for the fiscal year ending June 30, 1977, and $10,000,000 for the fiscal year ending June 30, 1978.

Annual report to President and Congress.

"(b) The Secretary shall make an annual report to the Congress and the President on (1) the quality of health care in the United States, (2) the operation of quality assurance programs, and (3) advances made through research and evaluation of the effectiveness, administration, and enforcement of quality assurance programs. The first annual report under this subsection shall be made with respect to calendar year 1974 and shall be submitted not later than March 1, 1975.

Review.

The Office of Management and Budget may review the Secretary's report under this subsection before its submission to the Congress, but the Office may not revise the report or delay its submission to the Congress, and it may submit to the Secretary and the Congress its comments (and those of other departments and agencies of the Government) with respect to such report."

Comments, submittal to Secretary of HEW and Congress.

HEALTH CARE QUALITY ASSURANCE PROGRAMS STUDY

Contract authority.

SEC. 4. (a) The Secretary of Health, Education, and Welfare shall contract, in accordance with subsection (b), for the conduct of a study to—

(1) analyze past and present mechanisms (both required by law and voluntary) to assure the quality of health care, identify the strengths and weaknesses of current major prototypes of health care quality assurance systems, and identify on a comparable basis the costs of such prototypes;

(2) provide a set of basic principles to be followed by any effective health care quality assurance system, including principles affecting the scope of the system, methods for assessing care, data requirements, specifications for the development of criteria and standards which relate to desired outcomes of care, and means for assessing the responsiveness of such care to the needs and perceptions of the consumers of such care;

(3) provide an assessment of programs for improving the performance of health practitioners and institutions in providing high-quality health care, including a study of the effectiveness of sanctions and educational programs;

(4) define the specific needs for a program of research and evaluation in health care quality assurance methods, including the design of prospective evaluations protocols for health care quality assurance systems; and

(5) provide methods for assessing the quality of health care from the point of view of consumers of such care.

Contract with nonprofit private organization.

(b) The Secretary shall contract for the conduct of the study required by subsection (a) with a nonprofit private organization which—

(1) has a national reputation for objectivity in the conduct of studies for the Federal Government;

(2) has the capacity to readily marshall the widest possible range of expertise and advice relevant to the conduct of such study;

(3) has a membership and competent staff which have backgrounds in government, the health sciences, and the social sciences;

(4) has a history of interest and activity in health policy issues related to such study; and

(5) has extensive existing contracts with interested public and private agencies and organizations.

The Secretary shall enter into such contract within 90 days of the date of the enactment of the first Act making an appropriation under subsection (d).

(c) An interim report providing a plan for the study required by subsection (a) shall be submitted by the organization conducting the study to the Committee on Interstate and Foreign Commerce of the House of Representatives and the Committee on Labor and Public Welfare of the Senate by June 30, 1974; and a final report giving the results of the study and providing specifications for an effective quality assurance system shall be submitted by such organization to the Committee on Interstate and Foreign Commerce of the House of Representatives and the Committee on Labor and Public Welfare of the Senate by January 31, 1976. Reports to congressional committees.

(d) There is authorized to be appropriated $10,000,000, which shall be available without fiscal year limitation, for the conduct of the study required by subsection (a). Appropriation.

REPORTS RESPECTING MEDICALLY UNDERSERVED AREAS AND POPULATION GROUPS AND NON-METROPOLITAN AREAS

SEC. 5. Within three months of the date of the enactment of this Act, the Secretary of Health, Education, and Welfare shall report to the Congress the criteria used by him in the designation of medically underserved areas and population groups for the purposes of section 1302(7) of the Public Health Service Act. Within one year of such date, the Secretary shall report to the Congress (1) the areas and population groups designated by him under such section 1302(7) as having a shortage of personal health services, (2) the comments (if any) submitted by State and areawide comprehensive health planning agencies under such section with respect to any such designation, and (3) the areas which meet the definitional standards under section 1302(9) of such Act for non-metropolitan areas. The Office of Management and Budget may review the Secretary's report under this section before its submission to the Congress, but the Office may not revise the report or delay its submission beyond the date prescribed for its submission, and it may submit to Congress its comments (and those of other departments and agencies of the Government) respecting such report. Reports to Congress. *Ante*, p. 917. Review. Comments, submittal to Congress.

HEALTH SERVICES FOR INDIANS AND DOMESTIC AGRICULTURAL MIGRATORY AND SEASONAL WORKERS

SEC. 6. (a) The first section of the Act of August 5, 1954 (42 U.S.C. 2001), is amended by inserting "(a)" after "That" and by adding at the end thereof the following new subsection: 68 Stat. 674.

"(b) In carrying out his functions, responsibilities, authorities, and duties under this Act, the Secretary is authorized, with the consent of the Indian people served, to contract with private or other non-

Federal health agencies or organizations for the provision of health services to such people on a fee-for-service basis or on a prepayment or other similar basis.".

(b) The Secretary of Health, Education, and Welfare, in connection with existing authority (except section 310 of the Public Health Service Act) for the provision of health services to domestic agricultural migratory workers, to persons who perform seasonal agricultural services similar to the services performed by such workers, and to the families of such workers and persons, is authorized to arrange for the provision of health services to such workers and persons and their families through health maintenance organizations. In carrying out this subsection the Secretary may only use sums appropriated after the date of the enactment of this Act.

76 Stat. 592; 84 Stat. 52. 42 USC 242h.

CONFORMING AMENDMENTS

SEC. 7. (a) Section 1 of the Public Health Service Act is amended to read as follows:

58 Stat. 682; 86 Stat. 137. 42 USC 201 note.

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Public Health Service Act'."

(b) Title XIII of the Act of July 1, 1944 (58 Stat. 682) (as so designated by section 2(b) of the Emergency Medical Services Systems Act of 1973 (Public Law 93-154)) is repealed.

Repeal.

Ante, p. 604.

(c) Section 306(g) of the Federal National Mortgage Association Act (12 U.S.C. 1721(g)) is amended by inserting ", or which are guaranteed under title XIII of the Pubic Health Service Act" after "chapter 37 of title 38, United States Code".

82 Stat. 542.

38 USC 1801.

Approved December 29, 1973.

Public Law 93-223

December 29, 1973
[H. R. 10806]

AN ACT

To amend the District of Columbia Minimum Wage Act so as to enable airline employees to exchange days at regular rates of compensation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(b) of the District of Columbia Minimum Wage Act (D.C. Code, sec. 36-404(b)) is amended by:

D.C. Airline employees, workdays exchange. 80 Stat. 964; 84 Stat. 1938; 85 Stat. 658.

(1) striking the word "or" following the semicolon in subparagraph (4);

(2) striking the period at the end of subparagraph (5) and inserting in lieu thereof "; or";

(3) inserting after subparagraph (5) the following new subparagraph:

"(6) any employee employed by a carrier by air who voluntarily exchanges workdays with another employee for the primary purpose of utilizing air travel benefits available to such employees.".

Approved December 29, 1973.

Public Law 93-224

AN ACT

December 29, 1973
[H. R. 5874]

To establish a Federal Financing Bank, to provide for coordinated and more efficient financing of Federal and federally assisted borrowings from the public, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Financing Bank Act of 1973".

Federal Financing Bank Act of 1973.

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. The Congress finds that demands for funds through Federal and federally assisted borrowing programs are increasing faster than the total supply of credit and that such borrowings are not adequately coordinated with overall Federal fiscal and debt management policies. The purpose of this Act is to assure coordination of these programs with the overall economic and fiscal policies of the Government, to reduce the costs of Federal and federally assisted borrowings from the public, and to assure that such borrowings are financed in a manner least disruptive of private financial markets and institutions.

DEFINITIONS

SEC. 3. For the purposes of this Act—

(1) The term "Federal agency" means an executive department, an independent Federal establishment, or a corporation or other entity established by the Congress which is owned in whole or in part by the United States.

(2) The term "obligation" means any note, bond, debenture, or other evidence of indebtedness, but does not include Federal Reserve notes or stock evidencing an ownership interest in the issuing Federal agency.

(3) The term "guarantee" means any guarantee, insurance, or other pledge with respect to the payment of all or part of the principal or interest on any obligation, but does not include the insurance of deposits, shares, or other withdrawable accounts in financial institutions, or any guarantee or pledge arising out of a statutory obligation to insure such deposits, shares, or other withdrawable accounts.

(4) The term "Bank" means the Federal Financing Bank established by section 4 of this Act.

CREATION OF BANK

SEC. 4. There is hereby created a body corporate to be known as the Federal Financing Bank, which shall have succession until dissolved by an Act of Congress. The Bank shall be subject to the general supervision and direction of the Secretary of the Treasury. The Bank shall be an instrumentality of the United States Government and shall maintain such offices as may be necessary or appropriate in the conduct of its business.

BOARD OF DIRECTORS

SEC. 5. (a) The Bank shall have a Board of Directors consisting of five persons, one of whom shall be the Secretary of the Treasury as Chairman of the Board, and four of whom shall be appointed by the President from among the officers or employees of the Bank or of any Federal agency. The Chairman and each other member of the Board may designate some other officer or employee of the Government to serve in his place.

Meetings.

(b) The Board of Directors shall meet at the call of its Chairman. The Board shall determine the general policies which shall govern the operations of the Bank. The Chairman of the Board shall select and effect the appointment of qualified persons to fill such offices as may be provided for in the bylaws, and such persons shall be the executive officers of the Bank and shall discharge such executive functions, powers, and duties as may be provided for in the bylaws or by the Board of Directors. The members of the Board and their designees shall not receive compensation for their services on the Board.

FUNCTIONS

SEC. 6. (a) The Bank is authorized to make commitments to purchase and sell, and to purchase and sell on terms and conditions determined by the Bank, any obligation which is issued, sold, or guaranteed by a Federal agency. Any Federal agency which is authorized to issue, sell, or guarantee any obligation is authorized to issue or sell such obligations directly to the Bank.

(b) Any purchase by the Bank shall be upon such terms and conditions as to yield a return at a rate not less than a rate determined by the Secretary of the Treasury taking into consideration (1) the current average yield on outstanding marketable obligations of the United States of comparable maturity, or (2) whenever the Bank's own obligations outstanding are sufficient, the current average yield on outstanding obligations of the Bank of comparable maturity.

Fees.

(c) The Bank is authorized to charge fees for its commitments and other services adequate to cover all expenses and to provide for the accumulation of reasonable contingency reserves.

TREASURY APPROVAL

SEC. 7. (a) To insure the orderly and coordinated marketing of Treasury and Federal agency obligations and appropriate financing planning with respect thereto, and to facilitate the effective financing of programs authorized by law subject to the applicable provisions of such law, the prior approval of the Secretary of the Treasury shall be required with respect to—

(1) the method of financing,

(2) the source of financing,

(3) the timing of financing in relation to market conditions and financing by other Federal agencies, and

(4) the financing terms and conditions, including rates of interest and maturities,

of obligations issued or sold by any Federal agency; except that the approval of the Secretary of the Treasury shall not be required with respect to (A) obligations issued or sold pursuant to an Act of Congress which expressly prohibits any guarantee of such obligations by the United States, and (B) obligations issued or sold by the Farmers Home Administration.

(b) Upon receipt of a request from a Federal agency for his approval under subsection (a) of this section, the Secretary of the Treasury shall act promptly either to grant his approval or to advise the agency of the reasons for withholding his approval. In no case shall the Secretary of the Treasury withhold such approval for a period longer than sixty days unless, prior to the end of such period, he submits to the Congress a detailed explanation of his reasons for so doing. In no case shall the Secretary withhold such approval for a period longer than one hundred and twenty days. To the maximum extent practicable, withholdings of approval shall be made in a manner which is not disproportionately detrimental to the functioning of

any particular type of Federal program. Expedited treatment shall be accorded in any case in which the Federal agency advises the Secretary of the Treasury that unusual circumstances require such treatment.

(c) Federal agencies subject to this section shall submit financing plans to the Secretary of the Treasury at such times and in such forms as he shall prescribe.

Agency financing plans, submittal to Secretary of Treasury.

INITIAL CAPITAL

SEC. 8. The Secretary of the Treasury is authorized to advance the funds necessary to provide initial capital to the Bank. Each such advance shall be upon such terms and conditions as to yield a return at a rate not less than a rate determined by the Secretary of the Treasury, taking into consideration the current average yield on outstanding marketable obligations of the United States of comparable maturity. Interest payments on such advances may be deferred, at the discretion of the Secretary, but any such deferred payments shall themselves bear interest at the rate specified in this section. There is authorized to be appropriated not to exceed $100,000,000, which shall be available for the purposes of this section without fiscal year limitation.

Advances, authorization.

Appropriation.

OBLIGATIONS OF THE BANK

SEC. 9. (a) The Bank is authorized, with the approval of the Secretary of the Treasury, to issue publicly and have outstanding at any one time not in excess of $15,000,000,000, or such additional amounts as may be authorized in appropriations Acts, of obligations having such maturities and bearing such rate or rates of interest as may be determined by the Bank. Such obligations may be redeemable at the option of the Bank before maturity in such manner as may be stipulated therein. So far as is feasible, the debt structure of the Bank shall be commensurate with its asset structure.

(b) The Bank is also authorized to issue its obligations to the Secretary of the Treasury and the Secretary of the Treasury may in his discretion purchase or agree to purchase any such obligations, and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds of the sale of any securities hereafter issued under the Second Liberty Bond Act, and the purposes for which securities may be issued under the Second Liberty Bond Act are extended to include such purchases. Each purchase of obligations by the Secretary of the Treasury under this subsection shall be upon such terms and conditions as to yield a return at a rate not less than a rate determined by the Secretary of the Treasury, taking into consideration the current average yield on outstanding marketable obligations of the United States of comparable maturity. The Secretary of the Treasury may sell, upon such terms and conditions and at such price or prices as he shall determine, any of the obligations acquired by him under this subsection. All purchases and sales by the Secretary of the Treasury of such obligations under this subsection shall be treated as public debt transactions of the United States.

40 Stat. 288.
31 USC 774.

(c) The Bank may require the Secretary of the Treasury to purchase obligations of the Bank issued pursuant to subsection (b) in such amounts as will not cause the holding by the Secretary of the Treasury resulting from such required purchases to exceed $5,000,000,000 at any one time. This subsection shall not be construed as limiting the authority of the Secretary to purchase obligations of the Bank in excess of such amount.

(d) Obligations of the Bank issued pursuant to this section shall be lawful investments, and may be accepted as security for all fiduciary, trust, and public funds, the investment or deposit of which shall

be under the authority or control of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States, or any agency or instrumentality of any of the foregoing, or any officer or officers thereof.

GENERAL POWERS

SEC. 10. The Bank shall have power—

(1) to sue and be sued, complain, and defend, in its corporate name;

(2) to adopt, alter, and use a corporate seal, which shall be judicially noticed;

(3) to adopt, amend, and repeal bylaws, rules, and regulations as may be necessary for the conduct of its business;

(4) to conduct its business, carry on its operations, and have offices and exercise the powers granted by this Act in any State without regard to any qualification or similar statute in any State;

(5) to lease, purchase, or otherwise acquire, own, hold, improve, use, or otherwise deal in and with any property, real, personal, or mixed, or any interest therein, wherever situated;

(6) to accept gifts or donations of services, or of property, real, personal, or mixed, tangible or intangible, in aid of any of the purposes of the Bank;

(7) to sell, convey, mortgage, pledge, lease, exchange, and otherwise dispose of its property and assets;

(8) to appoint such officers, attorneys, employees, and agents as may be required, to define their duties, to fix and to pay such compensation for their services as may be determined, subject to the civil service and classification laws, to require bonds for them and pay the premium thereof;

(9) to enter into contracts, to execute instruments to incur liabilities, and to do all things as are necessary or incidental to the proper management of its affairs and the proper conduct of its business;

(10) to act through any corporate or other agency or instrumentality of the United States, and to utilize the services thereof on a reimbursable basis, and any such agency or instrumentality is authorized to provide services as requested by the Bank; and

(11) to determine the character of and the necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid, subject to provisions of law specifically applicable to Government corporations.

EXEMPTIONS

Tax exemption.

SEC. 11. (a) The Bank, its property, its franchise, capital, reserves, surplus, security holdings, and other funds, and its income shall be exempt from all taxation now or hereafter imposed by the United States or by any State or local taxing authority; except that (1) any real property and any tangible personal property of the Bank shall be subject to Federal, State, and local taxation to the same extent according to its value as other such property is taxed, and (2) any obligations issued by the Bank shall be subject to Federal taxation to the same extent as the obligations of private corporations are taxed.

(b) All obligations issued by the Bank pursuant to this Act shall be deemed to be exempted securities within the meaning of section 3(a)(2) of the Securities Act of 1933 (15 U.S.C. 77c(a)(2)), of section 3(a)(12) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(12)), and of section 304(a)(4) of the Trust Indenture Act of 1939 (15 U.S.C. 77ddd(a)(4)).

84 Stat. 1498.

84 Stat. 1435, 1499.

53 Stat. 1153; 84 Stat. 1499.

(c) Nothing herein shall affect the budget status of the Federal agencies selling obligations to the Bank under section 6(a) of this Act, or the method of budget accounting for their transactions. The receipts and disbursements of the Bank in the discharge of its functions shall not be included in the totals of the budget of the United States Government and shall be exempt from any general limitation imposed by statute on expenditures and net lending (budget outlays) of the United States.

PREPARATION OF OBLIGATIONS

SEC. 12. In order to furnish obligations for delivery by the Bank, the Secretary of the Treasury is authorized to prepare such obligations in such form as the Bank may approve, such obligations when prepared to be held in the Treasury subject to delivery upon order by the Bank. The engraved plates, dies, bed pieces, and other material executed in connection therewith, shall remain in the custody of the Secretary of the Treasury. The Bank shall reimburse the Secretary of the Treasury for any expenditures made in preparation, custody, and delivery of such obligations.

Expenditures, reimbursement.

ANNUAL REPORT

SEC. 13. The Bank shall, as soon as practicable after the end of each fiscal year, transmit to the President and the Congress an annual report of its operations and activities.

Report to President and Congress.

OBLIGATIONS ELIGIBLE FOR PURCHASE BY NATIONAL BANKS

SEC. 14. The sixth sentence of the seventh paragraph of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by inserting "or obligations of the Federal Financing Bank" immediately after "or obligations, participations, or other instruments of or issued by the Federal National Mortgage Association or the Government National Mortgage Association,".

GOVERNMENT CORPORATION CONTROL ACT

SEC. 15. The budget and audit provisions of the Government Corporation Control Act (31 U.S.C. 841 et seq.) shall be applicable to the Federal Financing Bank in the same manner as they are applied to the wholly owned Government corporations named in section 101 of such Act (31 U.S.C. 846).

59 Stat. 597.

86 Stat. 1274.

PAYMENTS ON BEHALF OF PUBLIC BODIES

SEC. 16. (a) Notwithstanding any other provision of this Act, the purchase by the Bank of the obligations of any local public body or agency within the United States shall be made upon such terms and conditions as may be necessary to avoid an increase in borrowing costs to such local public body or agency as a result of the purchase by the Bank of its obligations. The head of the Federal agency guaranteeing such obligations, in consultation with the Secretary of the Treasury, shall estimate the borrowing costs that would be incurred by the local public body or agency if its obligations were not sold to the Bank.

(b) The Federal agency guaranteeing obligations purchased by the Bank may contract to make periodic payments to the Bank which shall be sufficient to offset the costs to the Bank of purchasing obligations of local public bodies or agencies upon terms and conditions as prescribed in this section rather than as prescribed by section 6. Such contracts may be made in advance of appropriations therefor, and appropriations for making payments under such contracts are hereby authorized.

NO IMPAIRMENT

SEC. 17. Nothing in this Act shall be construed as impairing any authority or responsibility of the President or the Secretary of the Treasury under any other provision of law, nor shall anything in this Act affect in any manner any provision of law concerning the right of any Federal agency to sell obligations to the Secretary of the Treasury or the authority or responsibility of the Secretary of the Treasury to purchase such obligations.

PROGRAM LIMITATION

SEC. 18. Nothing in this Act shall be construed as authorizing an increase in the amounts of obligations issued, sold, or guaranteed by any Federal agency which issues, sells, or guarantees obligations purchased by the Bank.

SEPARABILITY

SEC. 19. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected.

EFFECTIVE DATE

SEC. 20. This Act becomes effective upon the date of its enactment, except that section 7 becomes effective upon the expiration of thirty days after such date.

Approved December 29, 1973.

Public Law 93-225

December 29, 1973
[H. R. 2303]

AN ACT

To continue mandatory price support for tung nuts only through the 1976 crop.

Tung nuts.
Mandatory price support.
63 Stat. 1052; 72 Stat. 996.
7 USC 1446.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201(b) of the Agricultural Act of 1949, as amended, is amended to read as follows:

"(b) The price of honey shall be supported through loans, purchases, or other operations at a level not in excess of 90 per centum nor less than 60 per centum of the parity price thereof; and the price of tung nuts for each crop of tung nuts through the 1976 crop shall be supported through loans, purchases, or other operations at a level not in excess of 90 per centum nor less than 60 per centum of the parity price therefor: *Provided*, That in any crop year through the 1976 crop year in which the Secretary determines that the domestic production of tung oil will be less than the anticipated domestic demand for such oil, the price of tung nuts shall be supported at not less than 65 per centum of the parity price therefor."

Approved December 29, 1973.

Public Law 93-226

JOINT RESOLUTION

December 29, 1973
[H. J. Res. 736]

To provide for a feasibility study and to accept a gift from the United States Capitol Historical Society.

United States Capitol Historical Society.
Feasibility study, authorization.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the United States Capitol Historical Society is authorized, under direction of the Architect of the Capitol, to prepare a feasibility study to determine the desirability of installing within the United States Capitol Grounds, at the east front of the United States Capitol, all items of equipment and other facilities required for a sound and light performance, consisting of an interplay of light, music, narrative, and sound effects (without the use of live actors), which, when projected onto the imposing facade of the east front of the United States Capitol, will re-create the evolution of American history, based on a foundation of thorough historical research, subject to the following conditions:

(1) Such study and all expenditures connected therewith will be borne by the United States Capitol Historical Society.

Report to Architect of the Capitol.

(2) Upon completion of such study, the United States Capitol Historical Society, at its expense, will furnish the Architect of the Capitol a report detailing the results of such study, installations, and programs proposed, and estimates of cost required to implement such project without expense to the United States, including maintenance and operating expenses.

Project, limitation.

(3) The project may not be implemented, beyond the report stage, except as provided in section 2 hereof.

Report to Congress.

SEC. 2. The Architect of the Capitol shall review such report and submit the same, with his recommendations, to the Speaker and majority and minority leaders of the House of Representatives and to the United States Senate Commission on Art and Antiquities.

If the project, as presented, with or without modifications, meets with the approval of such House and Senate officials, the Architect of the Capitol, notwithstanding any other provision of law, is authorized after such approval—

Gift, acceptance authorization.

(1) To accept in the name of the United States from the United States Capitol Historical Society, as a gift, such sum or sums as may be required to further implement such project, and such sum or sums when received, shall be credited as an addition to the appropriation account "Capitol Buildings, Architect of the Capitol".

(2) Subject to section 3 hereof, to expend such sum or sums for all items of equipment and other facilities required for the sound and light performance, and for any other items in connection therewith.

Contract authority.

SEC. 3. The Architect of the Capitol, under the direction of the House and Senate officials designated in section 2 hereof, is authorized to enter into contracts and to incur such other obligations and make such expenditures as may be necessary to carry out the provisions of said section 2.

Funds, availability.

SEC. 4. Sums received under this joint resolution, when credited as an addition to the appropriation account "Capitol Buildings, Architect of the Capitol", shall be available for expenditure and shall remain available until expended. Following completion of the installation, such sums may thereafter be used by the Architect of the Capitol, in whole or part, to defray any expenses which he may incur for maintenance and operation.

Approved December 29, 1973.

Public Law 93-227

December 29, 1973
[H. R. 4738]

AN ACT

To provide for the striking of medals in commemoration of the one hundredth anniversary of the statehood of Colorado.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

State of Colorado.
100th anniversary medals.

SECTION 1. In commemoration of the one hundredth anniversary of the statehood of Colorado, which will be celebrated on August 1, 1976, the Secretary of the Treasury (hereafter referred to in this Act as the "Secretary") shall furnish medals in accordance with this Act to the Colorado Centennial-Bicentennial Commission (hereafter referred to in this Act as the "Commission").

SEC. 2. The medals authorized under this Act are national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368), except that, for the purposes of this Act, some or all of such medals may be struck by the superintendent of the coining department of the mint at Denver, under such regulations as the superintendent, with the approval of the Director of the Mint, may prescribe.

Size.

SEC. 3. The medals shall bear such emblems, devices, and inscriptions, shall be of such size or sizes, and shall be made of such materials as the Commission may determine with the approval of the Secretary.

Quantity.

SEC. 4. Except for such quantities, if any, of gold or silver medals as may be requested by the Commission and approved by the Secretary, the medals may not be made in quantities of less than two thousand nor in an aggregate quantity greater than two hundred and fifty thousand. They shall be made and delivered at such times as may be required by the Commission, but no medals may be made after December 31, 1976.

Time limitation.

Costs.

SEC. 5. The medals shall be furnished at a price or prices equal to the costs of manufacture as estimated by the Secretary, including labor, materials, dies, use of machinery, and overhead expenses. The medals may not be made unless security satisfactory to the Secretary is furnished to indemnify the United States for full payment of these costs.

Approved December 29, 1973.

Public Law 93-228

December 29, 1973
[S. 2491]

AN ACT

To repeal the provisions of the Agriculture and Consumer Protection Act of 1973 which provide for payments to farmers in the event of crop failures with respect to crops planted in lieu of wheat or feed grains.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 107(c) of the Agricultural Act of 1949, as amended, is amended by deleting the parenthetical phrase "(or other nonconserving crop planted instead of wheat)" wherever it appears therein and inserting in lieu thereof "(or of cotton, corn, grain sorghums, or barley planted in lieu of wheat)".

Nonconserving crops, failures.
Payments, elimination.
Ante, p. 225.

Ante, p. 230.

(b) Section 105(b)(1) of the Agricultural Act of 1949, as amended, is amended by deleting the parenthetical phrase "(or other nonconserving crop planted instead of feed grains)" wherever it appears therein and inserting in lieu thereof "(or of wheat, or cotton planted in lieu of the allotted crop)".

Approved December 29, 1973.

Public Law 93-229

AN ACT

December 29, 1973
[H. R. 6758]

To amend chapter 33 of title 28 of the District of Columbia Code, relating to usury, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 33 of title 28 of the District of Columbia Code (relating to interest and usury) is amended by adding at the end thereof the following:

D.C. Council. Loans and interest rates, authority.
85 Stat. 665.
D.C. Code 28-3301.

"§ 28–3309. District of Columbia Council authorized to exempt certain loans, and to change rates of interest

"The District of Columbia Council is authorized from time to time to provide by regulation for (1) the exemption from the provisions of this chapter of any loan or financial transaction, and (2) the change of any interest rate specified in this chapter. The Council is further authorized to amend or repeal any such regulation at any time, but no such amendment or repeal relating to any exemption made under authority of this section shall affect any such loan or financial transaction lawfully made or entered into while such exemption is in effect."

(b) The chapter analysis for chapter 33 of title 28 of the District of Columbia Code is amended by adding at the end thereof the following item:

"28–3309. District of Columbia Council authorized to exempt certain loans, and to change rates of interest."

Capital Yacht Club, D.C., usury law, exemption.

SEC. 2. The Capital Yacht Club, a District of Columbia nonprofit corporation, shall have the power to borrow money at such rates of interest as the corporation may determine, without regard to the restrictions of any usury law, and shall not plead any statute against usury in any action.

Approved December 29, 1973.

Public Law 93-230

AN ACT

December 29, 1973
[S. 1945]

To amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, so as to authorize certain grapefruit marketing orders which provide for an assessment against handlers for the purpose of financing a marketing promotion program to also provide for a credit against such assessment in the case of handlers who expend directly for marketing promotion.

Grapefruit. Marketing orders, paid advertising.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8c(6)(I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, is further amended by inserting in the first proviso "and Florida Indian River grapefruit" immediately after "with respect to almonds".

68 Stat. 906; 84 Stat. 1357.
7 USC 608c.

Approved December 29, 1973.

Public Law 93-231

December 29, 1973
[H. R. 1920]

AN ACT

To designate the portion of the project for flood control protection on Chartiers Creek that is within Allegheny County, Pennsylvania, as the "James G. Fulton Flood Protection Project".

James G. Fulton Flood Protection Project, Pa.
Designation.
79 Stat. 1074.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portion of the project for flood protection on Chartiers Creek that is within Allegheny County, Pennsylvania, authorized by section 204 of the Flood Control Act of 1965 (Public Law 89-298), shall be designated as the "James G. Fulton Flood Protection Project". Any reference to such project in any law, regulation, map, document, record, or other paper of the United States shall be held to be a reference to the "James G. Fulton Flood Protection Project".

Approved December 29, 1973.

Public Law 93-232

December 29, 1973
[H. J. Res. 865]

JOINT RESOLUTION

Authorizing the President to proclaim March 29, 1974, as "Vietnam Veterans Day".

Vietnam Veterans Day.
Designation authorization.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating March 29, 1974, as "Vietnam Veterans Day", and calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

Approved December 29, 1973.

Public Law 93-233

AN ACT

December 31, 1973
[H. R. 11333]

To provide a 7-percent increase in social security benefits beginning with March 1974 and an additional 4-percent increase beginning with June 1974, to provide increases in supplemental security income benefits, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Social security benefits, increase.

INTERIM COST-OF-LIVING INCREASES IN SOCIAL SECURITY BENEFITS

SECTION 1. (a) Section 201(a)(1) of Public Law 93-66 is amended by striking out "the percentage by which" and all that follows and inserting in lieu thereof the following: "7 per centum.". *Ante*, p. 152.

(b) Section 201(a)(2) of Public Law 93-66 is amended—

(1) by striking out "May 1974" each place it appears and inserting in lieu thereof "February 1974"; and

(2) by striking out "January 1975" each place it appears and inserting in lieu thereof "June 1974".

(c) Section 201(b) of Public Law 93-66 is amended to read as follows:

"(b) The increase in social security benefits authorized under this section shall be provided, and any determinations by the Secretary in connection with the provision of such increase in benefits shall be made, in the manner prescribed in section 215(i) of the Social Security Act for the implementation of cost-of-living increases authorized under title II of such Act, except that— *Post*, p. 952.

"(1) the amount of such increase shall be 7 per centum,

"(2) in the case of any individual entitled to monthly insurance benefits payable pursuant to section 202(e) of such Act for February 1974 (without the application of section 202(j)(1) or 223(b) of such Act), including such benefits based on a primary insurance amount determined under section 215(a)(3) of such Act as amended by this section, such increase shall be determined without regard to paragraph (2)(B) of such section 202(e), and *Infra.* 42 USC 402, 423. *Post*, p. 948.

"(3) in the case of any individual entitled to monthly insurance benefits payable pursuant to section 202(f) of such Act for February 1974 (without the application of section 202(j)(1) or 223(b) of such Act), including such benefits based on a primary insurance amount determined under section 215(a)(3) of such Act as amended by this section, such increase shall be determined without regard to paragraph (3)(B) of such section 202(f).".

(d) Section 201(c)(2) of Public Law 93-66 is amended by striking out "May 1974" and inserting in lieu thereof "February 1974". *Ante*, p. 152.

(e) Section 201(d) of Public Law 93-66 is amended by striking out "December 1974" each place it appears and inserting in lieu thereof "May 1974".

(f) Section 202(e) of the Social Security Act is amended by adding at the end thereof the following new paragraph: 81 Stat. 829.

"(7) In the case of an individual entitled to monthly insurance benefits payable under this section for any month prior to January 1973 whose benefits were not redetermined under section 102(g) of the Social Security Amendments of 1972, such benefits shall not be redetermined pursuant to such section, but shall be increased pursuant to any general benefit increase (as defined in section 215(i)(3)) or any increase in benefits made under or pursuant to section 215(i), including for this purpose the increase provided effective for March 1974, as though such redetermination had been made." 86 Stat. 1338. 42 USC 402 note. 86 Stat. 412. 42 USC 415.

81 Stat. 830.
42 USC 402.

(g) Section 202(f) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"(8) In the case of an individual entitled to monthly insurance benefits payable under this section for any month prior to January 1973 whose benefits were not redetermined under section 102(g) of the Social Security Amendments of 1972, such benefits shall not be redetermined pursuant to such section, but shall be increased pursuant to any general benefit increase (as defined in section 215(i)(3) or any increase in benefits made under or pursuant to section 215(i), including for this purpose the increase provided effective for March 1974, as though such redetermination had been made."

86 Stat. 1338.
42 USC 402 note.
86 Stat. 412.
42 USC 415.
Post, p. 952.

86 Stat. 1333.

(h)(1) Section 215(a)(3) of the Social Security Act is amended by striking out "$8.50" and inserting in lieu thereof "$9.00".

Effective date.

(2) The amendment made by paragraph (1) shall be effective with respect to benefits payable for months after February 1974.

(i) In the case of an individual to whom monthly benefits are payable under title II of the Social Security Act for February 1974 (without the application of section 202(j)(1) or 223(b) of such Act), and to whom section 202(m) of such Act is applicable for such month, such section shall continue to be applicable to such benefits for the months of March through May 1974 for which such individual remains the only individual entitled to a monthly benefit on the basis of the wages and self-employment income of the deceased insured individual.

53 Stat. 1362.
42 USC 401.
42 USC 402, 423.
86 Stat. 1338.

ELEVEN-PERCENT INCREASE IN SOCIAL SECURITY BENEFITS

86 Stat. 406.
42 USC 415.

SEC. 2. (a) Section 215(a) of the Social Security Act is amended by striking out the table and inserting in lieu thereof the following:

"TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS

"I (Primary insurance benefit under 1939 Act, as modified)		II (Primary insurance amount effective for September 1972)	III (Average monthly wage)		IV (Primary insurance amount)	V (Maximum family benefits)
"If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
"At least—	But not more than—		At least—	But not more than—		
"	$16.20	$84.50		$76	$93.80	$140.80
$16.21	16.84	85.80	$77	78	95.30	143.00
16.85	17.60	87.80	79	80	97.50	146.30
17.61	18.40	89.40	81	81	99.30	149.00
18.41	19.24	91.00	82	83	101.10	151.70
19.25	20.00	92.90	84	85	103.20	154.80
20.01	20.64	94.60	86	87	105.10	157.70
20.65	21.28	96.20	88	89	106.80	160.20
21.29	21.88	98.10	90	90	108.90	163.40
21.89	22.28	99.80	91	92	110.80	166.20
22.29	22.68	101.40	93	94	112.60	169.00
22.69	23.08	103.00	95	96	114.40	171.60
23.09	23.44	104.90	97	97	116.50	174.80
23.45	23.76	106.70	98	99	118.50	177.80
23.77	24.20	108.80	100	101	120.80	181.20
24.21	24.60	110.30	102	102	122.50	183.80
24.61	25.00	112.10	103	104	124.50	186.80
25.01	25.48	114.20	105	106	126.80	190.20
25.49	25.92	116.00	107	107	128.80	193.20
25.93	26.40	117.90	108	109	130.90	196.40
26.41	26.94	119.70	110	113	132.90	199.40

"TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS—Continued

"I (Primary insurance benefit under 1939 Act, as modified)		II (Primary insurance amount effective for September 1972)	III (Average monthly wage)		IV (Primary insurance amount)	V (Maximum family benefits)
"If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
"At least—	But not more than—		At least—	But not more than—		
$26.95	$27.46	$121.40	$114	$118	$134.80	$202.20
27.47	28.00	123.30	119	122	136.90	205.40
28.01	28.68	125.10	123	127	138.90	208.40
28.69	29.25	127.10	128	132	141.10	211.70
29.26	29.68	128.80	133	136	143.00	214.50
29.69	30.36	130.50	137	141	144.90	217.40
30.37	30.92	132.50	142	146	147.10	220.70
30.93	31.36	134.30	147	150	149.10	223.70
31.37	32.00	136.00	151	155	151.00	226.50
32.01	32.60	138.00	156	160	153.20	229.80
32.61	33.20	139.70	161	164	155.10	232.70
33.21	33.88	141.60	165	169	157.20	235.80
33.89	34.50	143.40	170	174	159.20	238.90
34.51	35.00	145.20	175	178	161.20	241.80
35.01	35.80	147.20	179	183	163.40	245.10
35.81	36.40	148.80	184	188	165.20	247.80
36.41	37.08	150.90	189	193	167.50	251.40
37.09	37.60	152.70	194	197	169.50	254.40
37.61	38.20	154.40	198	202	171.40	257.10
38.21	39.12	156.40	203	207	173.70	260.60
39.13	39.68	158.20	208	211	175.70	263.60
39.69	40.33	159.80	212	216	177.40	266.10
40.34	41.12	161.80	217	221	179.60	269.40
41.13	41.76	163.60	222	225	181.60	272.40
41.77	42.44	165.50	226	230	183.80	275.70
42.45	43.20	167.30	231	235	185.80	278.70
43.21	43.76	169.40	236	239	188.10	282.20
43.77	44.44	171.00	240	244	189.90	286.20
44.45	44.88	172.70	245	249	191.70	292.10
44.89	45.60	174.80	250	253	194.10	296.80
		176.60	254	258	196.10	302.60
		178.10	259	263	197.70	308.40
		180.20	264	267	200.10	313.10
		182.00	268	272	202.10	319.00
		183.90	273	277	204.20	324.80
		185.70	278	281	206.20	329.50
		187.50	282	286	208.20	335.40
		189.50	287	291	210.40	341.30
		191.10	292	295	212.20	345.90
		193.10	296	300	214.40	351.70
		194.90	301	305	216.40	357.60
		196.60	306	309	218.30	362.40
		198.60	310	314	220.50	368.20
		200.30	315	319	222.40	374.10
		202.00	320	323	224.30	378.80
		204.00	324	328	226.50	384.70
		205.80	329	333	228.50	390.50
		207.90	334	337	230.80	395.20
		209.40	338	342	232.50	401.00
		211.20	343	347	234.50	406.90
		213.30	348	351	236.80	411.50
		215.00	352	356	238.70	417.40
		217.00	357	361	240.90	423.30
		218.70	362	365	242.80	428.00
		220.40	366	370	244.70	433.80
		222.40	371	375	246.90	439.60
		224.20	376	379	248.90	444.50
		226.20	380	384	251.10	450.30
		227.80	385	389	252.90	456.10
		229.60	390	393	254.90	460.80
		231.60	394	398	257.10	466.70
		233.30	399	403	259.00	472.60
		235.40	404	407	261.30	477.20
		236.90	408	412	263.00	483.10
		238.60	413	417	264.90	488.90
		240.30	418	421	266.80	493.60
		242.20	422	426	268.90	499.40
		243.80	427	431	270.70	505.30
		245.40	432	436	272.40	511.20
		247.40	437	440	274.70	513.50
		248.90	441	445	276.30	516.50

"TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS—Continued

"I (Primary insurance benefit under 1939 Act, as modified)		II (Primary insurance amount effective for September 1972)	III (Average monthly wage)		IV (Primary insurance amount)	V (Maximum family benefits)
"If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
"At least—	But not more than—		At least—	But not more than—		
		$250.60	$446	$450	$278.20	$519.40
		252.50	451	454	280.30	521.70
		254.10	455	459	282.10	524.60
		255.80	460	464	284.00	527.50
		257.40	465	468	285.80	530.00
		259.40	469	473	288.00	532.80
		260.90	474	478	289.60	535.80
		262.60	479	482	291.50	538.20
		264.50	483	487	293.60	541.20
		266.10	488	492	295.40	544.10
		267.80	493	496	297.30	546.40
		269.70	497	501	299.40	549.30
		271.20	502	506	301.10	552.20
		272.90	507	510	303.00	554.60
		274.60	511	515	304.90	557.50
		276.40	516	520	306.90	560.50
		278.10	521	524	308.70	562.70
		279.80	525	529	310.60	565.70
		281.70	530	534	312.70	568.60
		283.20	535	538	314.40	571.00
		284.90	539	543	316.30	573.90
		286.80	544	548	318.40	576.80
		288.40	549	553	320.20	579.80
		290.10	554	556	322.10	581.50
		291.50	557	560	323.60	583.90
		293.10	561	563	325.40	585.70
		294.60	564	567	327.10	588.00
		296.20	568	570	328.80	589.80
		297.60	571	574	330.40	592.00
		299.20	575	577	332.20	593.90
		300.60	578	581	333.70	596.10
		302.20	582	584	335.50	597.90
		303.60	585	588	337.00	600.30
		305.30	589	591	338.90	602.00
		306.80	592	595	340.60	604.40
		308.30	596	598	342.30	606.10
		309.80	599	602	343.90	608.60
		311.30	603	605	345.60	610.30
		312.80	606	609	347.30	612.50
		314.40	610	612	349.00	614.40
		315.90	613	616	350.70	616.70
		317.40	617	620	352.40	619.10
		318.90	621	623	354.00	620.80
		320.40	624	627	355.70	623.20
		321.90	628	630	357.40	625.30
		323.40	631	634	359.00	628.40
		325.00	635	637	360.80	631.30
		326.60	638	641	362.60	634.40
		328.00	642	644	364.10	637.20
		329.60	645	648	365.90	640.30
		331.00	649	652	367.50	643.10
		332.00	653	656	368.60	645.00
		332.90	657	660	369.60	646.70
		334.10	661	665	370.90	649.10
		335.30	666	670	372.20	651.40
		336.50	671	675	373.60	653.70
		337.70	676	680	374.90	656.10
		338.90	681	685	376.20	658.40
		340.10	686	690	377.60	660.70
		341.30	691	695	378.90	663.10
		342.50	696	700	380.20	665.40
		343.70	701	705	381.60	667.70
		344.90	706	710	382.90	670.00
		346.10	711	715	384.20	672.40
		347.30	716	720	385.60	674.70
		348.50	721	725	386.90	677.00
		349.70	726	730	388.20	679.40
		350.90	731	735	389.50	681.70
		352.10	736	740	390.90	684.00
		353.30	741	745	392.20	686.40
		354.50	746	750	393.50	688.70

"TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS—Continued

"I (Primary insurance benefit under 1939 Act, as modified)		II (Primary insurance amount effective for September 1972)	III (Average monthly wage)		IV (Primary insurance amount)	V (Maximum family benefits)
"If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
"At least—	But not more than—		At least—	But not more than—		
		$355.50	$751	$755	$394.70	$690.70
		356.50	756	760	395.80	692.60
		357.50	761	765	396.90	694.60
		358.50	766	770	398.00	696.50
		359.50	771	775	399.10	698.50
		360.50	776	780	400.20	700.30
		361.50	781	785	401.30	702.30
		362.50	786	790	402.40	704.20
		363.50	791	795	403.50	706.20
		364.50	796	800	404.60	708.10
		365.50	801	805	405.80	710.10
		366.50	806	810	406.90	712.00
		367.50	811	815	408.00	714.00
		368.50	816	820	409.10	715.90
		369.50	821	825	410.20	717.90
		370.50	826	830	411.30	719.80
		371.50	831	835	412.40	721.80
		372.50	836	840	413.50	723.70
		373.50	841	845	414.60	725.70
		374.50	846	850	415.70	727.50
		375.50	851	855	416.90	729.50
		376.50	856	860	418.00	731.40
		377.50	861	865	419.10	733.40
		378.50	866	870	420.20	735.30
		379.50	871	875	421.30	737.30
		380.50	876	880	422.40	739.20
		381.50	881	885	423.50	741.20
		382.50	886	890	424.60	743.10
		383.50	891	895	425.70	745.10
		384.50	896	900	426.80	747.00
		385.50	901	905	428.00	749.00
		386.50	906	910	429.10	750.90
		387.50	911	915	430.20	752.90
		388.50	916	920	431.30	754.70
		389.50	921	925	432.40	756.70
		390.50	926	930	433.50	758.60
		391.50	931	935	434.60	760.60
		392.50	936	940	435.70	762.50
		393.50	941	945	436.80	764.50
		394.50	946	950	437.90	766.40
		395.50	951	955	439.10	768.40
		396.50	956	960	440.20	770.30
		397.50	961	965	441.30	772.30
		398.50	966	970	442.40	774.20
		399.50	971	975	443.50	776.20
		400.50	976	980	444.60	778.00
		401.50	981	985	445.70	780.00
		402.50	986	990	446.80	781.90
		403.50	991	995	447.90	783.90
		404.50	996	1,000	449.00	785.80
			1,001	1,005	450.00	787.50
			1,006	1,010	451.00	789.30
			1,011	1,015	452.00	791.00
			1,016	1,020	453.00	792.80
			1,021	1,025	454.00	794.50
			1,026	1,030	455.00	796.30
			1,031	1,035	456.00	798.00
			1,036	1,040	457.00	799.80
			1,041	1,045	458.00	801.50
			1,046	1,050	459.00	803.30
			1,051	1,055	460.00	805.00
			1,056	1,060	461.00	806.80
			1,061	1,065	462.00	808.50
			1,066	1,070	463.00	810.30
			1,071	1,075	464.00	812.00
			1,076	1,080	465.00	813.80
			1,081	1,085	466.00	815.50
			1,086	1,090	467.00	817.30
			1,091	1,095	468.00	819.00
			1,096	1,100	469.00	820.80."

86 Stat. 411.
42 USC 427, 428.
Infra.

(b)(1) Effective June 1, 1974, sections 227 and 228 of the Social Security Act are amended by striking out "$58.00" wherever it appears and inserting in lieu thereof "the larger of $64.40 or the amount most recently established in lieu thereof under section 215(i)", and by striking out "$29.00" wherever it appears and inserting in lieu thereof "the larger of $32.20 or the amount most recently established in lieu thereof under section 215(i)".

Repeal.
86 Stat. 412.
42 USC 427 note.

(2) Section 202(a)(4) of Public Law 92-336 is hereby repealed.

Effective date.
53 Stat. 1362; 86 Stat. 1367.
42 USC 401.
74 Stat. 947; 85 Stat. 802.
42 USC 402.
86 Stat. 416.
42 USC 415 note.

(c) The amendment made by subsections (a) and (b) shall apply with respect to monthly benefits under title II of the Social Security Act for months after May 1974, and with respect to lump-sum death payments under section 202(i) of such Act in the case of deaths occurring after such month.

(d) Section 202(a)(3) of Public Law 92-336 is amended by striking out "January 1, 1975" in subparagraphs (A), (B), and (C) and inserting in lieu thereof in each instance "June 1, 1974".

MODIFICATION OF COST-OF-LIVING BENEFIT INCREASE PROVISIONS

86 Stat. 412.
42 USC 415.

SEC. 3. (a) Clause (i) of section 215(i)(1)(A) of the Social Security Act is amended to read as follows: "(i) the calendar quarter ending on March 31 in each year after 1974, or".

(b) Clause (ii) of section 215(i)(1)(B) of such Act is amended by striking out "in which a law" and all that follows and inserting in lieu thereof "if in the year prior to such year a law has been enacted providing a general benefit increase under this title or if in such prior year such a general benefit increase becomes effective; and".

(c) Section 215(i)(2)(A)(i) of such Act is amended by striking out "1974" and inserting in lieu thereof "1975", and by striking out "and to subparagraph (E) of this paragraph".

(d) Section 215(i)(2)(A)(ii) of such Act is amended—

(1) by striking out "such base quarter" and inserting in lieu thereof "the base quarter in any year";

(2) by striking out "January of the next calendar year" and inserting in lieu thereof "June of such year"; and

(3) by striking out "(subject to subparagraph (E))".

(e) Section 215(i)(2)(B) of such Act is amended by striking out "December" each place it appears and inserting in lieu thereof "May", and by striking out "(subject to subparagraph (E))".

(f) Section 215(i)(2)(C)(ii) of such Act is amended by striking out "on or before August 15 of such calendar year" and inserting in lieu thereof "within 30 days after the close of such quarter".

(g) Section 215(i)(2)(D) of such Act is amended by striking out "on or before November 1 of such calendar year" and inserting in lieu thereof "within 45 days after the close of such quarter".

(h) Section 215(i)(2) of such Act is amended by striking out subparagraph (E).

Post, p. 953.

(i) For purposes of section 203(f)(8), so much of section 215(i)(1)(B) as follows the semicolon, and section 230(a) of the Social Security Act, the increase in benefits provided by section 2 of this Act shall be considered an increase under section 215(i) of the Social Security Act.

Infra.
Supra.
86 Stat. 417.
42 USC 430.

(j)(1) Section 230(a) of such Act is amended—

(A) by striking out "with the first month of the calendar year" and inserting in lieu thereof "with the June"; and

(B) by striking out "(along with the publication of such benefit increase as required by section 215(i)(2)(D))" and by striking out "(unless such increase in benefits is prevented from becoming effective by section 215(i)(2)(E))".

(2) Section 230(c) of such Act is amended by striking out "the first month" and inserting in lieu thereof "the June". 86 Stat. 417. 42 Stat. 430.

(k)(1) Section 203(f)(8)(A) of such Act is amended to read as follows: 86 Stat. 1342. 42 USC 403.

"(A) Whenever the Secretary pursuant to section 215(i) increases benefits effective with the month of June following a cost-of-living computation quarter he shall also determine and publish in the Federal Register on or before November 1 of the calendar year in which such quarter occurs a new exempt amount which shall be effective (unless such new exempt amount is prevented from becoming effective by subparagraph (C) of this paragraph) with respect to any individual's taxable year which ends after the calendar year in which such benefit increase is effective (or, in the case of an individual who dies during the calendar year after the calendar year in which the benefit increase is effective, with respect to such individual's taxable year which ends, upon his death, during such year).". *Ante*, p. 952.

(2) Section 203(f)(8)(B) of such Act is amended by striking out "no later than August 15 of such year" and inserting in lieu thereof "within 30 days after the close of the base quarter (as defined in section 215(i)(1)(A)) in such year".

(3) Section 203(f)(8)(C) is amended by striking out "or providing a general benefit increase under this title (as defined in section 215(i)(3))".

SUPPLEMENTAL SECURITY INCOME BENEFITS

SEC. 4. (a)(1) Section 210(c) of Public Law 93-66 is amended by striking out "June 1974" and inserting in lieu thereof "December 1973". *Ante*, p. 154.

(2) Section 211(a)(1)(A) of Public Law 93-66 is amended by striking out "($780 in the case of any period prior to July 1974)".

(b) Effective with respect to payments for months after June 1974—

(1) section 1611(a)(1)(A) and section 1611(b)(1) of the Social Security Act (as enacted by section 301 of the Social Security Amendments of 1972 and amended by section 210 of Public Law 93-66) are each amended by striking out "$1,680" and inserting in lieu thereof "$1,752"; 86 Stat. 1466; *Ante*, p. 154. 42 USC 1382.

(2) section 1611(a)(2)(A) and section 1611(b)(2) of such Act (as so enacted and amended) are each amended by striking out "$2,520" and inserting in lieu thereof "$2,628"; and

(3) section 211(a)(1)(A) of Public Law 93-66 (as amended by subsection (a)(2) of this section) is amended by striking out "$840" and inserting in lieu thereof "$876".

INCREASE IN EARNINGS BASE

SEC. 5. (a)(1) Section 209(a)(8) of the Social Security Act is amended by striking out "$12,600" and inserting in lieu thereof "$13,200". *Ante*, p. 153.

(2) Section 211(b)(1)(H) of such Act is amended by striking out "$12,600" and inserting in lieu thereof "$13,200".

(3) Sections 213(a)(2)(ii) and 213(a)(2)(iii) of such Act are each amended by striking out "$12,600" and inserting in lieu thereof "$13,200".

(4) Section 215(e)(1) of such Act is amended by striking out "$12,600" and inserting in lieu thereof "$13,200".

(b)(1) Section 1402(b)(1)(H) of the Internal Revenue Code of 1954 (relating to definition of self-employment income) is amended by striking out "$12,600" and inserting in lieu thereof "$13,200".

Ante, p. 153.

(2) Effective with respect to remuneration paid after 1973, section 3121(a)(1) of such Code is amended by striking out the dollar amount each place it appears therein and inserting in lieu thereof "$13,200".

(3) Effective with respect to remuneration paid after 1973, the second sentence of section 3122 of such Code is amended by striking out the dollar amount and inserting in lieu thereof "$13,200".

(4) Effective with respect to remuneration paid after 1973, section 3125 of such Code is amended by striking out the dollar amount each place it appears in subsections (a), (b), and (c) and inserting in lieu thereof "$13,200".

(5) Section 6413(c)(1) of such Code (relating to special refunds of employment taxes) is amended by striking out "$12,600" each place it appears and inserting in lieu thereof "$13,200".

(6) Section 6413(c)(2)(A) of such Code (relating to refunds of employment taxes in the case of Federal employees) is amended by striking out "$12,600" and inserting in lieu thereof "$13,200".

(7) Effective with respect to taxable years beginning after 1973, section 6654(d)(2)(B)(ii) of such Code (relating to failure by individual to pay estimated income tax) is amended by striking out the dollar amount and inserting in lieu thereof "$13,200".

(c) Section 230(c) of the Social Security Act is amended by striking out "$12,600" and inserting in lieu thereof "$13,200".

(d) Paragraphs (2)(C), (3)(C), (4)(C), and (7)(C) of section 203(b) of Public Law 92-336 are each amended by striking out "$12,600" and inserting in lieu thereof "$13,200".

Effective date.

(e) The amendments made by this section, except subsection (a)(4), shall apply only with respect to remuneration paid after, and taxable years beginning after, 1973. The amendments made by subsection (a)(4) shall apply with respect to calendar years after 1973.

49 Stat. 620.
42 USC 1305.
68A Stat. 3.
26 USC 1 *et seq.*
86 Stat. 406.
Ante, p. 153.

(f) The amendments made by this section to provisions of the Social Security Act, the Internal Revenue Code of 1954, and Public Law 92-336 shall be deemed to be made to such provisions as amended by section 203 of Public Law 93-66.

CHANGES IN TAX SCHEDULES

86 Stat. 1362.
26 USC 3101.

SEC. 6. (a)(1) Section 3101(a) of the Internal Revenue Code of 1954 (relating to rate of tax on employees for purposes of old-age, survivors, and disability insurance) is amended by striking out paragraphs (4) through (6) and inserting in lieu thereof the following:

"(4) with respect to wages received during the calendar year 1973, the rate shall be 4.85 percent;

"(5) with respect to wages received during the calendar years 1974 through 2010, the rate shall be 4.95 percent; and

"(6) with respect to wages received after December 31, 2010, the rate shall be 5.95 percent."

(2) Section 3111(a) of such Code (relating to rate of tax on employers for purposes of old-age, survivors, and disability insurance) is amended by striking out paragraphs (4) through (6) and inserting in lieu thereof the following:

"(4) with respect to wages paid during the calendar year 1973, the rate shall be 4.85 percent;

"(5) with respect to wages paid during the calendar years 1974 through 2010, the rate shall be 4.95 percent; and

"(6) with respect to wages paid after December 31, 2010, the rate shall be 5.95 percent.".

(b)(1) Section 1401(b) of such Code (relating to rate of tax on self-employment income for purposes of hospital insurance) is amended by striking out paragraphs (2) through (5) and inserting in lieu thereof the following:

86 Stat. 1363.
26 USC 1401.

"(2) in the case of any taxable year beginning after December 31, 1972, and before January 1, 1974, the tax shall be equal to 1.0 percent of the amount of the self-employment income for such taxable year;

"(3) in the case of any taxable year beginning after December 31, 1973, and before January 1, 1978, the tax shall be equal to 0.90 percent of the amount of the self-employment income for such taxable year;

"(4) in the case of any taxable year beginning after December 31, 1977, and before January 1, 1981, the tax shall be equal to 1.10 percent of the amount of the self-employment income for such taxable year;

"(5) in the case of any taxable year beginning after December 31, 1980, and before January 1, 1986, the tax shall be equal to 1.35 percent of the amount of the self-employment income for such taxable year; and

"(6) in the case of any taxable year beginning after December 31, 1985, the tax shall be equal to 1.50 percent of the self-employment income for such taxable year."

(2) Section 3101(b) of such Code (relating to rate of tax on employees for purposes of hospital insurance) is amended by striking out paragraphs (2) through (5) and inserting in lieu thereof the following:

"(2) with respect to wages received during the calendar year 1973, the rate shall be 1.0 percent;

"(3) with respect to wages received during the calendar years 1974 through 1977, the rate shall be 0.90 percent;

"(4) with respect to wages received during the calendar years 1978 through 1980, the rate shall be 1.10 percent;

"(5) with respect to wages received during the calendar years 1981 through 1985, the rate shall be 1.35 percent; and

"(6) with respect to wages received after December 31, 1985, the rate shall be 1.50 percent.".

(3) Section 3111(b) of such Code (relating to rate of tax on employers for purposes of hospital insurance) is amended by striking out paragraphs (2) through (5) and inserting in lieu thereof the following:

"(2) with respect to wages paid during the calendar year 1973, the rate shall be 1.0 percent;

"(3) with respect to wages paid during the calendar years 1974 through 1977, the rate shall be 0.90 percent;

"(4) with respect to wages paid during the calendar years 1978 through 1980, the rate shall be 1.10 percent;

"(5) with respect to wages paid during the calendar years 1981 through 1985, the rate shall be 1.35 percent; and

"(6) with respect to wages paid after December 31, 1985, the rate shall be 1.50 percent.".

(c) The amendment made by subsection (b)(1) shall apply only with respect to taxable years beginning after December 31, 1973. The remaining amendments made by this section shall apply only with respect to remuneration paid after December 31, 1973.

Effective date.

ALLOCATION TO DISABILITY INSURANCE TRUST FUND

SEC. 7. (a) Section 201(b)(1) of the Social Security Act is amended by striking out "(E)" and all that follows down through

86 Stat. 1364.
42 USC 401.

"which wages" and inserting in lieu thereof the following: "(E) 1.1 per centum of the wages (as so defined) paid after December 31, 1972, and before January 1, 1974, and so reported, (F) 1.15 per centum of the wages (as so defined) paid after December 31, 1973, and before January 1, 1978, and so reported, (G) 1.2 per centum of the wages (as so defined) paid after December 31, 1977, and before January 1, 1981, and so reported, (H) 1.3 per centum of the wages (as so defined) paid after December 31, 1980, and before January 1, 1986, and so reported, (I) 1.4 per centum of the wages (as so defined) paid after December 31, 1985, and before January 1, 2011, and so reported, and (J) 1.7 per centum of the wages (as so defined) paid after December 31, 2010, and so reported, which wages".

86 Stat. 1364.
42 USC 401.

(b) Section 201(b)(2) of such Act is amended by striking out "(E)" and all that follows down through "which self-employment income" and inserting in lieu thereof the following: "(E) 0.795 of 1 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 1972, and before January 1, 1974, (F) 0.815 of 1 per centum of the amount of self-employment income (as so defined) as reported for any taxable year beginning after December 31, 1973, and before January 1, 1978, (G) 0.850 of 1 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 1977, and before January 1, 1981, (H) 0.920 of 1 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 1980, and before January 1, 1986, (I) 0.990 of 1 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 1985, and before January 1, 2011, and (J) 1 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 2010, which self-employment income".

ELIGIBILITY OF SUPPLEMENTAL SECURITY INCOME RECIPIENTS FOR FOOD STAMPS

Ante, p. 246.

SEC. 8. (a)(1) Section 3(e) of the Food Stamp Act of 1964 is amended effective only for the 6-month period beginning January 1, 1974 to read as it did before amendment by Public Law 92-603 and Public Law 93-86, but with the addition of the following new sentence at the end thereof: "For the 6-month period beginning January 1, 1974 no individual, who receives supplemental security income benefits under title XVI of the Social Security Act, State supplementary payments described in section 1616 of such Act, or payments of the type referred to in section 212(a) of Public Law 93-66, shall be considered to be a member of a household or an elderly person for purposes of this Act for any month during such period, if, for such month, such individual resides in a State which provides State supplementary payments (A) of the type described in section 1616(a) of the Social Security Act, and (B) the level of which has been found by the Secretary of Health, Education, and Welfare to have been specifically increased so as to include the bonus value of food stamps.".

86 Stat. 1329.
42 USC 401 note.
Ante, p. 221.
42 USC 1381.
42 USC 1382e.
Ante, p. 155.

Ante, p. 246.

(2) Section 3(b) of Public Law 93-86 shall not be effective for the 6-month period beginning January 1, 1974.

(b)(1) Section 4(c) of Public Law 93-86 shall not be effective for the 6-month period beginning January 1, 1974.

(2) The last sentence of section 416 of the Act of October 31, 1949 (as added by section 411(g) of Public Law 92-603) shall not be effective for the 6-month period beginning January 1, 1974.

86 Stat. 1492.
7 USC 1431.

(3) For the 6-month period beginning January 1, 1974, no individual, who receives supplemental security income benefits under title

XVI of the Social Security Act, State supplementary payments described in section 1616 of such Act, or payments of the type referred to in section 212(a) of Public Law 93–66, shall be considered to be a member of a household for any purpose of the food distribution program for families under section 32 of Public Law 74–320, section 416 of the Agricultural Act of 1949, or any other law, for any month during such period, if, for such month, such individual resides in a State which provides State supplementary payments (A) of the type described in section 1616(a) of the Social Security Act, and (B) the level of which has been found by the Secretary of Health, Education, and Welfare to have been specifically increased so as to include the bonus value of food stamps.

86 Stat. 1465.
42 USC 1381.
42 USC 1382e.
Ante, p. 155.
49 Stat. 774.
7 USC 612c.
86 Stat. 1492;
Ante, p. 967.
7 USC 1431.

(c) For purposes of the last sentence of section 3(e) of the Food Stamp Act of 1964 (as amended by subsection (a) of this section) and subsections (b)(3) and (f) of this section, the level of State supplementary payment under section 1616(a) shall be found by the Secretary to have been specifically increased so as to include the bonus value of food stamps (1) only if, prior to October 1, 1973, the State has entered into an agreement with the Secretary or taken other positive steps which demonstrate its intention to provide supplementary payments under section 1616(a) at a level which is at least equal to the maximum level which can be determined under section 401(b)(1) of the Social Security Amendments of 1972 and which is such that the limitation on State fiscal liability under section 401 does result in a reduction in the amount which would otherwise be payable to the Secretary by the State, and (2) only with respect to such months as the State may, at its option, elect.

Ante, p. 956.
86 Stat. 1486.
42 USC 1382e note.

(d) Section 401(b)(1) of the Social Security Amendments of 1972 is amended by striking out everything after the word "exceed" and inserting in lieu thereof: "a payment level modification (as defined in paragraph (2) of this subsection) with respect to such plans."

(e) The amendment made by subsection (d) shall be effective only for the 6-month period beginning January 1, 1974, except that such amendment shall not during such period, be effective in any State which provides supplementary payments of the type described in section 1616(a) of the Social Security Act the level of which has been found by the Secretary to have been specifically increased so as to include the bonus value of food stamps.

Effective date.

INDIVIDUALS DEEMED TO BE DISABLED UNDER THE SUPPLEMENTAL SECURITY INCOME PROGRAM

SEC. 9. Section 1614(a)(3) of the Social Security Act is amended—

86 Stat. 1471.
42 USC 1382c.

(1) by striking out the last sentence of subparagraph (A); and

(2) by inserting at the end thereof the following new subparagraph:

"(E) Notwithstanding the provisions of subparagraphs (A) through (D), an individual shall also be considered to be disabled for purposes of this title if he is permanently and totally disabled as defined under a State plan approved under title XIV or XVI as in effect for October 1972 and received aid under such plan (on the basis of disability) for December 1973 (and for at least one month prior to July 1973), so long as he is continuously disabled as so defined.".

64 Stat. 555;
86 Stat. 1484.
42 USC 1351, 1381.

SUPPLEMENTAL SECURITY INCOME RECIPIENT LIVING IN AID TO FAMILIES WITH DEPENDENT CHILDREN HOUSEHOLD

SEC. 10. (a) Section 212(a)(3)(A) of Public Law 93–66 is amended by striking out "subparagraph (D)" and inserting in lieu thereof "subparagraphs (D) and (E)".

Ante, p. 155.

Family total income regulations.
Ante, p. 155.

(b) Section 212(a)(3) of Public Law 93-66 is amended by adding at the end thereof the following new subparagraph:

"(E)(i) In the case of an individual who, for December 1973 lived as a member of a family unit other members of which received aid (in the form of money payments) under a State plan of a State approved under part A of title IV of the Social Security Act, such State at its option, may (subject to clause (ii)) reduce such individual's December 1973 income (as determined under subparagraph (B)) to such extent as may be necessary to cause the supplementary payment (referred to in paragraph (2)) payable to such individual for January 1974 or any month thereafter to be reduced to a level designed to assure that the total income of such individual (and of the members of such family unit) for any month after December 1973 does not exceed the total income of such individual (and of the members of such family unit) for December 1973.

42 USC 601.

"(ii) The amount of the reduction (under clause (i)) of any individual's December 1973 income shall not be in an amount which would cause the supplementary payment (referred to in paragraph (2)) payable to such individual to be reduced below the amount of such supplementary payment which would be payable to such individual if he had, for the month of December 1973 not lived in a family, members of which were receiving aid under part A of title IV of the Social Security Act, and had had no income for such month other than that received as aid or assistance under a State plan approved under title I, X, XIV, or XVI of the Social Security Act."

86 Stat. 1484, 1465.
42 USC 301, 1201, 1351, 1381.

CONTINUATION OF CERTAIN DEMONSTRATION PROJECTS

SEC. 11. (a) If any State (other than the Commonwealth of Puerto Rico, the Virgin Islands, or Guam) has any experimental, pilot, or demonstration project (referred to in section 1115 of the Social Security Act)—

76 Stat. 192.
42 USC 1315.

(1) which (prior to October 1, 1973) has been approved by the Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the "Secretary"), for a period which ends on or after December 31, 1973, as being a project with respect to which the authority conferred upon him by subsection (a) or (b) of such section 1115 will be exercised, and

(2) with respect to the costs of which Federal financial participation would (except for the provisions of this section) be denied or reduced on account of the enactment of section 301 of the Social Security Amendments of 1972,

86 Stat. 1465.
42 USC 1381 and note.

then, for any period (after December 31, 1973) with respect to which such project is approved by the Secretary, Federal financial participation in the costs of such project shall be continued in like manner as if—

(3) such section 301 had not been enacted, and

(4) such State (for the month of January 1974 and any month thereafter) continued to have in effect the State plan (approved under title XVI) which was in effect for the month of October 1973, or the State plans (approved under titles I, X, and XIV of the Social Security Act) which were in effect for such month, as the case may be.

(b) With respect to individuals—

(1) who are participants in any project to which the provisions of subsection (a) are applicable, and

(2) with respect to whom supplemental security income benefits are (or would, except for their participation in such project, be) payable under title XVI of the Social Security Act, or who meet the requirements for aid or assistance under a State plan

approved under title I, X, XIV, or XVI of the Social Security Act of the State in which such project is conducted (as such State plan was in effect for July 1973), 86 Stat. 1484, 1465. 42 USC 301, 1201, 1351, 1381.

the Secretary may waive such requirements of title XVI of such Act (as enacted by section 301 of the Social Security Amendments of 1972) to such extent as he determines to be necessary to the successful operation of such project. 86 Stat. 1465. 42 USC 1381 and note.

(c) In the case of any State which has entered into an agreement with the Secretary under section 1616 of the Social Security Act (or which is deemed, under section 212(d) of Public Law 93–66, to have entered into such an agreement), then, of the costs of any project of such State with respect to which there is (solely by reason of the provisions of subsection (a)) Federal financial participation, the non-Federal share thereof shall— *Ante*, p. 157.

(1) be paid, from time to time, to such State by the Secretary, and

(2) shall, for purposes of section 1616(d) of the Social Security Act and section 401 of the Social Security Amendments of 1972, be treated in like manner as if such non-Federal share were supplementary payments made by the Secretary on behalf of such State pursuant to such agreement. 86 Stat. 1474, 1485. 42 USC 1382e, 1382e note.

SOCIAL SERVICES REGULATIONS POSTPONED

SEC. 12. (a) Subject to subsection (b), no regulation and no modification of any regulation, promulgated by the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") after January 1, 1973, shall be effective for any period which begins prior to January 1, 1975, if (and insofar as) such regulation or modification of a regulation pertains (directly or indirectly) to the provisions of law contained in sections 3(a)(4)(A), 402(a)(19)(G), 403(a)(3)(A), 603(a)(1)(A), 1003(a)(3)(A), 1403(a)(3)(A), or 1603(a)(4)(A), of the Social Security Act. 42 USC 303, 602, 603, 803, 1203, 1353, 1383.

(b)(1) The provisions of subsection (a) shall not be applicable to any regulation relating to "scope of programs", if such regulation is identical (except as provided in the succeeding sentence) to the provisions of section 221.0 of the regulations (relating to social services) proposed by the Secretary and published in the Federal Register on May 1, 1973. There shall be deleted from the first sentence of subsection (b) of such section 221.0 the phrase "meets all the applicable requirements of this part and". 45 CFR 221.0.

(2) The provisions of subsection (a) shall not be applicable to any regulation relating to "limitations on total amount of Federal funds payable to States for services", if such regulation is identical (except as provided in the succeeding sentence) to the provisions of section 221.55 of the regulations so proposed and published on May 1, 1973. 45 CFR 221.55. There shall be deleted from subsection (d)(1) of such section 221.55 the phrase "(as defined under day care services for children)"; and, in lieu of the sentence contained in subsection (d)(5) of such section 221.55, there shall be inserted the following: "Services provided to a child who is under foster care in a foster family home (as defined in section 408 of the Social Security Act) or in a childcare institution (as defined in such section), or while awaiting placement in such a home or institution, but only if such services are needed by such child because he is under foster care.". 75 Stat. 76; 81 Stat. 880, 892. 42 USC 608.

(3) The provisions of subsection (a) shall not be applicable to any regulation relating to "rates and amounts of Federal financial participation for Puerto Rico, the Virgin Islands, and Guam", if such regulation is identical to the provisions of section 221.56 of the regulations so proposed and published on May 1, 1973. 45 CFR 221.56.

(4) The provisions of subsection (a) shall not be construed to preclude the Secretary from making any modification in any regulation (described in subsection (a)) if such modification is technically necessary to take account of the enactment of section 301 or 302 of the Social Security Amendments of 1972.

86 Stat. 1465, 1478.

(c) Notwithstanding the provisions of section 553(d) of title 5, United States Code, any regulation described in subsection (b) may become effective upon the date of its publication in the Federal Register.

42 USC 1381 and note, 801 and note.

Publications in Federal Register.

80 Stat. 383.

MEDICAL ELIGIBILITY FOR SUPPLEMENTAL SECURITY INCOME RECIPIENTS

Beneficiaries

SEC. 13. (a) (1) Section 1901 of the Social Security Act (as amended by Public Law 92-603) is amended by striking out "permanently and totally disabled" and inserting "disabled" in lieu thereof.

79 Stat. 343; 86 Stat. 1390.

(2) Section 1902(a) (5) of such Act is amended by—

42 USC 1396.

79 Stat. 334.

42 USC 1396a.

(A) striking out "to administer the plan," and inserting in lieu thereof "to administer or to supervise the administration of the plan;" and by striking out "to supervise the administration of the plan" and inserting "to administer or to supervise the administration of the plan" in lieu thereof; and

(B) striking out "XVI (insofar as it relates to the aged)" and inserting "XVI (insofar as it relates to the aged) if the State is eligible to participate in the State plan program established under title XVI, or by the agency or agencies administering the supplemental security income program established under title XVI or the State plan approved under part A of title IV if the State is not eligible to participate in the State plan program established under title XVI" in lieu thereof.

42 USC 1381.

42 USC 601.

(3) Section 1902(a) (10) of such Act is amended to read as follows:

"(10) provide—

"(A) for making medical assistance available to all individuals receiving aid or assistance under any plan of the State approved under title I, X, XIV, or XVI, or part A of title IV, or with respect to whom supplemental security income benefits are being paid under title XVI;

42 USC 301, 1201, 1351, 1381, 601.

"(B) that the medical assistance made available to any individual described in clause (A)—

"(i) shall not be less in amount, duration, or scope than the medical assistance made available to any other such individual, and

"(ii) shall not be less in amount, duration, or scope than the medical assistance made available to individuals not described in clause (A); and

"(C) if medical assistance is included for any group of individuals who are not described in clause (A) and who do not meet the income and resources requirements of the appropriate State plan, or the supplemental security income program under title XVI, as the case may be, as determined in accordance with standards prescribed by the Secretary—

"(i) for making medical assistance available to all individuals who would, except for income and resources, be eligible for aid or assistance under any such State plan or to have paid with respect to them supplemental security income benefits under title XVI, and who have insufficient (as determined in accordance with comparable standards) income and resources to meet the costs of necessary medical and remedial care and services, and

"(ii) that the medical assistance made available to all individuals not described in clause (A) shall be equal in amount, duration, and scope;

except that (I) the making available of the services described in paragraph (4), (14), or (16) of section 1905(a) to individuals meeting the age requirements prescribed therein shall not, by reason of this paragraph (10), require the making available of any such services, or the making available of such services of the same amount, duration, and scope, to individuals of any other ages, (II) the making available of supplementary medical insurance benefits under part B of title XVIII to individuals eligible therefor (either pursuant to an agreement entered into under section 1843 or by reason of the payment of premiums under such title by the State agency on behalf of such individuals), or provision for meeting part or all of the cost of deductibles, cost sharing, or similar charges under part B of title XVIII for individuals eligible for benefits under such part, shall not, by reason of this paragraph (10), require the making available of any such benefits, or the making available of services of the same amount, duration, and scope, to any other individuals, and (III) the making available of medical assistance equal in amount, duration, and scope to the medical assistance made available to individuals described in clause (A) to any classification of individuals approved by the Secretary with respect to whom there is being paid, or who are eligible, or would be eligible if they were not in a medical institution, to have paid with respect to them, a State supplementary payment shall not, by reason of this paragraph (10), require the making available of any such assistance, or the making available of such assistance of the same amount, duration, and scope, to any other individuals not described in clause (A);". 42 USC 1396d. 42 USC 1395j. 42 USC 1395v.

(4) Section 1902(a)(13)(B) of such Act is amended by striking out "the State's plan approved under title I, X, XIV, or XVI, or part A of title IV" and inserting "any plan of the State approved under title I, X, XIV, or XVI, or part A of title IV, or with respect to whom supplemental security income benefits are being paid under title XVI" in lieu thereof. 81 Stat. 902. 42 USC 1396a. 42 USC 301, 1201, 1351, 1381, 601.

(5) Section 1902(a)(14)(A) of such Act is amended by striking out "a State plan approved under title I, X, XIV, or XVI, or part A of title IV, or who meet the income and resources requirements of the one of such State plans which is appropriate" and inserting "any plan of the State approved under title I, X, XIV, or XVI, or part A of title IV, or with respect to whom supplemental security income benefits are being paid under title XVI, or who meet the income and resources requirements of the appropriate State plan, or the supplemental security income program under title XVI, as the case may be, and individuals with respect to whom there is being paid, or who are eligible, or would be eligible if they were not in a medical institution, to have paid with respect to them, a State supplementary payment and are eligible for medical assistance equal in amount, duration, and scope to the medical assistance made available to individuals described in paragraph (10)(A)" in lieu thereof. 86 Stat. 1381.

(6) Section 1902(a)(14)(B) of such Act is amended by—

(A) inserting "(other than individuals with respect to whom there is being paid, or who are eligible or would be eligible if they were not in a medical institution, to have paid with respect to them, a State supplementary payment and are eligible for medical assistance equal in amount, duration, and scope to the medical assistance made available to individuals described in paragraph (10)(A))" immediately after "with respect to individuals";

42 USC 1381.

(B) inserting "and with respect to whom supplemental security income benefits are not being paid under title XVI" immediately after "any such State plan";

(C) striking out "the one of such State plans which is appropriate" and inserting "the appropriate State plan, or the supplemental security income program under title XVI, as the case may be," in lieu thereof; and

(D) striking out "or who, after December 31, 1973, are included under the State plan for medical assistance pursuant to section 1902(a)(10)(B) approved under title XIX".

79 Stat. 344.
42 USC 1396a.

(7) Section 1902(a)(17) of such Act is amended by—

(A) striking out "the State's plan approved under title I, X, XIV, or XVI, or part A of title IV" and inserting "any plan of the State approved under title I, X, XIV, or XVI, or part A of title IV, and with respect to whom supplemental security income benefits are not being paid under title XVI" in lieu thereof;

42 USC 301, 1201, 1351, 1381, 601.

(B) striking out "if he met the requirements as to need" and inserting "except for income and resources" in lieu thereof;

(C) striking out "a State plan approved under title I, X, XIV, or XVI, or part A of title IV" and inserting "any plan of the State approved under title I, X, XIV, or XVI, or part A of title IV, or to have paid with respect to him supplemental security income benefits under title XVI" in lieu thereof; and

(D) striking out "and amount of such aid or assistance under such plan" and inserting "such aid, assistance, or benefits" in lieu thereof.

(8) Sections 1902(a)(17) and 1902(a)(18) are each amended by striking out "is blind or permanently and totally disabled" and inserting "(with respect to States eligible to participate in the State program established under title XVI), is blind or permanently and totally disabled, or is blind or disabled as defined in section 1614 (with respect to States which are not eligible to participate in such program)" in lieu thereof.

42 USC 803.
42 USC 303.

(9) Section 1902(a)(20)(C) of such Act is amended by inserting ", section 603(a)(1)(A) (i) and (ii)," immediately after "section 3(a)(4)(A) (i) and (ii)".

86 Stat. 1381.
42 USC 1396a.

(10) Section 1902(f) of such Act is amended by—

(A) inserting "not eligible to participate in the State plan program established under title XVI" immediately after "State" the first time it appears therein;

(B) striking out "such individual's payment under title XVI" and inserting "any supplemental security income payment and State supplementary payment made with respect to such individual" in lieu thereof;

(C) striking out "as defined in section 213 of the Internal Revenue Code of 1954" and inserting "as recognized under State law" in lieu thereof; and

(D) inserting at the end thereof the following new sentences: "In States which provide medical assistance to individuals pursuant to clause (10)(C) of subsection (a) of this section, an individual who is eligible for medical assistance by reason of the requirements of this section concerning the deduction of incurred medical expenses from income shall be considered an individual eligible for medical assistance under clause (10)(A) of that subsection if that individual is, or is eligible to be (1) an individual with respect to whom there is payable a State supplementary payment on the basis of which similarly situated individuals are eligible to receive medical assistance equal in amount, duration, and scope to that provided to individuals eligible under clause

(10)(A), or (2) an eligible individual or eligible spouse, as defined in title XVI, with respect to whom supplemental security income benefits are payable; otherwise that individual shall be considered to be an individual eligible for medical assistance under clause (10)(C) of that subsection. In States which do not provide medical assistance to individuals pursuant to clause (10)(C) of that subsection, an individual who is eligible for medical assistance by reason of the requirements of this section concerning the deduction of incurred medical expenses from income shall be considered an individual eligible for medical assistance under clause (10)(A) of that subsection.". 86 Stat. 1465. 42 USC 1381.

(11) Section 1903(a)(1) of such Act is amended by striking out "individuals who are recipients of money payments under a State plan approved under title I, X, XIV, or XVI, or part A of title IV" and inserting "individuals who are eligible for medical assistance under the plan and (A) are receiving aid or assistance under any plan of the State approved under title I, X, XIV, or XVI, or part A of title IV, or with respect to whom supplemental security income benefits are being paid under title XVI, or (B) with respect to whom there is being paid a State supplementary payment and are eligible for medical assistance equal in amount, duration, and scope to the medical assistance made available to individuals described in section 1902(a)(10)(A)" in lieu thereof. 79 Stat. 349. 42 USC 1396b. 42 USC 301, 1201, 1351, 1381, 601.

(12) Section 1903(f)(4) of such Act is amended to read as follows: 42 USC 1396b.

"(4) The limitations on payment imposed by the preceding provisions of this subsection shall not apply with respect to any amount expended by a State as medical assistance for any individual—

"(A) who is receiving aid or assistance under any plan of the State approved under title I, X, XIV or XVI, or part A of title IV, or with respect to whom supplemental security income benefits are being paid under title XVI, or

"(B) who is not receiving such aid or assistance, and with respect to whom such benefits are not being paid, but (i) is eligible to receive such aid or assistance, or to have such benefits paid with respect to him, or (ii) would be eligible to receive such aid or assistance, or to have such benefits paid with respect to him if he were not in a medical institution, or

"(C) with respect to whom there is being paid, or who is eligible, or would be eligible if he were not in a medical institution, to have paid with respect to him, a State supplementary payment and is eligible for medical assistance equal in amount, duration, and scope to the medical assistance made available to individuals described in section 1902(a)(10)(A), but only if the income of such individual (as determined under section 1612, but without regard to subsection (b) thereof) does not exceed 300 percent of the supplemental security income benefit rate established by section 1611(b)(1), 42 USC 1396a. 86 Stat. 1468. 42 USC 1382a. 42 USC 1382.

at the time of the provision of the medical assistance giving rise to such expenditure."

(13) The matter before clause (i) in section 1905(a) of such Act is amended by striking out "individuals not receiving aid or assistance under the State's plan approved under title I, X, XIV, or XVI, or part A of title IV" and inserting "individuals (other than individuals with respect to whom there is being paid, or who are eligible, or would be eligible if they were not in a medical institution, to have paid with respect to them a State supplementary payment and are eligible for medical assistance equal in amount, duration, and scope to the medical assistance made available to individuals described in section 1902(a)(10)(A)) not receiving aid or assistance under any plan of the State 42 USC 1396d.

42 USC 301, 1201, 1351, 1381, 601.

approved under title I, X, XIV, or XVI, or part A of title IV, and with respect to whom supplemental security income benefits are not being paid under title XVI" in lieu thereof.

42 USC 1395d.

(14) Section 1905(a)(iv) of such Act is amended by inserting "with respect to States eligible to participate in the State plan program established under title XVI," at the end thereof.

(15) Section 1905(a)(v) of such Act is amended by striking out "or" and inserting "with respect to States eligible to participate in the State plan program established under title XVI," in lieu thereof.

(16) Section 1905(a)(vi) of such Act is amended by inserting "or" at the end thereof.

(17) Section 1905(a) of such Act is further amended by inserting immediately after clause (vi) the following new clause:

"(vii) blind or disabled as defined in section 1614, with respect to States not eligible to participate in the State plan program established under title XVI,".

(18) Section 1905 of such Act is amended by inserting at the end thereof the following new subsections:

"(j) The term 'State supplementary payment' means any cash payment made by a State on a regular basis to an individual who is receiving supplemental security income benefits under title XVI or who would but for his income be eligible to receive such benefits, as assistance based on need in supplementation of such benefits (as determined by the Secretary), but only to the extent that such payments are made with respect to an individual with respect to whom supplemental security income benefits are payable under title XVI, or would but for his income be payable under that title.

"(k) Increased supplemental security income benefits payable pursuant to section 211 of Public Law 93-66 shall not be considered supplemental security income benefits payable under title XVI.".

Ante, p. 154.

Technical Clarification and Modification of Medicaid Eligibility and Federal Title XIX Matching Under Public Law 93-66

Ante, p. 159.

(b)(1)(A) Clause (2)(A) of section 231 of Public Law 93-66 is amended by—

(i) inserting "received or" immediately before "would", and

(ii) striking out "or" at the end thereof and inserting "and" in lieu thereof.

(B) Clause (2)(B) of that section is amended by—

(i) striking out "was", and

(ii) striking out "need for care in such institution, considered to be eligible for aid or assistance under a State plan (referred to in subparagraph (A)) for purposes of determining his eligibility" and inserting "status as described in subparagraph (A), was included as an individual eligible" in lieu thereof.

Ante, p. 160.

(2) The first sentence of section 232 of Public Law 93-66 is amended by—

(A) striking out "(under the provisions of subparagraph (B) of such section)",

(B) striking out "to be a person described as being a person who 'would, if needy, be eligible for aid or assistance under any such State plan' in subparagraph (B)(i) of such section" and inserting "for purposes of title XIX to be an individual who is blind or disabled within the meaning of section 1614(a) of the Social Security Act" in lieu thereof, and

42 USC 1396.

42 USC 1382c.

(C) inserting ", and the other conditions of eligibility contained in the plan of the State approved under title XIX (as it was in effect in December 1973)" before the period at the end thereof.

Medicaid Eligibility for Individuals Receiving Mandatory State Supplementary Payments

(c) In addition to other requirements imposed by law as conditions for the approval of any State plan under title XIX of the Social Security Act, there is hereby imposed (effective January 1, 1974) the requirement (and each such State plan shall be deemed to require) that medical assistance under such plan shall be provided to any individual— 79 Stat. 343; 86 Stat. 1426. 42 USC 1396.

(1) for any month for which there (A) is payable with respect to such individual a supplementary payment pursuant to an agreement entered into between the State and the Secretary of Health, Education, and Welfare under section 212(a) of Public Law 93-66, and (B) would be payable with respect to such individual such a supplementary payment, if the amount of the supplementary payments payable pursuant to such agreement were established without regard to paragraph (3)(A)(ii) of such section 212(a), and *Ante*, p. 155.

(2) in like manner, and subject to the same terms and conditions, as medical assistance is provided under such plan to individuals with respect to whom benefits are payable for such month under the supplementary security income program established by title XVI of the Social Security Act. 86 Stat. 1465. 42 USC 1381.

Federal matching under title XIX of the Social Security Act shall be available for the medical assistance furnished to individuals who are eligible for such assistance under this subsection.

Effective Dates

(d) The amendments made by subsection (a) shall be effective with respect to payments under section 1903 of the Social Security Act for calendar quarters commencing after December 31, 1973. 42 USC 1396b.

PAYMENTS TO SUBSTANDARD FACILITIES UNDER MEDICAID

SEC. 14. Section 1616 of the Social Security Act is amended by adding at the end thereof the following new subsection: 42 USC 1382e.

"(e) Payments made under this title with respect to an individual shall be reduced by an amount equal to the amount of any supplementary payment (as described in subsection (a)) or other payment made by a State (or political subdivision thereof) which is made for or on account of any medical or any other type of remedial care provided by an institution to such individual as an inpatient of such institution in the case of any State which has a plan approved under title XIX of this Act if such care is (or could be) provided under a State plan approved under title XIX of this Act by an institution certified under such title XIX.".

PAYMENT FOR SERVICES OF PHYSICIANS RENDERED IN A TEACHING HOSPITAL

SEC. 15. (a)(1) Notwithstanding any other provision of law, the provisions of section 1861(b) of the Social Security Act, shall, subject to subsection (b) of this section, for the period with respect to which this paragraph is applicable, be administered as if paragraph (7) of such section read as follows: 42 USC 1395x.

"(7) a physician where the hospital has a teaching program approved as specified in paragraph (6), if (A) the hospital elects to receive any payment due under this title for reasonable costs of such services, and (B) all physicians in such hospital agree not to bill charges for professional services rendered in such hospital to individuals covered under the insurance program established by this title.".

86 Stat. 1406.
42 USC 1395k.

(2) Notwithstanding any other provision of law, the provisions of section 1832(a)(2)(B)(i) of the Social Security Act, shall, subject to subsection (b) of this section, for the period with respect to which this paragraph is applicable, be administered as if subclause II of such section read as follows:

42 USC 1395x.

"(II) a physician to a patient in a hospital which has a teaching program approved as specified in paragraph (6) of section 1861(b) (including services in conjunction with the teaching programs of such hospital whether or not such patient is an inpatient of such hospital), where the conditions specified in paragraph (7) of such section are met, and".

42 USC 1395.

(b) The provisions of subsection (a) shall not be deemed to render improper any determination of payment under title XVIII of the Social Security Act for any service provided prior to the enactment of this Act.

Study.

42 USC 1396.

(c)(1) The Secretary of Health, Education, and Welfare shall arrange for the conduct of a study or studies concerning (A) appropriate and equitable methods of reimbursement for physicians' services under titles XVIII and XIX of the Social Security Act in hospitals which have a teaching program approved as specified in section 1861(b)(6) of such Act, (B) the extent to which funds expended under such titles are supporting the training of medical specialties which are in excess supply, (C) how such funds could be expended in ways which support more rational distribution of physician manpower both geographically and by specialty, (D) the extent to which such funds support or encourage teaching programs which tend to disproportionately attract foreign medical graduates, and (E) the existing and appropriate role that part of such funds which are expended to meet in whole or in part the cost of salaries of interns and residents in teaching programs approved as specified in section 1861(b)(6) of such Act.

Reports to congressional committees.

(2) The studies required by paragraph (1) shall be the subject of an interim report thereon submitted not later than December 1, 1974, and a final report not later than July 1, 1975. Such reports shall be submitted to the Secretary, the Committee on Finance of the Senate, and the Committee on Ways and Means of the House of Representatives, simultaneously.

(3) The Secretary shall request the National Academy of Sciences to conduct such studies under an arrangement under which the actual expenses incurred by such Academy in conducting such studies will be paid by the Secretary. If the National Academy of Sciences is willing to do so, the Secretary shall enter into such an arrangement with such Academy for the conduct of such studies.

(4) If the National Academy of Sciences is unwilling to conduct the studies required under this section, under such an arrangement with the Secretary, then the Secretary shall enter into a similar arrangement with other appropriate nonprofit private groups or associations under which such groups or associations shall conduct such studies and prepare and submit the reports thereon as provided in paragraph (2).

Analysis, submittal to congressional committees.

(5) The Social Security Administration shall study the interim report called for in paragraph (2) and shall submit its analysis of such interim report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives not later than March 1, 1975. The Social Security Administration shall study and submit its analysis of the final report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives by October 1, 1975.

(d) The provisions of subsection (a) shall apply with respect to cost accounting periods beginning after June 30, 1973, and prior to January 1, 1975, except that if the Secretary of Health, Education, and Welfare determines that additional time is required to prepare the report required by subsection (c), he may, by regulation, extend the applicability of the provisions of subsection (a) to cost accounting periods beginning after June 30, 1975. Effective dates.

BASIS OF MEDICARE PAYMENT FOR SERVICES PROVIDED BY AGENCIES AND PROVIDERS

SEC. 16. In the administration of titles V, XVIII, and XIX of the Social Security Act, the amount payable under such title to any provider of services on account of services provided by such hospital, skilled nursing facility, or home health agency shall be determined (for any period with respect to which the amendments made by section 233 of Public Law 92-603 would, except for the provisions of this section, be applicable) in like manner as if the date contained in the first and second sentences of subsection (f) of such section 233 were December 31, 1973, rather than December 31, 1972. 42 USC 701, 1395, 1396. 86 Stat. 1141.

POSTPONEMENT ON EFFECTIVE DATE OF CERTAIN REQUIREMENTS IMPOSED WITH RESPECT TO PAYMENT FOR PHYSICAL THERAPY SERVICES

SEC. 17. (a) In the administration of title XVIII of the Social Security Act, the amount payable thereunder with respect to physical therapy and other services referred to in section 1861(v)(5)(A) of such Act (as added by section 151(c) of the Social Security Amendments of 1972) shall be determined (for the period with respect to which the amendment made by such section 151(c) would, except for the provisions of this section, be applicable) in like manner as if the "December 31, 1972", which appears in such subsection (d)(3) of such section 151, read "the month in which there are promulgated, by the Secretary of Health, Education, and Welfare, final regulations implementing the provisions of section 1861(v)(5) of the Social Security Act". 86 Stat. 1445. 42 USC 1395x.

CLERICAL AND CONFORMING AMENDMENTS TO SOCIAL SECURITY ACT

In General

Inclusion of All Wage Level Increases in Automatic Adjustment of Earnings Test

SEC. 18. (a) Section 203(f)(8)(B)(ii) of the Social Security Act is amended by— 86 Stat. 1341. 42 USC 403.

(1) striking out "contribution and benefit base" and inserting "exempt amount" in lieu thereof; and

(2) striking out "section 230(a)" and inserting "subparagraph (A)" in lieu thereof.

Inclusion in Old-Age Insurance Benefit in Certain Cases of Delayed Retirement

(b) Section 202(w) of such Act is amended by inserting at the end thereof the following new paragraph: 86 Stat. 1339. 42 USC 402.

"(5) If an individual's primary insurance amount is determined under paragraph (3) of section 215(a) and, as a result of this subsection, he would be entitled to a higher old-age insurance benefit if his primary insurance amount were determined under section 215(a) without regard to such paragraph, such individual's old-age insurance 86 Stat. 1333. 42 USC 415.

benefit based upon his primary insurance amount determined under such paragraph shall be increased by an amount equal to the difference between such benefit and the benefit to which he would be entitled if his primary insurance amount were determined under such section without regard to such paragraph."

Elimination of Benefits at Age 72 for Uninsured Individuals Receiving Supplemental Security Income Benefits

42 USC 428d.

(c) Section 228(d) of such Act is amended by inserting "and such individual is not an individual with respect to whom supplemental security income benefits are payable pursuant to title XVI or section 211 of Public Law 93–66 for the following month, nor shall such benefit be paid for such month if such individual is an individual with respect to whom supplemental security income benefits are payable pursuant to title XVI or section 211 of Public Law 93–66 for such month, unless the Secretary determines that such benefits are not payable with respect to such individual for the month following such month" immediately before the period at the end thereof.

86 Stat. 1465.
Ante, p. 154.
42 USC 1381.

Limitations on Eligibility Determinations Under Resources Tests of State Plans

86 Stat. 1466.

(d) Section 1611 of such Act (as amended by Public Law 92–603) is amended by striking out subsection (g) and inserting in lieu thereof the following new subsection:

"(g) In the case of any individual or any individual and his spouse (as the case may be) who—

"(1) received aid or assistance for December 1973 under a plan of a State approved under title I, X, XIV, or XVI,

86 Stat. 1484, 1465.
42 USC 301, 1201, 1351, 1381.

"(2) has, since December 31, 1973, continuously resided in the State under the plan of which he or they received such aid or assistance for December 1973, and

"(3) has, since December 31, 1973, continuously been (except for periods not in excess of six consecutive months) an eligible individual or eligible spouse with respect to whom supplemental security income benefits are payable,

the resources of such individual or such individual and his spouse (as the case may be) shall be deemed not to exceed the amount specified in sections 1611(a)(1)(B) and 1611(a)(2)(B) during any period that the resources of such individual or individuals and his spouse (as the case may be) does not exceed the maximum amount of resources specified in the State plan, as in effect for October 1972, under which he or they received such aid or assistance for December 1973."

Limitations on Eligibility and Benefit Determinations Under Income Tests of State Plans for Aid to the Blind

(e) Section 1611 of such Act is amended by striking out subsection (h) and inserting in lieu thereof the following new subsection:

"(h) In determining eligibility for, and the amount of, benefits payable under this section in the case of any individual or any individual and his spouse (as the case may be) who—

"(1) received aid or assistance for December 1973 under a plan of a State approved under title X or XVI,

"(2) is blind under the definition of that term in the plan, as in effect for October 1972, under which he or they received such aid or assistance for December 1973,

"(3) has, since December 31, 1973, continuously resided in the State under the plan of which he or they received such aid or assistance for December 1973, and

"(4) has, since December 31, 1973, continuously been (except for periods not in excess of six consecutive months) an eligible individual or an eligible spouse with respect to whom supplemental security income benefits are payable,

there shall be disregarded an amount equal to the greater of (A) the maximum amount of any earned or unearned income which could have been disregarded under the State plan, as in effect for October 1972, under which he or they received such aid or assistance for December 1973, and (B) the amount which would be required to be disregarded under section 1612 without application of this subsection."

Correction of Erroneous Designations and Cross-References

(f)(1) Section 226 of such Act is amended by— 86 Stat. 1371. 42 USC 426.

(A) redesignating subsection (a)(1) as subsection (a);

(B) redesignating clauses (A) and (B) of subsection (a), as redesignated by this subsection, as clauses (1) and (2), respectively; and

(C) redesignating subsection (f) (as added by section 201 (b)(5) of the Social Security Amendments of 1972 and redesignated by section 299L of that Act) and the subsection (f) (as enacted by section 101 of the Social Security Amendments of 1965 and redesignated by section 201(b)(5) of the Social Security Amendments of 1972) as subsections (h) and (i), respectively; and by inserting such subsections (h) and (i) (as so redesignated) immediately after subsection (g) of such section.

(2) Section 226(h)(1)(A) of such Act, as redesignated by this subsection, is amended by striking out "and 202(e)(5), and the term 'age 62' in sections" and inserting ", 202(e)(5)," in lieu thereof.

(3) Section 226(h)(1)(B) of such Act, as redesignated by this subsection, is amended by striking out "shall" and inserting "and the phrase 'before he attained age 60' in the matter following subparagraph (G) of section 202(f)(1) shall each" in lieu thereof.

(4) Paragraphs (2) and (3) of section 226(h) of such Act, as redesignated by this subsection, are each amended by striking out "(a)(2)" and inserting "b" in lieu thereof.

Initial Payments to Presumptively Disabled Individuals Unrecoverable Only if Individual Is Ineligible Because Not Disabled

(g) Section 1631(a)(4)(B) of such Act is amended by inserting "solely because such individual is determined not to be disabled" immediately before the period at the end thereof. 86 Stat. 1475. 42 USC 1383.

Technical Correction of Limitation on Fiscal Liability of States for Optional Supplementation

(h)(1) Section 401(a)(1) of the Social Security Amendments of 1972 is amended by— 86 Stat. 1485. 42 USC 1382e note.

(A) inserting ", other than fiscal year 1974," immediately after "any fiscal year"; and

(B) inserting ", and the amount payable for fiscal year 1974 pursuant to such agreement or agreements shall not exceed one-half of the non-Federal share of such expenditures" immediately before the period of the end thereof.

(2) Section 401(c)(1) of such Act is amended by inserting "excluding" immediately before "expenditures authorized under section 1119". 86 Stat. 1487.

Modification of Transitional Administrative Provisions

86 Stat. 1487.
42 USC 1382e note.

(i) Section 402 of the Social Security Amendments of 1972 is amended by—

(1) striking out "XVI" the first time that it appears therein and inserting "VI" in lieu thereof;

(2) inserting "the third and fourth quarters in the fiscal year ending June 30, 1974, and" immediately after "with respect to expenditures for"; and

(3) inserting "the third and fourth quarters of the fiscal year ending June 30, 1974, and any quarter of" immediately after "during such portion of".

Inclusion of Title VI in Limitation on Grants to States for Social Services

86 Stat. 945.
42 USC 1320b.

(j) Section 1130(a) of such Act is amended by inserting "603(a)(1)," immediately after "403(a)(3),".

Clarification of Coverage of Hospitalization for Dental Services

86 Stat. 1447.
42 USC 1395f.

(k)(1) Section 1814(a)(2)(E) of such Act (as amended by Public Law 92–603) is amended to read as follows:

"(E) in the case of inpatient hospital services in connection with the care, treatment, filling, removal, or replacement of teeth or structures directly supporting teeth, the individual, because of his underlying medical condition and clinical status, requires hospitalization in connection with the provision of such dental services;".

(2) The last sentence of section 1814(a) is amended by striking out "or (D)" and inserting "(D), or (E)" in lieu thereof.

42 USC 1395y.

(3) Section 1862(a)(12) of such Act is amended by striking out "a dental procedure" and all that follows thereafter, and inserting "the provision of such dental services if the individual, because of his underlying medical condition and clinical status, requires hospitalization in connection with the provision of such services; or" in lieu thereof.

Continuation of State Agreements for Coverage of Certain Individuals

42 USC 1395v.
Effective date.
86 Stat. 1381.
42 USC 1396a.
42 USC 1381.
42 USC 301, 1201, 1351.

(l) Section 1843(b) of such Act is amended by adding at the end thereof the following: "Effective January 1, 1974, and subject to section 1902(f), the Secretary shall, at the request of any State not eligible to participate in the State plan program established under title XVI, continue in effect the agreement entered into under this section with such State subject to such modifications as the Secretary may by regulations provide to take account of the termination of any plans of such State approved under titles I, X, XIV, and XVI and the establishment of the supplemental security income program under title XVI.".

Technical Improvement of Provisions Governing Disposition of HMO Savings

86 Stat. 1396.
42 USC 1395mm.

(m) Section 1876(a)(3)(A)(ii) of such Act is amended by striking out ", with the apportionment of savings being proportional to the losses absorbed and not yet offset".

Technical Improvement of Provisions Governing Allowable HMO Premium Charges

(n) The last sentence of section 1876(g)(2) of such Act is amended by— 86 Stat. 1401. 42 USC 1395mm.

(1) inserting "of its premium rate or other charges" immediately after "portion";

(2) striking out "may" and inserting "shall";

(3) striking out "(i)"; and

(4) striking out "less (ii) the actuarial value of other charges made in lieu of such deductible and coinsurance".

Applications for Assistance on Behalf of Deceased Individuals

(o) Section 1902(a)(34) of the Social Security Act (as amended by Public Law 92-603) is amended by inserting "(or application was made on his behalf in the case of a deceased individual)" immediately after "he made application". 86 Stat. 1446. 42 USC 1396a.

Expansion of Intermediate Care Facility Ownership Disclosure Requirements

(p) Section 1902(a)(35)(A) of such Act is amended by inserting "or who is the owner (in whole or in part) of any mortgage, deed of trust, note, or other obligation secured (in whole or in part) by such intermediate care facility or any of the property or assets of such intermediate care facility" immediately after "intermediate care facility". 86 Stat. 1460. 42 USC 1396a.

Technical Modification of Extended Medicaid Eligibility for AFDC Recipients

(q) Section 1902(e) of such Act is amended to read as follows: 86 Stat. 1381. 42 USC 1396a.

"(e) Notwithstanding any other provision of this title, effective January 1, 1974, each State plan approved under this title must provide that each family which was receiving aid pursuant to a plan of the State approved under part A of title IV in at least 3 of the 6 months immediately preceding the month in which such family became ineligible for such aid because of increased hours of, or increased income from, employment, shall, while a member of such family is employed, remain eligible for assistance under the plan approved under this title (as though the family was receiving aid under the plan approved under part A of title IV) for 4 calendar months beginning with the month in which such family became ineligible for aid under the plan approved under part A of title IV because of income and resources or hours of work limitations contained in such plan.".

Limitation on Payments to States for Expenditures in Relation to Disabled Individuals Eligible for Medicare

(r)(1) Section 1903(a)(1) of such Act is amended by inserting "and disabled individuals entitled to hospital insurance benefits under title XVIII" immediately after "individuals sixty-five years of age or older". 42 USC 1396b.

(2) Section 1903(b)(2) of such Act is amended by inserting "and disabled individuals entitled to hospital insurance benefits under title XVIII" immediately after "individuals aged 65 or over".

Federal Payment for Cost of Inspecting Institutions Limited to Expenses Incurred During Covered Period

79 Stat. 349; 86 Stat. 1414. 42 USC 1396b.

(s) Section 1903(a)(4) of such Act is amended by striking out "sums expended" and inserting "sums expended with respect to costs incurred" in lieu thereof.

Federal Payment for Family Planning Expenditures Not Limited to Administrative Costs

(t) Section 1903(a)(5) of such Act is amended by striking out "(as found necessary by the Secretary for the proper and efficient administration of the plan)".

Exception to Limitation on Payments to States for Expenditures in Relation to Individuals Eligible for Medicare

(u) Section 1903(b)(2) of such Act is amended by inserting ", other than amounts expended under provisions of the plan of such State required by section 1902(a)(34)" immediately before the period at the end thereof.

Utilization Review by Medical Personnel Associated With an Institution

86 Stat. 1379.

(v) Section 1903(g)(1)(C) of such Act is amended by striking out "and who are not employed by" and by inserting "or, except in the case of hospitals, employed by the institution" immediately after "any such institution".

Authority To Prescribe Standards Under Title XIX for Active Treatment of Mental Illness

86 Stat. 1461. 42 USC 1396d.

(w) Section 1905(h)(1)(B) of such Act is amended by—

(1) striking out ", involves active treatment (i)" and inserting "(i) involve active treatment" in lieu thereof,

(2) striking out "pursuant to title XVIII", and

(3) striking out "(ii) which" and inserting "(ii)" in lieu thereof.

Correction of Erroneous Designations and Cross References

79 Stat. 344. 42 USC 1396a.

(x)(1) Section 1902(a)(13)(C) of such Act is amended by striking out "(14)" and inserting "(16)" in lieu thereof.

(2) Section 1902(a)(33)(A) of such Act is amended by striking out "last sentence" and inserting "penultimate sentence" in lieu thereof.

(3) Section 1902(a) of such Act is amended by—

(A) striking out the period at the end of paragraph (35) and inserting "; and" in lieu thereof; and

(B) redesignating paragraph (37) as paragraph (36).

(4) Sections 1902(a)(21), (24), and (26)(B), and the last sentence of section 1902(d), of such Act are each amended by striking out "nursing home" and "nursing homes" each time that they appear therein and inserting "nursing facility" and "nursing facilities", respectively, in lieu thereof.

79 Stat. 349.

(5) Section 1903(a) of such Act is amended by striking out "and section 1117" in the first parenthetical phrase.

(6) Section 1903(b) of such Act is amended by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(7) Section 1905(a)(16) of such Act is amended by striking out "under 21, as defined in subsection (e);" and inserting "under age 21, as defined in subsection (h); and" in lieu thereof. 86 Stat. 1460. 42 USC 1396d.

(8) Section 1905(c) of such Act is amended by striking out "skilled nursing home" each time that it appears therein and inserting "skilled nursing facility" in lieu thereof. 85 Stat. 809; 86 Stat. 1464.

(9) Section 1905 of such Act is amended by redesignating subsection (h) (which was enacted by section 299L(b) of the Social Security Amendments of 1972) as subsection (i).

(10) Section 1905(h)(2) is amended by striking out "(e)(1)" and inserting "(1)" in lieu thereof. 86 Stat. 1461.

Deletion of Obsolete Provisions

(y)(1) Section 1903 of such Act is amended by— 79 Stat. 349. 42 USC 1396b.

(A) striking out subsection (c);

(B) striking out "(a), (b), and (c)" in subsection (d) and inserting "(a) and (b)" in lieu thereof.

(2) Section 1905(b) of such Act is amended by striking out everything after "section 1110(a)(8)" and inserting a period in lieu thereof. 42 USC 1396d.

(3) Section 1908 of such Act is amended by striking out the last sentence of subsection (d) and subsections (e) and (f), and redesignating subsection (g) as subsection (e). 42 USC 1396g.

Determination of Amount of Exclusion for Disapproved Capital Expenditures by Institutions Reimbursed on Fixed Fee or Negotiated Rate Basis

(z) The last sentence of section 1122(d)(1) of such Act is amended by inserting "or a fixed fee or negotiated rate" immediately after "per capita" each time that it appears therein. 86 Stat. 1386. 42 USC 1320a-1.

Technical Improvement of Authority To Include Expenses Related to Capital Expenditures in Certain Cases

(z-1) Section 1122(d)(2) of such Act is amended by striking out "include" the last time that it appears therein and inserting "exclude" in lieu thereof.

Conforming Amendments to Title XI of the Social Security Act

(z-2)(1) Title XI of the Social Security Act is amended—

(A) in section 1101(a)(1), by— 42 USC 1301.

(i) striking out "I,", "X,", "XIV,", and "XVI,", and

(ii) by adding at the end of such section 1101(a) the following new sentence: "In the case of Puerto Rico, the Virgin Islands, and Guam, titles I, X, and XIV, and title XVI (as in effect without regard to the amendment made by section 301 of the Social Security Amendments of 1972) shall continue to apply, and the term 'State' when used in such titles (but not in title XVI as in effect pursuant to such amendment after December 31, 1973) includes Puerto Rico, the Virgin Islands, and Guam.", 42 USC 301, 1201, 1351, 1381, 86 Stat. 1465.

(B) in section 1115, by— 42 USC 1315.

(i) inserting (in the matter preceding subsection (a)) "VI," immediately after "title I,",

(ii) inserting (in subsection (a)) "602," immediately after "402,", and

(iii) inserting (in subsection (b)) "603," immediately after "403,", and

79 Stat. 419; 81 Stat. 917. 42 USC 1316.

(C) in section 1116, by—

(i) inserting (in subsection (a)(1)) "VI," immediately after "title I,",

(ii) inserting (in subsection (a)(3)) "604," immediately after "404,",

(iii) inserting (in subsection (b)) "VI," immediately after "title I,", and

(iv) inserting (in subsection (d)) "VI," immediately after "title I,".

Effective date.

(2) The amendments made by this subsection shall be effective on and after January 1, 1974.

Effective Dates

(z–3)(1) The amendments made by subsections (g), (h), (j), and (l) shall be effective January 1, 1974.

(2) The amendments made by subsection (k) shall be effective with respect to admissions subject to the provisions of section 1814(a)(2) of the Social Security Act which occur after December 31, 1972.

42 USC 1395f.

(3) The amendments made by subsections (m) and (n) shall be effective with respect to services provided after June 30, 1973.

(4) The amendments made by subsections (o) and (u) shall be effective July 1, 1973.

MODIFICATION OF PROVISIONS ESTABLISHING SUPPLEMENTAL SECURITY INCOME PROGRAM

SEC. 19. (a) Section 303(c) of the Social Security Amendments of 1972 is amended to read as follows:

86 Stat. 1484. 25 USC 639 note.

"(c) Section 9 of the Act of April 19, 1950 (64 Stat. 47) is amended to read as follows:

"'SEC. 9. Beginning with the quarter commencing July 1, 1950, the Secretary of the Treasury shall pay quarterly to each State (from sums made available for making payments to the States under section 403(a) of the Social Security Act) an amount, in addition to the amount prescribed to be paid to such State under such section, equal to 80 per centum of the total amount of contributions by the State toward expenditures during the preceding quarter by the State, under the State plan approved under the Social Security Act for aid to dependent children to Navajo and Hopi Indians residing within the boundaries of the State on reservations or on allotted or trust lands, with respect to whom payments are made to the State by the United States under section 403(a) of the Social Security Act, not counting so much of such expenditure to any individual for any month as exceeds the limitations prescribed in such section.'."

42 USC 603.

(b) Notwithstanding the provisions of section 301 of the Social Security Amendments of 1972, the Secretary of Health, Education, and Welfare shall make payments to the 50 States and the District of Columbia after December 31, 1973, in accordance with the provisions of the Social Security Act as in effect prior to January 1, 1974, for (1) activities carried out through the close of December 31, 1973, under State plans approved under title I, X, XIV, or XVI, of such Act, and (2) administrative activities carried out after December 31, 1973, which such Secretary determines are necessary to bring to a close activities carried out under such State plans.

86 Stat. 1465. 42 USC 1381.

42 USC 301, 1201, 1351, 1381.

PROVISIONS RELATING TO UNEMPLOYMENT COMPENSATION

SEC. 20. Section 203(2) of the Federal-State Extended Unemployment Compensation Act of 1970 is amended by adding at the end

84 Stat. 709. 26 USC 3304 note.

thereof the following new sentence: "Effective with respect to compensation for weeks of unemployment beginning before April 1, 1974, and beginning after December 31, 1973 (or, if later, the date established pursuant to State law), the State may by law provide that the determination of whether there has been a State 'on' or 'off' indicator beginning or ending any extended benefit period shall be made under this subsection as if paragraph (1) did not contain subparagraph (A) thereof.".

Approved December 31, 1973.

Public Law 93-234

AN ACT

December 31, 1973
[H. R. 8449]

To expand the national flood insurance program by substantially increasing limits of coverage and total amount of insurance authorized to be outstanding and by requiring known flood-prone communities to participate in the program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Flood Disaster Protection Act of 1973".

Flood Disaster Protection Act of 1973.

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds that—

(1) annual losses throughout the Nation from floods and mudslides are increasing at an alarming rate, largely as a result of the accelerating development of, and concentration of population in, areas of flood and mudslide hazards;

(2) the availability of Federal loans, grants, guaranties, insurance, and other forms of financial assistance are often determining factors in the utilization of land and the location and construction of public and of private industrial, commercial, and residential facilities;

(3) property acquired or constructed with grants or other Federal assistance may be exposed to risk of loss through floods, thus frustrating the purpose for which such assistance was extended;

(4) Federal instrumentalities insure or otherwise provide financial protection to banking and credit institutions whose assets include a substantial number of mortgage loans and other indebtedness secured by property exposed to loss and damage from floods and mudslides;

(5) the Nation cannot afford the tragic losses of life caused annually by flood occurrences, nor the increasing losses of property suffered by flood victims, most of whom are still inadequately compensated despite the provision of costly disaster relief benefits; and

(6) it is in the public interest for persons already living in flood-prone areas to have both an opportunity to purchase flood insurance and access to more adequate limits of coverage, so that they will be indemnified for their losses in the event of future flood disasters.

(b) The purpose of this Act, therefore, is to—

(1) substantially increase the limits of coverage authorized under the national flood insurance program;

(2) provide for the expeditious identification of, and the dissemination of information concerning, flood-prone areas;

(3) require States or local communities, as a condition of future Federal financial assistance, to participate in the flood insurance program and to adopt adequate flood plain ordinances with effective enforcement provisions consistent with Federal standards to reduce or avoid future flood losses; and

(4) require the purchase of flood insurance by property owners who are being assisted by Federal programs or by federally supervised, regulated, or insured agencies or institutions in the acquisition or improvement of land or facilities located or to be located in identified areas having special flood hazards.

DEFINITIONS

SEC. 3. (a) As used in this Act, unless the context otherwise requires, the term—

(1) "community" means a State or a political subdivision thereof which has zoning and building code jurisdiction over a particular area having special flood hazards;

(2) "Federal agency" means any department, agency, corporation, or other entity or instrumentality of the executive branch of the Federal Government, and includes the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation;

(3) "financial assistance" means any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance, other than general or special revenue sharing or formula grants made to States;

(4) "financial assistance for acquisition or construction purposes" means any form of financial assistance which is intended in whole or in part for the acquisition, construction, reconstruction, repair, or improvement of any publicly or privately owned building or mobile home, and for any machinery, equipment, fixtures, and furnishings contained or to be contained therein, and shall include the purchase or subsidization of mortgages or mortgage loans but shall exclude assistance for emergency work essential for the protection and preservation of life and property performed pursuant to the Disaster Relief Act of 1970 or any subsequent Act of Congress which supersedes or modifies the Disaster Relief Act of 1970; 84 Stat. 1744. 42 USC 4401 note.

(5) "Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions" means the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Comptroller of the Currency, the Federal Home Loan Bank Board, the Federal Savings and Loan Insurance Corporation, and the National Credit Union Administration; and

(6) "Secretary" means the Secretary of Housing and Urban Development.

(b) The Secretary is authorized to define or redefine, by rules and regulations, any scientific or technical term used in this Act, insofar as such definition is not inconsistent with the purposes of this Act.

TITLE I—EXPANSION OF NATIONAL FLOOD INSURANCE PROGRAM

INCREASED LIMITS OF COVERAGE

SEC. 101. (a) Section 1306(b)(1)(A) of the National Flood Insurance Act of 1968 is amended to read as follows: 82 Stat. 575. 42 USC 4013.

"(A) in the case of residential properties—

"(i) $35,000 aggregate liability for any single-family dwelling, and $100,000 for any residential structure containing more than one dwelling unit,

"(ii) $10,000 aggregate liability per dwelling unit for any contents related to such unit, and

"(iii) in the States of Alaska and Hawaii, and in the Virgin Islands and Guam, the limits provided in clause (i) of this sentence shall be: $50,000 aggregate liability for any single-family dwelling, and $150,000 for any residential structure containing more than one dwelling unit;".

82 Stat. 575.
42 USC 4013.

(b) Section 1306(b)(1)(B) of such Act is amended by striking out "$30,000" and "$5,000" wherever they appear and inserting in lieu thereof "$100,000".

85 Stat. 775.

(c) Section 1306(b)(1)(C) of such Act is amended to read as follows:

"(C) in the case of church properties and any other properties which may become eligible for flood insurance under section 1305—

83 Stat. 397.
42 USC 4012.

"(i) $100,000 aggregate liability for any single structure, and

"(ii) $100,000 aggregate liability per unit for any contents related to such unit; and."

REQUIREMENT TO PURCHASE FLOOD INSURANCE

SEC. 102. (a) After the expiration of sixty days following the date of enactment of this Act, no Federal officer or agency shall approve any financial assistance for acquisition or construction purposes for use in any area that has been identified by the Secretary as an area having special flood hazards and in which the sale of flood insurance has been made available under the National Flood Insurance Act of 1968, unless the building or mobile home and any personal property to which such financial assistance relates is, during the anticipated economic or useful life of the project, covered by flood insurance in an amount at least equal to its development or project cost (less estimated land cost) or to the maximum limit of coverage made available with respect to the particular type of property under the National Flood Insurance Act of 1968, whichever is less: *Provided*, That if the financial assistance provided is in the form of a loan or an insurance or guaranty of a loan, the amount of flood insurance required need not exceed the outstanding principal balance of the loan and need not be required beyond the term of the loan.

82 Stat. 572.
42 USC 4001 note.

(b) Each Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions shall by regulation direct such institutions not to make, increase, extend, or renew after the expiration of sixty days following the date of enactment of this Act any loan secured by improved real estate or a mobile home located or to be located in an area that has been identified by the Secretary as an area having special flood hazards and in which flood insurance has been made available under the National Flood Insurance Act of 1968, unless the building or mobile home and any personal property securing such loan is covered for the term of the loan by flood insurance in an amount at least equal to the outstanding principal balance of the loan or to the maximum limit of coverage made available with respect to the particular type of property under the Act, whichever is less.

State-owned property, exemption.

(c) Notwithstanding the other provisions of this section, flood insurance shall not be required on any State-owned property that is covered under an adequate State policy of self-insurance satisfactory to the Secretary. The Secretary shall publish and periodically revise the list of States to which this subsection applies.

List, publication.

ESTABLISHMENT OF CHARGEABLE RATES

SEC. 103. Section 1308 of the National Flood Insurance Act of 1968 is amended by striking out subsection (c) and inserting in lieu thereof the following new subsection:

82 Stat. 576.
42 USC 4015.

"(c) Notwithstanding any other provision of this title, the chargeable rate with respect to any property, the construction or substantial improvement of which the Secretary determines has been started after

December 31, 1974, or the effective date of the initial rate map published by the Secretary under paragraph (2) of section 1360 for the area in which such property is located, whichever is later, shall not be less than the applicable estimated risk premium rate for such area (or subdivision thereof) under section 1307(a)(1).". 82 Stat. 587. 42 USC 4101. 42 USC 4014.

FINANCING

SEC. 104. Section 1309(a) of the National Flood Insurance Act of 1968 is amended by striking out all after the semicolon and inserting in lieu thereof the following: "except that the total amount of notes and obligations which may be issued by the Secretary pursuant to such authority (1) without the approval of the President, may not exceed $500,000,000, and (2) with the approval of the President, may not exceed $1,000,000,000. The Secretary shall report to the Committee on Banking and Currency of the House of Representatives and the Committee on Banking, Housing and Urban Affairs of the Senate at any time when he requests the approval of the President in accordance with the preceding sentence.". 82 Stat. 577. 42 USC 4016. Report to congressional committees.

PROGRAM EXPIRATION

SEC. 105. Section 1319 of the National Flood Insurance Act of 1968 is amended to read as follows: 82 Stat. 581. 42 USC 4026.

"PROGRAM EXPIRATION

"SEC. 1319. No new contract for flood insurance under this title shall be entered into after June 30, 1977.".

EMERGENCY IMPLEMENTATION OF PROGRAM

SEC. 106. Subsection (a) of section 1336 of the National Flood Insurance Act of 1968 is amended by striking the date "December 31, 1973" and inserting in lieu thereof "December 31, 1975". 83 Stat. 396; 85 Stat. 775. 42 USC 4056.

DEFINITION OF FLOOD

SEC. 107. Section 1370(b) of the National Flood Insurance Act of 1968 is amended by inserting "proximately" before "caused". 82 Stat. 588; 83 Stat. 397. 42 USC 4121.

EXTENSION OF FLOOD INSURANCE PROGRAM TO COVER LOSSES FROM EROSION AND UNDERMINING OF SHORELINES

SEC. 108. (a) Section 1302 of the National Flood Insurance Act of 1968 is amended by adding at the end thereof the following new subsection: 42 USC 4001.

"(g) The Congress also finds that (1) the damage and loss which may result from the erosion and undermining of shorelines by waves or currents in lakes and other bodies of water exceeding anticipated cyclical levels is related in cause and similar in effect to that which results directly from storms, deluges, overflowing waters, and other forms of flooding, and (2) the problems involved in providing protection against this damage and loss, and the possibilities for making such protection available through a Federal or federally sponsored program, are similar to those which exist in connection with efforts to provide protection against damage and loss caused by such other forms of flooding. It is therefore the further purpose of this title to make available, by means of the methods, procedures, and instrumentalities which are otherwise established or available under this title for purposes of the flood insurance program, protection against damage and loss resulting from the erosion and undermining of shorelines by waves

or currents in lakes and other bodies of water exceeding anticipated cyclical levels.".

82 Stat. 588; 83 Stat. 397. 42 USC 4121. "Flood."

(b) Section 1370 of such Act is amended by adding at the end thereof the following new subsection:

"(c) The term 'flood' shall also include the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels, and all of the provisions of this title shall apply with respect to such collapse or subsidence in the same manner and to the same extent as with respect to floods described in paragraph (1), subject to and in accordance with such regulations, modifying the provisions of this title (including the provisions relating to land management and use) to the extent necessary to insure that they can be effectively so applied, as the Secretary may prescribe to achieve (with respect to such collapse or subsidence) the purposes of this title and the objectives of the program.".

ESTIMATES OF PREMIUM RATES

82 Stat. 576. 42 USC 4014.

SEC. 109. Section 1307 of the National Flood Insurance Act of 1968 is amended by adding at the end thereof the following new subsection:

"(d) Notwithstanding any other provision of law, any structure existing on the date of enactment of the Flood Disaster Protection Act of 1973 and located within Avoyelles, Evangeline, Rapides, or Saint Landry Parish in the State of Louisiana, which the Secretary determines is subject to additional flood hazards as a result of the construction or operation of the Atchafalaya Basin Levee System, shall be eligible for flood insurance under this title (if and to the extent it is eligible for such insurance under the other provisions of this title) at premium rates that shall not exceed those which would be applicable if such additional hazards did not exist.".

Ante, p. 975.

APPEALS

82 Stat. 587. 42 USC 4101.

SEC. 110. Chapter III of the National Flood Insurance Act of 1968 is amended by adding at the end thereof the following new section:

"APPEALS

"SEC. 1363. (a) In establishing projected flood elevations for land use purposes with respect to any community pursuant to section 1361, the Secretary shall first propose such determinations by publication for comment in the Federal Register, by direct notification to the chief executive officer of the community, and by publication in a prominent local newspaper.

42 USC 4102. Publication in Federal Register.

Flood elevation determinations, publication.

"(b) The Secretary shall publish notification of flood elevation determinations in a prominent local newspaper at least twice during the ten-day period following notification to the local government. During the ninety-day period following the second publication, any owner or lessee of real property within the community who believes his property rights to be adversely affected by the Secretary's proposed determination may appeal such determination to the local government. The sole basis for such appeal shall be the possession of knowledge or information indicating that the elevations being proposed by the Secretary with respect to an identified area having special flood hazards are scientifically or technically incorrect, and the sole relief which shall be granted under the authority of this section in the event that such appeal is sustained in accordance with subsection (e) or (f) is a modification of the Secretary's proposed determination accordingly.

"(c) Appeals by private persons shall be made to the chief executive officer of the community, or to such agency as he shall publicly designate, and shall set forth the data that tend to negate or contradict the Secretary's finding in such form as the chief executive officer may specify. The community shall review and consolidate all such appeals and issue a written opinion stating whether the evidence presented is sufficient to justify an appeal on behalf of such persons by the community in its own name. Whether or not the community decides to appeal the Secretary's determination, copies of individual appeals shall be sent to the Secretary as they are received by the community, and the community's appeal or a copy of its decision not to appeal shall be filed with the Secretary not later than ninety days after the date of the second newspaper publication of the Secretary's notification. Appeals by private persons.

"(d) In the event the Secretary does not receive an appeal from the community within the ninety days provided, he shall consolidate and review on their own merits, in accordance with the procedures set forth in subsection (e), the appeals filed within the community by private persons and shall make such modifications of his proposed determinations as may be appropriate, taking into account the written opinion, if any, issued by the community in not supporting such appeals. The Secretary's decision shall be in written form, and copies thereof shall be sent both to the chief executive officer of the community and to each individual appellant. Review.

"(e) Upon appeal by any community, as provided by this section, the Secretary shall review and take fully into account any technical or scientific data submitted by the community that tend to negate or contradict the information upon which his proposed determination is based. The Secretary shall resolve such appeal by consultation with officials of the local government involved, by administrative hearing, or by submission of the conflicting data to an independent scientific body or appropriate Federal agency for advice. Until the conflict in data is resolved, and the Secretary makes a final determination on the basis of his findings in the Federal Register, and so notifies the governing body of the community, flood insurance previously available within the community shall continue to be available, and no person shall be denied the right to purchase such insurance at chargeable rates. The Secretary shall make his determination within a reasonable time. The community shall be given a reasonable time after the Secretary's final determination in which to adopt local land use and control measures consistent with the Secretary's determination. The reports and other information used by the Secretary in making his final determination shall be made available for public inspection and shall be admissible in a court of law in the event the community seeks judicial review as provided by this section. Information, availability.

"(f) Any appellant aggrieved by any final determination of the Secretary upon administrative appeal, as provided by this section, may appeal such determination to the United States district court for the district within which the community is located not more than sixty days after receipt of notice of such determination. The scope of review by the court shall be as provided by chapter 7 of title 5, United State Code. During the pendency of any such litigation, all final determinations of the Secretary shall be effective for the purposes of this title unless stayed by the court for good cause shown.". 80 Stat. 392. 5 USC 701.

FLOOD INSURANCE PREMIUM EQUALIZATION PAYMENTS

SEC. 111. Section 1334 of the National Flood Insurance Act of 1968 is amended by striking out subsection (b) and by redesignating subsection "(c)" as subsection "(b)". 82 Stat. 583. 42 USC 4054.

TITLE II—DISASTER MITIGATION REQUIREMENTS

NOTIFICATION TO FLOOD-PRONE AREAS

SEC. 201. (a) Not later than six months following the enactment of this title, the Secretary shall publish information in accordance with subsection 1360(1) of the National Flood Insurance Act of 1968, and shall notify the chief executive officer of each known flood-prone community not already participating in the national flood insurance program of its tentative identification as a community containing one or more areas having special flood hazards.

82 Stat. 587.
42 USC 4101.

(b) After such notification, each tentatively identified community shall either (1) promptly make proper application to participate in the national flood insurance program or (2) within six months submit technical data sufficient to establish to the satisfaction of the Secretary that the community either is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. The Secretary may, in his discretion, grant a public hearing to any community with respect to which conflicting data exist as to the nature and extent of a flood hazard. If the Secretary decides not to hold a hearing, the community shall be given an opportunity to submit written and documentary evidence. Whether or not such hearing is granted, the Secretary's final determination as to the existence or extent of a flood hazard area in a particular community shall be deemed conclusive for the purposes of this Act if supported by substantial evidence in the record considered as a whole.

Public hearing.

(c) As information becomes available to the Secretary concerning the existence of flood hazards in communities not known to be flood prone at the time of the initial notification provided for by subsection (a) of this section he shall provide similar notifications to the chief executive officers of such additional communities, which shall then be subject to the requirements of subsection (b) of this section.

Notifications to other community officers.

(d) Formally identified flood-prone communities that do not qualify for the national flood insurance program within one year after such notification or by the date specified in section 202, whichever is later, shall thereafter be subject to the provisions of that section relating to flood-prone communities which are not participating in the program.

EFFECT OF NONPARTICIPATION IN FLOOD INSURANCE PROGRAM

SEC. 202. (a) No Federal officer or agency shall approve any financial assistance for acquisition or construction purposes on and after July 1, 1975, for use in any area that has been identified by the Secretary as an area having special flood hazards unless the community in which such area is situated is then participating in the national flood insurance program.

(b) Each Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions shall by regulation prohibit such institutions on and after July 1, 1975, from making, increasing, extending, or renewing any loan secured by improved real estate or a mobile home located or to be located in an area that has been identified by the Secretary as an area having special flood hazards, unless the community in which such area is situated is then participating in the national flood insurance program.

REPEAL OF DISASTER ASSISTANCE PENALTY

Repeal.
82 Stat. 579.
42 USC 4021.

SEC. 203. Section 1314 of the National Flood Insurance Act of 1968 is repealed.

ACCELERATED IDENTIFICATION OF FLOOD-RISK ZONES

SEC. 204. (a) Section 1360 of the National Flood Insurance Act of 1968 is amended by inserting the designation "(a)" after "SEC. 1360." and adding at the end thereof the following new subsections: 82 Stat. 587. 42 USC 4101.

"(b) The Secretary is directed to accelerate the identification of risk zones within flood-prone and mudslide-prone areas, as provided by subsection (a)(2) of this section, in order to make known the degree of hazard within each such zone at the earliest possible date. To accomplish this objective, the Secretary is authorized, without regard to sections 3648 and 3709 of the Revised Statutes, as amended (31 U.S.C. 529 and 41 U.S.C. 5), to make grants, provide technical assistance, and enter into contracts, cooperative agreements, or other transactions, on such terms as he may deem appropriate, or consent to modifications thereof, and to make advance or progress payments in connection therewith. Grants, technical assistance, etc., authorization.

"(c) The Secretary of Defense (through the Army Corps of Engineers), the Secretary of the Interior (through the United States Geological Survey), the Secretary of Agriculture (through the Soil Conservation Service), the Secretary of Commerce (through the National Oceanic and Atmospheric Administration), the head of the Tennessee Valley Authority, and the heads of all other Federal agencies engaged in the identification or delineation of flood-risk zones within the several States shall, in consultation with the Secretary, give the highest practicable priority in the allocation of available manpower and other available resources to the identification and mapping of flood hazard areas and flood-risk zones, in order to assist the Secretary to meet the deadline established by this section.".

AUTHORITY TO ISSUE REGULATIONS

SEC. 205. (a) The Secretary is authorized to issue such regulations as may be necessary to carry out the purpose of this Act.

(b) The head of each Federal agency that administers a program of financial assistance relating to the acquisition, construction, reconstruction, repair, or improvement of publicly or privately owned land or facilities, and each Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions, shall, in cooperation with the Secretary, issue appropriate rules and regulations to govern the carrying out of the agency's responsibilities under this Act.

CONSULTATION WITH LOCAL OFFICIALS

SEC. 206. In carrying out his responsibilities under the provisions of this title and the National Flood Insurance Act of 1968 which relate to notification to and identification of flood-prone areas and the application of criteria for land management and use, including criteria derived from data reflecting new developments that may indicate the desirability of modifying elevations based on previous flood studies, the Secretary shall establish procedures assuring adequate consultation with the appropriate elected officials of general purpose local governments, including but not limited to those local governments whose prior eligibility under the program has been suspended. Such consultation shall include, but not be limited to, fully informing local officials at the commencement of any flood elevation study or investigation undertaken by any agency on behalf of the Secretary concerning the nature and purpose of the study, the areas involved, the manner in which the study is to be undertaken, the general principles to be applied, and the use to be made of the data obtained. The 82 Stat. 572. 42 USC 4001 note.

Secretary shall encourage local officials to disseminate information concerning such study widely within the community, so that interested persons will have an opportunity to bring all relevant facts and technical data concerning the local flood hazard to the attention of the agency during the course of the study.

TO PERMIT NATIONAL BANKS TO INVEST IN AGRICULTURAL CREDIT CORPORATIONS

SEC. 207. That paragraph "Seventh" of section 5136 of the Revised Statutes (12 U.S.C. 24) is amended by adding at the end thereof the following: "Notwithstanding any other provision in this paragraph, the association may purchase for its own account shares of stock issued by a corporation organized solely for the purpose of making loans to farmers and ranchers for agricultural purposes, including the breeding, raising, fattening, or marketing of livestock. However, unless the association owns at least 80 per centum of the stock of such agricultural credit corporation the amount invested by the association at any one time in the stock of such corporation shall not exceed 20 per centum of the unimpaired capital and surplus of the association.".

FLEXIBLE INTEREST RATE AUTHORITY FOR MOBILE HOME LOANS

SEC. 208. Section 3(a) of the Act entitled "An Act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes", approved May 7, 1968, as amended (12 U.S.C. 1709–1), is amended by adding at the end thereof the following new sentence: "Notwithstanding the provisions of section 2(b) of the National Housing Act regarding the maximum interest rate which may be established for obligations with respect to which insurance is granted to financial institutions under section 2 of such Act, the Secretary of Housing and Urban Development is also authorized, until the date specified in the preceding sentence, to set the maximum interest rate for obligations with respect to which insurance is granted under such section, and which represent loans and advances of credit made for the purpose of financing purchases of mobile homes, at such level as he finds necessary to meet the loan market.".

82 Stat. 113; 86 Stat. 405.

56 Stat. 305; 84 Stat. 1773. 12 USC. 1703.

Approved December 31, 1973.

Public Law 93-235

January 2, 1974
[S. J. Res. 182]

JOINT RESOLUTION

Extending the dates for the transmission of the 1974 Economic Report and the report of the Joint Economic Committee.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the provisions of section 3(a) of the Employment Act of 1946 (15 U.S.C. 1022(a)), the President shall transmit the 1974 Economic Report to the Congress not later than February 1, 1974, and (b) notwithstanding the provisions of clause (3) of section 5(b) of such Act (15 U.S.C. 1024(b)), the Joint Economic Committee shall file its report on the President's 1974 Economic Report with the Senate and the House of Representatives not later than March 13, 1974.

Economic report. Time extension.

60 Stat. 24; 70 Stat. 289.

62 Stat. 16.

Approved January 2, 1974.

Public Law 93-236

AN ACT

January 2, 1974
[H. R. 9142]

To authorize and direct the maintenance of adequate and efficient rail services in the Midwest and Northeast region of the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, divided into titles and sections according to the following table of contents, may be cited as the "Regional Rail Reorganization Act of 1973".

Regional Rail Reorganization Act of 1973.

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DECLARATION OF POLICY

SEC. 101. (a) FINDINGS.—The Congress finds and declares that—

(1) Essential rail service in the midwest and northeast region of the United States is provided by railroads which are today insolvent and attempting to undergo reorganization under the Bankruptcy Act.

30 Stat. 544.
11 USC 1 note.

(2) This essential rail service is threatened with cessation or significant curtailment because of the inability of the trustees of such railroads to formulate acceptable plans of reorganization. This rail service is operated over rail properties which were acquired for a public use, but which have been permitted to deteriorate and now require extensive rehabilitation and modernization.

(3) The public convenience and necessity require adequate and efficient rail service in this region and throughout the Nation to meet the needs of commerce, the national defense, the environment, and the service requirements of passengers, United States mail, shippers, States and their political subdivisions, and consumers.

(4) Continuation and improvement of essential rail service in this region is also necessary to preserve and maintain adequate national rail services and an efficient national rail transportation system.

(5) Rail service and rail transportation offer economic and environmental advantages with respect to land use, air pollution, noise levels, energy efficiency and conservation, resource allocation, safety, and cost per ton-mile of movement to such extent that the preservation and maintenance of adequate and efficient rail service is in the national interest.

(6) These needs cannot be met without substantial action by the Federal Government.

(b) PURPOSES.—It is therefore declared to be the purpose of Congress in this Act to provide for—

(1) the identification of a rail service system in the midwest and northeast region which is adequate to meet the needs and service requirements of this region and of the national rail transportation system;

(2) the reorganization of railroads in this region into an economically viable system capable of providing adequate and efficient rail service to the region;

(3) the establishment of the United States Railway Association, with enumerated powers and responsibilities;

(4) the establishment of the Consolidated Rail Corporation, with enumerated powers and responsibilities;

(5) assistance to States and local and regional transportation authorities for continuation of local rail services threatened with cessation; and

(6) necessary Federal financial assistance at the lowest possible cost to the general taxpayer.

DEFINITIONS

SEC. 102. As used in this Act, unless the context otherwise requires—

(1) "Association" means the United States Railway Association, established under section 201 of this Act;

(2) "Commission" means the Interstate Commerce Commission;

(3) "Corporation" means the Consolidated Rail Corporation required to be established under section 301 of this Act;

(4) "effective date of the final system plan" means the date on which the final system plan or any revised final system plan is deemed approved by Congress, in accordance with section 208 of this Act;

(5) "employee stock ownership plan" means a technique of corporate finance that uses a stock bonus trust or a company stock money purchase pension trust which qualifies under section 401 (a) of the Internal Revenue Code of 1954 (26 U.S.C. 401(a)) in connection with the financing of corporate improvements, transfers in the ownership of corporate assets, and other capital requirements of a corporation and which is designed to build beneficial equity ownership of shares in the employer corporation into its employees substantially in proportion to their relative incomes, without requiring any cash outlay, any reduction in pay or other employee benefits, or the surrender of any other rights on the part of such employees. 68A Stat. 134; 76 Stat. 809.

(6) "final system plan" means the plan of reorganization for the restructure, rehabilitation, and modernization of railroads in reorganization prepared pursuant to section 206 and approved pursuant to section 208 of this Act;

(7) "includes" and variants thereof should be read as if the phrase "but is not limited to" were also set forth;

(8) "Office" means the Rail Services Planning Office established under section 205 of this Act;

(9) "profitable railroad" means a railroad which is not a railroad in reorganization. The term does not include the Corporation, the National Railroad Passenger Corporation, or a railroad leased, operated, or controlled by a railroad in reorganization in the region;

(10) "rail properties" means assets or rights owned, leased, or otherwise controlled by a railroad which are used or useful in rail transportation service; except that the term, when used in conjunction with the phase "railroads leased, operated, or controlled by a railroad in reorganization", shall not include assets or rights owned, leased, or otherwise controlled by a Class I railroad which is not wholly owned, operated, or leased by a railroad in reorganization but is controlled by a railroad in reorganization;

(11) "railroad" means a common carrier by railroad as defined in section 1(3) of part I of the Interstate Commerce Act (49 U.S.C. 1(3)). The term includes the Corporation and the National Railroad Passenger Corporation; 41 Stat. 474; 54 Stat. 899.

(12) "railroad in reorganization" means a railroad which is subject to a bankruptcy proceeding and which has not been determined by a court to be reorganizable or not subject to reorganization pursuant to this Act as prescribed in section 207(b) of this Act. A "bankruptcy proceeding" includes a proceeding pursuant to section 77 of the Bankruptcy Act (11 U.S.C. 205) and an equity receivership or equivalent proceeding; 49 Stat. 911; 76 Stat. 572.

(13) "Region" means the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, Indiana, Michigan, and Illinois; the District of Columbia; and those portions of contiguous States in which are located rail properties owned or operated by railroads doing business primarily in the aforementioned jurisdictions (as determined by the Commission by order);

(14) "Secretary" means the Secretary of Transportation or his delegate, unless the context indicates otherwise; and

(15) "State" means any State or the District of Columbia.

TITLE II—UNITED STATES RAILWAY ASSOCIATION

FORMATION AND STRUCTURE

SEC. 201. (a) ESTABLISHMENT.—There is established, in accordance with the provisions of this section, an incorporated nonprofit association to be known as the United States Railway Association.

(b) ADMINISTRATION.—The Association shall be directed by a Board of Directors. The individuals designated, pursuant to subsection (d) (2) of this section, as the Government members of such Board shall be deemed the incorporators of the Association and shall take whatever steps are necessary to establish the Association, including filing of articles of incorporation, and serving as an acting Board of Directors for a period of not more than 45 days after the date of incorporation of the Association.

(c) STATUS.—The Association shall be a government corporation of the District of Columbia subject, to the extent not inconsistent with this title, to the District of Columbia Nonprofit Corporation Act (D.C. Code, sec. 29–1001 et seq.). Except as otherwise provided, employees of the Association shall not be deemed employees of the Federal Government. The Association shall have succession until dissolved by Act of Congress, shall maintain its principal office in the District of Columbia, and shall be deemed to be a resident of the District of Columbia with respect to venue in any legal proceeding.

76 Stat. 265.

(d) BOARD OF DIRECTORS.—The Board of Directors of the Association shall consist of 11 individuals, as follows:

(1) the Chairman, a qualified individual who shall be appointed by the President, by and with the advice and consent of the Senate;

(2) three Government members, who shall be the Secretary, the Chairman of the Commission, and the Secretary of the Treasury, or their duly authorized representatives; and

(3) seven nongovernment members, who shall be appointed by the President, by and with the advice and consent of the Senate, on the following basis—

(A) one to be selected from a list of qualified individuals recommended by the Association of American Railroads or its successor who are representatives of profitable railroads;

(B) one to be selected from a list of qualified individuals recommended by the American Federation of Labor and Congress of Industrial Organizations or its successor who are representative of railroad labor;

(C) one to be selected from a list of qualified individuals recommended by the National Governors Conference;

(D) one to be selected from a list of qualified individuals recommended by the National League of Cities and Conference of Mayors;

(E) two to be selected from lists of qualified individuals recommended by shippers and organizations representative of significant shipping interests including small shippers;

(F) one to be selected from lists of qualified individuals recommended by financial institutions, the financial community, and recognized financial leaders.

As used in this paragraph, a list of qualified individuals shall consist of not less than three individuals.

Except for the members appointed under paragraphs (1) and (3) (A), (B), (E), and (F), no member of the Board may have any employment or other direct financial relationship with any railroad.

Compensation.

A member of the Board who is not otherwise an employee of the Fed-

eral Government may receive $300 per diem when engaged in the actual performance of his duties plus reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of such duties.

(e) TERMS OF OFFICE.—The terms of office of the nongovernment members of the Board of Directors of the Association first taking office shall expire as designated by the President at the time of nomination—two at the end of the second year; two at the end of the fourth year; and three at the end of the sixth year. The term of office of the Chairman of such Board shall be 6 years. Successors to members of such Board shall be appointed in the same manner as the original members and, except in the case of government members, shall have terms of office expiring 6 years from the date of expiration of the terms for which their predecessors were appointed. Any individual appointed to fill a vacancy occurring prior to the expiration of any term of office shall be appointed for the remainder of that term.

(f) QUORUM.—Beginning 45 days after the date of incorporation of the Association, six members of the Board, including three of the nongovernment members, shall constitute a quorum for the transaction of any function of the Association.

(g) PRESIDENT.—The Board of Directors of the Association, upon the recommendation of the Secretary, shall appoint a qualified individual to serve as the President of the Association at the pleasure of the Board. The President of the Association, subject to the direction of the Board, shall manage and supervise the affairs of the Association.

(h) EXECUTIVE COMMITTEE.—The Board of Directors of the Association shall have an executive committee which shall consist of the Chairman of the Board, the Secretary, the Chairman of the Commission, and two other members who shall be selected by the members of the Board.

(i) MISCELLANEOUS.—(1) The Association shall have a seal which shall be judicially recognized. Seal.

(2) The Administrator of General Services shall furnish the Association with such offices, equipment, supplies, and services as he is authorized to furnish to any other agency or instrumentality of the United States.

(3) The Secretary is authorized to transfer to the Association or the Corporation rights in intellectual property which are directly related to the conduct of the functions of the Association or the Corporation, to the extent that the Federal Government has such rights and to the extent that transfer is necessary to carry out the purposes of this Act.

(j) USE OF NAMES.—No person, except the Association, shall hereafter use the words "United States Railway Association" as a name for any business purpose. No person, except the corporation directed to be established under section 301 of this Act, shall hereafter use the words "Consolidated Rail Corporation" as a name for any business purpose. Violations of these provisions may be enjoined by any court of general jurisdiction in an action commenced by the Association or the Corporation. In any such action, the Association or the Corporation may recover any actual damages flowing from such violation, and, in addition, shall be entitled to punitive damages (regardless of the existence or nonexistence of actual damage) in an amount not to exceed $100 for each day during which such violation was committed. The district courts of the United States shall have jurisdiction over actions brought under this subsection, without regard to the amount in controversy or the citizenship of the parties. Penalty.

GENERAL POWERS AND DUTIES OF THE ASSOCIATION

SEC. 202. (a) GENERAL.—To carry out the purposes of this Act, the Association is authorized to—

(1) engage in the preparation and implementation of the final system plan;

(2) issue obligations under section 210 of this title and make loans under section 211 of this title;

(3) provide assistance to States and local or regional transportation authorities in accordance with section 403 of this Act;

(4) sue and be sued, complain and defend, in the name of the Association and through its own attorneys; adopt, amend, and repeal bylaws governing the operation of the Association and such rules and regulations as are necessary to carry out the authority granted under this Act; conduct its affairs, carry on operations, and maintain offices;

(5) appoint, fix the compensation, and assign the duties of such attorneys, agents, consultants, and other full- and part-time employees as it deems necessary or appropriate; except that (1) no officer of the Association, including the Chairman, may receive compensation at a rate in excess of that prescribed for level I of the Executive Schedule under section 5312 of title 5, United States Code; and (2) no individual may hold a position in violation of regulations which the Secretary shall establish to avoid conflicts of interest and to protect the interests of the public;

80 Stat. 460; 83 Stat. 864.

(6) acquire and hold such real and personal property as it deems necessary or appropriate in the exercise of its responsibilities under this Act, and to dispose of any such property held by it;

(7) consult with the Secretary of the Army and the Chief of Engineers and request the assistance of the Corps of Engineers, and the Secretary of the Army may direct the Corps of Engineers to cooperate fully with the Association, the Corporation, or any entity designated in accordance with section 206(c)(1)(C) in order to carry out the purposes of this Act;

(8) consult on an ongoing basis with the Chairman of the Federal Trade Commission and the Attorney General to assess the possible anticompetitive effects of various proposals and to negotiate provisions which would, to the greatest extent practicable in accordance with the purposes of this Act and the goal set forth in section 206(a)(5) of this title, alleviate any such anticompetitive effects;

(9) consult with representatives of science, industry, agriculture, labor, environmental protection and consumer organizations, and other groups, as it deems advisable; and

(10) enter into, without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 5), such contracts, leases, cooperative agreements, or other transactions as may be necessary in the conduct of its functions and duties with any person (including a government entity).

(b) DUTIES.—In addition to its duties and responsibilities under other provisions of this Act, the Association shall—

(1) prepare a survey of existing rail services in the region, including patterns of traffic movement; traffic density over identified lines; pertinent costs and revenues of lines; and plant, equipment, and facilities (includng yards and terminals);

Study.

(2) prepare an economic and operational study and analysis of present and future rail service needs in the region; the nature and volume of the traffic in the region now being moved by rail or

likely to be moved by rail in the future; the extent to which available alternative modes of transportation could move such traffic as is now carried by railroads in reorganization; the relative economic, social, and environmental costs that would be involved in the use of such available alternative modes, including energy resource costs; and the competitive or other effects on profitable railroads;

(3) prepare a study of rail passenger services in the region, in terms of scope and quality;

(4) consider the views of the Office and of all government officials and persons who submit views, reports, or testimony under section 205(d)(1) of this title or in the course of proceedings conducted by the Office;

(5) consider methods of achieving economies in the cost of rail system operations in the region including consolidation, pooling, and joint use or operation of lines, facilities, and operating equipment; relocation; rehabilitation and modernization of equipment, track, and other facilities; and abandonment of lines consistent with meeting needs and service requirements; together with the anticipated economic, social, and environmental costs and benefits of each such method;

(6) consider the effect on railroad employees of any restructuring of rail services in the region;

(7) make available to the Secretary, the Director of the Office and appropriate committees of the Congress all studies, data, and other information acquired or developed by the Association.

(c) INVESTMENT OF FUNDS.—Uncommitted funds of the Association shall be kept in cash on hand or on deposit, or invested in obligations of the United States or guaranteed thereby, or in obligations, participations, or other investments which are lawful investments for fiduciary, trust, or public funds.

(d) EXEMPTION FROM TAXATION.—The Association, including its franchise, capital reserves, surplus, security holdings, and income shall be exempt from all taxation now or hereafter imposed by the United States, any commonwealth, territory, dependency, or possession thereof, or by any State or political subdivision thereof, except that any real property of the Association shall be subject to taxation to the same extent according to its value as other real property is taxed.

(e) ANNUAL REPORT.—The Association shall transmit to the Congress and the President, not later than 90 days after the end of each fiscal year, a comprehensive and detailed report on all activities of the Association during the preceding fiscal year. Each such report shall include (1) the Association's statement of specific and detailed objectives for the activities and programs conducted and assisted under this Act; (2) statements of the Association's conclusions as to the effectiveness of such activities and programs in meeting the stated objectives and the purposes of this Act, measured through the end of the preceding fiscal year; (3) recommendations with respect to any legislation or administrative action which the Association deems necessary or desirable; (4) a statistical compilation of the obligations issued and loans made under this Act; (5) a summary of outstanding problems confronting the Association, in order of priority; (6) all other information required to be submitted to the Congress pursuant to any other provision of this Act; and (7) the Association's projections and plans for its activities and programs during the next fiscal year.

Report to Congress and President.

(f) BUDGET.—The receipts and disbursements of the Association (other than administrative expenses referred to in subsection (g) of

this section) in the discharge of its functions shall not be included in the totals of the budget of the United States Government, and shall be exempt from any annual expenditure and net lending (budget outlays) limitations imposed on a budget of the United States Government. The Chairman of the Association shall transmit annually to the Congress a budget for program activities and for administrative expenses of the Association. The Chairman shall report annually to the Congress the amount of net lending of the Association, which would be included in the totals of the budgets of the United States Government, if the Association's activities were not excluded from those totals as a result of this section.

Budget, transmittal to Congress.

(g) ACCOUNTABILITY.—(1) Section 201 of the Government Corporation Control Act (31 U.S.C. 856) is amended by striking out "and" at the end of clause (6) and by inserting immediately before the period at the end thereof the following: ", (8) the United States Railway Association".

70 Stat. 667; 85 Stat. 37.

(2) The Chairman of the Association shall transmit annually to the Office of Management and Budget a budget for administrative expenses of the Association. Whenever the Association submits any budget estimate or request to the Office of Management and Budget, it shall concurrently transmit a copy of the estimate or request to the Congress. Within budgetary constraints of the Congress, the maximum feasible and prudent budgetary flexibility shall be provided to the Association to permit effective operations.

Budget, transmittal to Office of Management and Budget and Congress.

ACCESS TO INFORMATION

SEC. 203. (a) PLANNING.—Each railroad operating in the region shall provide such relevant information as may be requested by the Secretary, the Office, or the Association in connection with the performance of their respective functions under any provision of this Act. No information may be requested under this subsection after the effective date of the final system plan.

Recordkeeping.

(b) OTHER.—Each railroad or other person or government entity seeking financial assistance from the Association shall maintain and make available such records, make and submit such reports, and provide such data, materials, or other relevant information as may be requested by the Association.

Reports.

(c) ENFORCEMENT.—Where authorized under subsection (a) or (b) of this section and upon presenting appropriate credentials and a written notice of inspection authority, any officer or employee duly designated by the Secretary, the Office, or the Association may, at reasonable times, inspect records, papers, processes, rolling stock, systems, equipment, or facilities and may, in furtherance of their respective functions under this Act, hold such hearings, sit and act at such times and places, administer such oaths, and require by subpoena or other order the attendance and testimony of such witnesses and the production of such information as is deemed advisable. Subpoenas shall be issued under the signature of the Secretary, the Director of the Office, or the Chairman or President of the Association and may be served by any duly designated individual. In case of contumacy or refusal to obey such a subpoena or order by any person who resides, is found, or transacts business within the jurisdiction of any district court of the United States, such district court shall, upon petition, have jurisdiction to issue to such person an order requiring him to comply forthwith. Failure to obey such an order is punishable by such court as a contempt of court.

(d) CONGRESS.—Nothing in this section shall authorize the withholding of information from any duly authorized committee of the Congress.

REPORT

SEC. 204. (a) PREPARATION.—Within 30 days after the date of enactment of this Act, the Secretary shall prepare a comprehensive report containing his conclusions and recommendations with respect to the geographic zones within the region in and between which rail service should be provided and the criteria upon which such conclusions and recommendations are based. The Secretary may use as a basis for the identification of such geographic zones the standard metropolitan statistical areas, groups of such areas, counties, or groups of counties having similar economic characteristics such as mining, manufacturing, or farming.

(b) SUBMISSION.—The Secretary shall submit the report required by subsection (a) of this section to the Office, the Association, the Governor and public utilities commission of each State studied in the report, local governments, consumer organizations, environmental groups, the public, and the Congress. The Secretary shall further cause a copy of the report to be published in the Federal Register.

Publication in Federal Register.

RAIL SERVICES PLANNING OFFICE

SEC. 205. (a) ESTABLISHMENT.—There is established, on the date of enactment of this Act, a new Office in the Commission to be known as the Rail Services Planning Office. The Office shall function continuously pursuant to the provisions of this Act, and shall cease to exist 5 years after the date of enactment of this Act. The Office shall be administered by a director.

Termination date.

(b) DIRECTOR.—The Director of the Office shall be appointed by the Chairman of the Commission with the concurrence of 5 members of the Commission. The Director of the Office shall administer and be responsible for the discharge of the functions and duties of the Office from the date he takes office unless removed for cause by the Commission. He shall be compensated at a rate to be set by the Chairman of the Commission without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, classification, and General Schedule pay rates, but at a rate not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of such title.

80 Stat. 378.
5 USC 101 *et seq.*
5 USC 5332 note.

(c) POWERS.—The Director of the Office is subject to the direction of, and shall report to, such member of the Commission as the Chairman thereof shall designate. The Chairman may designate himself as that member. Such Director is authorized, with the concurrence of such member or (in case of disagreement) the Chairman of the Commission, to—

(1) appoint, fix the compensation, and assign the duties of employees of the Office without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and to procure temporary and intermittent services to the same extent as is authorized under section 3109 of title 5, United States Code, but at rates not to exceed $250 a day for qualified experts. Each department, agency, and instrumentality of the executive branch of the Federal Government and each independent regulatory agency of the United States is authorized and shall give careful consideration to a request to furnish to the Director of the Office, upon written request, on a reimbursable basis or otherwise, such assistance as the Director deems necessary to carry out the functions and duties of the Office. Such assistance includes transfer of personnel with their consent and without prejudice to their position and rating; and

80 Stat. 416.

Contract authority.

(2) enter into, without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 5), such contracts, leases, cooperative agreements, or other transactions as may be necessary in the conduct of the functions and duties of the Office, with any person (including a government entity).

(d) DUTIES.—In addition to its duties, and responsibilities under other provisions of this Act, the Office shall—

(1) study and evaluate the Secretary's report on rail services in the region required under section 204(a) of this Act and submit its report thereon to the Association within 120 days after the date of enactment of this Act. The Office shall also solicit, study, and evaluate the views with respect to present and future rail service needs of the region from Governors of States within the region; mayors and chief executives of political subdivisions within such States; shippers; the Secretary of Defense; manufacturers, wholesalers, and retailers within the region; consumers of goods and products shipped by rail; and all other interested persons. The Office shall conduct public hearings to solicit comments on such report and to receive such views;

Public hearings.

(2) employ and utilize the services of attorneys and such other personnel as may be required in order properly to protect the interests of those communities and users of rail service which, for whatever reason, such as their size or location, might not otherwise be adequately represented in the course of the hearings and evaluations which the Office is required to conduct and perform under other provisions of this Act;

Standards, publication.

(3) within 180 days after the date of enactment of this Act, determine and publish standards for determining the "revenue attributable to the rail properties", the "avoidable costs of providing service", and "a reasonable return on the value", as those phrases are used in section 304 of this Act, after a proceeding in accordance with the provisions of section 553 of title 5, United States Code; and

80 Stat. 383.

(4) assist States and local and regional transportation agencies in making determinations whether to provide rail service continuation subsidies to maintain in operation particular rail properties by establishing criteria for determining whether particular rail properties are suitable for rail service continuation subsidies. Such criteria should include the following considerations: Rail properties are suitable if the cost of the required subsidy for such properties per year to the taxpayers is less than the cost of termination of rail service over such properties measured by increased fuel consumption and operational costs for alternative modes of transportation; the cost to the gross national product in terms of reduced output of goods and services; the cost of relocating or assisting through unemployment, retraining, and welfare benefits to individuals and firms adversely affected thereby; and the cost to the environment measured by damage caused by increased pollution.

FINAL SYSTEM PLAN

SEC. 206. (a) GOALS.—The final system plan shall be formulated in such a way as to effectuate the following goals:

(1) the creation, through a process of reorganization, of a financially self-sustaining rail service system in the region;

(2) the estalishment and maintenance of a rail service system adequate to meet the rail transportation needs and service requirements of the region;

(3) the establishment of improved high-speed rail passenger service, consonant with the recommendations of the Secretary in his report of September 1971, entitled "Recommendations for Northeast Corridor Transportation";

(4) the preservation, to the extent consistent with other goals, of existing patterns of service by railroads (including short-line and terminal railroads), and of existing railroad trackage in areas in which fossil fuel natural resources are located, and the utilization of those modes of transportation in the region which require the smallest amount of scarce energy resources and which can most efficiently transport energy resources;

(5) the retention and promotion of competition in the provision of rail and other transportation services in the region;

(6) the attainment and maintenance of any environmental standards, particularly the applicable national ambient air quality standards and plans established under the Clean Air Act Amendments of 1970, taking into consideration the environmental impact of alternative choices of action; 84 Stat. 1676. 42 USC 1857b note.

(7) the movement of passengers and freight in rail transportation in the region in the most efficient manner consistent with safe operation, including the requirements of commuter and intercity rail passenger service; the extent to which there should be coordination with the National Railroad Passenger Corporation and similar entities; and the identification of all short-to-medium distance corridors in densely populated areas in which the major upgrading of rail lines for high-speed passenger operation would return substantial public benefits; and

(8) the minimization of job losses and associated increases in unemployment and community benefit costs in areas in the region presently served by rail service.

(b) FACTORS.—The final system plan shall be based upon due consideration of all factors relevant to the realization of the goals set forth in subsection (a) of this section. Such factors include the need for and the cost of rehabilitation and modernization of track, equipment, and other facilities; methods of achieving economies in the cost of rail operations in the region; means of achieving rationalization of rail services and the rail service system in the region; marketing studies; the impact on railroad employees; consumer needs; traffic analyses; financial studies; and any other factors identified by the Association under section 202(b) of this title or in the report of the Secretary required under section 204(a) of this title.

(c) DESIGNATIONS.—The final system plan shall designate—

(1) which rail properties of railroads in reorganization in the region or of railroads leased, operated, or controlled by any railroad in reorganization in the region—

(A) shall be transferred to the Corporation;

(B) shall be offered for sale to a profitable railroad operating in the region and, if such offer is accepted, operated by such railroad; the plan shall designate what additions shall be made to the designation under subparagraph (A) of this paragraph in the event such profitable railroad fails to accept such offer;

(C) shall be purchased, leased, or otherwise acquired from the Corporation by the National Railroad Passenger Corporation in accordance with the exercise of its option under section 601(d) of this Act for improvement to achieve the goal set forth in subsection (a)(3) of this section; *Post*, p. 1021.

(D) may be purchased or leased from the Corporation by a State or a local or regional transportation authority to meet the needs of commuter and intercity rail passenger service; and

(E) if not otherwise required to be operated by the Corporation, a government entity, or a responsible person, are suitable for use for other public purposes, including highways, other forms of transportation, conservation, energy transmission, education or health care facilities, or recreation. In carrying out this subparagraph, the Association shall solicit the views and recommendations of the Secretary, the Secretary of the Interior, the Administrator of the Environmental Protection Agency, and other agencies of the Federal Government and of the States and political subdivisions thereof within the region, and the general public; and

(2) which rail properties of profitable railroads operating in the region may be offered for sale to the Corporation or to other profitable railroads operating in the region subject to paragraphs (3) and (4) of subsection (d) of this section.

(d) TRANSFERS.—All transfers or conveyances pursuant to the final system plan shall be made in accordance with, and subject to, the following principles:

(1) All rail properties to be transferred to the Corporation by a profitable railroad, by trustees of a railroad in reorganization, or by any railroad leased, operated, or controlled by a railroad in reorganization in the region, shall be transferred in exchange for stock and other securities of the Corporation (including obligations of the Association) and the other benefits accruing to such railroad by reason of such transfer.

(2) All rail properties to be conveyed to a profitable railroad operating in the region by trustees of a railroad in reorganization, or by any railroad leased, operated, or controlled by a railroad in reorganization in the region, shall be conveyed in exchange for compensation from the profitable railroad.

(3) Notwithstanding any other provision of this Act, no acquisition under this Act shall be made by any profitable railroad operating in the region without a determination with respect to each such transaction and all such transactions cumulatively (A) by the Association, upon adoption and release of the preliminary system plan, that such acquisition or acquisitions will not materially impair the profitability of any other profitable railroad operating in the region or of the Corporation, and (B) by the Commission, which shall be made within 90 days after adoption and release by the Association of the preliminary system plan, that such acquisition or acquisitions will be in full accord and comply with the provisions and standards of section 5 of part I of the Interstate Commerce Act (49 U.S.C. 5). The determination by the Association shall not be reviewable in any court. The determination by the Commission shall not be reviewable in any court.

24 Stat. 380; 79 Stat. 284.

(4) Where the final system plan designates specified rail properties of a railroad in reorganization in the region, or of a railroad leased, operated, or controlled by a railroad in reorganization in the region, to be offered for sale to and operated by a profitable railroad operating in the region, such designation shall terminate 30 days after the effective date of the final system plan unless, prior to such date, such profitable railroad has notified the Association in writing of its acceptance of such offer. Where the final

system plan designates specified rail properties of a profitable railroad operating in the region as authorized to be offered for sale or lease to the Corporation or to other profitable railroads operating in the region, such designation and authorization shall terminate 60 days after the effective date of the final system plan unless, prior to such date, a binding agreement with respect to such properties has been entered into and concluded.

(5) All properties sold by the Corporation pursuant to sections 206(c)(1)(C) and 601(d) of this Act shall be transferred at a value related to the value received for the transfer to the Corporation of such properties. *Post*, p. 1021.

(e) CORPORATION FEATURES.—The final system plan shall set forth—

(1) pro forma earnings for the Corporation, as reasonably projected and considering the additions or changes in the designation of rail properties to be operated by the Corporation which may be made under subsection (d)(4) of this section;

(2) the capital structure of the Corporation, based on the pro forma earnings of the Corporation as set forth, including such debt capitalization as shall be reasonably deemed to conform to the requirements of the public interest with respect to railroad debt securities, including the adequacy of coverage of fixed charges; and

(3) the manner in which employee stock ownership plans may, to the extent practicable, be utilized for meeting the capitalization requirements of the Corporation, taking into account (A) the relative cost savings compared to conventional methods of corporate finance; (B) the labor cost savings; (C) the potential for minimizing strikes and producing more harmonious relations between labor organizations and railway management; (D) the projected employee dividend incomes; (E) the impact on quality of service and prices to railway users; and (F) the promotion of the objectives of this Act of creating a financially self-sustaining railway system in the region which also meets the service needs of the region and the Nation.

(f) VALUE.—The final system plan shall designate the value of all rail properties to be transferred under the final system plan and the value of the securities and other benefits to be received for transferring those rail properties to the Corporation in accordance with the final system plan.

(g) OTHER PROVISIONS.—The final system plan may recommend arrangements among various railroads for joint use or operation of rail properties on a shared ownership, cooperative, pooled, or condominium-type basis, subject to such terms and conditions as may be specified in the final system plan. The final system plan shall also make such designations as are determined to be necessary in accordance with the provisions of section 402 or 403 of this Act.

(h) OBLIGATIONAL AUTHORITY.—The final system plan shall recommend the amount of obligations of the Association which are necessary to enable it to implement the final system plan.

(i) TERMS AND CONDITIONS FOR SECURITIES.—The final system plan may include terms and conditions for any securities to be issued by the Corporation in exchange for the conveyance of rail properties under the final system plan which in the judgement of the Association will minimize any actual or potential debt burden on the Corporation. Any such terms and conditions for securities of the Corporation which purport to directly obligate the Association shall not become effective without affirmative approval, with or without modification by a joint resolution of the Congress. Congressional approval.

ADOPTION OF FINAL SYSTEM PLAN

SEC. 207. (a) PRELIMINARY SYSTEM PLAN.—(1) Within 300 days after the date of enactment of this Act, the Association shall adopt and release a preliminary system plan prepared by it on the basis of reports and other information submitted to it by the Secretary, the Office, and interested persons in accordance with this Act and on the basis of its own investigations, consultations, research, evaluation, and analysis pursuant to this Act. Copies of the preliminary system plan shall be transmitted by the Association to the Secretary, the Office, the Governor and public utility commission of each State in the region, the Congress, each court having jurisdiction over a railroad in reorganization in the region, the special court, and interested persons, and a copy shall be published in the Federal Register. The Association shall invite and afford interested persons an opportunity to submit comments on the preliminary system plan to the Association within 60 days after the date of its release.

Copies, transmittal to Congress.

Publication in Federal Register.

Public hearings.

(2) The Office is authorized and directed to hold public hearings on the preliminary system plan and to make available to the Association a summary and analysis of the evidence received in the course of such proceedings, together with its critique and evaluation of the preliminary system plan, not later than 60 days after the date of release of such plan.

(b) APPROVAL.—Within 120 days after the date of enactment of this Act each United States district court or other court having jurisdiction over a railroad in reorganization shall decide whether the railroad is reorganizable on an income basis within a reasonable time under section 77 of the Bankruptcy Act (11 U.S.C. 205) and that the public interest would be better served by continuing the present reorganization proceedings than by a reorganization under this Act. Within 60 days after the submission of the report by the Office, under section 205(d)(1) of this title, on the Secretary's report on rail services in the region, each United States district court or other court having jurisdiction over a railroad in reorganization shall decide whether or not such railroad shall be reorganized by means of transferring some of its rail properties to the Corporation pursuant to the provisions of this Act. Because of the strong public interest in the continuance of rail transportation in the region pursuant to a system plan devised under the provisions of this Act, each such court shall order that the reorganization be proceeded with pursuant to this Act unless it (1) has found that the railroad is reorganizable on an income basis within a reasonable time under section 77 of the Bankruptcy Act (11 U.S.C. 205) and that the public interest would be better served by such a reorganization than by a reorganization under this Act, or (2) finds that this Act does not provide a process which would be fair and equitable to the estate of the railroad in reorganization in which case it shall dismiss the reorganization proceeding. If a court does not enter an order or make a finding as required by this subsection, the reorganization shall be proceeded with pursuant to this Act. An appeal from an order made under this section may be made only to the special court. Appeal to the special court shall be taken within 10 days following entry of an order pursuant to this subsection, and the special court shall complete its review and render its decision within 80 days after such appeal is taken. There shall be no review of the decision of the special court.

49 Stat. 911; 76 Stat. 572.

(c) ADOPTION.—Within 420 days after the date of enactment of this Act, the executive committee of the Association shall prepare and submit a final system plan for the approval of the Board of Directors of the Association. A copy of such submission shall be simultaneously

presented to the Commission. The submission shall reflect evaluation of all responses and summaries of responses received, testimony at any public hearings, and the results of additional study and review. Within 30 days thereafter, the Board of Directors of the Association shall by a majority vote of all its members approve a final system plan which meets all of the requirements of section 206 of this title.

(d) REVIEW OF COMMISSION.—Within 30 days following the adoption of the final system plan by the Association under subsection (c) of this section and the submission of such plan to Congress under section 208(a) of this title, the Commission shall submit to the Congress an evaluation of the final system plan delivered to both Houses of Congress.

Plan evaluation, submittal to Congress.

REVIEW BY CONGRESS

SEC. 208. (a) GENERAL.—The Board of Directors of the Association shall deliver the final system plan adopted by the Association to both Houses of Congress and to the Committee on Interstate and Foreign Commerce of the House of Representatives and the Committee on Commerce of the Senate. The final system plan shall be deemed approved at the end of the first period of 60 calendar days of continuous session of Congress after such date of transmittal unless either the House of Representatives or the Senate passes a resolution during such period stating that it does not favor the final system plan.

(b) REVISED PLAN.—If either the House or the Senate passes a resolution of disapproval under subsection (a) of this section, the Association, with the cooperation and assistance of the Secretary and the Office, shall prepare, determine, and adopt a revised final system plan. Each such revised plan shall be submitted to Congress for review pursuant to subsection (a) of this section.

(c) COMPUTATION.—For purposes of this section—

(1) continuity of session of Congress is broken only by an adjournment sine die; and

(2) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of the 60-day period.

JUDICIAL REVIEW

SEC. 209. (a) GENERAL.—Notwithstanding any other provision of law, the final system plan which is adopted by the Association and which becomes effective after review by the Congress is not subject to review by any court except in accordance with this section. After the final system plan becomes effective under section 208 of this title, it may be reviewed with respect to matters concerning the value of the rail properties to be conveyed under the plan and the value of the consideration to be received for such properties.

(b) SPECIAL COURT.—Within 30 days after the date of enactment of this Act, the Association shall make application to the judicial panel on multi-district litigation authorized by section 1407 of title 28, United States Code, for the consolidation in a single, three-judge district court of the United States of all judicial proceedings with respect to the final system plan. Within 30 days after such application is received, the panel shall make the consolidation in a district court (cited herein as the "special court") which the panel determines to be convenient to the parties and the one most likely to be able to conduct any proceedings under this section with the least delay and the greatest possible fairness and ability. Such proceedings shall be conducted by the special court which shall be composed of three Federal judges who shall be selected by the panel, except that none of the judges selected

82 Stat. 109.

may be a judge assigned to a proceeding involving any railroad in reorganization in the region under section 77 of the Bankruptcy Act (11 U.S.C. 205). The special court is authorized to exercise the powers of a district judge in any judicial district with respect to such proceedings and such powers shall include those of a reorganization court. The special court shall have the power to order the conveyance of rail properties of railroads leased, operated, or controlled by a railroad in reorganization in the region. The panel may issue rules for the conduct of its functions under this subsection. No determination by the panel under this subsection may be reviewed in any court.

49 Stat. 911; 76 Stat. 572.

Rules.

(c) DELIVERY OF PLAN TO SPECIAL COURT.—Within 90 days after its effective date, the Association shall deliver a certified copy of the final system plan to the special court and shall certify to the special court—

(1) which rail properties of the respective railroads in reorganization in the region and of any railroad leased, operated, or controlled by such railroads in reorganization are to be transferred to the Corporation, in accordance with the final system plan;

(2) which rail properties of the respective railroads in reorganization in the region or railroads leased, operated, or controlled by such railroads in reorganization are to be conveyed to profitable railroads, in accordance with the final system plan;

(3) the amount, terms, and value of the securities of the Corporation (including any obligations of the Association) to be exchanged for those rail properties to be transferred to the Corporation pursuant to the final system plan, and as indicated in paragraph (1) of this subsection; and

(4) that the transfer of rail properties in exchange for securities of the Corporation (including any obligations of the Association) and other benefits is fair and equitable and in the public interest.

(d) BANKRUPTCY COURTS.—Within 90 days after its effective date, the Association shall deliver a certified copy of the final system plan to each district court of the United States or any other court having jurisdiction over a railroad in reorganization in the region and shall certify to each such court—

(1) which rail properties of that railroad in reorganization are to be transferred to the Corporation under the final system plan; and

(2) which rail properties of that railroad in reorganization, if any, are to be conveyed to profitable railroads operating in the region, under the final system plan.

OBLIGATIONS OF THE ASSOCIATION

SEC. 210. (a) GENERAL.—To carry out the purposes of this Act, the Association is authorized to issue bonds, debentures, trust certificates, securities, or other obligations (herein cited as "obligations") in accordance with this section. Such obligations shall have such maturities and bear such rate or rates of interest as are determined by the Association with the approval of the Secretary of the Treasury. Such obligations shall be redeemable at the option of the Association prior to maturity in the manner stipulated in each such obligation, and may be purchased by the Association in the open market at a price which is reasonable.

(b) MAXIMUM OBLIGATIONAL AUTHORITY.—Except as otherwise provided in the last sentence of this subsection, the aggregate amount of obligations of the Association issued under this section which may be outstanding at any one time shall not exceed $1,500,000,000 of which the aggregate amount issued to the Corporation shall not exceed

$1,000,000,000. Of the aggregate amount of obligations issued to the Corporation by the Association, not less than $500,000,000 shall be available solely for the rehabilitation and modernization of rail properties acquired by the Corporation under this Act and not disposed of by the Corporation pursuant to section 206(c)(1)(C) of this Act. Any modification to the limitations set forth in this subsection shall be made by joint resolution adopted by the Congress.

(c) GUARANTEES.—The Secretary shall guarantee the payment of principal and interest on all obligations issued by the Association in accordance with this Act and which the Association requests be guaranteed.

(d) VALIDITY.—No obligation issued by the Association under this section shall be terminated, canceled, or otherwise revoked, except in accordance with lawful terms and conditions prescribed by the Association. Such an obligation shall be conclusive evidence that it is in compliance with this section, has been approved, and is legal as to principal, interest, and other terms. An obligation of the Association shall be valid and incontestable in the hands of a holder, except as to fraud, duress, mutual mistake of fact, or material misrepresentation by or involving such holder.

(e) THE SECRETARY OF THE TREASURY.—If at any time the moneys available to the Secretary are insufficient to enable him to discharge his responsibilities under subsection (c) of this section, he shall issue notes or other obligations to the Secretary of the Treasury in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Secretary of the Treasury. Such obligations shall bear interest at a rate to be determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of such obligations. The Secretary of the Treasury is authorized and directed to purchase any such obligations and for such purpose is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended. The purposes for which securities may be issued under such Act are extended to include any purchase of notes or other obligations issued under this subsection. At any time, the Secretary of the Treasury may sell any such obligations, and all sales, purchases, and redemptions of such obligations by the Secretary of the Treasury shall be treated as public debt transactions of the United States.

40 Stat. 288.
31 USC 774.

(f) AUTHORIZATION FOR APPROPRIATIONS.—There are hereby authorized to be appropriated to the Secretary such amounts as are necessary to discharge the obligations of the United States arising under this section.

(g) LAWFUL INVESTMENTS.—All obligations issued by the Association shall be lawful investments and may be accepted as security for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority and control of the United States or any officer or officers thereof. All such obligations issued pursuant to this section shall be exempt securities within the meaning of laws administered by the Securities and Exchange Commission.

LOANS

SEC. 211. (a) GENERAL.—The Association is authorized, in accordance with the provisions of this section and such rules and regulations as it shall prescribe, to make loans to the Corporation, the National Railroad Passenger Corporation, and other railroads (including a

49 Stat. 911; 76 Stat. 572. 11 USC 205.

railroad in reorganization which has been found to be reorganizable under section 77 of the Bankruptcy Act pursuant to section 207(b) of this title) in the region, for purposes of assisting in the implementation of the final system plan; to a State or local or regional transportation authority pursuant to section 403 of this Act; and to provide assistance in the form of loans to any railroad which (A) connects with a railroad in reorganization, and (B) is in need of financial assistance to avoid reorganization proceedings under section 77 of the Bankruptcy Act (11 U.S.C. 205). No such loan shall be made by the Association to a railroad unless such loans shall, where applicable, be treated as an expense of administration. The rights referred to in the last sentence of section 77(j) of the Bankruptcy Act (11 U.S.C. 205(j)) shall in no way be affected by this Act.

(b) APPLICATIONS.—Each application for such a loan shall be made in writing to the Association in such form and with such content and other submissions as the Association shall prescribe to protect reasonably the interests of the United States. The Association shall publish a notice of the receipt of each such application in the Federal Register and shall afford interested persons an opportunity to comment thereon.

Publication in Federal Register.

(c) TERMS AND CONDITIONS.—Each loan shall be extended in such form, under such terms and conditions, and pursuant to such regulations as the Association deems appropriate. Such loan shall bear interest at a rate not less than the greater of a rate determined by the Secretary of the Treasury taking into consideration (1) the rate prevailing in the private market for similar loans as determined by the Secretary of the Treasury, or (2) the current average yield on outstanding marketable obligations of the Association with remaining periods of maturity comparable to the average maturities of such loans, plus such additional charge, if any, toward covering costs of the Association as the Association may determine to be consistent with the purposes of this Act.

Interest rate.

(d) MODIFICATIONS.—The Association is authorized to approve any modification of any provision of a loan under this section, including the rate of interest, time of payment of interest or principal, security, or any other term or condition, upon agreement of the recipient of the loan and upon a finding by the Association that such modification is equitable and necessary or appropriate to achieve the policy declared in subsection (f) of this section.

(e) PREREQUISITES.—The Association shall make a finding in writing, before making a loan to any applicant under this section, that—

(1) the loan is necessary to carry out the final system plan or to prevent insolvency;

(2) it is satisfied that the business affairs of the applicant will be conducted in a reasonable and prudent manner; and

(3) the applicant has offered such security as the Association deems necessary to protect reasonably the interests of the United States.

(f) POLICY.—It is the intent of Congress that loans made under this section shall be made on terms and conditions which furnish reasonable assurance that the Corporation or the railroads to which such loans are granted will be able to repay them within the time fixed and that the goals of the final system plan are reasonably likely to be achieved.

RECORDS, AUDIT, AND EXAMINATION

SEC. 212. (a) RECORDS.—Each recipient of financial assistance under this title, whether in the form of loans, obligations, or other arrangements, shall keep such records as the Association or the Secretary shall prescribe, including records which fully disclose the amount and dis-

position by such recipient of the proceeds of such assistance and such other records as will facilitate an effective audit.

(b) AUDIT AND EXAMINATION.—The Association, the Secretary, and the Comptroller General of the United States, or any of their duly authorized representatives shall, until the expiration of 3 years after the implementation of the final system plan, have access for the purpose of audit and examination to any books, documents, papers, and records of such recipients which in the opinion of the Association, the Secretary, or the Comptroller General may be related or pertinent to the loans, obligations or other arrangements referred to in subsection (a) of this section. The Association or any of its duly authorized representatives shall, until any financial assistance received under this title has been repaid to the Association, have access to any such materials which concern any matter that may bear upon—

(1) the ability of the recipient of such financial assistance to make repayment within the time fixed therefor;

(2) the effectiveness with which the proceeds of such assistance is used; and

(3) the implementation of the final system plan and the realization of the declaration of policy of this Act.

EMERGENCY ASSISTANCE PENDING IMPLEMENTATION

SEC. 213. (a) EMERGENCY ASSISTANCE.—The Secretary is authorized, pending the implementation of the final system plan, to pay to the trustees of railroads in reorganization such sums as are necessary for the continued provision of essential transportation services by such railroads. Such payments shall be made by the Secretary upon such reasonable terms and conditions as the Secretary establishes, except that recipients must agree to maintain and provide service at a level no less than that in effect on the date of enactment of this Act.

(b) AUTHORIZATION FOR APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for carrying out this section such sums as are necessary, not to exceed $85,000,000, to remain available until expended.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 214. (a) SECRETARY.—There are authorized to be appropriated to the Secretary for purposes of preparing the reports and exercising other functions to be performed by him under this Act such sums as are necessary, not to exceed $12,500,000, to remain available until expended.

(b) OFFICE.—There are authorized to be appropriated to the Commission for the use of the Office in carrying out its functions under this Act such sums as are necessary, not to exceed $5,000,000, to remain available until expended. The budget for the Office shall be submitted by the Commission directly to the Congress and shall not be subject to review of any kind by any other agency or official of the United States. Moneys appropriated for the Office shall not be withheld by any agency or official of the United States or used by the Commission for any purpose other than the use of the Office. No part of any other moneys appropriated to the Commission shall be withheld by any other agency or official of the United States to offset any moneys appropriated pursuant to this subsection.

Budget submittal to Congress.

(c) ASSOCIATION.—There are authorized to be appropriated to the Association for purposes of carrying out its administrative expenses under this Act such sums as are necessary, not to exceed $26,000,000, to remain available until expended.

MAINTENANCE AND IMPROVEMENT OF PLANT

SEC. 215. Prior to the date upon which rail properties are conveyed to the Corporation under this Act, the Secretary, with the approval of the Association, is authorized to enter into agreements with railroads in reorganization in the region (or railroads leased, operated, or controlled by railroads in reorganization) for the acquisition, maintenance, or improvement of railroad facilities and equipment necessary to improve property that will be in the final system plan. Agreements entered into pursuant to this section shall specifically identify the type and quality of improvements to be made pursuant to such agreements. Notwithstanding section 210(b) of this title, the Association shall issue obligations under section 210(a) of this title in an amount sufficient to finance such agreements and shall require the Corporation to assume any such obligations. However, the Association may not issue obligations under this section in an aggregate amount in excess of $150,000,000. The Secretary may not enter into any agreements under this section until he issues regulations setting forth procedures and guidelines for the administration of this section. The Corporation shall not be required under title III of this Act to compensate any railroad in reorganization for that portion of the value of rail properties transferred to it under this Act which is attributable to the acquisition, maintenance, or improvement of such properties under this section.

TITLE III—CONSOLIDATED RAIL CORPORATION

FORMATION AND STRUCTURE

SEC. 301. (a) ESTABLISHMENT.—There shall be established within 300 days after the date of enactment of this Act, in accordance with the provisions of this section, a corporation to be known as the Consolidated Rail Corporation.

(b) STATUS.—The Corporation shall be a for-profit corporation established under the laws of a State and shall not be an agency or instrumentality of the Federal Government. The Corporation shall be deemed a common carrier by railroad under section 1(3) of the Interstate Commerce Act (49 U.S.C. 1(3)), shall be subject to the provisions of this Act and, to the extent not inconsistent with such Acts, shall be subject to applicable State law. The principal office of the Corporation shall be located in Philadelphia in the Commonwealth of Pennsylvania.

41 Stat. 424; 54 Stat. 899.

(c) INCORPORATORS.—The members of the executive committee of the Association shall be the incorporators of the Corporation and shall take whatever steps are necessary to establish the Corporation, including the filing of articles of incorporation. The incorporators shall also serve as the Board of Directors of the Corporation until the stock and other securities of the Corporation are distributed to the estates of the railroads in accordance with section 303(c) of this title and shall adopt the intial bylaws of the Corporation.

(d) BOARD OF DIRECTORS.—The Board of Directors of the Corporation shall consist of 15 individuals selected in accordance with the articles and bylaws of the Corporation: *Provided*, That so long as 50 per centum or more, as determined by the Secretary of the Treasury, of the outstanding indebtedness of the Corporation consists of obligations of the Association or other debts owing to or guaranteed by the United States, three of the members of such board shall be the Secretary, the Chairman and the President of the Association and five of the members of such board shall be individuals appointed as such by the President, by and with the advice and consent of the Senate.

(e) INITIAL CAPITALIZATION.—In order to carry out the final system plan the Corporation is authorized to issue stock and other securities. Common stock shall be issued initially to the estates of railroads in reorganization in the region in exchange for rail properties conveyed to the Corporation pursuant to the final system plan. Nothing in this subsection shall preclude the Corporation from repurchasing the common stock initially issued through payments out of profits in order to establish an employee stock ownership plan; and nothing in this subsection shall preclude the recipients of common stock initially issued from establishing an employee stock ownership plan.

(f) AUDIT AND EXPENDITURES.—So long as 50 per centum or more, as determined by the Secretary of the Treasury, of the outstanding indebtedness of the Corporation consists of obligations of the Association or other debts owing to or guaranteed by the United States, the Corporation shall be subject to the provisions of the Government Corporation Control Act for the purposes of a Federal Government audit. Section 201 of the Government Corporation Control Act (31 U.S.C. 856) is amended by inserting at the end thereof the following: ", and (9) the Consolidated Rail Corporation to the extent provided in the Regional Rail Reorganization Act of 1973.".

59 Stat. 597.
31 USC 841 note.
Ante, p. 992.

(g) ANNUAL REPORT.—The Corporation shall transmit to the Congress and the President, not later than 90 days after the end of each fiscal year, a comprehensive and detailed report on all activities and accomplishments of the Corporation during the preceding fiscal year.

Report to Congress and President.

POWERS AND DUTIES OF THE CORPORATION

SEC. 302. The Corporation shall have all of the powers and is subject to all of the duties vested in it under this Act, in addition to the powers conferred upon it under the laws of the State or States in which it is incorporated and the powers of a railroad in any State in which it operates. The Corporation is authorized and directed to—

(a) acquire rail properties designated in the final system plan to be transferred or conveyed to it;

(b) operate rail service over such rail properties except as provided under sections 304(e) and 601(d)(3) of this Act;

(c) rehabilitate, improve, and modernize such rail properties; and

(d) maintain adequate and efficient rail services.

So long as 50 per centum or more, as determined by the Secretary of the Treasury, of the outstanding indebtedness of the Corporation consists of obligations of the Association or other debts owing to or guaranteed by the United States, the Corporation shall not engage in activities which are not related to transportation.

VALUATION AND CONVEYANCE OF RAIL PROPERTIES

SEC. 303. (a) DEPOSIT WITH COURT.—Within 10 days after delivery of a certified copy of a final system plan pursuant to section 209(c) of this Act—

(1) the Corporation, in exchange for the rail properties of the railroads in reorganization in the region and of railroads leased, operated, or controlled by railroads in reorganization in the region to be transferred to the Corporation, shall deposit with the special court all of the stock and other securities of the Corporation and obligations of the Association designated in the final system plan to be exchanged for such rail properties;

(2) each profitable railroad operating in the region purchasing rail properties from a railroad in reorganization in the region, or from a railroad leased, operated, or controlled by a railroad in

reorganization in the region, as provided in the final system plan shall deposit with the special court the compensation to be paid for such rail properties.

(b) CONVEYANCE OF RAIL PROPERTIES.—(1) The special court shall, within 10 days after deposit under subsection (a) of this section of the securities of the Corporation, obligations of the Association, and compensation from the profitable railroads operating in the region, order the trustee or trustees of each railroad in reorganization in the region to convey forthwith to the Corporation and the respective profitable railroads operating in the region, all right, title, and interest in the rail properties of such railroad in reorganization and shall itself order the conveyance of all right, title, and interest in the rail properties of any railroad leased, operated, or controlled by such railroad in reorganization that are to be conveyed to them under the final system plan as certified to such court under section 209(d) of this Act.

(2) All rail properties conveyed to the Corporation and the respective profitable railroads operating in the region under this section shall be conveyed free and clear of any liens or encumbrances, but subject to such leases and agreements as shall have previously burdened such properties or bound the owner or operator thereof in pursuance of an arrangement with any State, or local or regional transportation authority under which financial support from such State, or local or regional transportation authority was being provided at the time of enactment of this Act for the continuance of rail passenger service or any lien or encumbrance of no greater than 5 years' duration which is necessary for the contractual performance by any person of duties related to public health or sanitation. Such conveyances shall not be restrained or enjoined by any court.

(3) Notwithstanding anything to the contrary contained in this Act, if railroad rolling stock is included in the rail properties to be conveyed, such conveyance may only be effected if the profitable railroad operating in the region or the Corporation to whom the conveyance is made assumes all of the obligations under any conditional sale agreement, equipment trust agreement, or lease in respect to such rolling stock and such conveyance is made subject thereto; and the provisions of this Act shall not affect the title and interests of any lessor, equipment trust trustee, or conditional sale vendee or assignee under such conditional sale agreement, equipment trust agreement or lease under section 77(j) of the Bankruptcy Act (11 U.S.C. 205(j)).

49 Stat. 911.

(4) Notwithstanding anything to the contrary contained in this Act, if a railroad in reorganization has leased rail properties from a lessor that is neither a railroad nor controlled by or affiliated with a railroad, and such lease has been approved by the lessee railroad's reorganization court prior to the date of enactment of this Act, conveyance of such lease may only be effected if the Corporation or the profitable railroad to whom the conveyance is made assumes all of the terms and conditions specified in the lease, including the obligation to pay the specified rent to the non-railroad lessor.

(c) FINDINGS AND DISTRIBUTION.—(1) After the rail properties have been conveyed to the Corporation and profitable railroads operating in the region under subsection (b) of this section, the special court, giving due consideration to the findings contained in the final system plan, shall decide—

(A) whether the transfers or conveyances—

(i) of rail properties of each railroad in reorganization, or of each railroad leased, operated, or controlled by a railroad in reorganization, to the Corporation in exchange for the securities and the other benefits accruing to such rail-

road as a result of such exchange, as provided in the final system plan and this Act, and

(ii) of rail properties of each railroad in reorganization, or of each railroad leased, operated, or controlled by a railroad in reorganization, to a profitable railroad operating in the region, in accordance with the final system plan,

are in the public interest and are fair and equitable to the estate of each railroad in reorganization in accordance with the standard of fairness and equity applicable to the approval of a plan of reorganization or a step in such a plan under section 77 of the Bankruptcy Act (11 U.S.C. 205), or fair and equitable to a railroad that is not itself in reorganization but which is leased, operated, or controlled by a railroad in reorganization; and 49 Stat. 911; 76 Stat. 572.

(B) whether the transfers or conveyances are more fair and equitable than is required as a constitutional minimum.

(2) If the special court finds that the terms of one or more exchanges for securities and other benefits are not fair and equitable to an estate of a railroad in reorganization, or to a railroad leased, operated, or controlled by a railroad in reorganization, which has transferred rail properties pursuant to the final system plan, it shall—

(A) enter a judgment reallocating the securities of the Corporation in a fair and equitable manner if it has not been fairly allocated among the railroads transferring rail properties to the Corporation; and

(B) if the lack of fairness and equity cannot be completely cured by a reallocation of the Corporation's securities, order the Corporation to provide for the transfer to the railroad of other securities of the Corporation or obligations of the Association as designated in the final system plan in such nature and amount as would make the exchange or exchanges fair and equitable; and

(C) if the lack of fairness and equity cannot be completely cured by reallocation of the Corporation's securities or by providing for the transfer of other securities of the Corporation or obligations of the Association as designated in the final system plan, enter a judgment against the Corporation.

(3) If the special court finds that the terms of one or more conveyances of rail properties to a profitable railroad operating in the region in accordance with the final system plan are not fair and equitable, it shall enter a judgment against such profitable railroad. If the special court finds that the terms of one or more conveyances or exchanges for securities or other benefits are fairer and more equitable than is required as a constitutional minimum, then it shall order the return of any excess securities, obligations, or compensation to the Corporation or a profitable railroad so as not to exceed the constitutional minimum standard of fairness and equity.

(4) Upon making the findings referred to in this subsection, the special court shall order distribution of the securities, obligations, and compensation deposited with it under subsection (b) of this section to the trustee or trustees of each railroad in reorganization in the region who conveyed right, title, and interest in rail properties to the Corporation and the respective profitable railroads under such subsection.

(d) APPEAL.—A finding or determination entered pursuant to subsection (c) of this section may be appealed directly to the Supreme Court of the United States in the same manner that an injunction order may be appealed under section 1253 of title 28, United States Code: *Provided*, That such appeal is exclusive and shall be filed in the Supreme Court not more than 5 days after such finding or determination is entered by the special court. The Supreme Court shall dismiss 62 Stat. 928.

any such appeal within 7 days after the entry of such an appeal if it determines that such an appeal would not be in the interest of an expeditious conclusion of the proceedings and shall grant the highest priority to the determination of any such appeals which it determines not to dismiss.

TERMINATION OF RAIL SERVICE

SEC. 304. (a) DISCONTINUANCE.—Except as provided in subsections (c) and (f) of this section, (1) rail service on rail properties of a railroad in the region which transfers to the Corporation or to profitable railroads operating in the region all or substantially all of its rail properties designated for such conveyance in the final system plan, and (2) rail service on rail properties of a profitable railroad operating in the region which transfers substantially all of its rail properties to the Corporation or to other railroads pursuant to the final system plan may be discontinued to the extent such discontinuance is not precluded by the terms of the leases and agreements referred to in section 303(b)(2) of this title if—

(A) the final system plan does not designate rail service to be operated over such rail properties; and

(B) not sooner than 30 days following the effective date of the final system plan the trustee or trustees of the applicable railroad in reorganization or a profitable railroad give notice in writing of intent to discontinue such rail service on a date certain which is not less than 60 days after the date of such notice; and

(C) the notice required by paragraph (B) of this subsection is sent by certified mail to the Governor and State transportation agencies of each State and to the government of each political subdivision of each State in which such rail properties are located and to each shipper who has used such rail service during the previous 12 months.

(b) ABANDONMENT.—(1) Rail properties over which rail service has been discontinued under subsection (a) of this section may not be abandoned sooner than 120 days after the effective date of such discontinuance except as provided in subsections (c) and (f) of this section. Thereafter, except as provided in subsection (c) of this section, such rail properties may be abandoned upon 30 days' notice in writing to all those required to receive notice under paragraph (2)(C) of subsection (a) of this section.

(2) In any case in which rail properties proposed to be abandoned under this section are designated by the final system plan as rail properties which are suitable for use for other public purposes (including roads or highways, other forms of mass transportation, conservation, and recreation), such rail properties shall not be sold, leased, exchanged, or otherwise disposed of during the 180-day period beginning on the date of notice of proposed abandonment under this section unless such rail properties have first been offered, upon reasonable terms, for acquisition for public purposes.

(c) LIMITATIONS.—Rail service may be discontinued and rail properties may be abandoned under subsections (a) and (b) of this section notwithstanding any provision of the Interstate Commerce Act (49 U.S.C. 1 et seq.) or the constitution or law of any State or the decision of any court or administrative agency of the United States or of any State. No rail service may be discontinued and no rail properties may be abandoned pursuant to this section—

24 Stat. 379.

(1) after 2 years from the effective date of the final system plan or more than 2 years after the final payment of any rail service continuation subsidy is received, whichever is later; or

(2) if a shipper, a State, the United States, a local or regional transportation authority, or any responsible person offers—

(A) a rail service continuation subsidy which covers the difference between the revenue attributable to such rail properties and the avoidable costs of providing service on such rail properties plus a reasonable return on the value of such rail properties;

(B) a rail service continuation subsidy which is payable pursuant to a lease or agreement with a State, or a local or regional transportation authority, under which financial support was being provided at the time of the enactment of this Act for the continuance of rail passenger service; or

(C) to purchase, pursuant to subsection (d) of this section, such rail properties in order to operate rail service over such properties.

If a rail service continuation subsidy is offered, the government or person offering the subsidy shall enter into an operating agreement with the Corporation or any responsible person (including a government entity) under which the Corporation or such person (including a government entity) will operate rail service over such rail properties and receive the difference between the revenue attributable to such properties and the avoidable costs of providing service on such rail properties and the trustee of any railroad in reorganization shall receive a reasonable rate of return on the value of any rail properties for which a rail service is operated under such subsidy.

(d) PURCHASE.—If an offer to purchase is made under subsection (c)(2)(C) of this section, such offer shall be accompanied by an offer of a rail service continuation subsidy. Such subsidy shall continue until the purchase transaction is completed, unless a railroad assumes operations over such rail properties on its own account pursuant to an order or authorization of the Commission. Whenever a railroad in reorganization in the region or a profitable railroad gives notice of intent to discontinue service pursuant to subsection (a) of this section, such railroad shall, upon the request of anyone apparently qualified to make a purchase offer promptly make available its most recent reports on the physical condition of such property together with such traffic and revenue data as would be required under subpart B of part 1121 of chapter X of title 49 of the Code of Federal Regulations and such other data necessary to ascertain the avoidable costs of providing service over such rail properties. 49 CFR 1121.

(e) ABANDONMENT BY CORPORATION.—After the rail system to be operated by the Corporation under the final system plan has been in operation for 2 years, the Commission may authorize the Corporation to abandon any rail properties as to which it determines that rail service over such properties is not required by the public convenience and necessity. The Commission may, at any time after the effective date of the final system plan, authorize additional rail service in the region or authorize the abandonment of rail properties which are not being operated by the Corporation or by any other person. Determinations by the Commission under this subsection shall be made pursuant to applicable provisions of the Interstate Commerce Act (49 U.S.C. 1). 24 Stat. 379.

(f) INTERIM ABANDONMENT.—After the date of enactment of this Act, no railroad in reorganization may discontinue service or abandon any line of railroad other than in accordance with the provisions of this Act, unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of, or the pendency of any proceeding before any Federal or State court, agency, or authority.

TITLE IV—LOCAL RAIL SERVICES

FINDINGS AND PURPOSE

SEC. 401. (a) FINDINGS.—The Congress finds and declares that—

(1) The Nation is facing an energy shortage of acute proportions in the next decade.

(2) Railroads are one of the most energy-efficient modes of transportation for the movement of passengers and freight and cause the least amount of pollution.

(3) Abandonment, termination, or substantial reduction of rail service in any locality will adversely affect the Nation's long-term and immediate goals with respect to energy conservation and environmental protection.

(4) Under certain circumstances the cost to the taxpayers of rail service continuation subsidies would be less than the cost of abandonment of rail service in terms of lost jobs, energy shortages, and degradation of the environment.

(b) PURPOSE.—Therefore, it is declared to be the purpose of the Congress to authorize the Secretary to maintain a program of rail service continuation subsidies.

RAIL SERVICE CONTINUATION SUBSIDIES

SEC. 402. (a) GENERAL.—The Secretary shall provide financial assistance in accordance with this section for the purpose of rail service continuation subsidies. For purposes of subsection (b)(1) of this section the Federal share of a rail service continuation subsidy shall be 70 per centum and the State share shall be 30 per centum. For purposes of subsection (b)(2) of this section a State receiving discretionary assistance shall be required to contribute at least 30 per centum of the cost of the program for which the Federal assistance is provided.

(b) ENTITLEMENT.—(1) Each State in the region is entitled to an amount for rail service continuation subsidies from 50 per centum of the sums appropriated each fiscal year for such purpose in the ratio which the total rail mileage in such State, as determined by the Secretary and measured in point-to-point length (excluding yard tracks and sidings), bears to the total rail mileage in all the States in the region, measured in the same manner, except that the entitlement of each State shall be no less than 3 per centum, and the entitlement of no State shall be more than 10 per centum, of 50 per centum of the funds appropriated. In the event that the total amount allocated under this formula, due to the application of the maximum and minimum limitations which it establishes, is greater or less than 50 per centum of the funds appropriated, the excess or deficiency, as the case may be, shall be added to or deducted from the Secretary's discretionary fund provided for in paragraph (2) of this subsection. The entitlement of any State which is withheld in accordance with this section and any sums not used or committed by a State during the preceding fiscal year shall be paid into the discretionary fund provided for in paragraph (2) of this subsection.

(2) The Secretary is authorized to provide discretionary financial assistance to a State or a local or regional transportation authority in the region for the purpose of continuing local rail services, including assistance for the purposes enumerated in section 403 of this title.

(c) ELIGIBILITY.—A State in the region is eligible to receive rail service continuation subsidies pursuant to subsection (b) of this section in any fiscal year if—

(1) the State has established a State plan for rail transportation and local rail services which is administered or coordinated by a designated State agency and such plan provides for the equitable distribution of such subsidies among State, local, and regional transportation authorities;

(2) the State agency has authority and administrative jurisdiction to develop, promote, supervise, and support safe, adequate, and efficient rail services; employs or will employ, directly or indirectly, sufficient trained and qualified personnel; and maintains or will maintain adequate programs of investigation, research, promotion, and development with provision for public participation;

(3) the State provides satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State; and

(4) the State complies with the regulations of the Secretary issued under this section.

(d) REGULATIONS.—Within 90 days after the date of enactment of this Act, the Secretary shall issue, and may from time to time amend, regulations with respect to basic and discretionary rail service continuation subsidies.

(e) PAYMENT.—The Secretary shall pay to each State in the region an amount equal to its entitlement under subsection (b)(1) of this section. Any amounts which are not expended or committed by a State pursuant to subsection (b) during the ensuing fiscal year shall be returned by such State to the Secretary, who may use such amounts in accordance with subsection (b)(2) of this section.

(f) TERM.—A rail service continuation subsidy between a State, or a local or regional authority, and the Corporation or other responsible person (including a government entity) may not exceed a term of 2 years.

(g) RECORD, AUDIT, AND EXAMINATION.—(1) Each recipient of financial assistance under this section, whether in the form of grants, subgrants, contracts, subcontracts, or other arrangements, shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance was given or used, the amount of that portion of the cost of the project supplied by other sources, and such other records as will facilitate an effective audit.

GAO audit.

(2) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives shall, until the expiration of 3 years after completion of the project or undertaking referred to in paragraph (1) of this subsection, have access for the purpose of audit and examination to any books, documents, papers, and records of such receipts which in the opinion of the Secretary or the Comptroller General may be related or pertinent to the grants, contracts, or other arrangements referred to in such paragraph.

(h) WITHHOLDING.—If the Secretary, after reasonable notice and opportunity for a hearing to any State agency, finds that a State is not eligible for rail service continuation subsidies under subsections (c) and (d) of this section, payment to such State shall not be made until there is no longer any failure to comply.

(i) AUTHORIZATION FOR APPROPRIATIONS.—(1) There is authorized to be appropriated to carry out the purposes of this section such sums as are necessary, not to exceed $90,000,000 for each of the 2 fiscal years including and following the effective date of the final system plan. Such sums as are appropriated shall remain available until expended.

(2) One-half of the sums appropriated pursuant to the authorization of this subsection shall be reserved for allocation to States in the region under subsection (b) (1) of this section. One-half of the sums appropriated pursuant to the authorization of this subsection shall be reserved for distribution by the Secretary under subsection (b) (2) of this section.

(j) DEFINITION.—As used in this section, "rail service continuation subsidies" means subsidies calculated in accordance with the provisions of section 205(d) (3) of this Act to cover costs of operating adequate and efficient rail service, including where necessary improvement and maintenance of tracks and related facilities.

ACQUISITION AND MODERNIZATION LOANS

SEC. 403. (a) ACQUISITION.—If a State which is eligible for assistance under section 402(c) of this title or a local or regional transportation authority has made an offer to purchase any rail properties of a railroad pursuant to section 304(c)(2)(C) of this Act or other lawful authority, the Secretary is authorized to direct the Association to provide loans to such State or local or regional transportation authority not to exceed 70 per centum of the purchase price: *Provided, however*, That any recipient of such loan is no longer eligible for a rail service continuation subsidy pursuant to section 402 of this title.

(b) MODERNIZATION.—In addition to such acquisition loans, the Secretary is authorized to direct the Association to provide additional assistance not to exceed 70 per centum of the cost of restoring or repairing such rail properties to such condition as will enable safe and efficient rail transportation operations over such rail properties. Such financial assistance may be in the form of a loan or the guarantee of a loan. The Association shall provide such financial assistance as the Secretary may direct under this section and shall adopt regulations describing its procedures for such assistance. With the approval of the Secretary, a State may expend sums received by it under section 402 of this title for acquisition and modernization pursuant to this section.

TITLE V—EMPLOYEE PROTECTION

DEFINITIONS

SEC. 501. As used in this title unless the context otherwise requires—

(1) "acquiring railroad" means a railroad, except the Corporation, which seeks to acquire or has acquired, pursuant to the provisions of this Act, all or a part of the rail properties of one or more of the railroads in reorganization, the Corporation, or a profitable railroad;

(2) "employee of a railroad in reorganization" means a person who, on the effective date of a conveyance of rail properties of a railroad in reorganization to the Corporation or to an acquiring railroad, has an employment relationship with either said railroad in reorganization or any carrier (as defined in parts I and II of the Interstate Commerce Act) which is leased, controlled, or operated by the railroad in reorganization except a president, vice president, treasurer, secretary, comptroller, and any other person who performs functions corresponding to those performed by the foregoing officers;

49 USC 1, 301.

(3) "protected employee" means any employee of an acquiring railroad adversely affected by a transaction and any employee of a railroad in reorganization who on the effective date of this Act have not reached age 65;

(4) "class or craft of employees" means a group of employees, recognized and treated as a unit for purposes of collective bargaining,

which is represented by a labor organization that has been duly authorized or recognized pursuant to the Railway Labor Act as its representative for purposes of collective bargaining; 44 Stat. 577. 45 USC 151.

(5) "representative of a class or craft of employees" means a labor organization which has been duly authorized or recognized as the collective bargaining representative of a class or craft of employees pursuant to the Railway Labor Act;

(6) "deprived of employment" means the inability of a protected employee to obtain a position by the normal exercise of his seniority rights with the Corporation after properly electing to accept employment therewith or, the subsequent loss of a position and inability, by the normal exercise of his seniority rights under the applicable collective bargaining agreements, to obtain another position with the Corporation: *Provided, however*, That provisions in existing collective bargaining agreements of a railroad in reorganization, which do not require a protected employee, in the normal exercise of seniority rights, to make a change in residence, in order to maintain his protection, will be preserved and will also be extended and be applicable to all other protected employees of that same craft or class. It shall not, however, include any deprivation of employment by reason of death, retirement, resignation, dismissal or disciplinary suspension for cause, failure to work due to illness or disability, nor any severance of employment covered by subsections (d) and (e) of section 505 of this title;

(7) "employee adversely affected with respect to his compensation" means a protected employee who suffers a reduction in compensation;

(8) "transaction" means actions taken pursuant to the provisions of this Act or the results thereof; and

(9) "change in residence" means transfer to a work location which is located either (A) outside a radius of 30 miles of the employee's former work location and farther from his residence than was his former work location or (B) is located more than 30 normal highway route miles from his residence and also farther from his residence than was his former work location.

EMPLOYMENT OFFERS

SEC. 502. (a) APPLICABLE LAW.—The Corporation and, where applicable, the Association shall be subject to the provisions of the Railway Labor Act and shall be considered employers for purposes of the Railroad Retirement Act, Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act. The Corporation, in addition, shall, except as otherwise specifically provided by this Act, be subject to all Federal and State laws and regulations applicable to carriers by railroad. 48 Stat. 1283. 26 USC 3201. 52 Stat. 1094. 45 USC 367.

(b) MANDATORY OFFER.—The Corporation shall offer employment, to be effective as of the date of a conveyance or discontinuance of service under the provisions of this Act, to each employee of a railroad in reorganization who has not already accepted an offer of employment by the Association, where applicable, or an acquiring railroad. Such offers of employment to employees represented by labor organizations will be confined to their same craft or class. The Corporation shall apply to said employees the protective provisions of this title.

(c) ASSOCIATION.—After the transfer of rail properties pursuant to section 303, the Association, in employing any additional employees, shall give priority consideration to employees of a railroad in reorganization and the provisions of this title shall apply to any such employees employed by the Association as if they were employees of the Corporation.

ASSIGNMENT OF WORK

SEC. 503. The Corporation shall have the right to assign, allocate, reassign, reallocate, and consolidate work formerly performed on the rail properties acquired pursuant to the provisions of this Act from a railroad in reorganization to any location, facility, or position on its system provided it does not remove said work from coverage of a collective-bargaining agreement and does not infringe upon the existing classification of work rights of any craft or class of employees at the location or facility to which said work is assigned, allocated, reassigned, reallocated, or consolidated and shall have the right to transfer to an acquiring railroad the work incident to the rail properties or facilities acquired by said acquiring railroad pursuant to this Act, subject, however, to the provisions of section 508 of this title.

COLLECTIVE-BARGAINING AGREEMENTS

SEC. 504. (a) INTERIM APPLICATION.—Until completion of the agreements provided for under subsection (d) of this section, the Corporation shall, as though an original party thereto, assume and apply on the particular lines, properties, or facilities acquired all obligations under existing collective-bargaining agreements covering all crafts and classes employed thereon, except that the Agreement of May 1936, Washington, D.C. and provisions in other existing job stabilization agreements shall not be applicable to transactions effected pursuant to this Act with respect to which the provisions of section 505 of this title shall be superseding and controlling. During this period, employees of a railroad in reorganization who have seniority on the lines, properties, or facilities acquired by the Corporation pursuant to this Act shall have prior seniority roster rights on such acquired lines, properties, or facilities.

(b) SINGLE IMPLEMENTING AGREEMENT.—On or before the date of the adoption of the final system plan by the Board of Directors of the Association as provided in section 207(c) of this Act, the representatives of the various classes or crafts of the employees of a railroad in reorganization involved in a conveyance pursuant to this Act and representatives of the Corporation shall commence negotiation of a single implementing agreement for each class and craft of employees affected providing (1) the identification of the specific employees of the railroad in reorganization to whom the Corporation offers employment; (2) the procedure by which those employees of the railroad in reorganization may elect to accept employment with the Corporation; (3) the procedure for acceptance of such employees into the Corporation's employment and their assignment to positions on the Corporation's system; (4) the procedure for determining the seniority of such employees in their respective crafts or classes on the Corporation's system which shall, to the extent possible, preserve their prior seniority rights; and (5) the procedure for determining equitable adjustment in rates of comparable positions. If no agreement with respect to the matters referred to in this subsection is reached by the end of 30 days after the commencement of negotiations, the parties shall within an additional 10 days select a neutral referee and, in the event they are unable to agree upon the selection of such referee, then the National Mediation Board shall immediately appoint a referee. After a referee has been designated, a hearing on the dispute shall commence as soon as practicable. Not less than 10 days prior to the effective date of any conveyance pursuant to the provisions of

this Act, the referee shall resolve and decide all matters in dispute with respect to the negotiation of said implementing agreement or agreements and shall render a decision which shall be final and binding and shall constitute the implementing agreement or agreements between the parties with respect to the transaction involved. The salary and expenses of the referee shall be paid pursuant to the provisions of the Railway Labor Act.

44 Stat. 577.
45 USC 151.

(c) RELATIONSHIP TO OTHER PROVISIONS.—Notwithstanding failure for any reason to complete implementing agreements provided for in subsection (b) of this section, the Corporation may proceed with a conveyance of properties, facilities, and equipment pursuant to the provisions of this Act and effectuate said transaction: *Provided*, That all protected employees shall be entitled to all of the provisions of such agreements, as finally determined, from the time they are adversely affected as a result of any such conveyance.

(d) NEW COLLECTIVE-BARGAINING AGREEMENTS.—Not later than 60 days after the effective date of any conveyance pursuant to the provisions of this Act, the representatives of the various classes or crafts of the employees of a railroad in reorganization involved in a conveyance and representatives of the Corporation shall commence negotiations of new collective-bargaining agreements for each class and craft of employees covering the rates of pay, rules, and working conditions of employees who are employees of the Corporation, which collective-bargaining agreements shall include appropriate provisions concerning rates of pay, rules, and working conditions but shall not include any provisions for job stabilization resulting from any transaction effected pursuant to this Act which may exceed or conflict with those established or prescribed herein.

EMPLOYEE PROTECTION

SEC. 505. (a) EQUIVALENT POSITION.—A protected employee whose employment is governed by a collective-bargaining agreement will not, except as explicitly provided in this title, during the period in which he is entitled to protection, be placed in a worse position with respect to compensation, fringe benefits, rules, working conditions, and rights and privileges pertaining thereto.

(b) MONTHLY DISPLACEMENT ALLOWANCE.—A protected employee, who has been deprived of employment or adversely affected with respect to his compensation shall be entitled to a monthly displacement allowance computed as follows:

(1) Said allowance shall be determined by computing the total compensation received by the employee, including vacation allowances and monthly compensation guarantees, and his total time paid for during the last 12 months immediately prior to his being adversely affected in which he performed compensated service more than 50 per centum of each of such months, based upon his normal work schedule, and by dividing separately the total compensation and the total time paid for by 12, thereby producing the average monthly compensation and average monthly time paid for; and, if an employee's compensation in his current position is less in any month in which he performs work than the aforesaid average compensation, he shall be paid the difference, less any time lost on account of voluntary absences other than vacations, but said protected employee shall be compensated in addition thereto at the rate of the position filled for any time worked in excess of his average monthly time, *Provided, however*, That—

(A) in determining compensation in his current employment the protected employee shall be treated as occupying the position, producing the highest rate of pay to which his qualifications and seniority entitle him under the applicable collective bargaining agreement and which does not require a change in residence;

(B) the said monthly displacement allowance shall be reduced by the full amount of any unemployment compensation benefits received by the protected employee and shall be reduced by an amount equivalent to any earnings of said protected employee in any employment subject to the Railroad Retirement Act and 50 per centum of any earnings in any employment not subject to the Railroad Retirement Act;

48 Stat. 1283.

(C) a protected employee's average monthly compensation shall be adjusted from time to time thereafter to reflect subsequent general wage increases;

(D) should a protected employee's service total less than 12 months in which he performs more than 50 per centum compensated service based upon his normal work schedule in each of said months, his average monthly compensation shall be determined by dividing separately the total compensation received by the employee and the total time for which he was paid by the number of months in which he performed more than 50 per centum compensated service based upon his normal work schedule; and

(E) the monthly displacement allowance provided by this section shall in no event exceed the sum of $2,500 in any month except that such amount shall be adjusted to reflect subsequent general wage increases.

(2) A protected employee's average monthly compensation under this section shall be based upon the rate of pay applicable to his employment and shall include increases in rates of pay not in fact paid but which were provided for in national railroad labor agreements generally applicable during the period involved.

(3) If a protected employee who is entitled to a monthly displacement allowance served as an agent or a representative of a class or craft of employees on either a full- or part-time basis in the 12 months immediately preceding his being adversely affected, his monthly displacement allowance shall be computed by taking the average of the average monthly compensation and average monthly time paid for of the protected employees immediately above and below him on the same seniority roster or his own monthly displacement allowance, whichever is greater.

(4) An employee and his representative shall be furnished with a protected employee's average monthly compensation and average monthly time paid for, computed in accordance with the terms of this subsection, together with the data upon which such computations are based, within 30 days after the protected employee notifies the Corporation in writing that he has been deprived of employment or adversely affected with respect to his compensation.

(c) DURATION OF DISPLACEMENT ALLOWANCE.—The monthly displacement allowance provided for in subsection (b) of this section shall continue until the attainment of age 65 by a protected employee with 5 or more years of service on the effective date of this Act and, in the case of a protected employee who has less than 5 years service on such date, shall continue for a period equal to his total prior years of service: *Provided*, That such monthly displacement allowance shall termi-

nate upon the protected employee's death, retirement, resignation, or dismissal for cause; and shall be suspended for the period of disciplinary suspension for cause, failure to work due to illness or disability, voluntary furlough, or failure to retain or obtain a position available to him by the exercise of his seniority rights in accordance with the provisions of this section.

(d) TRANSFER.—(1) A protected employee who has been deprived of employment may be required by the Corporation, in inverse seniority order and upon reasonable notice, to transfer to any bona fide vacancy for which he is qualified in his same class or craft of employee on any part of the Corporation's system and shall then be governed by the collective-bargaining agreement applicable on the seniority district to which transferred. If such transfer requires a change in residence, any such protected employee may choose (A) to voluntarily furlough himself at his home location and have his monthly displacement allowance suspended during the period of voluntary furlough, or (B) to be severed from employment upon payment to him of a separation allowance computed as provided in subsections (e) and (f) of this section, which separation allowance shall be in lieu of all other benefits provided by this title.

(2) Such protected employee shall not be required to transfer to a location requiring a change in residence unless there is a bona fide need for his services at such location. Such bona fide need for services contemplates that the transfer be to a position which has not and cannot be filled by employees who are not required to make a change in residence in the seniority district involved and which, in the absence of this section, would have required the employment of a new employee.

(3) Such protected employee who, at the request of the Corporation, has once accepted and made a transfer to a location requiring a change in residence shall not be required again to so transfer for a period of 3 years.

(4) Transfers to vacancies requiring a change in residence shall be subject to the following:

(A) The vacancy shall be first offered to the junior qualified protected employee deprived of employment in the seniority district where the vacancy exists, and each such employee shall have 20 days to elect one of the options set forth in paragraph (1) of this subsection. If that employee elects not to accept the transfer, it will then be offered in inverse seniority order to the remaining qualified, protected employees deprived of employment on the seniority district, who will each have 20 days to elect one of the options set forth in paragraph (1) of this subsection.

(B) If the vacancy is not filled by the procedure in paragraph (4) (A) of this subsection, the vacancy will then be offered in the inverse order of seniority to the qualified protected employees deprived of employment on the system and each of such employees will be afforded 30 days to elect one of the options set forth in paragraph (1) of this subsection.

(C) The provisions of this paragraph shall not prevent the adoption of other procedures pursuant to an agreement made by the Corporation and representative of the class or craft of employees involved.

(e) SEPARATION ALLOWANCE.—A protected employee who is tendered and accepts an offer by the Corporation to resign and sever his employment relationship in consideration of payment to him of a separation allowance, and any protected employee whose employment

relationship is severed in accordance with subsection (d) of this section, shall be entitled to receive a lump-sum separation allowance not to exceed $20,000 in lieu of all other benefits provided by this title. Said lump-sum separation allowance, in the case of a protected employee who had not less than 3 nor more than 5 years of service as of the date of this Act, shall amount to 270 days' pay at the rate of the position last held and, in the case of a protected employee having had 5 or more years' service, shall amount to the number of days' pay indicated below at the rate of the position last held dependent upon the age of the protected employee at the time of such termination of employment:

60 or under	360 days' pay
61	300 days' pay
62	240 days' pay
63	180 days' pay
64	120 days' pay.

(f) TERMINATION ALLOWANCE.—The Corporation may terminate the employment of an employee of a railroad in reorganization, who has less than 3 years' service as of the effective date of this Act: *Provided, however*, That in such event the terminated employee shall be entitled to receive a lump sum separation allowance in an amount determined as follows:

2 to 3 years' service	180 days' pay at the rate of the position last held.
1 to 2 years' service	90 days' pay at the rate of the position last held.
Less than 1 year's service	5 days' pay at the rate of the position last held for each month of service.

(g) MOVING EXPENSE BENEFITS.—Any protected employee who is required to make a change of residence as the result of a transaction shall be entitled to the following benefits—

(1) Reimbursement for all expenses of moving his household and other personal effects, for the traveling expense of himself and members of his family, including living expenses for himself and his family, and for his own actual wage loss, not to exceed 10 working days. *Provided*, That the Corporation or acquiring railroad shall, to the same extent provided above, assume said expenses for any employee furloughed within 3 years after changing his point of employment as a result of a transaction, who elects to move his place of residence back to his original point of employment. No claim for reimbursement shall be paid under the provisions of this section unless such claim is presented to the Corporation or acquiring railroad within 90 days after the date on which the expenses were incurred.

(2) (A) (i) If the protected employee owns, or is under a contract to purchase, his own home in the locality from which he is required to move and elects to sell said home, he shall be reimbursed for any loss suffered in the sale of his home for less than its fair market value. In each case the fair market value of the home in question shall be determined as of a date sufficiently prior to the date of the transaction so as to be unaffected thereby. The Corporation or an acquiring railroad shall in each instance be afforded an opportunity to purchase the home at such fair market value before it is sold by the employee to any other person.

(ii) A protected employee may elect to waive the provisions of paragraph (2) (A) (i) of this subsection and to receive, in lieu thereof, an amount equal to his closing costs which are ordinarily paid for and assumed by a seller of real estate in the jurisdiction

in which the residence is located. Such costs shall include a real estate commission paid to a licensed realtor (not to exceed $3,000 or 6 per centum of sale price, whichever is less), and any prepayment penalty required by the institution holding the mortgage; such costs shall not include the payment of any "points" by the seller.

(B) If the protected employee holds an unexpired lease on a dwelling occupied by him as his home, he shall be protected from all loss and cost in securing the cancellation of said lease.

(C) No claim for costs or loss shall be paid under the provisions of this paragraph unless the claim is presented to the Corporation or an acquiring railroad within 90 days after such costs or loss are incurred.

(D) Should a controversy arise with respect to the value of the home, the costs or loss sustained in its sale, the costs or loss under a contract for purchase, loss or cost in securing termination of a lease, or any other question in connection with these matters, it shall be decided through joint conference between the employee, or his representative, and the Corporation or an acquiring railroad. In the event they are unable to agree, the dispute or controversy may be referred by either party to a board of competent real estate appraisers, selected in the following manner: One to be selected by the employee or his representative and one by the Corporation or acquiring railroad and these two, if unable to agree upon a valuation within 30 days, shall endeavor by agreement within 10 days thereafter to select a third appraiser, or to agree to a method by which a third appraiser shall be selected, and, failing such agreement, either party may request the National Mediation Board to designate within 10 days a third qualified real estate appraiser whose designation will be binding upon the parties. A decision of a majority of the appraisers shall be required and said decision shall be final and conclusive. The salary and expenses of the third or neutral appraiser, including the expenses of the appraisal board, shall be borne equally by the parties to the proceedings. All other expenses shall be paid by the party incurring them, including the compensation of the appraiser selected by such party.

(h) APPLICATION OF TITLE.—Should a railroad rearrange or adjust its forces in anticipation of a transaction with the purpose or effect of depriving a protected employee of benefits to which he otherwise would have become entitled under this title, the provisions of this title will apply to such employee.

CONTRACTING OUT

SEC. 506. All work in connection with the operation or services provided by the Corporation on the rail lines, properties, equipment, or facilities acquired pursuant to the provisions of this Act and the maintenance, repair, rehabilitation, or modernization of such lines, properties, equipment, or facilities which has been performed by practice or agreement in accordance with provisions of the existing contracts in effect with the representatives of the employees of the classes or crafts involved shall continue to be performed by said Corporation's employees, including employees on furlough. Should the Corporation lack a sufficient number of employees, including employees on furlough, and be unable to hire additional employees, to perform the work required, it shall be permitted to subcontract that part of such

work which cannot be performed by its employees, including those on furlough, except where agreement by the representatives of the employees of the classes or crafts involved is required by applicable collective-bargaining agreements. The term "unable to hire additional employees" as used in this section contemplates establishment and maintenance by the Corporation of an apprenticeship, training, or recruitment program to provide an adequate number of skilled employees to perform the work.

ARBITRATION

SEC. 507. Any dispute or controversy with respect to the interpretation, application, or enforcement of the provisions of this title, except section 504(d) and those disputes or controversies provided for in subsection (g)(2)(D) of section 505 and subsection (b) of section 504 which have not been resolved within 90 days, may be submitted by either party to an Adjustment Board for a final and binding decision thereon as provided in section 3 Second, of the Railway Labor Act, in which event the burden of proof on all issues so presented shall be upon the Corporation or, where applicable, the Association.

48 Stat. 1193; 80 Stat. 208. 45 USC 153.

ACQUIRING RAILROADS

SEC. 508. An acquiring railroad shall offer such employment and afford such employment protection to employees of a railroad from which it acquires properties or facilities pursuant to this Act, and shall further protect its own employees who are adversely affected by such acquisition, as shall be agreed upon between the said acquiring railroad and the representatives of such employees prior to said acquisition: *Provided, however*, That the protection and benefits provided for protected employees in such agreements shall be the same as those specified in section 505 of this title: *And provided further, however*, That unless and until such agreements are reached, the acquiring railroad shall not enter into purchase agreements pursuant to section 303 of this Act.

PAYMENTS OF BENEFITS

SEC. 509. The Corporation, the Association (where applicable), and acquiring railroads, as the case may be, shall be responsible for the actual payment of all allowances, expenses, and costs provided protected employees pursuant to the provisions of this title. The Corporation, the Association (where applicable), and acquiring railroads shall then be reimbursed for such actual amounts paid protected employees, not to exceed the aggregate sum of $250,000,000, pursuant to the provisions of this title by the Railroad Retirement Board upon certification to said Board by the Corporation, the Association (where applicable), and acquiring railroads of the amounts paid such employees. Such reimbursement shall be made from a separate account maintained in the Treasury of the United States to be know as the Regional Rail Transportation Protective Account. There is hereby authorized to be appropriated to such protective account annually such sums as may be required to meet the obligations payable hereunder, not to exceed in the aggregate, however, the sum of $250,000,000. There is further authorized to be appropriated to the Railroad Retirement Board annually such sums as may be necessary to provide for additional administrative expenses to be incurred by the Board in the performance of its functions under this section.

Appropriation.

TITLE VI—MISCELLANEOUS PROVISIONS

RELATIONSHIP TO OTHER LAWS

SEC. 601. (a) ANTITRUST.—(1) Except as specifically provided in paragraph (2) of this subsection, no provision of this Act shall be deemed to convey to any railroad or employee or director thereof any immunity from civil or criminal liability, or to create defenses to actions, under the antitrust laws.

(2) The antitrust laws are inapplicable with respect to any action taken to formulate or implement the final system plan where such action was in compliance with the requirements of such plan.

(3) As used in this subsection, "antitrust laws" includes the Act of July 2, 1890 (ch. 647, 26 Stat. 209), as amended; the Act of October 15, 1914 (ch. 323, 38 Stat. 730), as amended; the Federal Trade Commission Act (38 Stat. 717), as amended; sections 73 and 74 of the Act of August 27, 1894 (28 Stat. 570), as amended; the Act of June 19, 1936 (ch. 592, 49 Stat. 1526), as amended; and the antitrust laws of any State or subdivision thereof. 15 USC 1. 15 USC 12. 15 USC 58. 15 USC 8, 9. 15 USC 13.

(b) COMMERCE AND BANKRUPTCY.—The provisions of the Interstate Commerce Act (49 U.S.C. 1 et seq.) and the Bankruptcy Act (11 U.S.C. et seq.) are inapplicable to transactions under this Act to the extent necessary to formulate and implement the final system plan whenever a provision of any such Act is inconsistent with this Act. 24 Stat. 379. 30 Stat. 544.

(c) ENVIRONMENT.—(1) The provisions of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332 (2)(C)) shall not apply with respect to any action taken under authority of this Act before the effective date of the final system plan. 83 Stat. 853.

(d) NORTHEAST CORRIDOR.—(1) Rail properties designated in accordance with section 206(c)(1)(C) of this Act shall be leased or may (at its option) be purchased or otherwise acquired by the National Railroad Passenger Corporation. The Corporation shall negotiate an appropriate sale or lease agreement with the National Railroad Passenger Corporation as provided in the final system plan. *Ante*, p. 995.

(2) Properties acquired by purchase, lease, or otherwise pursuant to this subsection shall be improved in order to meet the goal set forth in section 206(a)(3) of this Act, relating to improved high-speed passenger service, by the earliest practicable date after the date of enactment of this Act.

(3) The Secretary shall begin the necessary engineering studies and improvements upon enactment.

(4) The final system plan shall provide for any necessary coordination with freight or commuter services of use of the facilities designated in section 206(c)(1)(C) of this Act. Such coordination may be effectuated through a single operating entity, designated in the final system plan, or as mutually agreed upon by the interested parties.

(5) Construction or improvements made pursuant to this subsection may be made in consultation with the Corps of Engineers.

(e) EMERGENCY SERVICE.—Section 1(16) of the Interstate Commerce Act (49 U.S.C. 1(16)) is amended by inserting "(a)" before the word "Whenever" in the first sentence and adding the following new paragraph: 41 Stat. 477.

"(b) Whenever any carrier by railroad is unable to transport the traffic offered it because—

"(1) its cash position makes its continuing operation impossible;

"(2) it has been ordered to discontinue any service by a court; or

"(3) it has abandoned service without obtaining a certificate from the Commission pursuant to this section;

the Commission may, upon the same procedure as provided in paragraph (15) of this section, make such just and reasonable directions with respect to the handling, routing, and movement of the traffic available to such carrier and its distribution over such carrier's lines, as in the opinion of the Commission will best promote the service in the interest of the public and the commerce of the people subject to the following conditions:

"(A) Such direction shall be effective for no longer than 60 days unless extended by the Commission for cause shown for an additional designated period not to exceed 180 days.

"(B) No such directions shall be issued that would cause a carrier to operate in violation of the Federal Railroad Safety Act of 1970 (45 U.S.C. 421) or that would substantially impair the ability of the carrier so directed to serve adequately its own patrons or to meet its outstanding common carrier obligations.

84 Stat. 971.

"(C) The directed carrier shall not, by reason of such Commission direction, be deemed to have assumed or to become responsible for the debts of the other carrier.

"(D) The directed carrier shall hire employees of the other carrier to the extent such employees had previously performed the directed service for the other carrier, and, as to such employees as shall be so hired, the directed carrier shall be deemed to have assumed all existing employment obligations and practices of the other carrier relating thereto, including, but not limited to, agreements governing rate of pay, rules and working conditions, and all employee protective conditions commencing with and for the duration of the direction.

"(E) Any order of the Commission entered pursuant to this paragraph shall provide that if, for the period of its effectiveness, the cost, as hereinafter defined, of handling, routing, and moving the traffic of another carrier over the other carrier's lines of road shall exceed the direct revenues therefor, then upon request, payment shall be made to the directed carrier, in the manner hereinafter provided and within 90 days after expiration of such order, of a sum equal to the amount by which such cost has exceeded said revenues. The term 'cost' shall mean those expenditures made or incurred in or attributable to the operations as directed, including the rental or lease of necessary equipment, plus an appropriate allocation of common expenses, overheads, and a reasonable profit. Such cost shall be then currently recorded by the carrier or carriers in such manner and on such forms as by general order may be prescribed by the Commission and shall be submitted to and subject to audit by the Commission. The Commission shall certify promptly to the Secretary of the Treasury the amount of payment to be made to said carrier or carriers under the provisions of this paragraph. Payments required to be made to a carrier under the provisions of this paragraph shall be made by the Secretary of the Treasury from funds hereby authorized to be appropriated in such amounts as may be necessary for the purpose of carrying out the provisions hereof.".

"Cost."

ANNUAL EVALUATION BY THE SECRETARY

Report to Congress.

SEC. 602. As part of his annual report each year, the Secretary shall transmit to Congress each year a comprehensive report on the effectiveness of the Association and the Corporation in implementing the purposes of this Act, together with any recommendations for additional legislative or other action.

FREIGHT RATES FOR RECYCLABLES

SEC. 603. The Commission shall, by expedited proceedings, adopt appropriate rules under the Interstate Commerce Act (49 U.S.C. 1 et seq.) which will eliminate discrimination against the shipment of recyclable materials in rate structures and in other Commission practices where such discrimination exists. 24 Stat. 379.

SEPARABILITY

SEC. 604. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Approved January 2, 1974.

Public Law 93-237

AN ACT

To amend the Small Business Act.

January 2, 1974
[S. 2482]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Small Business Act, amendments.

AUTHORIZATION

SECTION 1. Paragraph (4) of section 4(c) of the Small Business Act is amended— 80 Stat. 132; 86 Stat. 382. 15 USC 633.

(1) by striking out "$4,300,000,000" and inserting in lieu thereof "$4,875,000,000";

(2) by striking out "$500,000,000" where it appears in clause (B) and inserting in lieu thereof "$556,250,000";

(3) by striking out "$500,000,000" where it appears in clause (C) and inserting in lieu thereof "$525,000,000"; and

(4) by striking out "$350,000,000" and inserting in lieu thereof "$381,250,000".

Any additional amounts authorized by this Act which are not obligated by June 30, 1974, shall no longer be available after that date.

LOAN TO MEET REGULATORY STANDARDS

SEC. 2. (a) Section 7(b)(5) of the Small Business Act is amended to read as follows: 86 Stat. 1633. 15 USC 636.

"(5) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in effecting additions to or alterations in its plant, facilities, or methods of operation to meet requirements imposed on such concern pursuant to any Federal law, any State law enacted in conformity therewith, or any regulation or order of a duly authorized, Federal, State, regional, or local agency issued in conformity with such Federal law, if the Administration determines that such concern is likely to suffer substantial economic injury without assistance under this paragraph: *Provided*, That the maximum loan made to any small business concern under this paragraph shall not exceed the maximum loan which, under rules or regulations prescribed by the Administration, may be

made to any business enterprise under paragraph (1) of this subsection; and".

Repeal.
84 Stat. 1618.
15 USC 636.
86 Stat. 555.

(b) (1) Section 7(b)(6) of the Small Business Act is repealed.

(2) Paragraph (7) of such section 7(b) is redesignated as paragraph (6).

84 Stat. 1618.
42 USC 3142-1.

(c) Section 28(d) of the Occupational Safety and Health Act of 1970 (Public Law 91-596) is amended by striking out "7(b)(6)" and inserting in lieu thereof "7(b)(5)".

(d) In no case shall the interest rate charged for loans to meet regulatory standards be lower than loans made in connection with physical disasters.

CONFORMING TECHNICAL AMENDMENTS

SEC. 3. (a) Subsection (g) of section 7 of the Small Business Act, as added by section 3(b) of the Small Business Investment Act Amendments of 1972, is redesignated as subsection (h).

86 Stat. 1316.

80 Stat. 132;
86 Stat. 1316.
15 USC 633.

(b) Subsection (c) of section 4 of the Small Business Act is amended by striking out "7(g)" each place it appears in paragraphs (1)(B), (2), and (4) and inserting in lieu thereof "7(h)".

AUTHORITY OF SECRETARY OF AGRICULTURE WITH RESPECT TO NATURAL DISASTERS

Ante, p. 24.

SEC. 4. Notwithstanding the provisions of Public Law 93-24, the Secretary of Agriculture shall continue to exercise his authority with respect to natural disasters which occurred after December 26, 1972, but prior to April 20, 1973, in accordance with the provisions of section 5 of Public Law 92-385 as such section was in effect prior to April 20, 1973.

86 Stat. 557.
7 USC 1969

LIVESTOCK LOANS

78 Stat. 7;
83 Stat. 802.
15 USC 636.

SEC. 5. Section 7(b)(4) of the Small Business Act is amended by inserting before the semicolon at the end thereof the following: ": *Provided*, That loans under this paragraph include loans to persons who are engaged in the business of raising livestock (including but not limited to cattle, hogs, and poultry), and who suffer substantial economic injury as a result of animal disease".

LOANS FOR ADJUSTMENT ASSISTANCE IN BASE CLOSINGS

84 Stat. 1618.

SEC. 6. Section 7(b) of the Small Business Act is amended by adding after paragraph (6) the following new paragraph:

"(7) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in continuing in business at its existing location, in reestablishing its business, in purchasing a new business, or in establishing a new business if the Administration determines that such concern has suffered or will suffer substantial economic injury as the result of the closing by the Federal Government of a major military installation under the jurisdiction of the Department of Defense, or as a result of a severe reduction in the scope and size of operations at a major military installation.".

ANNUAL REPORT ON STATE OF SMALL BUSINESS

SEC. 7. The first sentence of subsection (a) of section 10 of the Small Business Act and the first word of the second sentence of such subsection are amended to read as follows: "The Administration shall, as soon as practicable each calendar year make a comprehensive annual report to the President, the President of the Senate, and the Speaker of the House of Representatives. Such report shall include a description of the state of small business in the Nation and the several States, and a description of the operations of the Administration under this chapter, including, but not limited to, the general lending, disaster relief, Government regulation relief, procurement and property disposal, research and development, technical assistance, dissemination of data and information, and other functions under the jurisdiction of the Administration during the previous calendar year. Such report shall contain recommendations for strengthening or improving such programs, or, when necessary or desirable to implement more effectively congressional policies and proposals, for establishing new or alternative programs. In addition, such". 75 Stat. 666. 15 USC 639.

ANTIDISCRIMINATORY AMENDMENT

SEC. 8. Section 4(b) of the Small Business Act is amended by adding after "The Administrator shall not engage in any other business, vocation, or employment than that of serving as Administrator." the following new sentence: "In carrying out the programs administered by the Small Business Administration including its lending and guaranteeing functions, the Administrator shall not discriminate on the basis of sex or marital status against any person or small business concern applying for or receiving assistance from the Small Business Administration, and the Small Business Administration shall give special consideration to veterans of the Armed Forces of the United States and their survivors or dependents.". 72 Stat. 384. 15 USC 633.

SEC. 10. (a) Section 3 of Public Law 93–24 is amended by striking therefrom: ", and are unable to obtain sufficient credit elsewhere to finance their actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time", and insert in lieu thereof the following: "Such loans shall be made without regard to whether the required financial assistance is otherwise available from private, cooperative, or other responsible sources". *Ante*, p. 24.

(b) The provisions of subsection (a) of this section shall be given effect with respect to all loan applications and loans made in connection with a disaster occurring on or after April 20, 1973.

(c) With regard to all disasters occurring on or after December 27, 1972, the Secretary of Agriculture shall extend for ninety days after the date of enactment of this section the deadline for seeking assistance under section 321 of the Consolidated Farm and Rural Development Act as amended by this section. *Infra.*

(d) Section 321(a) of Public Law 87–128, as amended, is hereby amended by striking "which cannot be met for temporary periods of time by private, cooperative, or other responsible sources (including loans the Secretary is authorized to make or insure under subtitles A and B of this title or any other Act of Congress), at reasonable rates and terms for loans for similar purposes and periods of time". The provisions of this subsection shall be given effect with respect to all loan applications and loans made in connection with a disaster occurring on or after December 27, 1972. 75 Stat. 311. 7 USC 1961. Effective date.

Approved January 2, 1974.

Public Law 93-238

January 2, 1974
[H. R. 11575]

AN ACT

Making appropriations for the Department of Defense for the fiscal year ending June 30, 1974, and for other purposes.

Department of Defense Appropriation Act, 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1974, for military functions administered by the Department of Defense, and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

Military Personnel, Army

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere); $7,109,950,000.

Military Personnel, Navy

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements, and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; $5,271,350,000, of which not to exceed $9,900,000 shall be transferred to appropriate accounts under this head for the fiscal years 1969, 1971, and 1972 but only in such amounts as are necessary for payments to the Internal Revenue Service for unpaid withholding taxes, and the accounts in such fiscal years shall be adjusted accordingly.

Military Personnel, Marine Corps

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); $1,547,000,000.

Military Personnel, Air Force

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; $6,863,350,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 265, 3019, and 3033 of title 10, United States Code, or while undergoing reserve training or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, as authorized by law; $452,408,000.

70A Stat. 11; 81 Stat. 523, 524.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Naval Reserve on active duty under section 265 of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, as authorized by law; $209,403,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 265 of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, as authorized by law; $61,173,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 265, 8019, and 8033 of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Air Reserve Officers' Training Corps, as authorized by law; $126,962,000.

81 Stat. 524, 525.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 265, 3033, or 3496 of title 10 or section 708 of title 32, United States Code, or while undergoing training or while performing drills or equivalent duty, as authorized by law; $555,900,000.

70A Stat. 198, 614; 86 Stat. 203.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 265, 8033, or 8496 of title 10 or section 708 of title 32, United States Code, or while undergoing training or while performing drills or equivalent duty, as authorized by law; $177,500,000.

70A Stat. 524.

TITLE II

RETIRED MILITARY PERSONNEL

RETIRED PAY, DEFENSE

For retired pay and retirement pay, as authorized by law, of military personnel on the retired lists of the Army, Navy, Marine Corps, and the Air Force, including the reserve components thereof, retainer pay for personnel of the Inactive Fleet Reserve, and payments under section 4 of Public Law 92–425 and chapter 73 of title 10, United States Code; $4,681,900,000.

86 Stat. 712.
10 USC 1448 note.
10 USC 1431.

TITLE III

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; as follows: for Strategic forces, $98,482,000; for General purpose forces, $1,649,394,000; for Intelligence and communications, $310,178,000; for Central supply and maintenance, $1,802,832,000; for Training operations and other general personnel activities, $1,087,131,000; for Medical activities, $597,964,000; for Administration and associated activities, $327,879,000; and for the Support of other nations, $340,837,000; in all: $6,214,697,000: *Provided*, That of the total amount of this appropriation, not to exceed $3,069,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payment may be made on his certificate of necessity for confidential military purposes: *Provided further*, That not less than $246,000,000 of the total amount of this appropriation shall be available only for the maintenance of real property facilities: *Provided further*, That the Secretary of the Army may transfer up to 3 per centum of the amount of any subdivision of this appropriation to any other subdivision of this appropriation, but no subdivision may thereby be increased by more than 5 per centum and the Secretary of the Army shall notify the Congress promptly of all transfers made pursuant to this authority.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; as follows: for Strategic forces, $334,236,000; for General purpose forces, $2,334,618,000; for Intelligence and communications, $303,225,000; for Central supply and maintenance, $2,033,250,000; for Training operations and other general personnel activities, $445,810,000; for Medical activities, $354,645,000; for Administration and associated activities, $177,285,000; and for the Support of other nations, $21,881,000; in all: $6,004,950,000: *Provided*, That of the total amount of this appropriation, not to exceed $4,242,000 can be used for emergencies and extraordinary expenses, as authorized by section 7202 of title 10, United States Code, to be expended on the approval or authority of the Secretary of the Navy, and payment may be made on his certificate of necessity for confidential military purposes: *Provided further*, That not less than $138,200,000 of the total amount of this appropriation shall be available only for the maintenance of real property facilities: *Provided further*, That of the total amount of this appropriation made avail-

70A Stat. 442.

able for the alteration, overhaul, and repair of naval vessels, not less than $851,672,000 shall be available for the performance of such work in Navy shipyards and not less than $359,919,000 shall be available for the performance of such work in private shipyards: *Provided further*, That during fiscal year 1974 the maintenance, operation, and availability of the Saint Albans Naval Hospital at Queens, New York, to meet the requirements of the military and naval forces and the retired personnel thereof shall be continued: *Provided further*, That the Secretary of the Navy may transfer up to 3 per centum of the amount of any subdivision of this appropriation to any other subdivision of this appropriation, but no subdivision may thereby be increased by more than 5 per centum and the Secretary of the Navy shall notify the Congress promptly of all transfers made pursuant to this authority.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law; as follows: for General purpose forces, $212,374,000; for Intelligence and communications, $889,000; for Central supply and maintenance, $101,254,000; for Training operations and other general personnel activities, $66,486,000; and for Administration and associated activities, $29,642,000; in all: $410,645,000: *Provided*, That not less than $44,500,000 of the total of this appropriation shall be available only for the maintenance of real property facilities: *Provided further*, That the Secretary of the Navy may transfer up to 3 per centum of the amount of any subdivision of this appropriation to any other subdivision of this appropriation, but no subdivision may thereby be increased by more than 5 per centum and the Secretary of the Navy shall notify the Congress promptly of all transfers made pursuant to this authority.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; as follows: for Strategic forces, $1,108,442,000; for General purpose forces, $1,006,832,000; for Intelligence and communications, $530,843,000; for Airlift and sealift, $177,530,000; for Central supply and maintenance, $2,304,868,000; for Training operations and other general personnel activities, $563,266,000; for Medical activities, $377,398,000; for Administration and associated activities, $215,882,000; and for the Support of other nations, $219,233,000; in all $6,504,294,000: *Provided*, That of the total amount of this appropriation, not to exceed $2,343,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That not less than $215,000,000 of the total amount of this appropriation shall be available only for the maintenance of real property facilities: *Provided further*, That the Secretary of the Air Force may transfer up to 3 per centum of the amount of any subdivision of this appropriation to any other subdivision of this appropriation, but no subdivision may thereby be increased by more than 5 per centum and the Secretary of the Air Force shall notify the Congress promptly of all transfers made pursuant to this authority.

OPERATION AND MAINTENANCE, DEFENSE AGENCIES

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments and the Defense Civil Preparedness Agency), as authorized by law; as follows: for the Secretary of Defense activities, $49,749,000; for the organization of the Joint Chiefs of Staff, $8,305,000; for the Office of Information for the Armed Forces, $11,225,000; for the Armed Forces Institute, $5,757,000; for the Defense Contract Audit Agency, $57,250,000; for the Defense Investigative Service, $20,320,000; for the Defense Mapping Agency, $148,149,000; for the Defense Nuclear Agency, $9,940,000; for the Defense Supply Agency, $697,344,000; and for Intelligence and communications activities, $446,859,000; in all: $1,454,898,000: *Provided*, That of the total amount of this appropriation, not to exceed $5,448,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payment may be made on his certificate of necessity for confidential military purposes: *Provided further*, That not less than $17,100,000 of the total amount of this appropriation shall be available only for the maintenance of real property facilities: *Provided further*, That the Secretary of Defense may transfer up to 3 per centum of the amount of any subdivision of this appropriation to any other subdivision of this appropriation, but no subdivision may thereby be increased by more than 5 per centum and the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communication: $253,900,000, of which not less than $14,000,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $170,750,000, of which not less than $9,500,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $11,000,000, of which not less than $800,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $221,900,000, of which not less than $4,200,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); $524,400,000, of which not less than $2,000,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things; hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the countrol of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, or Air National Guard commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; $514,250,000, of which not less than $3,500,000 shall be available only for the maintenance of real property facilities.

NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE, ARMY

For the necessary expenses of construction, equipment, and maintenance of rifle ranges, the instruction of citizens in marksmanship, and promotion of rifle practice, in accordance with law, including travel of rifle teams, military personnel, and individuals attending regional, national, and international competitions, and not to exceed $10,000 for incidental expenses of the National Board; $159,000: *Provided*, That travel expenses of civilian members of the National Board shall be paid in accordance with the Standardized Government Travel Regulations, as amended.

CLAIMS, DEFENSE

For payment, not otherwise provided for, of claims authorized by law to be paid by the Department of Defense (except for civil functions), including claims for damages arising under training contracts with carriers, and repayment of amounts determined by the Secretary concerned, or officers designated by him, to have been erroneously collected from military and civilian personnel of the Department of Defense, or from States, territories, or the District of Columbia, or members of the National Guard units thereof; $49,100,000.

CONTINGENCIES, DEFENSE

For emergencies and extraordinary expenses arising in the Department of Defense, to be expended on the approval or authority of the Secretary of Defense and such expenses may be accounted for solely on his certificate that the expenditures were necessary for confidential military purposes; $5,000,000.

COURT OF MILITARY APPEALS, DEFENSE

For salaries and expenses necessary for the United States Court of Military Appeals; $864,000.

TITLE IV

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, without regard to section 4774, title 10, United States Code, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public and private plants; and other expenses necessary for the foregoing purposes; $138,400,000, and in addition, $21,400,000, of which $6,700,000 shall be derived by transfer from "Aircraft Procurement, Army, 1972/1974" and $14,700,000 shall be derived by transfer from "Aircraft Procurement, Army 1973/1975", to remain available for obligation until June 30, 1976.

70A Stat. 269; 83 Stat. 312; 85 Stat. 408.

40 USC 255.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, without regard to section 4774, title 10, United States Code, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by

section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public and private plants; and other expenses necessary for the foregoing purposes; $525,100,000, and in addition, $22,000,000, of which $5,000,000 shall be derived by transfer from "Missile Procurement, Army 1972/1974" and $17,000,000 shall be derived from "Missile Procurement, Army 1973/1975", to remain available for obligation until June 30, 1976. 40 USC 255.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; training devices; expansion of public and private plants, including the land necessary therefor, without regard to section 4774, title 10, United States Code, for the foregoing purposes, and such lands and interest therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public and private plants; and other expenses necessary for the foregoing purposes; $224,300,000, to remain available for obligation until June 30, 1976. 70A Stat. 269; 83 Stat. 312; 85 Stat. 408.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, without regard to section 4774, title 10, United States Code, for the foregoing purposes, and such lands and interest therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public and private plants; and other expenses necessary for the foregoing purposes; $784,300,000, and in addition, $146,100,000, of which $100,000,000 shall be derived by transfer from the Army Stock Fund, and $46,100,000 which shall be derived by transfer from "Procurement of Ammunition, Army, 1973/1975", to remain available for obligation until June 30, 1976.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and nontracked combat vehicles; communications and electronic equipment; other support equipment; spare parts, ordnance and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, without regard to section 4774, title 10, United States Code, for the foregoing purposes, and such lands and interest therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public and private plants; and other expenses necessary for the foregoing purposes; $461,690,000, and in addition, $39,500,000, of which $20,500,000 shall be derived by transfer from "Other Procurement, Army, 1972/1974" and $19,000,000 shall be derived by transfer from "Other Procurement, Army, 1973/1975", to remain available for obligation until June 30, 1976.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment including ordnance, spare parts, and accessories therefor; specialized equipment, expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public or private plants; $2,722,700,000, and in addition, $106,800,000, of which $40,000,000 shall be derived by transfer from "Procurement of Aircraft and Missiles, Navy, 1972/1974" and $66,800,000 shall be derived by transfer from "Procurement of Aircraft and Missiles, Navy, 1973/1975", to remain available for obligation until June 30, 1976.

40 USC 255.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public or private plants; $800,700,000, of which $5,000,000 shall be available only for the Trident program, to remain available for obligation until June 30, 1976.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public or private plants; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; $3,468,100,000, of which $627,800,000 shall be available only for the Trident program, $913,200,000 shall be available only for the SSN–688 class submarine program, and $79,000,000 shall be available only for advance procurement funding for DLGN–41 and DLGN–42 nuclear-powered frigates, to remain available for obligation until June 30, 1978: *Provided*, That none of the funds herein provided for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign shipyards for the construction of major components of the hull or superstructure of such vessel: *Provided further*, That none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance and ammunition (except ordnance for new aircraft, new ships, and ships authorized for conversion), expansion of public and private plants, including the land necessary therefor, and such lands and interests

therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public or private plants; $1,204,200,000, of which $26,400,000 shall be available only for the Trident program, and in addition, $45,000,000, of which $10,000,000 shall be derived by transfer from "Other Procurement, Navy, 1972/1974" and $35,000,000 shall be derived by transfer from "Other Procurement, Navy, 1973/1975", to remain available for obligation until June 30, 1976. 40 USC 255.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, ammunition, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public or private plants, and vehicles for the Marine Corps; $173,932,000, and in addition, $5,000,000, of which $3,000,000 shall be derived by transfer from "Procurement, Marine Corps, 1972/1974" and $2,000,000 which shall be derived by transfer from "Procurement, Marine Corps, 1973/1975", to remain available for obligation until June 30, 1976.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land without regard to section 9774 of title 10, United States Code, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to the approval of title as required by section 355, Revised Statutes, as amended; reserve plant and equipment layaway; and other expenses necessary for the foregoing purposes, including rents and transportation of things; $2,720,400,000, of which $28,300,000 shall be available for reimbursement to the appropriation "Military assistance", and in addition, $54,000,000, of which $30,000,000 shall be derived by transfer from "Aircraft Procurement, Air Force, 1972/1974" and $24,000,000 shall be derived by transfer from "Aircraft Procurement, Air Force, 1973/1975", and of the total funds transferred, $41,000,000 shall be available for reimbursement to the appropriation "Military assistance", to remain available for obligation until June 30, 1976. 70A Stat. 590; 83 Stat. 312; 85 Stat. 408. 40 USC 255.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land without regard to section 9774 of title 10, United States Code, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to the approval of title as required by section 355, Revised Statutes, as amended; reserve plant and equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things;

$1,393,300,000, and in addition, $30,000,000, of which $20,000,000 shall be derived by transfer from "Missile Procurement, Air Force, 1972/1974" and $10,000,000 shall be derived by transfer from "Missile Procurement, Air Force, 1973/1975", to remain available for obligation until June 30, 1976.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land without regard to section 9774 of title 10, United States Code, for the foregoing purposes, and such lands and interests therein may be acquired, and construction prosecuted thereon prior to the approval of title as required by section 355, Revised Statutes, as amended; $1,542,700,000, and in addition, $30,000,000, of which $17,000,000 shall be derived by transfer from "Other Procurement, Air Force, 1972/1974" and $13,000,000 shall be derived by transfer from "Other Procurement, Air Force, 1973/1975", to remain available for obligation until June 30, 1976.

70A Stat. 590; 83 Stat. 312; 85 Stat. 408.

40 USC 255.

PROCUREMENT, DEFENSE AGENCIES

For expenses of activities and agencies of the Department of Defense (other than the military departments and the Defense Civil Preparedness Agency) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; expansion of public and private plants, equipment and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to the approval of title as required by section 355, Revised Statutes, as amended; $66,000,000, to remain available for obligation until June 30, 1976.

TITLE V

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $1,912,100,000, and in addition, $3,500,000 to be derived by transfer from "Research, Development, Test, and Evaluation, Army, 1973/1974", to remain available for obligation until June 30, 1975.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $2,651,805,000, to remain available for obligation until June 30, 1975: *Provided further*, That no part of the appropriation contained in this Act shall be used for Full Scale Development of Project Sanguine.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $3,042,000,000, to remain available for obligation until June 30, 1975.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE AGENCIES

For expenses of activities and agencies of the Department of Defense (other than the military departments and the Defense Civil Preparedness Agency), necessary for basic and applied scientific research, development, test, and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $457,900,000, to remain available for obligation until June 30, 1975: *Provided*, That such amounts as may be determined by the Secretary of Defense to have been made available in other appropriations available to the Department of Defense during the current fiscal year for programs related to advanced research may be transferred to and merged with this appropriation to be available for the same purposes and time period: *Provided further*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to carry out the purposes of advanced research to those appropriations for military functions under the Department of Defense which are being utilized for related programs, to be merged with and to be available for the same time period as the appropriation to which transferred.

Transfer of funds.

DIRECTOR OF TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, of independent activities of the Director of Defense Test and Evaluation in the direction and supervision of test and evaluation, including initial operational testing and evaluation; and performance of joint testing and evaluation; and administrative expenses in connection therewith, $24,600,000, to remain available for obligation until June 30, 1975.

TITLE VI

SPECIAL FOREIGN CURRENCY PROGRAM

For payment in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States for expenses of carrying out programs of the Department of Defense, as authorized by law, $2,600,000, to remain available for obligation until June 30, 1975: *Provided*, That this appropriation shall be available, in addition to other appropriations to such Department, for payments in the foregoing currencies.

TITLE VII

GENERAL PROVISIONS

SEC. 701. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

Publicity or propaganda.

Experts or consultants.

SEC. 702. During the current fiscal year, the Secretary of Defense and the Secretaries of the Army, Navy, and Air Force, respectively, if they should deem it advantageous to the national defense, and if in their opinions the existing facilities of the Department of Defense are inadequate, are authorized to procure services in accordance with section 3109 of title 5, United States Code, under regulations prescribed by the Secretary of Defense, and to pay in connection therewith travel expenses of individuals, including actual transportation and per diem in lieu of subsistence while traveling from their homes or places of business to official duty station and return as may be authorized by law: *Provided*, That such contracts may be renewed annually.

80 Stat. 416.

Employment of noncitizens.

SEC. 703. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense.

Appropriations, availability.

SEC. 704. Appropriations contained in this Act shall be available for insurance of official motor vehicles in foreign countries, when required by laws of such countries; payments in advance of expenses determined by the investigating officer to be necessary and in accord with local custom for conducting investigations in foreign countries incident to matters relating to the activities of the department concerned; reimbursement of General Services Administration for security guard services for protection of confidential files; reimbursement of the Federal Bureau of Investigation for expenses in connection with investigation of defense contractor personnel; and all necessary expenses, at the seat of government of the United States of America or elsewhere, in connection with communication and other services and supplies as may be necessary to carry out the purposes of this Act.

Prisoners of war.

SEC. 705. Any appropriation available to the Army, Navy, or the Air Force may, under such regulations as the Secretary concerned may prescribe, be used for expenses incident to the maintenance, pay, and allowances of prisoners of war, other persons in Army, Navy, or Air Force custody whose status is determined by the Secretary concerned to be similar to prisoners of war, and persons detained in such custody pursuant to Presidential proclamation.

Land acquisition.

SEC. 706. Appropriations available to the Department of Defense for the current fiscal year for maintenance or construction shall be available for acquisition of land or interest therein as authorized by section 2672 or 2675 of title 10, United States Code.

85 Stat. 411; 72 Stat. 1460; 84 Stat. 1224.

Dependents' schooling.

SEC. 707. Appropriations for the Department of Defense for the current fiscal year shall be available, (a) except as authorized by the Act of September 30, 1950 (20 U.S.C. 236–244), for primary and secondary schooling for minor dependents of military and civilian personnel of the Department of Defense residing on military or naval installations or stationed in foreign countries, as authorized for the Navy by section 7204 of title 10, United States Code, in an amount not exceeding $196,614,000, when the Secretary of the Department concerned finds that schools, if any, available in the locality, are unable to provide adequately for the education of such dependents: *Provided*, That under such regulations as may be issued by the Secretary of Defense, such schooling in a school operated by the Department of Defense under this section may be provided without tuition for minor dependents of civilian and military personnel of the Department of Defense who died while entitled to compensation or active duty pay: *Provided further*, That where such personnel die subsequent to January 11, 1971, such schooling must be continued or commenced within one year after the date of death; (b) for expenses in connection with administration of occupied areas; (c) for payment of rewards as authorized for the Navy by section 7209(a) of title 10,

70A Stat. 442.

United States Code, for information leading to the discovery of missing naval property or the recovery thereof; (d) for payment of deficiency judgments and interests thereon arising out of condemnation proceedings; (e) for leasing of buildings and facilities including payment of rentals for special purpose space at the seat of government, and in the conduct of field exercises and maneuvers or, in administering the provisions of title 43, United States Code, section 315q, rentals may be paid in advance; (f) payments under contracts for maintenance of tools and facilities for twelve months beginning at any time during the fiscal year; (g) maintenance of defense access roads certified as important to national defense in accordance with section 210 of title 23, United States Code; (h) for the purchase of milk for enlisted personnel of the Department of Defense heretofore made available pursuant to section 1446a, title 7, United States Code, and the cost of milk so purchased, as determined by the Secretary of Defense, shall be included in the value of the commuted ration; (i) transporting civilian clothing to the home of record of selective service inductees and recruits on entering the military services; (j) payments under leases for real or personal property for twelve months beginning at any time during the fiscal year; and (k) pay and allowances of not to exceed nine persons, including personnel detailed to International Military Headquarters and Organizations, at rates provided for under section 625(d)(1) of the Foreign Assistance Act of 1961, as amended.

70A Stat. 444.
Deficiency judgements.
Leasing.
56 Stat. 654.
Tools, maintenance.
Access roads.
72 Stat. 908; 75 Stat. 123.
Milk program.
68 Stat. 900; 84 Stat. 1361; *Ante*, p. 223.

SEC. 708. Appropriations for the Department of Defense for the current fiscal year shall be available for: (a) donations of not to exceed $25 to each prisoner upon each release from confinement in military or contract prison and to each person discharged for fraudulent enlistment; (b) authorized issues of articles to prisoners, applicants for enlistment and persons in military custody; (c) subsistence of selective service registrants called for induction, applicants for enlistment, prisoners, civilian employees as authorized by law, and supernumeraries when necessitated by emergent military circumstances; (d) reimbursement for subsistence of enlisted personnel while sick in hospitals; (e) expenses of prisoners confined in nonmilitary facilities; (f) military courts, boards, and commissions; (g) utility services for buildings erected at private cost, as authorized by law, and buildings on military reservations authorized by regulations to be used for welfare and recreational purposes; (h) exchange fees, and losses in the accounts of disbursing officers or agents in accordance with law; (i) expenses of Latin American cooperation as authorized for the Navy by law (10 U.S.C. 7208); and (j) expenses of apprehension and delivery of deserters, prisoners, and members absent without leave, including payment of rewards of not to exceed $25 in any one case.

75 Stat. 449.
22 USC 2385.
Incidental expenses, payment.
70A Stat. 443.

SEC. 709. Insofar as practicable, the Secretary of Defense shall assist American small business to participate equitably in the furnishing of commodities and services financed with funds appropriated under this Act by making available or causing to be made available to suppliers in the United States, and particularly to small independent enterprises, information, as far in advance as possible, with respect to purchases proposed to be financed with funds appropriated under this Act, and by making available or causing to be made available to purchasing and contracting agencies of the Department of Defense information as to commodities and services produced and furnished by small independent enterprises in the United States, and by otherwise helping to give small business an opportunity to participate in the furnishing of commodities and services financed with funds appropriated by this Act.

Small business assistance.

Mess operations.

SEC. 710. No appropriation contained in this Act shall be available for expenses of operation of messes (other than organized messes the operating expenses of which are financed principally from nonappropriated funds) at which meals are sold to officers or civilians, except under regulations approved by the Secretary of Defense, which shall (except under unusual or extraordinary circumstances) establish rates for such meals sufficient to provide reimbursements of operating expenses and food costs to the appropriations concerned: *Provided*, That officers and civilians in a travel status receiving a per diem allowance in lieu of subsistence shall be charged at the rate of not less than $2.50 per day: *Provided further*, That for the purposes of this section payments for meals at the rates established hereunder may be made in cash or by deduction from the pay of civilian employees: *Provided further*, That members of organized nonprofit youth groups sponsored at either the national or local level, when extended the privilege of visiting a military installation and permitted to eat in the general mess by the commanding officer of the installation, shall pay the commuted ration cost of such meal or meals.

Fiscal year limitation.

SEC. 711. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Reimbursable appropriations.

SEC. 712. Appropriations of the Department of Defense available for operation and maintenance may be reimbursed during the current fiscal year for all expenses involved in the preparation for disposal and for the disposal of military supplies, equipment, and materiel, and for all expenses of production of lumber or timber products pursuant to section 2665 of title 10, United States Code, from amounts received as proceeds from the sale of any such property: *Provided*, That a report of receipts and disbursements under this limitation shall be made quarterly to Congress: *Provided further*, That no funds available to agencies of the Department of Defense shall be used for the operation, acquisition, or construction of new facilities or equipment for new facilities in the continental limits of the United States for metal scrap baling or shearing or for melting or sweating aluminum scrap unless the Secretary of Defense or an Assistant Secretary of Defense designated by him determines, with respect to each facility involved, that the operation of such facility is in the national interest.

70A Stat. 149.

Report to Congress.

Funds, apportionment exemption.

SEC. 713. (a) During the current fiscal year, the President may exempt appropriations, funds, and contract authorizations, available for military functions under the Department of Defense, from the provisions of subsection (c) of section 3679 of the Revised Statutes, as amended, whenever he deems such action to be necessary in the interest of national defense.

31 USC 665.

Airborne alert expenses.

(b) Upon determination by the President that such action is necessary, the Secretary of Defense is authorized to provide for the cost of an airborne alert as an excepted expense in accordance with the provisions of Revised Statutes 3732 (41 U.S.C. 11).

Military personnel increases, expenses.

(c) Upon determination by the President that it is necessary to increase the number of military personnel on active duty subject to existing laws beyond the number for which funds are provided in this Act, the Secretary of Defense is authorized to provide for the cost of such increased military personnel, as an excepted expense in accordance with the provisions of Revised Statutes 3732 (41 U.S.C. 11).

Report to Congress.

(d) The Secretary of Defense shall immediately advise Congress of the exercise of any authority granted in this section, and shall report monthly on the estimated obligations incurred pursuant to subsections (b) and (c).

Commissary stores.

SEC. 714. No appropriation contained in this Act shall be available in connection with the operation of commissary stores of the agencies

of the Department of Defense for the cost of purchase (including commercial transportation in the United States to the place of sale but excluding all transportation outside the United States) and maintenance of operating equipment and supplies, and for the actual or estimated cost of utilities as may be furnished by the Government and of shrinkage, spoilage, and pilferage of merchandise under the control of such commissary stores, except as authorized under regulations promulgated by the Secretaries of the military departments concerned, with the approval of the Secretary of Defense, which regulations shall provide for reimbursement therefor to the appropriations concerned and, notwithstanding any other provision of law, shall provide for the adjustment of the sales prices in such commissary stores to the extent necessary to furnish sufficient gross revenue from sales of commissary stores to make such reimbursement: *Provided*, That under such regulations as may be issued pursuant to this section all utilities may be furnished without cost to the commissary stores outside the continental United States and in Alaska: *Provided further*, That no appropriation contained in this Act shall be available in connection with the operation of commissary stores within the continental United States unless the Secretary of Defense has certified that items normally procured from commissary stores are not otherwise available at a reasonable distance and a reasonable price in satisfactory quality and quantity to the military and civilian employees of the Department of Defense.

Free utilities outside U.S. and in Alaska.

SEC. 715. No part of the appropriations in this Act shall be available for any expense of operating aircraft under the jurisdiction of the armed forces for the purpose of proficiency flying, as defined in Department of Defense Directive 1340.4, except in accordance with regulations prescribed by the Secretary of Defense. Such regulations (1) may not require such flying except that required to maintain proficiency in anticipation of a member's assignment to combat operations and (2) such flying may not be permitted in cases of members who have been assigned to a course of instruction of ninety days or more. When any rated member is assigned to duties, the performance of which does not require the maintenance of basic flying skills, all such members, while so assigned, except, after May 31, 1973, those of the rank of colonel or equivalent or above (O–6) in non-combat assignments, are entitled to flight pay prescribed under section 301 of title 37, United States Code, if otherwise entitled to flight pay at the time of such assignment.

Proficiency flying.

76 Stat. 461.

SEC. 716. No part of any appropriation contained in this Act shall be available for expense of transportation, packing, crating, temporary storage, drayage, and unpacking of household goods and personal effects in any one shipment having a net weight in excess of thirteen thousand five hundred pounds.

Household goods.

SEC. 717. Vessels under the jurisdiction of the Department of Commerce, the Department of the Army, Department of the Air Force, or the Department of the Navy may be transferred or otherwise made available without reimbursement to any such agencies upon the request of the head of one agency and the approval of the agency having jurisdiction of the vessels concerned.

Vessels, transfer.

SEC. 718. None of the funds in this Act shall be available for the enlistment or pay of non-prior service personnel during fiscal year 1974 when the enlistment will cause the percentage of non-high school graduate enlistments of the service concerned to exceed 45 per centum or the mental category IV enlistments to exceed 18 per centum of the total non-prior service enlistments for the entire fiscal year.

Non-prior service personnel.

SEC. 719. Not more than 20 per centum of the appropriations in this Act which are limited for obligation during the current fiscal year

Obligated funds, 1974, limitation.

shall be obligated during the last two months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of civilian components or summer-camp training of the Reserve Officers' Training Corps.

Foreign real property, use.

SEC. 720. During the current fiscal year the agencies of the Department of Defense may accept the use of real property from foreign countries for the United States in accordance with mutual defense agreements or occupational arrangements and may accept services furnished by foreign countries as reciprocal international courtesies or as services customarily made available without charge; and such agencies may use the same for the support of the United States forces in such areas without specific appropriation therefor.

In addition to the foregoing, agencies of the Department of Defense may accept real property, services, and commodities from foreign countries for the use of the United States in accordance with mutual defense agreements or occupational arrangements and such agencies may use the same for the support of the United States forces in such areas, without specific appropriations therefor: *Provided*, That the foregoing authority shall not be available for the conversion of heating plants from coal to oil at defense facilities in Europe: *Provided further*, That within thirty days after the end of each quarter the Secretary of Defense shall render to Congress and to the Office of Management and Budget a full report of such property, supplies, and commodities received during such quarter.

Report to Congress and Office of Management and Budget.

Research and development funds.
70A Stat. 134.

SEC. 721. During the current fiscal year, appropriations available to the Department of Defense for research and development may be used for the purposes of section 2353 of title 10, United States Code, and for purposes related to research and development for which expenditures are specifically authorized in other appropriations of the service concerned.

Education expenses, restriction.

SEC. 722. No appropriation contained in this Act shall be available for the payment of more than 75 per centum of charges of educational institutions for tuition or expenses of off-duty training of military personnel, nor for the payment of any part of tuition or expenses for such training for commissioned personnel who do not agree to remain on active duty for two years after completion of such training.

ROTC, loyalty requirements.

SEC. 723. No part of the funds appropriated herein shall be expended for the support of any formally enrolled student in basic courses of the senior division, Reserve Officers' Training Corps, who has not executed a certificate of loyalty or loyalty oath in such form as shall be prescribed by the Secretary of Defense.

Procurement restrictions.

SEC. 724. No part of any appropriation contained in this Act shall be available for the procurement of any article of food, clothing, cotton, woven silk or woven silk blends, spun silk yarn for cartridge cloth, synthetic fabric or coated synthetic fabric, or wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles), or specialty metals not grown, reprocessed, reused, or produced in the United States or its possessions, except to the extent that the Secretary of the Department concerned shall determine that a satisfactory quality and sufficient quantity of any articles of food or clothing or any form of cotton, woven silk and woven silk blends, spun silk yarn for cartridge cloth, synthetic fabric or coated synthetic fabric, wool, or specialty metals grown, reprocessed, reused, or produced in the United States or its possessions cannot be procured as and when needed at United States market prices and except procurements outside the United States in support of combat operations, procurements by vessels in foreign waters, and emergency procurements or procurements of perishable foods by establishments located

outside the United States for the personnel attached thereto: *Provided*, That nothing herein shall preclude the procurement of foods manufactured or processed in the United States or its possessions: *Provided further*, That no funds herein appropriated shall be used for the payment of a price differential on contracts hereafter made for the purpose of relieving economic dislocations: *Provided further*, That none of the funds appropriated in this Act shall be used except that, so far as practicable, all contracts shall be awarded on a formally advertised competitive bid basis to the lowest responsible bidder.

Service facilities.

SEC. 725. None of the funds appropriated in this Act shall be used for the construction, replacement, or reactivation of any bakery, laundry, or drycleaning facility in the United States, its territories or possessions, as to which the Secretary of Defense does not certify in writing, giving his reasons therefor, that the services to be furnished by such facilities are not obtainable from commercial sources at reasonable rates.

Airmail reimbursement.

SEC. 726. During the current fiscal year, appropriations of the Department of Defense shall be available for reimbursement to the United States Postal Service for payment of costs of commercial air transportation of military mail between the United States and foreign countries.

Furnishings and automobiles, purchase.

SEC. 727. Appropriations contained in this Act shall be available for the purchase of household furnishings, and automobiles from military and civilian personnel on duty outside the continental United States, for the purpose of resale at cost to incoming personnel, and for providing furnishings, without charge, in other than public quarters occupied by military or civilian personnel of the Department of Defense on duty outside the continental United States or in Alaska, upon a determination, under regulations approved by the Secretary of Defense, that such action is advantageous to the Government.

Uniforms.

SEC. 728. During the current fiscal year, appropriations available to the Department of Defense for pay of civilian employees shall be available for uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901; 80 Stat. 508).

81 Stat. 206.

Ammunition, transfer.

SEC. 729. During the current fiscal year, the Secretary of Defense shall, upon requisition of the National Board for the Promotion of Rifle Practice, and without reimbursement, transfer from agencies of the Department of Defense to the board ammunition from stock or which has been procured for the purposes in such amounts as he may determine.

Travel expenses.

Such appropriations of the Department of Defense available for obligation during the current fiscal year as may be designated by the Secretary of Defense shall be available for the travel expenses of military and naval personnel, including the Reserve components, and members of the Reserve Officers' Training Corps attending regional, national, or international rifle matches.

Congressional liaison activities.

SEC. 730. Funds provided in this Act for congressional liaison activities of the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Office of the Secretary of Defense shall not exceed $1,300,000: *Provided*, That this amount shall be available for apportionment to the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Office of the Secretary of Defense as determined by the Secretary of Defense.

Civil reserve air fleet.

SEC. 731. Of the funds made available by this Act for the services of the Military Airlift Command, $100,000,000 shall be available only for procurement of commercial transportation service from carriers participating in the civil reserve air fleet program; and the Secretary of Defense shall utilize the services of such carriers which qualify as

small businesses to the fullest extent found practicable: *Provided*, That the Secretary of Defense shall specify in such procurement, performance characteristics for aircraft to be used based upon modern aircraft operated by the civil air fleet.

Civilian clothing.

SEC. 732. During the current fiscal year, appropriations available to the Department of Defense for operation may be used for civilian clothing, not to exceed $40 in cost for enlisted personnel: (1) discharged for misconduct, unfitness, unsuitability, or otherwise than honorably; (2) sentenced by a civil court to confinement in a civil prison or interned or discharged as an alien enemy; (3) discharged prior to completion of recruit training under honorable conditions for dependency, hardship, minority, disability, or for the convenience of the Government.

Defense contractors' advertising costs, restrictions.

SEC. 733. No part of the funds appropriated herein shall be available for paying the costs of advertising by any defense contractor, except advertising for which payment is made from profits, and such advertising shall not be considered a part of any defense contract cost. The prohibition contained in this section shall not apply with respect to advertising conducted by any such contractor, in compliance with regulations which shall be promulgated by the Secretary of Defense, solely for (1) the recruitment by the contractor of personnel required for the performance by the contractor of obligations under a defense contract, (2) the procurement of scarce items required by the contractor for the performance of a defense contract, or (3) the disposal of scrap or surplus materials acquired by the contractor in the performance of a defense contract.

New facilities, restriction.

SEC. 734. Funds appropriated in this Act for maintenance and repair of facilities and installations shall not be available for acquisition of new facilities, or alteration, expansion, extension, or addition of existing facilities, as defined in Department of Defense Directive 7040.2, dated January 18, 1961, in excess of $50,000: *Provided*, That the Secretary of Defense may amend or change the said directive during the current fiscal year, consistent with the purpose of this section.

Transfer of funds.

SEC. 735. During the current fiscal year upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $625,000,000 of the appropriations of funds available to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, then those for which originally appropriated, and in no case where the item for which funds are requested has been denied by Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority.

Notice to Congress.

Contract payments in foreign countries.

SEC. 736. None of the funds appropriated in this Act may be used to make payments under contracts for any program, project, or activity in a foreign country unless the Secretary of Defense or his designee, after consultation with the Secretary of the Treasury or his designee, certifies to the Congress that the use, by purchase from the Treasury, of currencies of such country acquired pursuant to law is not feasible for the purpose, stating the reason therefor.

Forces in Vietnam and Laos, support.

SEC. 737. (a) Not to exceed $1,126,000,000 of the appropriations available to the Department of Defense during the current fiscal year shall be available for their stated purposes to support (1) Vietnamese

and other free world forces in support of Vietnamese forces; (2) local forces in Laos; and for related costs on such terms and conditions as the Secretary of Defense may determine: *Provided*, That none of the funds appropriated by this Act may be used for the purpose of paying any overseas allowance, per diem allowance, or any other addition to the regular base pay of any person serving with the free world forces in South Vietnam if the amount of such payment would be greater than the amount of special pay authorized to be paid, for an equivalent period of service, to members of the Armed Forces of the United States under section 310 of title 37, United States Code, serving in Vietnam or in any other hostile fire area, except for continuation of payments of such additions to regular base pay provided in agreements executed prior to July 1, 1970: *Provided further*, That nothing in clause (1) of the first sentence of this subsection shall be construed as authorizing the use of any such funds to support Vietnamese or other free world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos. *Provided further*, That nothing contained in this section shall be construed to prohibit support of actions required to insure the safe and orderly withdrawal or disengagement of United States forces from Southeast Asia, or to aid in the release of Americans held as prisoners of war.

77 Stat. 216; 79 Stat. 547.

(b) Within thirty days after the end of each quarter, the Secretary of Defense shall render to Congress a report with respect to the estimated value by purpose, by country, of support furnished from such appropriations.

Report to Congress.

SEC. 738. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget.

Working capital funds.

76 Stat. 521.

SEC. 739. No part of the funds appropriated under this Act shall be used to pay salaries of any Federal employee who is convicted in any Federal, State, or local court of competent jurisdiction, of inciting, promoting, or carrying on a riot, or any group activity resulting in material damage to property or injury to persons, found to be in violation of Federal, State, or local laws designed to protect persons or property in the community concerned.

Convicted rioters.

SEC. 740. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, or a grant to any applicant who has been convicted by any court of general jurisdiction of any crime which involves the use of or the assistance to others in the use of force, trespass, or the seizure of property under control of an institution of higher education to prevent officials or students at such an institution from engaging in their duties or pursuing their studies.

Campus disrupters.

SEC. 741. None of the funds herein appropriated may be obligated or expended after August 15, 1973, to finance directly or indirectly combat activities by United States military forces in or over or from off the shores of North Vietnam, South Vietnam, Laos, or Cambodia.

Vietnam, Laos, or Cambodia, combat activities.

SEC. 742. None of the funds available to the Department of Defense shall be utilized for the conversion of heating plants from coal to oil at defense facilities in Europe.

Heating plant conversion.

SEC. 743. None of the funds appropriated by this Act shall be available for any research involving uninformed or nonvoluntary human beings as experimental subjects.

Involuntary experimental subjects.

SEC. 744. Appropriations for the current fiscal year for operation and maintenance of the active forces shall be available for medical and dental care of personnel entitled thereto by law or regulation (including charges of private facilities for care of military personnel, except elective private treatment); welfare and recreation; hire of passenger motor vehicles; repair of facilities; modification of personal property; design of vessels; industrial mobilization; installation of equipment in public or private plants; military communications facilities on merchant vessels; acquisition of services, special clothing, supplies, and equipment; and expenses for the Reserve Officers' Training Corps and other units at educational institutions.

Reprogramming of funds.

SEC. 745. No part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for the reprograming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprograming is requested has been denied by the Congress.

Petroleum fuels to Southeast Asia.

SEC. 746. None of the funds contained in this Act shall be used to furnish petroleum fuels produced in the continental United States to Southeast Asia for use by non-United States nationals.

TITLE VIII

DEFENSE MANPOWER COMMISSION

There is hereby appropriated the sum of $400,000 to the Defense Manpower Commission for use in carrying out the provisions of title VII of the Department of Defense Appropriation Authorization Act, 1974.

Ante, p. 609.

Short title.

This Act may be cited as the "Department of Defense Appropriation Act, 1974".

Approved January 2, 1974.

Public Law 93-239

January 2, 1974
[H. R. 11372]

AN ACT

To conserve energy on the Nation's highways.

Emergency Highway Energy Conservation Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act be cited as the "Emergency Highway Energy Conservation Act".

SEC. 2. (a) The purpose of this section is to conserve fuel during periods of current and imminent fuel shortages through the establishment of a national maximum highway speed limit.

National maximum speed limit.

72 Stat. 892; 84 Stat. 1717, 1737.

(b) After the sixtieth day after the date of enactment of this Act, the Secretary of Transportation shall not approve any project under section 106 of title 23 of the United States Code in any State which has (1) a maximum speed limit on any public highway within its jurisdiction in excess of 55 miles per hour, and (2) a speed limit for all types of motor vehicles other than 55 miles per hour on any portion of any public highway within its jurisdiction of four or more traffic lanes, the opposing lanes of which are physically separated by means other than striping, which portion of highway had a speed limit for all types of motor vehicles of 55 miles, or more, per hour on November 1, 1973, and (3) a speed limit on any other portion of a public highway within its jurisdiction which is not uniformly applicable to all types of motor vehicles using such portion of highway, if on November 1, 1973, such portion of highway had a speed limit which was uniformly applicable to all types of motor vehicles using it. A lower

speed limit may be established for any vehicle operating under a special permit because of any weight or dimension of such vehicle, including any load thereon. Clauses (2) and (3) of this section shall not apply to any portion of a highway during such time that the condition of the highway, weather, an accident, or other condition creates a temporary hazard to the safety of traffic on such portion of a highway.

Definitions.

(c) (1) For the purposes of this section the terms "highway" and "State" shall have the same meanings as in section 101 of title 23, United States Code.

72 Stat. 885; 74 Stat. 415.

(2) As used in this Act, the term "motor vehicle" means any vehicle driven or drawn by mechanical power manufactured primarily for use on public highways, except any vehicle operated exclusively on a rail or rails.

72 Stat. 898; 84 Stat. 1731. *Ante*, pp. 254, 256, 257, 292.

(d) Notwithstanding the provisions of section 120 of title 23, United States Code, sums apportioned to any State under section 104 of title 23, United States Code, shall be available to pay the entire cost of any modification of the signing of the Federal-aid highways for which such sums are apportioned within such State due to a reduction in speed limits to conserve fuel if such change in signing occurs or has occurred after November 1, 1973.

Termination date.

(e) This section shall cease to be in effect (1) on and after the date on which the President declares that there is not a fuel shortage requiring the application of this Act, or (2) on and after June 30, 1975, whichever date first occurs.

(f) The requirements of this section shall be deemed complied with by administrative action lawfully taken by the Governor or other appropriate State official that complies with this section.

Carpools, demonstration projects.

SEC. 3. (a) To conserve fuel, decrease traffic congestion during rush hours, improve air quality, and enhance the use of existing highways and parking facilities, the Secretary of Transportation is authorized to approve demonstration projects designed to encourage the use of carpools in urban areas.

(b) Proposals shall be originated by local officials and submitted by the State in accordance with the provisions of section 105(d) of title 23, United States Code. The Secretary of Transportation shall approve for funding those projects which offer reasonable prospects of achieving the objectives set forth in subsection (a) of this section.

Ante, p. 255.

(c) A project may include, but not be limited to, such measures as systems for locating potential riders and informing them of convenient carpool opportunities, designating existing highway lanes as preferential carpool highway lanes or shared bus and carpool lanes, providing related traffic control devices, and designating existing publicly owned facilities for use as preferential parking for carpools.

(d) A project authorized by this section shall be subject to, and carried out in accordance with all of the provisions of chapter 1 of title 23, United States Code, applicable to highway projects, except that the Federal share of such project shall be 90 per centum, the Federal share shall not exceed $1,000,000 for any single project, and only funds apportioned under section 104(b) (3) and (6) of such title shall be available to carry out projects authorized by this section. The Secretary shall not approve any project under this section after December 31, 1974.

72 Stat. 885; *Ante*, p. 261. 23 USC 101. Federal share.

77 Stat. 276; *Ante*, p. 256. Termination date.

Study.

(e) The Secretary of Transportation shall conduct a full investigation of the effectiveness of measures employed in the demonstration projects authorized by subsection (a) of this section. In addition, he shall, in cooperation with the Internal Revenue Service, the Environmental Protection Agency, and other appropriate Federal and State agencies, study other measures, including but not limited to tax and other economic incentives, which might lead to significant increases in carpool ridership in urban areas throughout the country, and shall identify any institutional or legal barriers to such measures and the costs and benefits of such measures. He shall report to the Congress not later than December 31, 1974, his findings, conclusions, and recommendations resulting from such investigation and study. Funds authorized to carry out section 307 of title 23, United States Code, are authorized to be used to carry out the investigation and study authorized by this subsection.

Report to Congress.

72 Stat. 913; *Ante*, p. 276.

SEC. 4. Section 601(d) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1421) is amended to read as follows:

84 Stat. 1619, 1705.

"EMERGENCY LOCATOR TRANSMITTERS

"(d)(1) Except with respect to aircraft described in paragraph (2) of this subsection, minimum standards pursuant to this section shall include a requirement that emergency locator transmitters shall be installed—

"(A) on any fixed-wing, powered civil aircraft for use in air commerce the manufacture of which is completed, or which is imported into the United States, after one year following the date of enactment of this subsection; and

"(B) on any fixed-wing, powered civil aircraft used in air commerce after three years and six months following such date.

"(2) The provisions of this subsection shall not apply to:

"(A) Turbojet-powered aircraft;

"(B) Aircraft while engaged in scheduled flights by scheduled air carriers certificated by the Board;

"(C) Aircraft while engaged in training operations conducted entirely within a fifty-mile radius of the airport from which such local flight operations began;

"(D) Aircraft while engaged in flight operations incident to design and testing;

"(E) New aircraft while engaged in flight operations incident to their manufacture, preparation, and delivery;

"(F) Aircraft while engaged in flight operations incident to the aerial application of chemicals and other substances for agricultural purposes;

"(G) Aircraft certificated by the Administrator for research and development purposes;

"(H) Aircraft while used for showing compliance with regulations, crew training, exhibition, air racing, or market surveys; and

"(I) Aircraft equipped to carry not more than one person.".

Approved January 2, 1974.

Public Law 93-240

AN ACT

January 2, 1974
[H. R. 11771]

Making appropriations for Foreign Assistance and related programs for the fiscal year ending June 30, 1974, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Foreign Assistance and related programs for the fiscal year ending June 30, 1974, and for other purposes, namely:

Foreign Assistance and Related Programs Appropriation Act, 1974.

TITLE I—FOREIGN ASSISTANCE ACT ACTIVITIES

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, as amended, and for other purposes, to remain available until June 30, 1974, unless otherwise specified herein, as follows:

75 Stat. 424.
22 USC 2151 note.

ECONOMIC ASSISTANCE

Food and nutrition, Development Assistance: For necessary expenses to carry out the provisions of section 103, $284,000,000: *Provided*, That in addition to the amounts provided for loans to carry out the purposes of this paragraph, such amounts as are provided for under section 203 shall also be available for loans, together with all such amounts to remain available until expended.

Ante, p. 715.

Ante, p. 717.

Population planning and health, Development Assistance: For necessary expenses to carry out the provisions of section 104, $135,000,000: *Provided*, That in addition to the amounts provided for loans to carry out the purposes of this paragraph, such amounts as are provided for under section 203 shall also be available for loans, together all such amounts to remain available until expended: *Provided further*, That not more than $112,500,000 appropriated or made available under this Act shall be used for the purposes of section 291 during the current fiscal year.

81 Stat. 452.
22 USC 2219.

Education and human resources development, Development Assistance: For necessary expenses to carry out the provisions of section 105, $89,000,000: *Provided*, That in addition to the amounts provided for loans to carry out the purposes of this paragraph, such amounts as are provided for under section 203 shall also be available for loans, together all such amounts to remain available until expended.

Selected development problems, Development Assistance: For necessary expenses to carry out the provisions of section 106, $40,500,000: *Provided*, That in addition to the amounts provided for loans to carry out the purposes of this paragraph, such amounts as are provided for under section 203 shall also be available for loans, together all such amounts to remain available until expended.

Selected countries and organizations, Development Assistance: For necessary expenses to carry out the provisions of section 107, $36,500,000: *Provided*, That in addition to the amounts provided for loans to carry out the purposes of this paragraph, such amounts as are provided for under section 203 shall also be available for loans, together all such amounts to remain available until expended.

Limitation on grants, Development Assistance: Of the new obligational authority appropriated under this Act to carry out the

Ante, p. 715.

provisions of sections 103–107, not more than $300,000,000 shall be available for grants.

Ante, p. 718.

International organizations and programs: For necessary expenses to carry out the provisions of section 301, $125,000,000, of which $15,000,000 shall be available only for the United Nations Children's Fund and of which $14,300,000 shall be available only for the United Nations Relief and Works Agency.

Ante, p. 713.

United Nations Environment Fund: For necessary expenses to carry out the provisions of section 2 of the United Nation's Environment Program Participation Act of 1973, $7,500,000.

Ante, p. 717.

American schools and hospitals abroad: For necessary expenses to carry out the provisions of section 214, $19,000,000.

American schools and hospitals abroad (special foreign currency program): For necessary expenses to carry out the provisions of section 214, $6,500,000 in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, to remain available until expended.

Ante, p. 718.

National Association of the Partners of the Alliance, Inc.: For necessary expenses to carry out the provisions of section 252(b) $750,000.

Ante, p. 719.

Indus Basin Development Fund, grants: For necessary expenses to carry out the provisions of section 302(b)(2) with respect to Indus Basin Development Fund, grants, $9,000,000: *Provided*, That no other funds appropriated or made available under this Act shall be used for the purposes of such section during the current fiscal year.

Indus Basin Development Fund, loans: For expenses authorized by section 302(b)(1), $2,000,000, to remain available until expended: *Provided*, That no other funds appropriated or made available under this Act shall be used for the purposes of such section during the current fiscal year.

83 Stat. 819; Ante, p. 719.

United Nations Relief and Works Agency (Arab refugees): For necessary expenses to carry out the provisions of section 302(e), $2,000,000.

Ante, p. 733.

Albert Schweitzer Hospital: For necessary expenses to carry out section 33 of the Foreign Assistance Act of 1973, $1,000,000.

Ante, p. 719.

Contingency fund: For necessary expenses, $15,000,000, to be used for the purposes set forth in section 451.

86 Stat. 496; Ante, p. 719.

International narcotics control: For necessary expenses to carry out the provisions of section 481, $42,500,000.

Ante, p. 725.

African Sahel famine and disaster relief assistance: For necessary expenses to carry out the provisions of section 639A, $25,000,000.

Ante, p. 724.

Administrative expenses: For necessary expenses, $40,000,000, to be used for the purposes set forth in section 637(a).

22 USC 2397.

Administrative and other expenses: For expenses authorized by section 637(b) of the Foreign Assistance Act of 1961, as amended, and by section 305 of the Mutual Defense Assistance Control Act of 1951, as amended, $4,800,000.

22 USC 1613d.

Unobligated balances as of June 30, 1973, of funds heretofore made available under the authority of the Foreign Assistance Act of 1961, as amended, except as otherwise provided by law, are hereby continued available for the fiscal year 1974, for the same general purposes for which appropriated and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Foreign Assistance Act of 1961, as amended, for the same general purpose as any of the subparagraphs under "Economic Assistance", "Security Supporting Assistance", and "Indochina Postwar Reconstruction Assistance", are hereby continued available for the same

75 Stat. 424. 22 USC 2151 note.

68 Stat. 830; 84 Stat. 2085. 31 USC 200.

period as the respective appropriations in such subparagraphs for the same general purpose: *Provided*, That such unobligated balances as of June 30, 1973, and such amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made under the authority of section 531 of the Foreign Assistance Act of 1961, as amended, are hereby continued available for the fiscal year 1974 for expenses to carry out the provisions of section 531 or section 801 of the Foreign Assistance Act of 1961, as amended: *Provided further*, That such purpose relates to a project or program previously justified to Congress and the Committees on Appropriations of the House of Representatives and the Senate are notified prior to the reobligation of funds for such projects or programs.

68 Stat. 830; 84 Stat. 2085. 31 USC 200. 86 Stat. 26. 22 USC 2346.

Ante, p. 728.

MILITARY ASSISTANCE

Military assistance: For necessary expenses to carry out the provisions of section 503 of the Foreign Assistance Act of 1961, as amended, including administrative expenses and purchase of passenger motor vehicles for replacement only for use outside of the United States, $450,000,000: *Provided*, That none of the funds contained in this paragraph shall be available for the purchase of new automotive vehicles outside of the United States.

Ante, p. 720.

INDOCHINA POSTWAR RECONSTRUCTION ASSISTANCE

Indochina postwar reconstruction assistance: For necessary expenses to carry out the provisions of section 801 of the Foreign Assistance Act of 1961, as amended, $450,000,000.

SECURITY SUPPORTING ASSISTANCE

Security supporting assistance: For necessary expenses to carry out the provisions of section 531 of the Foreign Assistance Act of 1961, as amended, $112,500,000: *Provided*, That of the funds appropriated under this paragraph, not less than $50,000,000 shall be allocated to Israel.

OVERSEAS PRIVATE INVESTMENT CORPORATION

The Overseas Private Investment Corporation is authorized to make such expenditures within the limits of funds available to it and in accordance with law (including not to exceed $10,000 for entertainment allowances), and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 849), as may be necessary in carrying out the program set forth in the budget for the current fiscal year.

61 Stat. 584.

Overseas Private Investment Corporation, reserves: For expenses authorized by section 235(f), $25,000,000, to remain available until expended.

83 Stat. 813. 22 USC 2195.

INTER-AMERICAN FOUNDATION

The Inter-American Foundation is authorized to make such expenditures within the limits of funds available to it and in accordance with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 849), as may be necessary in carrying out its authorized programs during

the current fiscal year: *Provided*, That not to exceed $10,000,000 shall be available to carry out the authorized programs during the current fiscal year.

GENERAL PROVISIONS

Flood control and related projects.

SEC. 101. None of the funds herein appropriated (other than funds appropriated for "International organizations and programs" and "Indus Basin Development Fund") shall be used to finance the construction of any new flood control, reclamation, or other water or related land resource project or program which has not met the standards and criteria used in determining the feasibility of flood control, reclamation, and other water and related land resource programs and projects proposed for construction within the United States of America as per memorandum of the President dated May 15, 1962.

Obligation of funds, restriction.

SEC. 102. Except for the appropriations entitled "Contingency fund", and appropriations of funds to be used for loans, not more than 20 per centum of any appropriation item made available by this title shall be obligated and/or reserved during the last month of availability.

Military personnel of recipient countries, annuities.

SEC. 103. None of the funds herein appropriated nor any of the counterpart funds generated as a result of assistance hereunder or any prior Act shall be used to pay pensions, annuities, retirement pay, or adjusted service compensation for any persons heretofore or hereafter serving in the armed forces of any recipient country.

75 Stat. 424. 22 USC 2151 note.

SEC. 104. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used for making payments on any contract for procurement to which the United States is a party entered into after the date of enactment of this Act which does not contain a provision authorizing the termination of such contract for the convenience of the United States.

SEC. 105. None of the funds appropriated or made available under this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to make payments with respect to any capital project financed by loans or grants from the United States where the United States has not directly approved the terms of the contracts and the firms to provide engineering, procurement, and construction services on such projects.

SEC. 106. Of the funds appropriated or made available pursuant to this Act, not more than $12,000,000 may be used during the fiscal year ending June 30, 1974, in carrying out research under section 241 of the Foreign Assistance Act of 1961, as amended.

75 Stat. 433; 77 Stat. 382. 22 USC 2201.

SEC. 107. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations.

Construction in underdeveloped countries.

SEC. 108. None of the funds made available by this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be obligated for financing, in whole or in part, the direct costs of any contract for the construction of facilities and installations in any underdeveloped country, unless the President shall have promulgated regulations designed to assure, to the maximum extent consistent with the national interest and the avoidance of excessive costs to the United States, that none of the funds made available by this Act and thereafter obligated shall be used to finance the direct costs under such

contracts for construction work performed by persons other than qualified nationals of the recipient country or qualified citizens of the United States: *Provided, however*, That the President may waive the application of this section if it is important to the national interest.

Iron and steel products for use in Vietnam. 75 Stat. 424. 22 USC 2151 note.

SEC. 109. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to finance the procurement of iron and steel products for use in Vietnam containing any component acquired by the producer of the commodity, in the form in which imported into the country of production, from sources other than the United States.

SEC. 110. None of the funds contained in title I of this Act may be used to carry out the provisions of sections 209(d) and 251(h) of the Foreign Assistance Act of 1961, as amended.

22 USC 2169, 2211.

Aid to North Vietnam.

SEC. 111. None of the funds appropriated or made available pursuant to this Act shall be used to provide assistance to the Democratic Republic of Vietnam (North Vietnam).

South Vietnamese police or prisons.

SEC. 112. None of the funds appropriated or made available pursuant to this Act, and no local currencies generated as a result of assistance furnished under this Act, may be used for the support of police, or prison construction and administration within South Vietnam, for training, including computer training, of South Vietnamese with respect to police, criminal, or prison matters, or for computers or computer parts for use for South Vietnam with respect to police, criminal, or prison matters.

Funds, restriction of use.

SEC. 113. It is the sense of the Congress that excess foreign currencies on deposit with the United States Treasury, having been acquired without the payment of dollars, should be used to underwrite local costs of United States foreign assistance programs to the extent to which they are available. Therefore, none of the funds appropriated by this title shall be used to acquire, directly or indirectly, currencies or credits of a foreign country from non-United States Treasury sources when there is on deposit in the United States Treasury excess currencies of that country having been acquired without payment of dollars.

Notice to congressional appropriation committees.

SEC. 114. None of the funds made available under this Act for "Food and Nutrition, Development Assistance," "Population Planning and Health, Development Assistance," "Education and Human Resources Development, Development Assistance," "Selected Development Problems, Development Assistance," "Selected Countries and Organizations, Development Assistance," "International Organizations and Programs," "American Schools and Hospitals Abroad," "International Narcotics Control," "Indochina postwar reconstruction assistance," "Security supporting assistance," "Military assistance," or "Migration and refugee assistance" shall be available for obligation for activities, programs, projects, countries, or other operations unless the Committees on Appropriations of the Senate and House of Representatives are previously notified five days in advance.

TITLE II—FOREIGN MILITARY CREDIT SALES

FOREIGN MILITARY CREDIT SALES

For expenses not otherwise provided for, necessary to enable the President to carry out the provisions of the Foreign Military Sales Act, $325,000,000: *Provided*, That of the amount provided for the total aggregate credit sale ceiling during the current fiscal year, not less than $300,000,000 shall be allocated to Israel.

82 Stat. 1320. 22 USC 2751 note.

TITLE III—FOREIGN ASSISTANCE (OTHER)

INDEPENDENT AGENCY

ACTION—INTERNATIONAL PROGRAMS

PEACE CORPS

22 USC 2501 note.

For expenses necessary for Action to carry out the provisions of the Peace Corps Act (75 Stat. 612), as amended, $76,000,000.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

ASSISTANCE TO REFUGEES IN THE UNITED STATES

22 USC 2601 note.

80 Stat. 416.

For expenses necessary to carry out the provisions of the Migration and Refugee Assistance Act of 1962 (Public Law 87-510), relating to aid to refugees within the United States, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, $129,000,000: *Provided*, That funds from this appropriation shall be used to reimburse the Secretary of State to cover the costs incurred by the Department of State in connection with the movement of refugees from Cuba to the United States.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross and assistance to refugees, including contributions to the Intergovernmental Committee for European Migration and the United Nations High Commissioner for Refugees; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801–1158); allowances as authorized by 5 U.S.C. 5921–5925; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109; $9,504,000, of which not to exceed $8,184,000 shall remain available until December 31, 1974: *Provided*, That no funds herein appropriated shall be used to assist directly in the migration to any nation in the Western Hemisphere of any person not having a security clearance based on reasonable standards to insure against Communist infiltration in the Western Hemisphere.

60 Stat. 999.
80 Stat. 510.

ASSISTANCE TO REFUGEES FROM THE SOVIET UNION

86 Stat. 489.
22 USC 2680 note.

For necessary expenses to carry out the provisions of section 101(b) of the Foreign Relations Authorization Act of 1972, $36,500,000.

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

INVESTMENT IN ASIAN DEVELOPMENT BANK

86 Stat. 57.
22 USC 285i.

For payment by the Secretary of the Treasury of a United States contribution to the Consolidated Special Funds of the Asian Development Bank, as authorized by the Act of March 10, 1972 (Public Law 92-245), $50,000,000, to remain available until expended.

INVESTMENT IN INTER-AMERICAN DEVELOPMENT BANK

For payment to the Inter-American Development Bank by the Secretary of the Treasury for the United States subscription to (1) paid-in capital stock; (2) callable capital stock; and (3) the United States share of the increase in the resources of the Fund for Special Operations authorized by the Acts of December 30, 1970 (Public Law 91-599), and March 10, 1972 (Public Law 92-246), $418,380,000, to remain available until expended.

84 Stat. 1658.
22 USC 283o.
86 Stat. 59.
22 USC 283p.

INVESTMENT IN INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment by the Secretary of the Treasury of the second installment of the United States contribution to the third replenishment of the resources of the International Development Association as authorized by the Act of March 10, 1972 (Public Law 92-247), $320,000,000, to remain available until expended.

86 Stat. 60.
22 USC 284i.

TITLE IV—EMERGENCY SECURITY ASSISTANCE AND DISASTER RELIEF ASSISTANCE

EMERGENCY SECURITY ASSISTANCE FOR ISRAEL

For emergency security assistance for Israel, $2,200,000,000: *Provided*, That the funds appropriated in this paragraph shall be available only upon enactment into law of authorizing legislation: *Provided further*, That any part of any funds appropriated in this paragraph used to furnish military assistance shall be accounted for in accordance with section 108 of the Mutual Security Appropriation Act, 1956 (69 Stat. 438), as amended: *Provided further*, That of the funds appropriated under this paragraph, not more than $1,500,000,000 may be available for grant military assistance: *Provided further*, That none of the funds appropriated in this paragraph in excess of $1,700,000,000 shall be obligated unless the President determines such obligations will be in the national interest and provides Congress with detailed justifications and notification ten days prior to any such obligation of funds.

22 USC 1819.

EMERGENCY MILITARY ASSISTANCE FOR CAMBODIA

For emergency military assistance for Cambodia, $150,000,000: *Provided*, That the funds appropriated in this paragraph shall be accounted for in accordance with section 108 of the Mutual Security Appropriation Act, 1956 (69 Stat. 438), as amended: *Provided further*, That the funds appropriated in this paragraph shall be available only upon enactment into law of authorizing legislation.

DISASTER RELIEF ASSISTANCE

For necessary expenses for disaster relief and rehabilitation in Pakistan, the Sahel region of Africa and Nicaragua, $150,000,000: *Provided*, That the funds appropriated in this paragraph shall be available only upon enactment into law of authorizing legislation.

TITLE V—EXPORT-IMPORT BANK OF THE UNITED STATES

The Export-Import Bank of the United States is hereby authorized to make such expenditures within the limits of funds and bor-

rowing authority available to such corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, except as hereinafter provided.

59 Stat. 598; 61 Stat. 584. 31 USC 849.

LIMITATION ON PROGRAM ACTIVITY

Not to exceed $7,650,000,000 (of which not to exceed $3,800,000,000 shall be for equipment and services loans) shall be authorized during the current fiscal year for other than administrative expenses.

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $8,655,000 (to be computed on an accrual basis) shall be available during the current fiscal year for administrative expenses, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, and not to exceed $18,000 for entertainment allowances for members of the Board of Directors: *Provided*, That (1) fees or dues to international organizations of credit institutions engaged in financing foreign trade, (2) necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Bank or in which it has an interest, including expenses of collections of pledged collateral, or the investigation or appraisal of any property in respect to which an application for a loan has been made, and (3) expenses (other than internal expenses of the Bank) incurred in connection with the issuance and servicing of guarantees, insurance, and reinsurance, shall be considered as non-administrative expenses for the purposes hereof.

80 Stat. 416.

TITLE VI—GENERAL PROVISIONS

Publicity and propaganda.

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

Inspector General, Foreign Assistance.

SEC. 602. No part of any appropriation contained in this Act shall be used for expenses of the Inspector General, Foreign Assistance, after the expiration of the thirty-five day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering foreign assistance legislation, appropriations, or expenditures, has delivered to the Office of the Inspector General, Foreign Assistance, a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material in the custody or control of the Inspector General, Foreign Assistance, relating to any review, inspection or audit arranged for, directed, or conducted by him, unless and until there has been furnished to the General Accounting Office or to such committee or subcommittee, as the case may be, (A) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested or (B) a certification by the President, personally, that he has forbidden the furnishing thereof pursuant to such request and his reason for so doing.

Fiscal year limitation.

SEC. 603. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 604. None of the funds contained in this Act shall be used to furnish petroleum fuels produced in the continental United States to Southeast Asia for use by non-United States nationals.

TITLE VII—REGIONAL RAIL REORGANIZATION ACT OF 1973

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

Interim Operating Assistance

For necessary expenses for Interim Operating Assistance under the Regional Rail Reorganization Act of 1973, $35,000,000, to remain available until expended and to be derived by transfer from the Urban Mass Transportation Fund: *Provided*, That this appropriation shall become effective only upon enactment into law by the 93d Congress of H.R. 9142 or similar legislation.

Ante, p. 985.

Salaries and Expenses

For an additional amount for "salaries and expenses," $3,000,000, to remain available until expended and to be derived by transfer from the appropriation for transportation, planning, research and development, Office of the Secretary: *Provided*, That this appropriation shall become effective only upon enactment into law by the 93d Congress of H.R. 9142 or similar legislation.

UNITED STATES RAILWAY ASSOCIATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses to enable the United States Railway Association to carry out its functions under the Regional Rail Reorganization Act of 1973, $6,000,000, to remain available until expended and to be derived by transfer from the appropriations for railroad research and high-speed ground transportation research and development, Federal Railroad Administration: *Provided*, That this appropriation shall become effective only upon enactment into law by the 93d Congress of H.R. 9142 or similar legislation.

This Act may be cited as the "Foreign Assistance and Related Programs Appropriation Act, 1974".

Short title.

Approved January 2, 1974.

Public Law 93-241

AN ACT

January 2, 1974
[H. R. 11238]

To amend the Act of March 16, 1926 (relating to the Board of Public Welfare in the District of Columbia), to provide for an improved system of adoption of children in the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) (1) section 11 of the Act entitled "An Act to establish a Board of Public Welfare in and for the District of Columbia, to determine its functions, and for other purposes", approved March 16, 1926 (D.C. Code, sec. 3–114), is amended to read as follows:

D.C. Board of Public Welfare. Adoption of children.

44 Stat. 210.

"SEC. 11. The Commissioner of the District of Columbia (hereinafter referred to as the 'Commissioner') may—

"(1) make temporary provision for the care of children pending investigation of their status;

"(2) have the care and legal guardianship, including the power to consent to or arrange for adoption in appropriate cases, of—

"(A) children who may be committed to the Commissioner as wards of the District of Columbia by courts of competent jurisdiction; and

"(B) children who are relinquished by their parents to the Commissioner or whose relinquishment is transferred to the Commissioner by a licensed child-placing agency under section 6 of the Act entitled 'An Act to regulate the placing of children in family homes, and for other purposes', approved April 22, 1944 (D.C. Code, sec. 32–786); and

58 Stat. 194; 84 Stat. 578.

"(3) make such provision for the care and maintenance of such children in private homes, under contract, including adoption subsidy pursuant to section 3 of the Act of July 26, 1892 (D.C. Code, sec. 3–115), or in public or private institutions, as the welfare of such children may require; and

27 Stat. 269.

"(4) provide care and maintenance for substantially retarded children who may be received upon application or upon court commitment, in institutions or homes or other facilities equipped to receive them, within or without the District of Columbia.

The Commissioner shall cause the wards of the District of Columbia placed out under temporary care to be visited as often as may be required to safeguard their welfare.

(2) Section 3 of the Act of July 26, 1892 (D.C. Code, sec. 3–115), is amended to read as follows:

"SEC. 3. (a) Except as provided in subsection (f), the Commissioner may conclude arrangements with persons or institutions at such rates as may be agreed upon.

Adoption subsidy payments.

"(b)(1) The Commissioner may make adoption subsidy payments to an adoptive family (irrespective of the State of residence of the family), as needed, on behalf of a child with special needs, where such child would in all likelihood go without adoption except for the acceptance of the child as a member of the adoptive family, and where the adoptive family has the capability of providing the permanent family relationships needed by such child in all areas except financial, as determined by the Commissioner. Subsidy payments may be made under this section only pursuant to a subsidy payment agreement entered into by the Commissioner and the adoptive parents concerned prior to completion of the adoptive process, but subsidy payments may be made before such adoption becomes final.

"(2) For the purposes of this subsection—

"Child with special needs."

"(A) The term 'child with special needs' includes any child who is difficult to place in adoption because of age, race, or ethnic

background, physical or mental condition, or membership in a sibling group which should be placed together. A child for whom an adoptive placement has not been made within six months after he is legally available for adoptive placement shall be considered a child with special needs within the meaning of this section.

"(B) The term 'adoptive family' includes single persons. "Adoptive family."

"(c) Any public agency or licensed child-placing agency, having a child with special needs in foster care or institutional care, or any foster parent having such a child in his home may recommend to the Commissioner a subsidy for the adoption of such child, and may include in the recommendation advice as to the appropriate level of payments and any other information likely to assist the Commissioner in carrying out the provisions of this section. The Commissioner shall make the determination as to whether or not an appropriate adoptive home exists for the child, but in so doing the Commissioner shall refer to the recommendations of the referring agency. If the Commissioner concludes that the child referred is a child with special needs within the meaning of this section, and that an appropriate adoptive home exists for the child, the Commissioner is authorized to enter into a tentative adoption subsidy agreement with the prospective adoptive family, and upon entering into such an agreement, the Commissioner may accept a transfer of relinquishment of parental rights from the referring agency pursuant to section 6 of the Act entitled 'An Act to regulate the placing of children in family homes, and for other purposes', approved April 22, 1944 (D.C. Code, sec. 32–786). 58 Stat. 194; 84 Stat. 578.

"(d) If a child in the custody of the Commissioner or a licensed child-placing agency has been in foster care or institutional care for at least six months after the child is considered legally available for adoptive placement, the Commissioner or agency shall inform the family or institution providing care of the possibility of financial aid for adoption under this section. If the family caring for the prospective adoptee applies to the Commissioner for adoption of the child, and if it appears to the Commissioner after study that the family would be an appropriate adoptive family for the child but for the family's economic inability to meet the child's needs, the Commissioner shall enter into a tentative agreement with the family concerning the amount and duration of a proposed subsidy in the event the child is placed for adoption with that family. Thereafter the Commissioner may accept a transfer of relinquishment of parental rights from the referring agency in appropriate cases. The Commissioner shall in all cases take all steps necessary to assist the family in completing the legal and procedural requirements necessary to effectuate the adoption, including payment for legal fees and court costs.

"(e) The amount and duration of adoption subsidy payments may vary according to the special needs of the child, and may include maintenance costs, medical, dental, and surgical expenses, psychiatric and psychological expenses, and other costs necessary for his care and well-being. A subsidy may be paid on a long-term basis to help a family whose income is limited and is likely to remain so; on a time-limited basis to help a family meet the cost of integrating a child into the family over a specified period of time; or on a special services basis to help a family meet a specific anticipated expense or expenses when no other resource appears to be available. Eligibility for payments shall continue until the child reaches eighteen years of age. Payments, amount and duration.

"(f) The Commissioner is authorized to make payments under this section from appropriations for the care of children in foster homes and institutions, and to seek and accept funds from other sources including Federal, private, and other public funding sources, to carry Authorization.

out the purposes of this section. The amount expended by the Commissioner for any subsidy may not exceed the highest amount the Commissioner would be authorized to spend in providing or securing support and special services for the child if the child were in the legal custody of the Commissioner. There are authorized to be appropriated such sums as are necessary to carry out the purposes of this section.

"(g) No adoption subsidy payment shall be made on behalf of any child with respect to whom an adoption decree has been entered by the Superior Court of the District of Columbia, pursuant to chapter 3 of title 16 of the District of Columbia Code, prior to the effective date of this section.

D.C. Code 16-301.

"(h) Once during each calendar year the Commissioner shall review the need for continuing each family's subsidy. At the time of such review and at other times during the year when changed conditions, including variations in medical opinions, prognosis, and costs are deemed by the Commissioner to warrant such action, appropriate adjustments in payments shall be made based upon changes in the needs of the child. Any parent who is a party to a subsidy agreement may at any time in writing request, for reasons set forth in the request, a review of the amount of any payment or the level of continuing payments. Such review shall be begun not later than thirty days from the receipt of the request. Any adjustment may be made retroactive to the date the request was received by the Commissioner. If the request is not acted on within thirty days after it has been received by the Commissioner, or if the Commissioner modifies or terminates an agreement without the concurrence of all parties, any party to the agreement shall be entitled to a hearing under the applicable provisions of the District of Columbia Administrative Procedure Act (D.C. Code, secs. 1-1501—1-1510).

82 Stat. 1204.

Recordkeeping.

"(i) The Commissioner shall keep such records as are necessary to evaluate the effectiveness of adoption subsidy as a means of encouraging and promoting the adoption of children with special needs. The Commissioner shall make an annual progress report which shall be open to public inspection. The report shall include, but not be limited to—

Information availability.

"(1) the number of children placed in adoptive homes under subsidy agreements during the year preceding the annual report and the major characteristics of the children placed; and

"(2) the number of children currently in foster care with the Commissioner for six months or more, and the legal status of those children.

The Commissioner shall disseminate information to prospective adoptive families as to the availability of adoptable children and of the existence of aid to families who qualify for a subsidy under this section.

"(j) All rules and regulations adopted by the Commissioner pursuant to this Act shall be published in the District of Columbia Register as required by section 6 of the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1505).".

82 Stat. 1206.

(b) Section 5 of the Act of July 26, 1892 (D.C. Code, sec. 3-117), is amended to read as follows:

27 Stat. 269; 55 Stat. 883.

"SEC. 5. The Commissioner may—

"(1) accept for care, custody, and guardianship dependent or neglected children whose custody or parental control has been transferred to the Commissioner, and to provide for the care and support of such children during their minority or during the term of their commitment, including the initiation of adoption proceedings and the provision of subsidy in appropriate cases under section 3 of this Act (D.C. Code, sec. 3-115);

27 Stat. 269.

"(2) with respect to all children accepted by him for care, place them in private families either without expense or with reimbursement for the cost of care, or in appropriate cases to place them in private families under an adoption subsidy agreement concluded under section 3 of this Act (D.C. Code, sec. 3–115) or to place them in institutions willing to receive them either without expense or with reimbursement for the cost of care; and 27 Stat. 269.

"(3) consent to, arrange for or initiate court proceedings for the adoption of all children committed to the care of the Commissioner whose parents have been permanently deprived of custody by court order, or whose parents have relinquished a child to the Commissioner or to a licensed child-placing agency which has transferred the relinquishment to the Commissioner under section 6 of the Act entitled 'An Act to regulate the placing of children in family homes, and for other purposes', approved April 22, 1944 (D.C. Code, sec. 32–786).". 58 Stat. 194; 84 Stat. 578.

SEC. 2. (a) Section 307(b)(1)(D) of title 16 of the District of Columbia Code is amended by inserting immediately after "should have knowledge" the following: ", including the existence and terms of a tentative adoption subsidy agreement entered into prior to the filing of the adoption petition under section 3 of the Act of July 26, 1892 (D.C. Code, sec. 3–115)". 77 Stat. 539.

(b) Section 309(b) of title 16 of the District of Columbia Code is amended by adding at the end thereof the following new sentence: "In determining whether the petitioner will be able to give the prospective adoptee a proper home and education, the court shall give due consideration to any assurance by the Commissioner that he will provide or contribute funds for the necessary maintenance or medical care of the prospective adoptee under an adoption subsidy agreement under section 3 of the Act of July 26, 1892 (D.C. Code, sec. 3–115).". 77 Stat. 540.

SEC. 3. The amendments made by this Act shall take effect at the end of the ninety-day period beginning on the date of enactment of this Act. Effective date.

Approved January 2, 1974.

Public Law 93-242

AN ACT

To implement the shrimp fishing agreement with Brazil, and for other purposes.

January 2, 1974
[H. R. 8529]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Offshore Shrimp Fisheries Act of 1973". Offshore Shrimp Fisheries Act of 1973.

DEFINITIONS

SEC. 2. When used in this Act—

(a) the term "treaty" shall mean the Agreement Between the Government of the Federative Republic of Brazil and the Government of the United States of America Concerning Shrimp, signed on May 9, 1972, including related annexes, notes, and agreed 24 UST 923.

minutes, as these documents may be amended from time to time;

(b) the term "shrimp" shall mean the shrimp Penaeus (M.) duorarum notialis, Penaeus brasiliensis, and Penaeus (M.) aztecus subtilis;

(c) the term "area of agreement" shall mean the area in which United States vessels carry on a shrimp fishery in the vicinity of Brazil, as described by the following boundaries: the waters off the coast of Brazil having the isobath of thirty meters as the southwest limit, the latitude 1 degree north as the southern limit, the longitude 47 degrees 30 minutes west as the eastern limit, and a line running from the point of 4 degrees 44 minutes north latitude, 51 degrees 30 minutes west longitude at an azimuth of 17 degrees to the point of 4 degrees 51 minutes north latitude, 51 degrees 28 minutes west longitude and thence at an azimuth of 43 degrees to the point of 8 degrees 58 minutes north latitude, 47 degrees 30 minutes west longitude as the northwestern boundary;

(d) the term "vessel" shall mean every description of watercraft or other contrivance used, or capable of being used, as a means of transportation in water;

(e) the term "Secretary" shall mean the Secretary of Commerce or his delegate;

(f) the term "transship" shall mean the transfer of shrimp from one vessel to another vessel, or the receipt of shrimp by one vessel from another vessel;

(g) the term "fishing" shall mean the taking or attempted taking of shrimp by any means whatsoever;

(h) the term "vessel owner" shall mean any person, partnership, corporation, or association which is the owner of record of a vessel documented under the laws of the United States, except that, with respect to sections 4 and 5 hereof, the Secretary may issue such regulations as he deems appropriate to cover applications for and issuance of letters of voluntary compliance and permits with respect to vessels owned by corporations which are owned or controlled by one or more other corporations;

(i) the term "regulations" shall mean rules and regulations issued by the Secretary from time to time as he deems necessary to carry out the purposes and objectives of the treaty and this Act; and

(j) the term "gear" when applied to any vessel involved in a violation shall mean any single set of net and doors for a single trawl vessel, or for a vessel capable of towing more than one set at a time, as many sets of net and doors as the vessel is capable of towing: *Provided*, That if the vessel owner, master, or other person in charge of the vessel can show that a particular set (or sets) of net and doors was actually involved in the violation, then that set (or sets) shall be deemed to be the gear of the vessel involved in the violation.

PERMITS

SEC. 3. (a) The Secretary is authorized to issue permits to vessel owners for vessels documented under the laws of the United States to engage in fishing in the area of agreement: *Provided*, That the number of vessels which are the subject of permits shall not exceed three hundred and twenty-five or such other number of vessels as may be specified in the treaty from time to time as authorized to fish in the area of agreement. No vessel owner may be issued a permit with respect to a vessel unless such vessel meets the requirements of the treaty, the Act, and the regulations. Limitation.

(b) Except as provided in section 4(d), a permit shall be valid only for the vessel with respect to which it is issued and shall not cover more than one vessel, except that a vessel owner may, with the prior consent of the Secretary, transfer a permit to another vessel whether or not owned by the same vessel owner.

(c) Permits shall be issued for a calendar year, and may be renewed annually. Annual renewal.

(d) Permits shall contain such provisions, and shall be issued upon, and subject to, such terms and conditions as the Secretary deems necessary to carry out the treaty, the Act, and the regulations. Permit provisions may include, but are not limited to—

(i) the manner, place, and time of conducting fishing operations,

(ii) the keeping of records,

(iii) the furnishing of information to the Secretary,

(iv) the identification and marking of the vessels,

(v) limitations on transshipment operations,

(vi) restrictions or prohibitions on the employment on any permitted vessel of a master or other person against whom a civil penalty has been assessed pursuant to section 9,

(vii) prohibited activities,

(viii) revocation of permit for failure to pay a civil penalty assessed against a vessel owner pursuant to section 9, and

(ix) the maintaining of an office in the United States by the holder of a permit at which all notices, legal documents, and other material may be served.

Permits may be suspended or revoked by the Secretary for failure to comply with any of the terms or conditions thereof, or with the treaty, this Act or the regulations. Upon any such suspension or revocation, the permittee shall be afforded a prompt opportunity, after due notice, for a hearing by the Secretary. The decision of the Secretary rendered in connection with such hearing shall be final and binding.

(e) Permits may be returned to the Secretary. In addition, the Secretary may issue regulations requiring the return of unutilized permits under such circumstances and upon such terms and conditions as he deems appropriate. If the Secretary reissues a permit to another vessel owner, a prorated amount of the annual permit fee for the portion of the year during which the permit is held by another vessel owner shall be refunded to the original permittee. Except as specified in this subsection (e) and in section 4(c), permit fees shall not be prorated.

(f) The annual fee for a permit for any year other than 1973 shall be $615 for enforcement services plus an amount of not more than $100, as determined by the Secretary, for the purpose of covering Fee.

administrative costs. The fee for a permit for 1973 shall be $1,230 for enforcement services plus an amount of not more than $200, as determined by the Secretary, for the purpose of covering administrative costs: *Provided*, That the annual fee for a permit for 1973 for any vessel first documented in that year or certified as not having been engaged in fishing in the area of agreement in 1972 shall be $615 for enforcement services plus an amount of not more than $100, as determined by the Secretary, for the purpose of covering administrative costs. The amount of any deposit transferred to the Offshore Shrimp Fisheries Fund pursuant to section 5 of this Act shall be credited toward the annual permit fee.

(g) Any permit which has been suspended or revoked, or which is required to be returned, shall be surrendered to the Secretary.

PERMIT PROCEDURE

Publication in Federal Register.

SEC. 4. (a) Vessel owners may apply for permits to engage in fishing in the area of agreement. The method and time for application shall be announced in advance in the Federal Register.

(b) The owner of any vessel for which application for a permit is refused may petition the Secretary for reconsideration, and shall be entitled to a hearing. The decision of the Secretary rendered in connection with such reconsideration shall be final and binding.

(c) The Secretary may reissue permits which have been returned pursuant to section 3, to vessel owners with outstanding applications, who have not been able to obtain permits under the procedure set out in subsection (d). The fee for such reissued permits shall be the prorated share of the annual fee for the portion of the year during which the new permittee holds the permit.

(d) If application is made with respect to more vessels than the number of permits allowed to be issued under section 3(a), the following procedure for granting permits shall apply:

(1) All vessel owners to whom letters of voluntary compliance have been issued, pursuant to section 5 of this Act, shall have first priority for permits but only as to vessels covered by such letters.

(2) After all vessel owners under subparagraph (1) have been considered for permits, all vessel owners who have been engaged in fishing in the area of agreement, during the last five years, shall have second priority for permits. However, in no event shall a vessel owner be eligible for receiving a permit under this subsection for a given vessel during the first six months after the effective date of this Act if the Secretary determines that such vessel has engaged in activities during the period from May 9, 1972, to the effective date of this Act which would have constituted a violation specified in section 8(a)(3) or 8(a)(5), but only to the extent 8(a)(5) relates to use of fishing gear and the closure of the area of agreement to fishing, if the Act had been in effect during such period. In the event of any such determination, the vessel owner affected thereby shall be given notice thereof and an opportunity for a hearing. The decision of the Secretary rendered in connection with the hearing shall be final and binding.

Notice; hearing.

(3) After all vessel owners under subparagraphs (1) and (2) have been considered for issuance of a permit, all other vessel owners who have made application may be considered for permits.

If the number of vessels for which application is made in the categories outlined in subparagraph (2) or (3) is more than the number of permits available after having accounted for the vessels in the previous category (or in the case of subparagraph (1), if the number

of vessels for which application is made in that category is more than the number of permits available pursuant to the treaty), then the number of permits available shall be proportionally distributed with the applicable category, in a manner provided in the regulations.

VESSELS WHICH VOLUNTARILY COMPLY

SEC. 5. The Secretary shall issue a letter of voluntary compliance to a vessel owner who has had vessels engaged in fishing in the area of agreement at any time subsequent to May 9, 1972, for all vessels of such owner documented under the laws of the United States which meet the requirements of the treaty, and for each of which the vessel owner has deposited and continuously maintained, until the transfer referred to in the following sentence, $700 in a special account in a bank or trust company insured by the Federal Deposit Insurance Corporation for the purpose of reimbursing the United States for enforcement expenses as provided in article 6 of the treaty. On or before the issuance of a letter of voluntary compliance the deposited funds referred to above shall be transferred, in the manner provided for in regulations, through the Secretary, to the Offshore Shrimp Fisheries Fund, established pursuant to section 6 of this Act. 24 UST 923.

OFFSHORE SHRIMP FISHERIES FUND; ENFORCEMENT EXPENSES

SEC. 6. (a) There is hereby established on the books of the Treasury a separate fund, the Offshore Shrimp Fisheries Fund, to be used by the Secretary to make payments for enforcement expenses as provided in article VI of the treaty. The fund shall be credited with permit fees collected pursuant to section 3 for enforcement expenses, funds appropriated under section 12(a), amounts transferred through the Secretary from deposits in the special accounts referred to in section 5, and amounts collected for minimum penalties pursuant to section 9.

(b) The Secretary of Commerce, through the Secretary of State, shall pay, or cause to be paid, on behalf of the United States the enforcement expenses as provided in article VI of the treaty.

(c) In the event that a vessel owner, master, or other person in charge of a vessel, pays on behalf of the United States the unusual enforcement expenses incurred in carrying out the seizure and detention of a vessel, referred to in article VI of the treaty, and is not assessed a civil penalty under section 9 of this Act within two years from the date of such seizure in respect to the violation for which the vessel was seized, such vessel owner, master, or other person shall be entitled to reimbursement of amounts so paid. Application for reimbursement shall be made to the Secretary.

INFORMATION AND REPORTS

SEC. 7. (a) Each master or other person in charge of a vessel which is the subject of a permit under this Act shall keep a logbook in the form and manner prescribed pursuant to the treaty and set forth in regulations. Logbook.

(b) In addition to the logbook, owners of vessels which have permits under this Act shall supply to the Secretary, in such form and at such times as he may prescribe, any other information necessary in order to carry out the purposes and objectives of the treaty, the Act or the regulations, which information may include data on fishing beyond the area of agreement in order to determine to the extent possible the full potential of the shrimp fishery.

24 UST 923.

(c) Except as otherwise provided in the treaty, information obtained pursuant to this Act shall be treated as confidential commercial information pursuant to section 552 of title 5, United States Code.

80 Stat. 383; 81 Stat. 54.

Subpena authority.

(d) The Secretary shall have the power to require by subpena the production of all such logbooks, records, or other information required pursuant to this section. The Secretary may delegate the power to sign subpenas and to receive documents.

Jurisdiction.

(e) In case of contumacy or refusal to obey a subpena issued to any person, corporation, partnership, or other entity, the Secretary may request the Attorney General to invoke the aid of any district court of the United States or the United States courts of any territory or possession within the jurisdiction of which said person, corporation, partnership, or other entity is found, resides, or transacts business to secure compliance.

PROHIBITIONS

SEC. 8. (a) No master or other person in charge of a vessel documented under the laws of the United States shall—

(1) engage in fishing in the area of agreement, unless the vessel is the subject of a permit in force pursuant to this Act;

(2) transship shrimp in the area of agreement, unless each vessel engaged in the transshipment is the subject of a permit in force pursuant to this Act, or is otherwise authorized to fish in the area of agreement pursuant to the treaty;

(3) assault or attempt to prevent any duly authorized officer from boarding, searching, seizing or detaining a vessel in accordance with such officer's duties under the treaty;

(4) engage in fishing in the area of agreement contrary to regulations establishing a procedure for limiting the number of vessels allowed to be present in the area of agreement at any one time to one hundred and sixty or such other number as may be allowed pursuant to the treaty;

(5) engage in fishing in the area of agreement in contravention of annex II, as it may be modified from time to time pursuant to article II of the treaty, or any regulations issued by the Secretary to implement such annex.

(b) No master or other person in charge of a vessel documented under the laws of the United States shall—

(1) fail or refuse to keep or provide any logbooks or any other information required pursuant to this Act, or provide or furnish false logbooks or other information;

(2) violate any other provision of the treaty, this Act, or any regulations promulgated by the Secretary, the violation of which is not covered by subsection (a).

PENALTIES

SEC. 9. (a) Any master or other person in charge of a vessel who violates section 8 hereof may be assessed a civil penalty by the Secretary, after notice and opportunity for a hearing, of not more than $10,000 for a violation of section 8(a) and $3,000 for a violation of section 8(b). Except as provided in this section, the minimum penalty assessed shall be not less than an amount sufficient to cover the unusual enforcement expenses, if any, incurred by the United States pursuant to article VI of the treaty in connection with such violation: *Provided*, That if the person against whom the penalty has been assessed has paid on behalf of the United States such unusual enforcement expenses,

the minimum penalty requirement shall not apply. The amount of any such minimum civil penalty assessed shall be deposited directly into the Offshore Shrimp Fisheries Fund. The amount of any such civil penalty over the minimum penalty may be compromised by the Secretary.

(b) The Secretary shall notify any vessel owner involved in a violation of section 8 of the outcome of any proceeding under subsection (a) above.

(c) The Secretary, after notice and opportunity for hearing, may assess against a vessel owner a civil penalty equal to the value of the catch on board the vessel when detained and the value of the gear involved in a violation of section 8(a)(1), or involved in a second or subsequent violation of any other provision of section 8(a) by a person against whom a penalty had previously been assessed under section 9(a) for a violation involving the operation of a vessel owned by the same person as the vessel involved in such second or subsequent violation. The amount of any such penalty shall be deposited as miscellaneous receipts into the general fund of the Treasury.

(d) Upon failure of the party penalized as provided in this section to pay the penalty within thirty days of the assessment thereof, the Secretary may request the Attorney General to commence action in the Federal district court having jurisdiction over the party for such relief as may be appropriate. In any such action for relief, the Secretary's penalty assessment shall be final and unreviewable unless the penalized party has otherwise sought judicial review thereof.

(e) In any hearing held by the Secretary in connection with the assessment of a civil penalty hereunder, the vessel owner, the master or any other person against whom a penalty may be assessed may appear in person or by counsel at such hearing or in lieu of a personal appearance may submit such affidavits or depositions as he deems necessary to the defense of any charges which may be considered by the Secretary at such hearing.

ENFORCEMENT

SEC. 10. (a) This Act shall be enforced jointly by the Secretary, the Secretary of the department in which the Coast Guard is operating, and the Secretary of the Treasury.

(b) Any duly authorized law enforcement officer of the Government of Brazil who is exercising responsibility under article V of the treaty shall be impowered to act on behalf of the United States to enforce the provisions of the treaty in the area of agreement as follows: Any such officer may board and search any vessel which he has reasonable cause to believe has violated any provisions of the treaty. If after boarding and searching such vessel the officer continues to have reasonable cause to believe that a violation has been committed, he may seize and detain the vessel for the sole purpose of delivering it, as soon as practicable, to an agent of the United States Government at the nearest port to the place of seizure or any other place which is mutually agreed upon by the Government of Brazil and the Secretary of State. 24 UST 923.

REGULATIONS

SEC. 11. In addition to any specific authority contained in this Act, the Secretary is authorized to issue all regulations necessary to carry out the purposes and objectives of the treaty and this Act. Prior to the issuance of any regulations dealing with the marking of vessels or with the use of radiotelephone frequencies, the Secretary shall consult with the Secretary of the department in which the Coast Guard is operating.

APPROPRIATIONS

SEC. 12. (a) There is hereby authorized to be appropriated such amounts as are necessary for enforcement expenses pursuant to article VI of the treaty, to be deposited in the Offshore Shrimp Fisheries Fund.

24 UST 923.

(b) There is also hereby authorized to be appropriated such amounts as are necessary for domestic enforcement expenses and the expenses of administering the provisions of the treaty, this Act, and the regulations, to be available until expended, when so provided in appropriation acts. So much of the permit fees as are identified for administrative costs shall be deposited as miscellaneous receipts to the general fund of the Treasury.

TERMINATION

SEC. 13. The provisions of this Act, except section 15, shall expire June 15, 1975.

SEVERABILITY

SEC. 14. The provisions of this Act shall be severable and if any part of the Act is declared unconstitutional or the applicability thereof is held invalid, the constitutionality of the remainder and the applicability thereof shall not be affected thereby.

16 USC 1085.

SEC. 15. Subsections (a) and (b) of section 5 of the Act of May 20, 1964 (78 Stat. 196), are amended to read as follows:

"Continental Shelf fishery resource."

"(a) As used in this Act, the term 'Continental Shelf fishery resource' means living organisms belonging to sedentary species; that is to say, organisms, which at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil of the Continental Shelf, including the following species:

"CRUSTACEA

"Tanner Crab—Chionoecetes tanneri;
"Tanner Crab—Chionoecetes opilio;
"Tanner Crab—Chionoecetes angulatus;
"Tanner Crab—Chionoecetes bairdi;
"King Crab—Paralithodes camtschatica;
"King Crab—Paralithodes platypus;
"King Crab—Paralithodes brevipes;
"Stone Crab—Menippe mercenaria;
"Lobster—Homarus Americanus;
"Dungeness Crab—Cancer magister;
"California King Crab—Paralithodes californiensis;
"Golden King Crab—Lithodes aequispinus;
"Northern Stone Crab—Lithodes maia;
"Stone Crab—Menippe mercenaria; and
"Deep-sea Red Crab—Ceryon quinquedens.

"MOLLUSKS

"Red Abalone—Haliotis rufescens;
"Pink Abalone—Haliotis corrugata;
"Japanese Abalone—Haliotis kamtschatkana;
"Queen Conch—Strombus gigas;
"Surf Clam—Spisula solidissima; and
"Ocean Quahog—Artica islandica.

"SPONGES

"Glove Sponge—Hippiospongia canaliculata;
"Sheepswool Sponge—Hippiospongia lachne;
"Grass Sponge—Spongia graminea;
"Yellow Sponge—Spongia barbera.

"(b) The Secretary of Commerce, in consultation with the Secretary of State, is authorized to publish in the Federal Register additional species of living organisms covered by the provisions of subsection (a) of this section." Publication in Federal Register.

Approved January 2, 1974.

Public Law 93-243

AN ACT

January 2, 1974
[S. 2812]

To amend the Federal Water Pollution Control Act to establish the ratio for allocation of treatment works construction grant funds, to insure that grants may be given for other than operable units, and to clarify the requirements for development of priorities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of section 205 of the Federal Water Pollution Control Act is amended by inserting immediately after the third sentence thereof the following new sentence: "For the fiscal year ending June 30, 1975, such ratio shall be determined one-half on the basis of table I of House Public Works Committee Print Numbered 93-28 and one-half on the basis of table II of such print, except that no State shall receive an allotment less than that which it received for the fiscal year ending June 30, 1972, as set forth in table III of such print.". Federal Water Pollution Control Act, amendments. 86 Stat. 837. 33 USC 1285.

(b) The last sentence of subsection (a) of section 205 of the Federal Water Pollution Control Act is amended by striking out "June 30, 1974," and inserting in lieu thereof "June 30, 1975,".

SEC. 2. Section 203 of the Federal Water Pollution Control Act is amended by adding at the end thereof the following new subsection: 86 Stat. 835. 33 USC 1283.

"(d) Nothing in this Act shall be construed to require, or to authorize the Administrator to require, that grants under this Act for construction of treatment works be made only for projects which are operable units usable for sewage collection, transportation, storage, waste treatment, or for similar purposes without additional construction.".

SEC. 3. Section 511 of the Federal Water Pollution Control Act is amended by adding at the end thereof the following new subsection: 86 Stat. 893. 33 USC 1371.

"(d) Nothwithstanding this Act or any other provision of law, the Administrator (1) shall not require any State to consider in the development of the ranking in order of priority of needs for the construction of treatment works (as defined in title II of this Act), any water pollution control agreement which may have been entered into between the United States and any other nation, and (2) shall not consider any such agreement in the approval of any such priority ranking.". 33 USC 1281.

SEC. 4. Subsection (b) of section 516 of the Federal Water Pollution Control Act, as amended (86 Stat. 895), is amended by inserting "(1)" after "(b)"; by striking "(1)", "(2)", "(3)", and "(4)" and inserting in lieu thereof "(A)", "(B)", "(C)", and "(D)", respectively; and by adding the following new paragraph: 33 USC 1375.

Detailed estimate, submittal to Congress.

"(2) Notwithstanding the second sentence of paragraph (1) of this subsection, the Administrator shall make a preliminary detailed estimate called for by subparagraph (B) of such paragraph and shall submit such preliminary detailed estimate to the Congress no later than September 3, 1974. The Administrator shall require each State to prepare an estimate of cost for such State, and shall utilize the survey form EPA–1, O.M.B. No. 158–R0017, prepared for the 1973 detailed estimate, except that such estimate shall include all costs of compliance with section 201(g)(2)(A) of this Act and water quality standards established pursuant to section 303 of this Act, and all costs of treatment works as defined in section 212(2), including all eligible costs of constructing sewage collection systems and correcting excessive infiltration or inflow and all eligible costs of correcting combined storm and sanitary sewer problems and treating storm water flows. The survey form shall be distributed by the Administrator to each State no later than January 31, 1974.".

86 Stat. 833.
33 USC 1281.
33 USC 1313.
33 USC 1292.

Survey forms, distribution to States.

Approved January 2, 1974.

Public Law 93-244

January 2, 1974
[H. R. 3733]

AN ACT

To authorize the American Battle Monuments Commission to assume control of overseas war memorials erected by private persons and non-Federal and foreign agencies and to demolish such war memorials in certain instances.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act for the creation of the American Battle Monuments Commission to erect suitable memorials commemorating the services of the American Soldier in Europe, and for other purposes", approved March 4, 1923 (36 U.S.C. 125), is amended by inserting "(a)" immediately before "The", and by adding at the end thereof the following new subsections:

American Battle Monuments Commission.
Control of overseas war memorials.
60 Stat. 317; 70 Stat. 640.

"(b)(1) The Commission is authorized, in its discretion, to assume responsibility for the control, administration, and maintenance of any war memorial erected before, on, or after the effective date of this subsection outside the United States by an American citizen, a State, a political subdivision of a State, any other non-Federal governmental agency, foreign agency, or private association to commemorate the services of any of the American Armed Forces in hostilities occurring since April 6, 1917, if (A) the memorial is not erected on the territory of the former enemy concerned, and (B) the sponsors of the memorial consent to the Commission assuming such responsibilities and transfer to the Commission all their right, title, and interest in the memorial. If reasonable effort fails to locate the sponsors of a memorial, the Commission may assume responsibility therefor under this subsection by agreement with the appropriate foreign authorities. A decision of the Commission to assume responsibility for any war memorial under this subsection is final.

"(2) Any funds accumulated by the sponsors for the maintenance and repair of a war memorial for which the Commission assumes responsibility under this subsection may be transferred to the Commission for use in carrying out the purpose of this Act. Any such funds so transferred shall be deposited by the Commission in the manner provided for in section 7.

60 Stat. 318.
36 USC 128.

"(c) The Commission is authorized to take necessary measures to demolish any war memorial erected on foreign soil by an American citizen, a State, a political subdivision of a State, any other non-Federal governmental agency, foreign agency, or private association

Demolition of memorials, authority.

and to dispose of the site of such memorial in such manner as it deems proper, if—

"(1) the appropriate foreign authorities agree to such demolition; and

"(2) the sponsors of the memorial consent to such demolition; or

"(3) the memorial has fallen into disrepair and a reasonable effort on the part of the Commission has failed—

"(A) to persuade the sponsors to maintain the memorial at a standard acceptable to the Commission, or

"(B) to locate the sponsors.

"(d) As used in this section, the term 'sponsors' includes the legal successors to the sponsor." "Sponsors."

Approved January 2, 1974.

Public Law 93-245

AN ACT

January 3, 1974
[H. R. 11576]

Making supplemental appropriations for the fiscal year ending June 30, 1974, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriations Act, 1974") for the fiscal year ending June 30, 1974, and for other purposes, namely: Supplemental Appropriations Act, 1974.

CHAPTER I

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

For an additional amount for "Foreign Agricultural Service", $1,300,000.

ENVIRONMENTAL PROTECTION AGENCY

RESEARCH AND DEVELOPMENT

For an additional amount for "Research and Development", $10,500,000.

No part of any funds appropriated under this Act may be used by the Environment Protection Agency to administer any program to tax, limit, or otherwise regulate parking facilities.

CHAPTER II

DEPARTMENT OF DEFENSE

OPERATIONS MAINTENANCE, NAVY

For the exploration, development, and production of the Naval Petroleum Reserves $72,000,000: *Provided*, That subject to such authorization of production of Naval Petroleum Reserve Numbered 1 as may be granted in accordance with chapter 641, title 10, United States Code, no less than $13,000,000 shall be available for the operating expenses incurred in producing from that reserve: *Provided further*, That no less than $47,500,000 shall be available to permit the development of the productive capacity of that reserve so as to permit production at such a level as may be authorized by Congress and in a manner which is consistent with sound engineering and economic principles: *Provided further*, That no less than $11,500,000 shall be available for the conduct of programs of exploration for oil and gas on Naval Petroleum Reserves Numbered 1 and 4.

10 USC 7421.

CHAPTER III

NATIONAL SCIENCE FOUNDATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $7,800,000 of which not to exceed $800,000 may be used for program development and management and not to exceed $3,100,000 may be used for Research Applied to National Needs.

VETERANS ADMINISTRATION

ADMINISTRATIVE PROVISION

SEC. 301. No funds appropriated in this or any other Appropriation Act for any fiscal year shall be used to make a settlement of any construction contract by the Veterans Administration in an amount in excess of $1,000,000 which has not been audited independently as to the reasonableness and appropriateness of expenditures and which has not been provided for specifically in an Appropriations Act.

CHAPTER IV

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For an additional amount for "Management of lands and resources", $8,450,000.

CONSTRUCTION AND MAINTENANCE

For an additional amount for "Construction and Maintenance", $500,000.

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and Welfare Services", $2,240,000.

RESOURCES MANAGEMENT

For an additional amount for "Resources Management", $125,000.

CONSTRUCTION

For an additional amount for "Construction", $1,020,000, to remain available until expended: *Provided*, That $343,000 shall be available to assist the Pyramid Lake Paiute Tribe of Indians in the construction of a fish hatchery and related facilities for the restoration of the Pyramid Lake fishery pursuant to the Washoe Act (43 U.S.C. 614): 70 Stat. 775.
Provided further, That $320,000 shall be available to assist the Wind River Education Association in the construction of facilities at the Ethete, Wyoming, High School: *Provided further*, That $2,700,000 of the amount appropriated under this heading in the Department of the Interior and Related Agencies Appropriation Act, 1974, shall be *Ante*, p. 429.
available for assistance to the Ramah Navajo School Board, Incorporated, New Mexico, for the construction of school facilities.

ALASKA NATIVE FUND

In addition to any advances heretofore authorized to be made from the Alaska Native Fund, an additional $1,000,000 shall be available during the current fiscal year and prior to the first regular distribution pursuant to section 6 of the Alaska Native Claims Settlement Act of December 18, 1971 (Public Law 92-203), for distribution by the 85 Stat. 690.
Secretary of the Interior among the Regional Corporations established 43 USC 1605.
pursuant to section 7 of said Act, which the Secretary shall determine 43 USC 1606.
to be necessary for the organization of such Regional Corporation and the Village Corporations within such region, and to identify land for such Corporations pursuant to said Act, and to repay loans and other obligations incurred prior to May 27, 1972, for such purposes: *Provided*, That such advances shall not be subject to the provisions of section 7(j) of said Act but shall be charged to and accounted for 85 Stat. 693.
by such Regional and Village Corporations in computing the distributions pursuant to section 7(j) required after the first regular receipt 43 USC 1606.
of moneys from the Alaska Native Fund under section 6 of said Act: 43 USC 1605.
Provided further, That no part of the money so advanced shall be used for the organization of a Village Corporation that had less than twenty-five Native residents living within such village according to the 1970 census.

TERRITORIAL AFFAIRS

TRUST TERRITORY OF THE PACIFIC ISLANDS

For an additional amount for "Trust Territory of the Pacific Islands", $10,110,000, to remain available until expended.

GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for "Surveys, investigations, and research", $1,846,000.

BUREAU OF MINES

MINES AND MINERALS

For an additional amount for "Mines and minerals", $5,670,000, of which $1,500,000 shall remain available until expended.

OFFICE OF COAL RESEARCH

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $29,100,000, to remain available until expended, of which not to exceed $1,200,000 shall be available for administration and supervision.

OFFICE OF OIL AND GAS

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $33,545,000: *Provided*, That $10,000,000 of the funds made available in this paragraph shall be set aside as a contingency reserve and shall be available for obligation only upon the enactment into law of S. 2589, Ninety-third Congress, or similar legislation.

BUREAU OF SPORT FISHERIES AND WILDLIFE

RESOURCE MANAGEMENT

For an additional amount for "Resource management", $450,000.

NATIONAL PARK SERVICE

PLANNING AND CONSTRUCTION

For an additional amount for "Planning and Construction", $12,000, to remain available until expended: *Provided*, That this amount shall not be available for obligation except upon the enactment into law of legislation authorizing the addition of the names of the States of Alaska and Hawaii to the list of States inscribed upon the walls of the Lincoln National Memorial.

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $8,960,000.

DEPARTMENTAL OPERATIONS

For an additional amount for "Departmental operations", $543,000.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $999,000.

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST PROTECTION AND UTILIZATION

For an additional amount for "Forest protection and utilization", for "Forest land management", $9,890,000; and for "Forest research", $240,000: *Provided*, That none of the funds made available in this paragraph shall be obligated or expended to change the boundaries of any region, to abolish any region, to move or close any regional office for research, State and private forestry, and national forest system administration of the Forest Service, Department of Agriculture, without the consent of the Committees on Appropriations of the United States Senate and House of Representatives and the Committee on Agriculture and Forestry of the United States Senate and the Committee on Agriculture of the House of Representatives.

FOREST ROADS AND TRAILS

(Liquidation of Contract Authority)

For an additional amount for "Forest Roads and Trails (Liquidation of contract authority)", $1,500,000, to remain available until expended.

NATIONAL COUNCIL ON INDIAN OPPORTUNITY

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $75,000.

HISTORICAL AND MEMORIAL COMMISSIONS

AMERICAN REVOLUTION BICENTENNIAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses to carry out the provisions of the Act of December 11, 1973 (Public Law 93-179), $7,100,000. *Ante*, p. 697.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $150,000.

CHAPTER V

DEPARTMENT OF LABOR

MANPOWER ADMINISTRATION

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title IX of the Older Americans Comprehensive Services Amendments of 1973, $10,000,000.

Ante, p. 60.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $2,800,000, to be derived by transfer from the appropriation for "Special benefits", fiscal year 1974.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

HEALTH SERVICES PLANNING AND DEVELOPMENT

For an additional amount for "Health services planning and development", $36,500,000 of which $9,500,000 shall remain available until expended for carrying out, to the extent not otherwise provided, section 304 and title IX of the Public Health Service Act, and $27,000,000 for carrying out the provisions of Public Law 93–154, of which $10,000,000 shall be derived by transfer from funds previously appropriated for emergency medical services activities.

69 Stat. 382; 79 Stat. 926. 42 USC 242b, 299.

Ante, p. 594.

HEALTH SERVICES DELIVERY

For an additional amount for "Health services delivery", for carrying out section 4(c) of Public Law 93–53, $7,000,000.

Ante, p. 135.

NATIONAL INSTITUTES OF HEALTH

HEALTH MANPOWER

For an additional amount for "Health manpower", $5,000,000, to be available for obligation only upon enactment into law of authorizing legislation.

SOCIAL AND REHABILITATION SERVICE

SOCIAL AND REHABILITATION SERVICES

For an additional amount for "Social and rehabilitation services", for carrying out, except as otherwise provided, the Rehabilitation Act of 1973 (Public Law 93–112), $725,668,000, of which $630,000,000 shall be for grants under section 110(a), and section 110(b), $4,000,000 to

Ante, p. 355.

Ante, p. 370.

remain available until expended shall be for facilities construction as authorized by section 301, and $30,000,000 shall be for grants under parts C and D of said Act. *Ante*, p. 377.

RELATED AGENCIES

ACTION

OPERATING EXPENSES, DOMESTIC PROGRAMS

For an additional amount for "Operating expenses, domestic programs", for carrying out, except as otherwise provided, the Domestic Volunteer Service Act of 1973 (Public Law 93–113), $47,857,000. *Ante*, p. 394.

ADMINISTRATIVE PROVISIONS

IMPOUNDMENT OF APPROPRIATED FUNDS

SEC. 501. Any funds necessary to be appropriated for full obligation of a fiscal year 1973 appropriation determined to have been unlawfully impounded by the executive branch of the United States Government in a civil action filed on or before June 30, 1974, are hereby appropriated out of any money in the Treasury not otherwise appropriated. Since appropriations shall remain available for obligation through the later of the day on which a final judicial determination finding the impoundment legal is made or one year following the day on which the impoundment is found illegal.

CONTINUING APPROPRIATIONS

SEC. 502. For continuing through June 30, 1974, the activities of the Cabinet Committee on Opportunities for Spanish-speaking people and activities under the Manpower Development and Training Act of 1962, as amended, and title I and title IIIB of the Economic Opportunity Act of 1964, as amended, and for necessary expenses for the activities of the Manpower Administration, for which provision was made under the joint resolution of July 1, 1972, Public Law 92–334, as amended, and the Supplemental Appropriations Act, 1973, Public Law 92–607, such amounts as may be necessary but at a rate for operations not in excess of the current rate: *Provided*, That the current rate for operations shall be defined as that permitted by such appropriations for fiscal year 1973: *Provided further*, That expenditures made pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law: *Provided further*, That section 103 of Public Law 93–52 shall apply to this appropriation. 76 Stat. 23. 42 USC 2571 note. 81 Stat. 672. 42 USC 2711, 2861. 86 Stat. 402. 86 Stat. 1498. *Ante*, p. 133.

CHAPTER VI

LEGISLATIVE BRANCH

SENATE

SALARIES, OFFICERS AND EMPLOYEES

OFFICE OF THE SECRETARY

For an additional amount for "Office of the Secretary", $36,480: *Provided*, That effective December 1, 1973, the allowance for clerical assistance and readjustment of salaries in the Disbursing Office is increased by $62,415: *Provided further*, That effective July 1, 1974, the allowance for clerical assistance and readjustment of salaries in the Disbursing Office is decreased by $17,100.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

For an additional amount for "Office of Sergeant at Arms and Doorkeeper", $46,055: *Provided*, That effective December 1, 1973, the Sergeant at Arms may appoint and fix the compensation of one additional senior programer analyst at not to exceed $22,515 per annum, two additional programer analysts at not to exceed $17,385 per annum each, and two additional mail specialists at not to exceed $10,830 per annum each.

CONTINGENT EXPENSES OF THE SENATE

MISCELLANEOUS ITEMS

For an additional amount for "Miscellaneous Items", $115,000.

For an additional amount for "Miscellaneous Items", fiscal year 1973, $875,000.

ADMINISTRATIVE PROVISIONS

84 Stat. 1181.
2 USC 61-1.

Section 105(e) of the Legislative Branch Appropriation Act, 1968, as amended and as modified by the order of the President pro tempore of the Senate of October 4, 1973, is amended as follows:

(1) In paragraph (1), strike out "ranging from $18,525 to" and insert in lieu thereof "at not to exceed".

(2) In paragraph (2)(A), strike out "$8,265 to" each place it appears therein and insert in lieu thereof "not to exceed".

(3) In paragraph (2)(B), strike out "$18,240 to", "$14,250 to", and "$8,265 to" and insert in lieu thereof in each place "not to exceed".

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Grace D. Saylor, widow of John P. Saylor, late a Representative from the State of Pennsylvania, $42,500.

SALARIES, OFFICERS AND EMPLOYEES

SPECIAL AND MINORITY EMPLOYEES

For an additional amount for "House Democratic Steering Committee", $68,560.

For an additional amount for "House Republican Conference", $68,560.

OFFICIAL REPORTERS OF DEBATES

For an additional amount for "Official reporters of debates", $34,930.

MEMBERS' CLERK HIRE

For an additional amount for "Members' clerk hire", $6,800,000.

CONTINGENT EXPENSES OF THE HOUSE

SPECIAL AND SELECT COMMITTEES

For an additional amount for "Special and select committees", $1,500,000.

ADMINISTRATIVE PROVISIONS

The provisions of House Resolution 8 (the third proviso only) relating to the Office of the Majority Leader of the House; House Resolution 283 relating to the House Democratic Steering Committee and the House Republican Conference; House Resolution 342 relating to the House leadership offices; House Resolution 398 relating to the United States Capitol Police force; House Resolution 420 relating to the congressional intern program; and House Resolution 492 relating to pay comparability adjustments of certain House employees; all of the Ninety-third Congress, shall be the permanent law with respect thereto.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

SENATE OFFICE BUILDINGS

For an additional amount for "Senate Office Buildings", $117,000.

CONSTRUCTION OF AN EXTENSION TO THE NEW SENATE OFFICE BUILDING

For an additional amount for "Construction of an Extension to the New Senate Office Building", including extension of the Senate subway transportation system, construction of additional floor levels on the rear center wing of the Dirksen Office Building, changes to the Dirksen and Russell Office Buildings to provide improved means of circulation to, in, and through those buildings and the extension, and other changes required to properly correlate use of the three buildings, $20,900,000, to remain available until expended.

HOUSE OFFICE BUILDINGS

For an additional amount for "House Office Buildings", $52,000.

Effective on the first day of the first applicable pay period which begins on or after the date of enactment of this Act, the compensation of personnel assigned to the House garages in connection with parking activities and paid from the appropriation "House Office Buildings" under the Architect of the Capitol, shall be fixed by the Architect of the Capitol without regard to chapter 51 and subchapters III and IV of chapter 53 of title 5, United States Code, and shall thereafter be adjusted in accordance with 5 U.S.C. 5307. 5 USC 5101, 5331, 5341. 84 Stat. 1950.

ADDITIONAL PARKING FACILITIES FOR CONGRESSIONAL EMPLOYEES

For an additional amount for "Additional parking facilities for congressional employees", $153,000.

CHAPTER VII

ATOMIC ENERGY COMMISSION

OPERATING EXPENSES

For an additional amount for "Operating expenses", $11,300,000.

PLANT AND CAPITAL EQUIPMENT

For an additional amount for "Plant and capital equipment", $30,000,000, to remain available until expended.

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

Corps of Engineers—Civil

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for "Operation and maintenance, General", $17,500,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for "Flood control and coastal emergencies", $100,000,000, to remain available until expended.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

For an additional amount for "Flood control, Mississippi River and tributaries", $14,600,000, to remain available until expended.

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SECRETARY

UNDERGROUND ELECTRIC POWER TRANSMISSION RESEARCH

For an additional amount for "Underground electric power transmission research", $1,250,000, to remain available until expended.

CHAPTER VIII

DEPARTMENT OF STATE

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for "Contributions to international organizations", to be available without regard to the provision under this heading in the Department of State Appropriation Act, 1973, $17,337,000: *Provided*, That this appropriation shall be available only upon the enactment into law of authorizing legislation.

86 Stat. 1110.

INTERNATIONAL CONFERENCES AND CONTINGENCIES

For an additional amount for "International conferences and contingencies", $1,700,000, of which $800,000 shall remain available until December 31, 1974, and not to exceed $15,000 may be expended for representation allowances as authorized by section 901 of the Act of August 13, 1946, as amended (22 U.S.C. 1131) and for official entertainment.

74 Stat. 801.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

SALARIES AND EXPENSES, GENERAL ADMINISTRATION

For an additional amount for "Salaries and expenses, general administration", $600,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS AND MARSHALS

For an additional amount for "Salaries and expenses, United States Attorneys and Marshals", $2,100,000.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For an additional amount for "Salaries and Expenses", $500,000.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", including (in addition to those heretofore authorized) purchase for police-type use of not to exceed ninety-six passenger motor vehicles without regard to the general purchase price limitation for the current fiscal year, $3,600,000.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES, BUREAU OF PRISONS

For an additional amount for "Salaries and expenses", $7,000,000.

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

DEVELOPMENT FACILITIES

For additional amount for "Development Facilities", $15,000,000.

INDUSTRIAL DEVELOPMENT LOANS AND GUARANTEES

For an additional amount for "Industrial Development Loans and Guarantees", $15,000,000.

PLANNING, TECHNICAL ASSISTANCE, AND RESEARCH

For an additional amount for "Planning, technical assistance, and research", $6,500,000 which shall be available for extension of grants to existing Economic Development Districts and planning organizations, including administrative expenses, and to fund new districts which meet the requirements of 42 U.S.C. 3171, as amended: *Provided*, That no restrictions shall be imposed in the authorization, designation, and funding of such new Economic Development Districts which meet the requirements of 42 U.S.C. 3171, as amended. 79 Stat. 562.

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $2,100,000, of which $900,000 may remain available for international business activities until June 30, 1975.

PARTICIPATION IN UNITED STATES EXPOSITIONS

For necessary expenses for Federal participation in the 1974 Arctic Winter Games, as authorized by Public Law 93-144, November 1, 1973, $150,000. *Ante*, p. 527.

UNITED STATES TRAVEL SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $2,000,000.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for "Operations, Research, and Facilities", $10,287,000, to remain available until expended.

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

MISCELLANEOUS EXPENSES

For an additional amount for "Miscellaneous Expenses", $45,000.

CARE OF THE BUILDING AND GROUNDS

For an additional amount for "Care of the Building and Grounds", $377,000, to remain available until expended.

RELATED AGENCIES

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The figure of $1,700,000 contained in the paragraph "Equal Employment Opportunity Commission, Salaries and Expenses", in Public Law 93–162, making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1974, is hereby increased to $2,500,000.

Ante, p. 636.

FOREIGN CLAIMS SETTLEMENT COMMISSION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $105,000.

INTERNATIONAL RADIO BROADCASTING

BOARD FOR INTERNATIONAL BROADCASTING

For necessary expenses of the Board for International Broadcasting, as authorized by law, $125,000.

CHAPTER IX

DEPARTMENT OF TRANSPORTATION

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

TRAFFIC AND HIGHWAY SAFETY

For an additional amount for "Traffic and Highway Safety", $30,335,000.

CHAPTER X

DEPARTMENT OF THE TREASURY

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $2,250,000.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $5,000,000, of which not to exceed $100,000 shall be available for payment for rental space in connection with preclearance operations: *Provided*, That none of the funds made available under this or any other Act shall be obligated or expended to change the boundaries of the Pembina, North Dakota Customs District (Region IX), without the consent of the Committees on Appropriations of the United States Senate and House of Representatives.

INTERNAL REVENUE SERVICE

ACCOUNTS, COLLECTION AND TAXPAYER SERVICE

For an additional amount for "Accounts, collection and taxpayer service", $26,000,000, including $4,700,000 for temporary employment in addition to that heretofore authorized.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For an additional amount for "Payment to the postal service fund", $105,000,000.

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON INTERNATIONAL ECONOMIC POLICY

SALARIES AND EXPENSES

For necessary expenses of the Council on International Economic Policy, including personnel services without regard to the provisions of law regulating the employment and compensation of persons in the Government service, and not to exceed $1,000 for official entertainment, $1,350,000.

ECONOMIC STABILIZATION ACTIVITIES

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $17,000,000.

THE WHITE HOUSE OFFICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $1,500,000: *Provided*, That of the amount heretofore and herein appropriated for "Salaries and expenses" for the current fiscal year, the limitation for personal services as authorized by title 5, United States Code, section 3109, at such per diem rates for individuals, as the President may specify, and other personal services without regard to the provisions of law regulating the employment and compensation of persons in the Government service is $3,850,000 and the limitation on travel is $100,000.

80 Stat. 416.

FEDERAL ENERGY OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Office established by Executive Order Numbered 11748, dated December 4, 1973, including hire of passenger motor vehicles, reimbursements to the Emergency Fund of the President for allocations to the Office, and services as authorized by title 5, United States Code, section 3109, but at rates for individuals not to exceed the per diem equivalent of the rate for grade GS–18, $9,360,000.

INDEPENDENT AGENCIES

CIVIL SERVICE COMMISSION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $760,000.

GENERAL SERVICES ADMINISTRATION

PUBLIC BUILDINGS SERVICE

OPERATING EXPENSES

For an additional amount for "Public Buildings Service, Operating expenses", $90,400,000, of which not to exceed $400,000 shall be available for expenses in connection with preparation of environmental impact statements pertaining to any structure or structures contemplated by Public Law 89–547.

80 Stat. 370.
44 USC 2108 note.

REPAIR AND IMPROVEMENT OF PUBLIC BUILDINGS

For an additional amount for "Repair and Improvement of Public Buildings", $21,683,000.

CONSTRUCTION, PUBLIC BUILDINGS PROJECTS

An amount of $1,290,000 heretofore appropriated under this heading shall be available until expended for construction, pursuant to the Public Buildings Act of 1959, as amended (40 U.S.C. 601–615), of the Post Office, Courthouse, and Federal Office Building, Elkins, West Virginia, in addition to the amount appropriated in the Treasury, Postal Service, and General Government Appropriation Act, 1972, for

73 Stat. 479.

85 Stat. 108.

this project: *Provided*, That this amount may be increased by not to exceed 10 per centum to the extent that savings are effected in other projects.

NATIONAL ARCHIVES AND RECORDS SERVICE

OPERATING EXPENSES

For an additional amount for "Operating expenses", $7,000,000.

PROPERTY MANAGEMENT AND DISPOSAL SERVICE

OPERATING EXPENSES

For an additional amount for "Operating expenses", $3,500,000.

ADMINISTRATIVE OPERATIONS FUND

In addition to the amount available for obligation in this account for the current fiscal year from funds made available to General Services Administration from any source except obligations for reimbursable work performed for other agencies under section 601 of the Economy Act of 1932, as amended (31 U.S.C. 686), $1,100,000 shall also be available for such obligation. 56 Stat. 661.

GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

SEC. 1001. No appropriated funds shall be available for the purpose of defraying any expenses (including expenses for the payment of the salary of any person) incurred in connection with the transfer of title of all (or any portion) of the Sand Point Naval Facility, Seattle, Washington, to any person or entity for aviation use unless and until (A) the Administrator of General Services has transferred to the National Oceanic and Atmospheric Administration title to that portion of such facility as has been requested by the National Oceanic and Atmospheric Administration; and (B) the City of Seattle, Washington, and the County of King in the State of Washington, and the State of Washington have each approved a plan for aviation use of a portion of such facility.

CHAPTER XI

CLAIMS AND JUDGMENTS

For payment of claims settled and determined by departments and agencies in accord with law and judgments rendered against the United States by the United States Court of Claims and United States district courts, as set forth in Senate Document Numbered 93–49 and House Documents Numbered 93–163 and 93–179, Ninety-third Congress, $57,352,301, together with such amounts as may be necessary to pay interest (as and when specified in such judgments or provided by law) and such additional sums due to increases in rates of exchange as may be necessary to pay claims in foreign currency: *Provided*, That no judgment herein appropriated for shall be paid until it shall become final and conclusive against the United States by failure of the parties to appeal or otherwise: *Provided further*, That unless otherwise specifically required by law or by the judgment, payment of interest wherever appropriated for herein shall not continue for more than thirty days after the date of approval of the Act.

CHAPTER XII

GENERAL PROVISIONS

Fiscal year limitation.

SEC. 1201. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 1202. No part of any appropriation under this Act shall be available to the Secretaries of the Interior and Agriculture for use for any sale hereafter made of unprocessed timber from Federal lands west of the 100th meridian in the contiguous forty-eight States which will be exported from the United States, or which will be used as a substitute for timber from private lands which is exported by the purchaser.

Approved January 3, 1974.

REORGANIZATION PLANS

REORGANIZATION PLANS

REORGANIZATION PLAN NO. 1 OF 1973

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, January 26, 1973, pursuant to the provisions of Chapter 9 of Title 5 of the United States Code.

Transmitted Jan. 26, 1973.
Effective July 1, 1973.
80 Stat. 393.

Executive Office of the President

SECTION 1. *Transfer of functions to the President.*—Except as provided in section 3(a)(2) of this reorganization plan, there are hereby transferred to the President of the United States all functions vested by law in the Office of Emergency Preparedness or the Director of the Office of Emergency Preparedness after the effective date of Reorganization Plan No. 1 of 1958.

72 Stat. 1799; 82 Stat. 1194. 5 USC app. II.

SEC. 2. *Transfer of functions to the Director, National Science Foundation.*—There are hereby transferred to the Director of the National Science Foundation all functions vested by law in the Office of Science and Technology or the Director or Deputy Director of the Office of Science and Technology.

SEC. 3. *Abolitions.*—(a) The following are hereby abolished:

(1) The Office of Emergency Preparedness including the offices of Director, Deputy Director, and all offices of Assistant Director, and Regional Director of the Office of Emergency Preparedness provided for by sections 2 and 3 of Reorganization Plan No. 1 of 1958 (5 U.S.C., App.).

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(2) The functions of the Director of the Office of Emergency Preparedness with respect to being a member of the National Security Council.

64 Stat. 1247.

(3) The Civil Defense Advisory Council, created by section 102(a) of the Federal Civil Defense Act of 1950 (50 U.S.C. App. 2272(a)), together with its functions.

72 Stat. 427; 84 Stat. 855.

(4) The National Aeronautics and Space Council, created by section 201 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2471), including the office of Executive Secretary of the Council, together with its functions.

76 Stat. 1253. 5 USC app. II.

(5) The Office of Science and Technology, including the offices of Director and Deputy Director, provided for by sections 1 and 2 of Reorganization Plan No. 2 of 1962 (5 U.S.C., App.).

(b) The Director of the Office of Management and Budget shall make such provisions as he shall deem necessary respecting the winding up of any outstanding affairs of the agencies abolished by the provisions of this section.

SEC. 4. *Incidental transfers.*—(a) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with the functions transferred by sections 1 and 2 of this reorganization plan as the Director of the Office of Management and Budget shall determine shall be transferred at such time or times as he shall direct for use in connection with the functions transferred.

(b) Such further measures and dispositions as the Director of the Office of Management and Budget shall deem to be necessary in order to effectuate the transfers referred to in subsection (a) of this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

SEC. 5. *Effective date.*—The provisions of this reorganization plan shall take effect as provided by section 906(a) of title 5 of the United States Code, or on July 1, 1973, whichever is later.

80 Stat. 396.

LEGISLATIVE HISTORY:

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 9, No. 4: Jan. 26, Presidential message transmitting plan to Congress.
HOUSE REPORT No. 93-106 (Comm. on Government Operations).

REORGANIZATION PLAN NO. 2 OF 1973

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, March 28, 1973, pursuant to the provisions of Chapter 9 of Title 5 of the United States Code.

Transmitted March 28, 1973.
Effective July 1, 1973.
80 Stat. 393.

Law Enforcement in Illicit Drug Activities

SECTION 1. *Transfers to the Attorney General.* There are hereby transferred from the Secretary of the Treasury, the Department of the Treasury, and any other officer or any agency of the Department of the Treasury, to the Attorney General all intelligence, investigative, and law enforcement functions, vested by law in the Secretary, the Department, officers, or agencies which relate to the suppression of illicit traffic in narcotics, dangerous drugs, or marihuana, except that the Secretary shall retain, and continue to perform, those functions, to the extent that they relate to searches and seizures of illicit narcotics, dangerous drugs, or marihuana or to the apprehension or detention of persons in connection therewith, at regular inspection locations at ports of entry or anywhere along the land or water borders of the United States: *Provided,* that any illicit narcotics, dangerous drugs, marihuana, or related evidence seized, and any person apprehended or detained by the Secretary or any officer of the Department of the Treasury, pursuant to the authority retained in them by virtue of this section, shall be turned over forthwith to the jurisdiction of the Attorney General; *Provided further,* that nothing in this section shall be construed as limiting in any way any authority vested by law in the Secretary of the Treasury, the Department of the Treasury, or any other officer or any agency of that Department on the effective date of this Plan with respect to contraband other than illicit narcotics, dangerous drugs, and marihuana: and *Provided further,* that nothing in this section shall be construed as limiting in any way any authority the Attorney General, the Department of Justice, or any other officer or any agency of that Department may otherwise have to make investigations or engage in law enforcement activities, including activities relating to the suppression of illicit traffic in narcotics, dangerous drugs, and marihuana, at ports of entry or along the land and water borders of the United States.

SEC. 2. *Transfers to the Secretary of the Treasury.* There are hereby transferred to the Secretary of the Treasury all functions vested by law in the Attorney General, the Department of Justice, or any other officer or any agency of that Department, with respect to the inspection at regular inspection locations at ports of entry of persons, and documents of persons, entering or leaving the United States: *Provided,* that any person apprehended or detained by the Secretary or his designee pursuant

to this section shall be turned over forthwith to the jurisdiction of the Attorney General: and, *Provided further,* that nothing in this section shall be construed as limiting, in any way, any other authority that the Attorney General may have with respect to the enforcement, at ports of entry or elsewhere, of laws relating to persons entering or leaving the United States.

Repeal.

SEC. 3. *Abolition.* The Bureau of Narcotics and Dangerous Drugs, including the Office of Director thereof, is hereby abolished, and section 3(a) of Reorganization Plan No. 1 of 1968 is hereby repealed. The Attorney General shall make such provision as he may deem necessary with respect to terminating those affairs of the Bureau of Narcotics and Dangerous Drugs not otherwise provided for in this Reorganization Plan.

82 Stat. 1368.
5 USC app. II.

Establishment.

SEC. 4. *Drug Enforcement Administration.* There is established in the Department of Justice an agency which shall be known as the Drug Enforcement Administration, hereinafter referred to as "the Administration."

SEC. 5. *Officers of the Administration.* (a) There shall be at the head of the Administration the Administrator of Drug Enforcement, hereinafter referred to as "the Administrator." The Administrator shall be appointed by the President by and with the advice and consent of the Senate, and shall receive compensation at the rate now or hereafter prescribed by law for positions of level III of the Executive Schedule Pay Rates (5 U.S.C. 5314). He shall perform such functions as the Attorney General shall from time to time direct.

80 Stat. 460;
83 Stat. 864.

(b) There shall be in the Administration a Deputy Administrator of the Drug Enforcement Administration, hereinafter referred to as "the Deputy Administrator," who shall be appointed by the President by and with the advice and consent of the Senate, shall perform such functions as the Attorney General may from time to time direct, and shall receive compensation at the rate now or hereafter prescribed by law for positions of level V of the Executive Schedule Pay Rates (5 U.S.C. 5316).

(c) The Deputy Administrator or such other official of the Department of Justice as the Attorney General shall from time to time designate shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.

SEC. 6. *Performance of transferred functions.* (a) The Attorney General may from time to time make such provisions as he shall deem appropriate authorizing the performance of any of the functions transferred to him by the provisions of this Reorganization Plan by any officer, employee, or agency of the Department of Justice.

(b) The Secretary of the Treasury may from time to time make such provisions as he shall deem appropriate authorizing the performance of any of the functions transferred to him by the provisions of this Reorganization Plan by any officer, employee, or agency of the Department of the Treasury.

SEC. 7. *Coordination.* The Attorney General, acting through the Administrator and such other officials of the Department of Justice as he may designate, shall provide for the coordination of all drug law enforcement functions vested in the Attorney General so as to assure maximum cooperation between and among the Administration, the Federal Bureau of Investigation, and other units of the Department involved in the performance of these and related functions.

SEC. 8. *Incidental transfers.* (a) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available or to be made available in connection with the functions transferred to the Attorney General and to the Secretary of the Treasury by this Reorganization Plan as the Director of the Office of Management and Budget shall determine shall be transferred to the Department of Justice and to the Department of the Treasury, respectively, at such time or times as the Director shall direct.

(b) Such further measures and dispositions as the Director of the Office of Management and Budget shall deem to be necessary in order to effectuate transfers referred to in subsection (a) of this section shall be carried out in such manner as he shall direct and by such Federal agencies as he shall designate.

SEC. 9. *Interim Officers.* (a) The President may authorize any person who, immediately prior to the effective date of this Reorganization Plan, held a position in the Executive Branch of the Government to act as Administrator until the office of Administrator is for the first time filled pursuant to the provisions of this Reorganization Plan or by recess appointment as the case may be.

(b) The President may similarly authorize any such person to act as Deputy Administrator.

(c) The President may authorize any person who serves in an acting capacity under the foregoing provisions of this section to receive the compensation attached to the office in respect to which he so serves. Such compensation, if authorized, shall be in lieu of, but not in addition to, other compensation from the United States to which such person may be entitled.

SEC. 10. *Effective date.* The provisions of this Reorganization Plan shall take effect as provided by section 906(a) of title 5 of the United States Code or on July 1, 1973, whichever is later.

80 Stat. 396.

LEGISLATIVE HISTORY:

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 9, No. 13:
March 28, Presidential message transmitting plan to Congress.
HOUSE REPORT No. 93-228 accompanying H. Res. 382 (Comm. on Government Operations).
CONGRESSIONAL RECORD, Vol. 119 (1973):
June 7, considered and approved by House.

PRIVATE LAWS

PRIVATE LAWS

FIRST SESSION, NINETY-THIRD CONGRESS

Private Law 93-1

AN ACT

June 19, 1973
[H. R. 4704]

For the relief of certain former employees of the Securities and Exchange Commission.

Stanley Diller and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the following former employees of the Securities and Exchange Commission is relieved of liability to the United States in the amount appearing beside his name, which amount is the overpayment of travel expenses and per diem allowance made as a result of administrative error for the period September 1, 1970, through March 10, 1971, inclusive, or any portion or portions of such period:

Stanley Diller, $3,241.18; Donald E. Farrar, $5,696.32; William F. Hicks, $3,445.59; Keith B. Johnson, $2,735.10; Seymour Smidt, $3,119.72.

In the audit and settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each person named in the first section of this Act an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in such section.

(b) No part of the amount appropriated in subsection (a) of this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 19, 1973.

Private Law 93-2

June 21, 1973
[H. R. 4443]

AN ACT

For the relief of Ronald K. Downie.

Ronald K. Downie.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized to settle and adjust the claim of Ronald K. Downie, of Oklahoma City, Oklahoma, for the amount to which he would be entitled under section 5724a(a)(4), title 5 of the United States Code, and the regulations issued thereunder without regard to section 4.1d of the Bureau of the Budget Circular No. A–56, revised October 12, 1966, representing expenses he incurred in selling his residence in Virginia and buying another in Fremont, California, incident to his transfer in June of 1967 as an employee of the Federal Aviation Administration from Leesburg, Virginia, to Fremont, California, for the convenience of the Government.

81 Stat. 204.

SEC. 2. No part of the amount disbursed in the first section of this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 21, 1973.

Private Law 93-3

October 1, 1973
[S. 155]

AN ACT

For the relief of Rosita E. Hodas.

Rosita E. Hodas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Rosita E. Hodas, the widow of a citizen of the United States, shall be held and considered to be within the purview of section 201(b) of that Act and the provisions of section 204 of such Act shall not be applicable in this case.

79 Stat. 911.
8 USC 1151.
8 USC 1154.

Approved October 1, 1973.

Private Law 93-4

October 1, 1973
[S. 666]

AN ACT

For the relief of Slobodan Babic.

Slobodan Babic.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 203(a)(1) and 204 of the Immigration and Nationality Act, Slobodan Babic shall be held and considered to be the natural-born alien son of Petar Babic, a citizen of the United States: *Provided*, That the natural mother of the beneficiary, shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

79 Stat. 912, 915.
8 USC 1153, 1154.

Approved October 1, 1973.

Private Law 93-5

AN ACT

For the relief of Guido Bellanca.

October 9, 1973
[S. 464]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 101(a)(27)(B) of the Immigration and Nationality Act, Guido Bellanca shall be held and considered to have been a returning resident alien at the time of his admission to the United States on June 3, 1971.

Guido Bellanca.

79 Stat. 916.
8 USC 1101.

Approved October 9, 1973.

Private Law 93-6

AN ACT

For the relief of Mrs. Naoyo Campbell.

October 18, 1973
[S. 84]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Mrs. Naoyo Campbell, the widow of a citizen of the United States, shall be held and considered to be within the purview of section 201(b) of that Act and the provisions of section 204 of such Act shall not be applicable in this case.

Mrs. Naoyo Campbell.

79 Stat. 911.
8 USC 1151.
8 USC 1154.

Approved October 18, 1973.

Private Law 93-7

AN ACT

For the relief of Kuay Ten Chang (Kuay Hong Chang).

October 18, 1973
[S. 89]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Kuay Ten Chang (Kuay Hong Chang) shall be held and considered to be within the purview of section 203(a)(2) of that Act and the provisions of section 204 of that Act shall not be applicable in this case.

Kuay Ten Chang.

79 Stat. 912.
8 USC 1153.
8 USC 1154.

Approved October 18, 1973.

Private Law 93-8

AN ACT

For the relief of Harold C. and Vera L. Adler, doing business as the Adler Construction Company.

October 18, 1973
[S. 396]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in accordance with the opinion, findings of fact, and conclusions of the trial commissioner in United States Court of Claims Congressional Reference Case Numbered 5–70, entitled "Adler Construction Company against The United States," filed October 24, 1972, the Secretary of the Treasury is authorized and directed to pay, out of any money in

Adler Construction Co.

the Treasury not otherwise appropriated, to the Adler Construction Company of Littleton, Colorado, the sum of $300,000, in full satisfaction of all claims by such company against the United States for compensation for losses sustained by such company in connection with a contract between such company and the Department of the Interior, Bureau of Reclamation, providing for certain work on the Pactola Dam project near Rapid City, South Dakota.

(b) No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved October 18, 1973.

Private Law 93-9

October 18, 1973
[H. R. 1965]

AN ACT

For the relief of Theodore Barr.

Theodore Barr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, the Civil Service Commission is authorized and directed to pay, out of any money in the Civil Service Retirement and Disability Fund not otherwise appropriated, to Theodore Barr of Fayetteville, North Carolina, the sum of $450.30, in full settlement of all his claims against the United States for an error in computation of creditable Federal service by omission of his service for a committee of the House of Representatives between February 1, 1935 and July 1, 1936. The error in computation resulted in his not receiving the disability retirement annuity to which he would have been otherwise entitled during the period February 6, 1947 through April 30, 1948. No part of the amount appropriated in this Act thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved October 18, 1973.

Private Law 93-10

October 19, 1973
[S. 278]

AN ACT

For the relief of Manuela Bonito Martin.

Manuela B. Martin.

79 Stat. 912, 915.
8 USC 1153, 1154.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 203(a)(1) and 204 of the Immigration and Nationality Act, Manuela Bonito Martin shall be held and considered to be the natural-born alien daughter of Richard Allen Martin, a citizen of the United States: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved October 19, 1973.

Private Law 93-11

AN ACT

For the relief of Jay Alexis Caligdong Siaotong.

October 19, 1973
[H. R. 1322]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Jay Alexis Caligdong Siaotong may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Bautista and Coronacion Siaotong, citizens of the United States, pursuant to section 204 of the Act: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Jay A. C. Siaotong.

79 Stat. 917.
8 USC 1101.

8 USC 1154.

Approved October 19, 1973.

Private Law 93-12

AN ACT

For the relief of Juan Marcos Cordova-Campos.

October 19, 1973
[H. R. 1366]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Juan Marcos Cordova-Campos may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Richard C. Nagle, citizens of the United States, pursuant to section 204 of the Act, and the provisions of section 245(c) of the Act shall be inapplicable in this case: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Juan M. Cordova-Campos.

79 Stat. 917.
8 USC 1101.

8 USC 1154.

8 USC 1255.

Approved October 19, 1973.

Private Law 93-13

AN ACT

For the relief of Michael Joseph Wendt.

October 19, 1973
[H. R. 1377]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Michael Joseph Wendt may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in his behalf by Mrs. Elizabeth Mildred Wendt, a citizen of the United States, may be approved pursuant to section 204 of the Act and the provisions of section 245(c) of the Act shall be inapplicable in this case: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Michael J. Wendt.

79 Stat. 917.
8 USC 1101.

8 USC 1154.

8 USC 1255.

Approved October 19, 1973.

Private Law 93-14

October 19, 1973
[H. R. 1462]

AN ACT

For the relief of John R. Poe.

John R. Poe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John R. Poe of Albertville, Alabama, the sum of $2,239.30 in full settlement of all of his claims against the United States arising out of the failure of the Department of the Air Force to process the application and forward the premium of $16.50 for health insurance allotted by the said John R. Poe at the time of his discharge from the Air Force on June 24, 1970.

SEC. 2. No part of the amount appropriated in the first section of this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved October 19, 1973.

Private Law 93-15

October 19, 1973
[H. R. 1716]

AN ACT

For the relief of Jean Albertha Service Gordon.

Jean A. S. Gordon.

79 Stat. 917.
8 USC 1101.
8 USC 1154.
8 USC 1255.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Jean Albertha Service Gordon may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in her behalf by Mrs. Laurel Service Gordon, a citizen of the United States, may be approved pursuant to section 204 of the Act and the provisions of section 245(c) of the Act shall be inapplicable in this case: *Provided*, That the natural parents, or brothers, or sisters, of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status, under the Immigration and Nationality Act.

Approved October 19, 1973.

Private Law 93-16

October 19, 1973
[H. R. 2212]

AN ACT

For the relief of Mrs. Nguyen Thi Le Fintland and Susan Fintland.

Mrs. Nguyen Thi Le Fintland and Susan Fintland.

79 Stat. 911.
8 USC 1151.
8 USC 1154.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Mrs. Nguyen Thi Le Fintland and Susan Fintland, the widow and stepdaughter, respectively, of a citizen of the United States, shall be held and considered to be within the purview of section 201(b) of that Act and the provisions of section 204 of such Act shall not be applicable in their cases.

Approved October 19, 1973.

Private Law 93-17

AN ACT

For the relief of Mrs. Purita Paningbatan Bohannon.

October 19, 1973
[H. R. 2215]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Mrs. Purita Paningbatan Bohannon, the widow of a United States citizen, shall be determined to be an immediate relative within the meaning of section 201(b) of that Act and the provisions of section 204 shall be inapplicable in her case.

Purita P. Bohannon.

79 Stat. 911, 915.
8 USC 1151, 1154.

Approved October 19, 1973.

Private Law 93-18

AN ACT

For the relief of Jesse McCarver, Georgia Villa McCarver, Kathy McCarver, and Edith McCarver.

October 19, 1973
[H. R. 1315]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the time limitations of section 715 of title 32, United States Code, or of any other statute of limitations, the Secretary of the Army is authorized to consider, settle, and if found meritorious, to pay in accordance with otherwise applicable law the claims of Jesse McCarver, Georgia Villa McCarver, Kathy McCarver, and Edith McCarver arising out of an automobile accident which occurred on or about June 12, 1965, near McMinnville, Tennessee, on State highway numbered 8, involving a military vehicle driven by a member of the Tennessee National Guard; and the claims filed on or about April 24, 1970, in behalf of the said Jesse McCarver, Georgia Villa McCarver, Kathy McCarver, and Edith McCarver with the Department of the Army based upon that accident are to be held and considered to have been timely filed.

Jesse, Georgia V., Kathy and Edith McCarver.
74 Stat. 878; 82 Stat. 878.

SEC. 2. No amount paid under the authority provided in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved October 19, 1973.

Private Law 93-19

AN ACT

For the relief of James E. Bashline.

October 19, 1973
[H. R. 1378]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Petty Officer James E. Bashline, United States Navy (retired), of Saint Petersburg, Florida, is relieved of his indebtedness to the United States that resulted from the shipment of his household effects at a weight in excess of that authorized for reimbursement from San Francisco, California, to Saint Petersburg, Florida, in March 1968, incident to a

PO James E. Bashline, USN (Ret.).

permanent change of station assignment with the Department of the Navy. The amount of indebtedness so relieved shall be the outstanding balance of such indebtedness on the date of enactment of this Act, but such amount shall not exceed $577.91. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which indebtedness is relieved by this Act.

Approved October 19, 1973.

Private Law 93-20

December 5, 1973
[H. R. 1353]

AN ACT

For the relief of Toy Louie Lin Heong.

Toy Louie Lin Heong.
66 Stat. 187.
8 USC 1182.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(31) of the Immigration and Nationality Act, Toy Louie Lin Heong may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

Approved December 5, 1973.

Private Law 93-21

December 5, 1973
[H. R. 1356]

AN ACT

For the relief of Ann E. Shepherd.

Ann E. Shepherd.
79 Stat. 916.
8 USC 1101.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 101(a)(27)(B) of the Immigration and Nationality Act, Ann E. Shepherd shall be held and considered to have been a returning resident alien at the time of her admission to the United States on June 10, 1972.

Approved December 5, 1973.

Private Law 93-22

December 5, 1973
[H. R. 1367]

AN ACT

For the relief of Bertha Alicia Sierra.

Bertha A. Sierra.
66 Stat. 163.
8 USC 1101 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Bertha Alicia Sierra shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the total number of immigrant admissions authorized pursuant to the provisions of section 21(e) of the Act of October 3, 1965.

79 Stat. 920.
8 USC 1151 note.

Approved December 5, 1973.

Private Law 93-23

AN ACT

For the relief of Emilia Majowicz.

December 5, 1973
[H. R. 1463]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 203(a) (1) and 204 of the Immigration and Nationality Act, Emilia Majowicz shall be held and considered to be the natural-born alien daughter of Mr. and Mrs. Henry J. Burek, citizens of the United States: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Emilia Majowicz.

79 Stat. 912, 915.
8 USC 1153, 1154.

Approved December 5, 1973.

Private Law 93-24

AN ACT

For the relief of Sun Hwa Koo Kim.

December 5, 1973
[H. R. 1696]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Sun Hwa Koo Kim shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon the payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Nationality Act.

Sun Hwa Koo Kim.

79 Stat. 912.
8 USC 1153.

Approved December 5, 1973.

Private Law 93-25

AN ACT

For the relief of Rosa Ines D'Elia.

December 5, 1973
[H. R. 1955]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Rosa Ines D'Elia may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Lois R. D'Elia and Stephen J. D'Elia, citizens of the United States, pursuant to section 204 of the Act: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act. Sections 204(c) and 245(c) of the Immigration and Nationality Act shall be inapplicable in this case.

Rosa I. D'Elia.

79 Stat. 917.
8 USC 1101.
8 USC 1154.
8 USC 1255.

Approved December 5, 1973.

Private Law 93-26

December 5, 1973
[H. R. 2513]

AN ACT

For the relief of Jose Carlos Recalde Martorella.

Jose C. R. Martorella.

79 Stat. 916.
8 USC 1101.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 101(a)(27)(B) of the Immigration and Nationality Act, Jose Carlos Recalde Martorella shall be held and considered to have been a returning resident alien at the time of his admission to the United States on December 23, 1970.

Approved December 5, 1973.

Private Law 93-27

December 5, 1973
[H. R. 2628]

AN ACT

For the relief of Anka Kosanovic.

Anka Kosanovic.

66 Stat. 182.
8 USC 1182.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(3) of the Immigration and Nationality Act, Anka Kosanovic may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act: *Provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

84 Stat. 413.
8 USC 1183.

Approved December 5, 1973.

Private Law 93-28

December 5, 1973
[H. R. 3207]

AN ACT

For the relief of Mrs. Enid R. Pope.

Enid R. Pope.

66 Stat. 163.
8 USC 1101 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mrs. Enid R. Pope shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the total number of immigrant admissions authorized pursuant to the provisions of section 21(e) of the Act of October 3, 1965.

79 Stat. 920.
8 USC 1151 note.

Approved December 5, 1973.

Private Law 93-29

AN ACT

December 5, 1973
[H. R. 3754]

For the relief of Mrs. Bruna Turni, Graziella Turni, and Antonello Turni.

Bruna, Graziella and Antonello Turni.
66 Stat. 163.
8 USC 1101 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Immigration and Nationality Act, Mrs. Bruna Turni, Graziella Turni, and Antonello Turni shall be deemed to have a priority date of August 15, 1969, on the fifth preference foreign state limitation for Italy.

Approved December 5, 1973.

Private Law 93-30

AN ACT

December 5, 1973
[H. R. 6828]

For the relief of Edith E. Carrera.

Edith E. Carrera.

79 Stat. 917.
8 USC 1101.

8 USC 1154, 1255.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Edith E. Carrera may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mrs. Nelda Burnett, citizen of the United States, pursuant to section 204 of the Act and the provisions of section 245(c) of the Act shall be inapplicable in the case: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved December 5, 1973.

Private Law 93-31

AN ACT

December 5, 1973
[H. R. 6829]

For the relief of Mr. Jose Antonio Trias.

Jose A. Trias.

66 Stat. 242.
8 USC 1427.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Mr. Jose Antonio Trias shall be held and considered to have complied with the provisions of section 316 of that Act as they relate to residence and physical presence.

Approved December 5, 1973.

Private Law 93-32

AN ACT

December 8, 1973
[H. R. 1948]

For the relief of Edgar P. Faulkner and Ray H. New.

Edgar P. Faulkner and Ray H. New.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, on such terms as it deems just, the United States Postal Service is authorized to compromise, release, or discharge in whole or in part the joint and

several liability of Edgar P. Faulkner, as Postmaster and of Ray H. New, as Assistant Postmaster, at the Tucker, Georgia, Post Office, to the United States for the loss resulting from the burglary at that post office on the night of June 19, 1969.

Approved December 8, 1973.

Private Law 93-33

December 8, 1973
[H. R. 1949]

AN ACT

For the relief of Hazel W. Lawson and Lloyd C. Johnson.

Hazel W. Lawson and Lloyd C. Johnson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, on such terms as it deems just, the United States Postal Service is authorized to compromise, release, or discharge in whole or in part the joint and several liability of Hazel W. Lawson, postmaster, and of Lloyd C. Johnson, assistant postmaster, of the Avondale Estates Post Office, Avondale, Georgia, to the United States for the loss resulting from a burglary at that post office on July 3, 1967.

Approved December 8, 1973.

Private Law 93-34

December 8, 1973
[H. R. 2207]

AN ACT

For the relief of Joseph C. Leeba.

Joseph C. Leeba.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, on such terms as it deems just, the United States Postal Service is hereby authorized to compromise, release, or discharge in whole or in part the liability of Joseph C. Leeba, superintendent of the West Side Postal Station, Youngstown, Ohio, to the United States for the loss resulting from the burglary at that postal station on February 22, 1969.

Approved December 8, 1973.

Private Law 93-35

December 8, 1973
[H. R. 2213]

AN ACT

For the relief of Cornelius S. Ball, Victor F. Mann, Junior, George J. Posner, Dominick A. Sgammato, and James R. Walsh.

Cornelius S. Ball and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on such terms as he deems just, the Postmaster General is hereby authorized to

compromise, release, or discharge, in whole or in part, the liability of—

Cornelius S. Ball, postmaster, Rye, New York 10580.

Victor F. Mann, Junior, postmaster, Harrison, New York 10528.

George J. Posner, postmaster, Mamaroneck, New York 10543.

Dominick A. Sgammato, postmaster, Mount Vernon, New York 10551.

James R. Walsh, postmaster, Larchmont, New York 10538

to the United States resulting from the sale of postage stamps on September 13, 1969, to a person purporting to represent the Allison Mailing List Corporation, 329 Park Avenue South, New York, New York.

Approved December 8, 1973.

Private Law 93-36

AN ACT

December 8, 1973
[H. R. 3044]

For the relief of James Evans, publisher of the Colfax County Press, and Morris Odvarka.

James Evans and Morris Odvarka.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That James Evans, publisher of the Colfax County Press, a newspaper published in Clarkson, Nebraska, is hereby relieved of all liability for repayment to the United States of the sum of $1,342.48, representing the amount of a postage deficiency assessed against the said James Evans as a result of the mailing of certain supplemental publications, together with a regular issue of the Colfax County Press, at second-class rather than third-class postage rates, such assessment having been made after the said James Evans had received and relied upon an oral ruling by the Postmaster at Clarkson, Nebraska, that the mailing of such supplemental publications with the newspaper would be permissible under the newspaper's second-class mail permit.

SEC. 2. That on such terms as it deems just, the United States Postal Service is authorized to compromise, release, or discharge in whole or in part the liability of Morris Odvarka, postmaster at the Clarkson, Nebraska, post office, for the amount of the postal deficiency charged against his account by reason of the facts referred to in the first section of this Act.

Approved December 8, 1973.

Private Law 93-37

AN ACT

December 8, 1973
[H. R. 3530]

For the relief of Eugenia C. Lyttle.

Eugenia C. Lyttle.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, on such terms as it deems just, the United States Postal Service is authorized to compromise, release, or discharge in whole or in part the liability of Eugenia C. Lyttle, former postmaster at the Manchester, Kentucky, Post Office, to the United States for the loss resulting from a burglary at the Manchester Post Office on the night of May 11 and 12, 1969.

Approved December 8, 1973.

Private Law 93-38

December 8, 1973
[H. R. 9276]

AN ACT

For the relief of Luther V. Winstead.

Luther V. Winstead.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, on such terms as it deems just, the United States Postal Service is authorized to compromise, release, or discharge in whole or part the joint and several liability of Luther V. Winstead, postmaster at the Clinton, Maryland, Post Office, for a deficiency in the amount of $17,406.82 in the postal funds and accountable papers resulting from a burglary at the Clinton Post Office in Clinton, Maryland, on May 6, 1967.

Approved December 8, 1973.

Private Law 93-39

December 11, 1973
[H. R. 4448]

AN ACT

For the relief of First Lieutenant John P. Dunn, Army of the United States, retired.

1st Lt. John P. Dunn, USA (Ret.).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to First Lieutenant John P. Dunn, Army of the United States, retired, of Green Valley, Arizona, the sum certified to him by the Comptroller General of the United States pursuant to section 2 of this Act. Such payment to the said First Lieutenant John P. Dunn shall be in full settlement of all his claims against the United States arising out of his failure to receive the retirement pay due him for the period beginning on November 1, 1954, and ending March 4, 1958.

SEC. 2. The Comptroller General of the United States shall, within ninety days of the enactment of this Act, certify to the Secretary of Treasury the sum total of all monthly retirement payments to which the said First Lieutenant John P. Dunn would be entitled for the period indicated in the first section of this Act if his application has been deemed timely filed with the proper officer.

Approved December 11, 1973.

Private Law 93-40

December 12, 1973
[H. R. 1328]

AN ACT

For the relief of Master Sergeant Eugene J. Mikulenka, United States Army (retired).

M. Sgt. Eugene J. Mikulenka, USA (Ret.).
80 Stat. 542.

80 Stat. 532; 82 Stat. 100.
5 USC 8101.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the provisions of section 8116 of title 5, United States Code, shall be waived to the extent that such provisions would prohibit a payment of Master Sergeant Mikulenka's Regular Army retired pay in addition to an award under chapter 81 of title 5, United States Code, for injuries received by him as a civilian employee on or about March 8, 1968;

(b) The acceptance of said award shall in no way affect Master

Sergeant Eugene J. Mikulenka's receipt of his Regular Army retired pay; and

(c) The Secretary of the Treasury is authorized to refund to Master Sergeant Eugene J. Mikulenka any sums heretofore withheld from his retired pay by virtue of his election to receive the benefits under chapter 81 of title 5, United States Code.

80 Stat. 532; 82 Stat. 100. 5 USC 8101.

SEC. 2. No part of any amount paid in accordance with the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved December 12, 1973.

Private Law 93-41

AN ACT

December 12, 1973
[H. R. 3751]

For the relief of James E. Fry, Junior, and Margaret E. Fry.

James E. Fry, Jr. and Margaret E. Fry. 70A Stat. 153; 72 Stat. 1461. 10 USC 2733.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of clause (1) of section (b) of title 10, United States Code, or any regulation promulgated thereunder, the Secretary of the Army is authorized to receive, consider, settle, and pay any claim filed under such section by James E. Fry, Junior, and Margaret E. Fry of Brighton, Colorado, within one year after the date of enactment of this Act, the said James E. Fry, Junior, and Margaret E. Fry having allegedly suffered damage to their property in 1966 as the result of the contamination of a stream, running under the land of the said James E. Fry, Junior, and Margaret E. Fry, by chemical waste disposed of by personnel at the Rocky Mountain Arsenal in Colorado. Nothing in this Act shall be construed as an inference of liability on the part of the United States.

Approved December 12, 1973.

Private Law 93-42

AN ACT

December 12, 1973
[H. R. 4175]

For the relief of Manuel H. Silva.

Manuel H. Silva.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Manuel H. Silva, of New Ipswich, New Hampshire, the sum of $6,240, in compensation for the loss of certain pigs during a cholera outbreak. This compensation would normally be available under Federal law, but in this case extremely bad weather, including a major snowstorm, prevented the necessary inspection for seven days, during which time one hundred and fifty-six of the infected animals had died, rendering the loss ineligible for compensation to that extent.

SEC. 2. No amount appropriated in the first section of this Act shall be paid or received by any agent or attorney on account of services rendered in connection with the claims dealt with therein. Any person violating the provisions of this section shall be fined not more than $1,000.

Approved December 12, 1973.

Private Law 93-43

December 12, 1973
[H. R. 8406]

AN ACT

For the relief of William M. Starrs.

William M. Starrs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William M. Starrs, of Savannah, Georgia, the sum of $1,332.10 in full settlement of all his claims against the United States arising out of the special separate maintenance allowance leave which was erroneously granted to him in June 1969, while he was serving as a civilian employee of the Department of the Army.

SEC. 2. No part of the amount appropriated in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved December 12, 1973.

Private Law 93-44

December 13, 1973
[H. R. 7210]

AN ACT

For the relief of George Downer and Victor L. Jones.

George Downer and Victor L. Jones.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, on such terms as it deems just, the United States Postal Service is authorized to compromise, release, or discharge in whole or in part the joint and several liability of George Downer, postmaster, and Victor L. Jones, former assistant postmaster, at the Hampton, New Hampshire, Post Office, to the United States for the loss resulting from the burglary at the Hampton Post Office on December 16, 1967.

Approved December 13, 1973.

Private Law 93-45

December 15, 1973
[H. R. 1694]

AN ACT

For the relief of Ossie Emmons and others.

Ossie Emmons and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each of the following

named persons the amounts set forth opposite their respective names in full settlement of their claims against the United States for losses and damages they suffered due to the flooding of their lands due to the release of waters of the Wappapello Reservoir on or about September 25, 1965, without warning or notice which would have enabled them to take steps to avoid or minimize losses from the flooding caused by that release:

Tenant	Landlord	Affected acres	Tenants share	Landlords share	Farm numbers
Ossie Emmons, Dudley, Mo.	A. R. Pierce, Clarkton, Mo.	150	$5,125.00	$2,562.50	B-844
Robert Harrison, Fisk, Mo.	Glen Harrison, Big Bend 1719, Poplar Bluff, Mo.	65	2,220.84	1,110.41	C-1356
Gail Mansbridge, Fisk, Mo.		50	2,562.50		A-3381
H. F. Mansbridge, Fisk, Mo.		30	1,538.50		A-3537
Wiley Mattingly, Route 1, Dudley, Mo.	Eva Mattingly, Route 1, Dudley, Mo.	110	3,757.34	1,879.16	B-1761
Rhea Stone, Route 1, Dudley, Mo.		200	10,250.00		B-1557
Ray Henson, Route 1, Dudley, Mo.	Albert Price, Route 1, Dudley, Mo.	100	3,416.67	1,708.33	B-1654
Leon Wilkerson, Fisk, Mo.	Bernard Cravens, 818 North Sassafras, Dexter, Mo.	150	5,125.50	2,562.50	D-2073
Robert Harrison, Fisk, Mo.	Juanita Cravens, Fisk, Mo.	135	4,612.50	2,306.25	B-647
Robert Huber, Route 1, Campbell, Mo.		20 (corn)	1,350.00		H-1746

SEC. 2. No part of each amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved December 15, 1973.

Private Law 93-46

AN ACT

For the relief of John B. Clayton.

December 15, 1973
[H. R. 5379]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) John B. Clayton, an employee of the Department of the Army, Fort Richardson, Alaska, is hereby relieved of liability to the United States in the sum of $1,066.09 representing the amount expended by the Government for travel and transportation expenses of his dependents incident to home leave travel. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for the amount for which liability is relieved by this Act.

John B. Clayton.

(b) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John B. Clayton, an amount equal to the aggregate of any amounts paid by him or withheld from sums otherwise due him by reason of the liability referred to in this Act. No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved December 15, 1973.

Private Law 93-47

December 15, 1973
[H. R. 6007]

AN ACT

For the relief of Swiff-Train Company.

Swiff-Train Co.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Swiff-Train Company of Corpus Christi, Texas, is hereby relieved of liability to the United States in the amount of $1,671.48 representing that portion of increased duties assessed in connection with the importation at Houston, Texas, of items covered by consumption entry numbered 106–C dated February 23, 1956, which was assessed on the basis of an error in appraisement of such items. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Swiff-Train Company an amount equal to the aggregate of the amounts paid by the company or withheld from sums otherwise due the company, with respect to the amount of indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated by subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved December 15, 1973.

Private Law 93-48

December 28, 1973
[H. R. 3334]

AN ACT

For the relief of Maria Lourdes Rios.

Maria L. Rios.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Maria Lourdes Rios shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the total number of immigrant admissions authorized pursuant to the provisions of section 21(e) of the Act of October 3, 1965.

79 Stat. 920.
8 USC 1151 note.

Approved December 28, 1973.

Private Law 93-49

December 28, 1973
[H. R. 3758]

AN ACT

For the relief of Isabel Eugenia Serrane Macias Ferrier.

Isabel E. S. M. Ferrier.
8 USC 1101 note.
8 USC 1151 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act and section 21(e) of the Act of October 3, 1965, Isabel Eugenia Serrane Macias Ferrier

shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to reduce by one number, during the current fiscal year or the fiscal year next following, the total number of immigrant visas which are made available to special immigrants as defined in section 101(a)(27)(A) of the Immigration and Nationality Act: *Provided*, That the parents, brothers, or sisters of the said Isabel Eugenia Serrane Macias Ferrier shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

79 Stat. 916.
8 USC 1101.

Approved December 28, 1973.

Private Law 93-50

AN ACT

For the relief of Claude V. Alcorn and twenty-one others.

December 29, 1973
[H. R. 1316]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:

Claude V. Alcorn and others.

SEC. 2. The transportation of Claude V. Alcorn, Adrian C. Almond, Aubrey V. Ansell, Thomas Armstrong, Gary A. Bailey, Ronald W. Bradshaw, Harry M. Braudrick, John B. Brewington, Fructoso D. Cabanela, Thurston C. Davis, Donald W. Dodge, Marcus L. Hyde, Junior, Peter E. Johnsen, James L. Jones, William G. King, Henry E. Mowbray, Jack L. Norris, Charles Ricketts, Junior, Gerald L. Sellers, Bobby L. Templeton, Lee M. Tillman, or K. C. West to Seattle on the NOAA vessels "Davidson" in September 1967, "Oceanographer" in December 1967, "Fairweather" in March 1968, or "Rainier" in May 1968, shall not be deemed transportation at Government expense in connection with a change of permanent duty station for the purpose of computing their entitlement to travel expenses for such change of permanent duty station under the provisions of section 5724 of title 5, United States Code, and applicable regulations. The travel expenses of each of the above-named persons in connection with their transfer of duty station to Seattle in 1967 or 1968 shall, upon a request made within ninety days of the enactment of this legislation, be computed or recomputed to provide payment of mileage traveled in privately owned vehicles at a rate not to exceed 12 cents per mile and per diem at a rate not to exceed $16 per day for actual time between duty stations not to exceed 8½ days: *Provided, however*, That in making such computation or recomputation, transportation on board the vessels at the times referred to in this section shall be disregarded: *And provided further*, That if any of the persons named herein has already received payment for such travel, that amount shall be deducted from the recomputed travel expenses and any remainder paid or credited to the employee.

80 Stat. 502;
81 Stat. 204.

SEC. 3. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved December 29, 1973.

CONCURRENT RESOLUTIONS

CONCURRENT RESOLUTIONS

FIRST SESSION, NINETY-THIRD CONGRESS

January 3, 1973
[S. Con. Res. 1]

JOINT MEETING

Electoral vote count.

USC prec. title 1.

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Saturday, the 6th day of January 1973, at 1 o'clock postmeridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their presiding officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter "A"; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

Agreed to January 3, 1973.

January 4, 1973
[H. Con. Res. 1]

JOINT COMMITTEE FOR INAUGURAL ARRANGEMENTS, 1973—CONTINUATION

Resolved by the House of Representatives (the Senate concurring), That effective from January 3, 1973, the joint committee created by Senate Concurrent Resolution 63, of the Ninety-second Congress, to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on the 20th day of January 1973, is hereby continued and for such purpose shall have the same power and authority as that conferred by such Senate Concurrent Resolution 63, of the Ninety-second Congress.

86 Stat. 1574.

Passed January 4, 1973.

January 23, 1973
[H. Con. Res. 90]

LYNDON B. JOHNSON—LIE IN STATE IN CAPITOL ROTUNDA

Resolved by the House of Representatives (the Senate concurring), That in recognition of the long and distinguished service rendered to the Nation and to the world by Lyndon B. Johnson, thirty-sixth President of the United States, his remains be permitted to lie in state in the rotunda of the Capitol from January 24 to January 25, 1973, and the Architect of the Capitol, under the direction of the Speaker of the House of Representatives and the President pro tempore of the Senate, shall take all necessary steps for the accomplishment of that purpose.

Passed January 23, 1973.

February 8, 1973
[H. Con. Res. 105]

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Thursday, February 8, 1973, it stand adjourned until 12 o'clock meridian, Monday, February 19, 1973, and that when the Senate adjourns on Thursday, February 8, 1973, it stand adjourned until 11 o'clock antemeridian, Thursday, February 15, 1973.

Passed February 8, 1973.

February 27, 1973
[S. Con. Res. 8]

JOINT STUDY COMMITTEE ON BUDGET CONTROL

Resolved by the Senate (the House of Representatives concurring), That the joint committee established under title III of the Act entitled "An Act to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973", approved October 27, 1972 (Public Law 92–599; 86 Stat. 1324), shall be known as the Joint Study Committee on Budget Control (hereafter referred to in this concurrent resolution as the "joint study committee").

Designation, administration, and expenses.

31 USC 757b note.

SEC. 2. (a) During the first session of the Ninety-third Congress, the members of the joint study committee shall select two cochairmen in lieu of a chairman.

(b) The joint study committee is authorized to procure the services of individual consultants, or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946. 84 Stat. 1179. 2 USC 72a.

SEC. 3. (a) For the period from March 1, 1973, through the close of the first session of the Ninety-third Congress, the joint study committee is authorized to expend from the contingent fund of the Senate not to exceed $200,000 to carry out the provisions of such title III. Of such amount not to exceed $25,000 may be expended for the procurement of such individual consultants or organizations thereof.

(b) During the first session of the Ninety-third Congress, expenses of the joint study committee paid out of the contingent fund of the Senate shall be so paid upon vouchers approved by either of the two cochairmen of the joint study committee.

SEC. 4. The joint study committee shall submit a final report of the results of the study and review made under such title III, to the Speaker of the House of Representatives and to the President pro tempore of the Senate, not later than the close of the first session of the Ninety-third Congress. Report.

Agreed to February 27, 1973.

March 21, 1973
[S. Con. Res. 16]

CORRECTIONS OF ENROLLED BILL S. 7

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 7) to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes, the Secretary of the Senate is hereby authorized and directed, in the enrollment of the said bill, to make the following corrections, namely, in the table of contents in section 1 strike out "Sec. 308. Rehabilitation Centers for Spinal Cord Injuries" and insert in lieu thereof "Sec. 308. National Centers for Spinal Cord Injuries"; in section 305(a)(2), insert "such" before "subsection" the second time it appears; in section 500(b), strike out "VI" the second time it appears and insert in lieu thereof "VII"; in section 602, strike out "the" the first time it appears; and in section 702(d), strike out "not" and insert "not" after "but".

Agreed to March 21, 1973.

April 18, 1973
[S. Con. Res. 22]

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Wednesday, April 18, 1973, it stand adjourned until 12 o'clock meridian, Monday, April 30, 1973, and that when the House adjourns on Thursday, April 19, 1973, it stand adjourned until 12 o'clock meridian, Monday, April 30, 1973.

Agreed to April 18, 1973.

April 19, 1973
[S. Con. Res. 2]

"RUNAWAY YOUTH"—HEARINGS

Printing of additional copies.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary three thousand additional copies of the hearings of its Subcommittee To Investigate Juvenile Delinquency during the Ninety-second Congress, second session, entitled "Runaway Youth".

Agreed to April 19, 1973.

April 19, 1973
[S. Con. Res. 3]

"SATURDAY NIGHT SPECIAL HANDGUNS, S. 2507"—HEARINGS

Printing of additional copies.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary three thousand additional copies of the hearings of its Subcommittee To Investigate Juvenile Delinquency during the Ninety-second Congress, first session, entitled "Saturday Night Special Handguns, S. 2507".

Agreed to April 19, 1973.

April 19, 1973
[S. Con. Res. 4]

"JUVENILE CONFINEMENT INSTITUTIONS AND CORRECTIONAL SYSTEMS"—HEARINGS

Printing of additional copies.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary two thousand additional copies of the hearings of its Subcommittee To Investigate Juvenile Delinquency during the Ninety-second Congress, first session, entitled "Juvenile Confinement Institutions and Correctional Systems".

Agreed to April 19, 1973.

April 19, 1973
[S. Con. Res. 13]

"RIGHTS OF CHILDREN, 1972 (EXAMINATION OF THE SUDDEN INFANT DEATH SYNDROME)"—HEARINGS

Printing of additional copies.

Resolved by the Senate (the House of Representatives concurring), That there be printed two thousand additional copies of part 1 of the hearings held by the Subcommittee on Children and Youth of the Senate Committee on Labor and Public Welfare entitled "Rights of Children, 1972 (Examination of the Sudden Infant Death Syndrome)", dated January 25, 1972. Such additional copies shall be for the use of the Senate Committee on Labor and Public Welfare.

Agreed to April 19, 1973.

May 10, 1973
[H. Con. Res. 109]

LYNDON BAINES JOHNSON—TRIBUTES

Resolved by the House of Representatives (the Senate concurring), That there be printed, with illustrations, as a House document and bound, under the direction of the Joint Committee on Printing, all of the speeches and remarks which constitute tributes to the life, character, and public service of the late President of the United States, Lyndon Baines Johnson, and which were delivered on January 24 and 25, 1973, in the rotunda of the Capitol of the United States where the remains of the late President lay in state, at his funeral service held at the National City Christian Church, Washington, District of Columbia, and at his burial service in Texas, together with such additional explanatory matter as the joint committee may deem pertinent, and all speeches and remarks of tribute to the late President delivered in the Halls of Congress.

Printing as House document.

SEC. 2. There shall be printed and bound, as directed by the Joint Committee on Printing, thirty-two thousand four hundred additional copies of such document, of which twenty-two thousand one hundred copies shall be for the use of the House of Representatives and ten thousand three hundred copies shall be for the use of the Senate.

Additional copies.

Passed May 10, 1973.

May 10, 1973
[H. Con. Res. 126]

"YEAR-ROUND SCHOOLS"—HEARINGS

Resolved by the House of Representatives (the Senate concurring), That there shall be printed one thousand copies of the hearings entitled "Year-Round Schools", Ninety-second Congress, for use of the House Committee on Education and Labor.

Printing of copies.

Passed May 10, 1973.

May 10, 1973
[H. Con. Res. 156]

"CORRECTIONS, FEDERAL AND STATE PAROLE SYSTEMS"—HEARINGS

Resolved by the House of Representatives (the Senate concurring), That there shall be printed one thousand copies each of parts VII–A and VII–B of serial 15 hearings entitled "Corrections, Federal and State Parole Systems", Ninety-second Congress, for use of the House Committee on the Judiciary.

Printing of copies.

Passed May 10, 1973.

May 23, 1973
[H. Con. Res. 221]

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Thursday, May 24, 1973, it stand adjourned until 12 o'clock meridian, Tuesday, May 29, 1973, and that when the Senate adjourns on Wednesday, May 23, 1973, it stand adjourned until 12 o'clock meridian, Tuesday, May 29, 1973.

Passed May 23, 1973.

June 14, 1973
[H. Con. Res. 110]

HARRY S TRUMAN—EULOGIES AND ENCOMIUMS

Printing as House document; additional copies.

Resolved by the House of Representatives (*the Senate concurring*), That there be printed with illustrations as a House document the eulogies and encomiums of the late President of the United States, Harry S Truman, as expressed in the House of Representatives and the Senate. Such publication to include the text of the funeral service held in Independence, Missouri, as well as the prayers and scriptural selections delivered at the memorial service on January 5, 1973, at the Washington Cathedral; and that thirty-two thousand five hundred additional copies shall be printed, of which twenty-two thousand one hundred and fifty shall be for the use of the House of Representatives and ten thousand three hundred and fifty shall be for the use of the Senate.

SEC. 2. The copy shall be prepared and bound in such style as the Joint Committee on Printing may direct.

Passed June 14, 1973.

June 14, 1973
[H. Con. Res. 200]

SOCIAL SECURITY LAWS—COMPILATION

Printing as House document; additional copies.

Resolved by the House of Representatives (*the Senate concurring*), That the compilation of the social security laws, prepared in two volumes by the Social Security Administration for the use of the Committee on Ways and Means, be printed as a House document and that five hundred additional copies be printed for the use of the House Document Room, and that two thousand additional copies be printed for the use of the Committee on Ways and Means. Three thousand five hundred additional copies of Volume I and five hundred additional copies of Volume II shall be printed for the use of the Committee on Finance of the Senate.

Passed June 14, 1973.

June 15, 1973
[S. Con. Res. 27]

HONOR AMERICA—FLAG DAY TO INDEPENDENCE DAY

Resolved by the Senate (*the House of Representatives concurring*), That Congress declares the twenty-one days from Flag Day, June 14, 1973, to Independence Day, July 4, 1973, as a period to honor America, and let there be public gatherings and activities at which the people of the United States can celebrate and honor their country in appropriate manner.

Agreed to June 15, 1973.

June 28, 1973
[S. Con. Res. 29]

PRESIDENTIAL ELECTION OF 1972, ILLEGAL, IMPROPER, OR UNETHICAL ACTIVITIES—HEARINGS

Printing of additional copies.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Select Committee on Presidential Campaign Activities not to exceed five thousand additional copies of all parts of its hearings on illegal, improper, or unethical activities during the Presidential election of 1972.

SEC. 2. The authorization conferred by section 1 of this concurrent resolution shall terminate on February 28, 1974.

Agreed to June 28, 1973.

June 28, 1973
[H. Con. Res. 132]

"THE CAPITOL"

Printing as House document; additional copies.

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House document with illustrations, a revised edition of "The Capitol", compiled under the direction of the Joint Committee on Printing; and that five hundred and seventy-five thousand additional copies shall be printed, of which four hundred and forty-two thousand copies shall be for the use of the House of Representatives, one hundred and three thousand copies shall be for the use of the Senate, and thirty thousand copies shall be for the use of the Joint Committee on Printing.

Passed June 28, 1973.

June 30, 1973
[H. Con. Res. 262]

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Saturday, June 30, 1973, it stand adjourned until 12 o'clock meridian, Tuesday, July 10, 1973, and that when the Senate adjourns on Saturday, June 30, 1973, it stand adjourned until 10 o'clock antemeridian, Monday, July 9, 1973.

Passed June 30, 1973.

July 20, 1973
[H. Con. Res. 185]

INAUGURAL ADDRESSES

Printing as House document; additional copies.

Resolved by the House of Representatives (the Senate concurring), That a collection of inaugural addresses, from President George Washington to President Richard M. Nixon, compiled from research volumes and State papers by the Legislative Reference Service, Library of Congress, be printed with illustrations as a House document; and that sixteen thousand two hundred additional copies be printed, of which eleven thousand and fifty copies shall be for the use of the House of Representatives, and five thousand one hundred and fifty copies for the use of the Senate.

SEC. 2. Copies of such document shall be prorated to Members of the Senate and House of Representatives for a period of sixty days, after which the unused balance shall revert to the respective Senate and House Documents Rooms.

Passed July 20, 1973.

July 20, 1973
[H. Con. Res. 233]

NATIONAL INSTITUTE OF EDUCATION, ESTABLISHMENT—HEARINGS

Printing of copies.

Resolved by the House of Representatives (*the Senate concurring*), That there shall be printed for use of the House Committee on Education and Labor one thousand copies of the hearings (including the three appendices thereto printed in separate volumes) on H.R. 33, H.R. 3606, and related bills, to establish a National Institute of Education.

Passed July 20, 1973.

July 20, 1973
[H. Con. Res. 256]

"OUR AMERICAN GOVERNMENT. WHAT IS IT? HOW DOES IT WORK?"

Printing as House document; additional copies.

Resolved by the House of Representatives (*the Senate concurring*), That there shall be printed, as a House document, a revised edition of the House document "Our American Government. What Is It? How Does It Work?"; and that two hundred and seventy-two thousand five hundred additional copies be printed, of which two hundred and twenty-one thousand shall be for the use of the House of Representatives and fifty-one thousand five hundred shall be for the use of the Senate.

SEC. 2. Copies of such document shall be prorated to Members of the Senate and the House of Representatives for a period of sixty days, after which the unused balance shall revert to the respective Senate and House document rooms.

Passed July 20, 1973.

July 20, 1973
[H. Con. Res. 257]

"STREET CRIME: REDUCTION THROUGH POSITIVE CRIMINAL JUSTICE RESPONSES"

Printing of additional copies.

Resolved by the House of Representatives (*the Senate concurring*), That there shall be printed for the use of the Select Committee on Crime of the House of Representatives thirteen thousand additional copies of the House report entitled "Street Crime: Reduction Through Positive Criminal Justice Responses" (Ninety-third Congress, first session).

Passed July 20, 1973.

July 20, 1973
[H. Con. Res. 258]

"DRUGS IN OUR SCHOOLS"

Printing of additional copies.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed sixty-eight thousand two hundred and fifty additional copies of the House report entitled "Drugs in Our Schools", of which fifty-five thousand two hundred and fifty copies shall be for the use of the House of Representatives, and thirteen thousand copies for the use of the Select Committee on Crime of the House of Representatives.

Passed July 20, 1973.

July 20, 1973
[H. Con. Res. 219]

"THE FEDERAL CIVILIAN EMPLOYEE LOYALTY PROGRAM"

Printing of additional copies.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Internal Security six hundred additional copies of a report entitled "The Federal Civilian Employee Loyalty Program", House Report Numbered 92–1637, Ninety-second Congress, second session.

Passed July 20, 1973.

July 30, 1973
[S. Con. Res. 42]

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Resolved by the Senate (the House of Representatives concurring), That when the two Houses adjourn on Friday, August 3, 1973, they shall stand adjourned until 12:00 noon on Wednesday, September 5, 1973, or until 12:00 noon on the second day after their respective Members are notified to reassemble in accordance with section 2 of this resolution, whichever event first occurs.

SEC. 2. The President pro tempore of the Senate and the Speaker of the House of Representatives shall notify the Members of the Senate and the House, respectively, to reassemble whenever in their opinion legislative expediency shall warrant it or whenever the majority leader of the Senate and the majority leader of the House, acting jointly, or the minority leader of the Senate and the minority leader of the House, acting jointly, file a written request with the Secretary of the Senate and the Clerk of the House that the Congress reassemble for the consideration of legislation.

Agreed to July 30, 1973.

August 3, 1973
[H. Con. Res. 209]

"UNITED STATES BUSINESS INVOLVEMENT IN SOUTHERN AFRICA"—HEARINGS

Printing of additional copies.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed for the use of the Committee on Foreign Affairs, House of Representatives, one thousand five hundred additional copies each of part 1 and part 2 of the hearings by the Subcommittee on Africa of the House Foreign Affairs Committee in May, June, July, September, November, and December 1971 entitled "United States Business Involvement in Southern Africa."

Passed August 3, 1973.

August 3, 1973
[H. Con. Res. 266]

AGRICULTURE-ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATION ACT, 1974—HEARINGS

Printing of additional copies of part 8.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed for the use of the House Committee on Appropriations two thousand five hundred copies of part 8 of the hearings on the agriculture-environmental and consumer protection appropriation bill, for the fiscal year 1974.

Passed August 3, 1973.

October 4, 1973
[H. Con. Res. 321]

ADJOURNMENT—HOUSE OF REPRESENTATIVES

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Thursday, October 4, 1973, it stand adjourned until 12 o'clock meridian, Tuesday, October 9, 1973.

Passed October 4, 1973.

October 10, 1973
[H. Con. Res. 315]

CORRECTION OF ENROLLED BILL H. R. 8619

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 8619) making appropriations for Agriculture-Environmental and Consumer Protection programs for the fiscal year ending June 30, 1974, and for other purposes, is authorized and directed to make the following change: In lieu of the word "Community" on page 21, line 23, of the House engrossed bill, insert the word "Commodity".

Ante, p. 468.

Passed October 10, 1973.

October 16, 1973
[S. Con. Res. 51]

VETERANS DAY

Whereas October 22, 1973, will mark the first observance of Veterans Day since the cessation of hostilities in Vietnam; and

Whereas more than forty-six thousand Americans lost their lives and more than three hundred thousand were wounded in action in the Vietnam conflict; and

Whereas the Vietnam engagement was the longest war in the history of the United States and was marked with controversy both at home and abroad; and

Whereas the American military man withstood these adverse conditions and served with valor and courage; and

Whereas the loyalty and devotion to duty of the American serviceman was of the highest order and played an important role in making peace negotiations possible: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby expresses its gratitude, and pays its respects, to Vietnam veterans on Veterans Day 1973 for their gallant part in attaining peace in Vietnam and making it possible to observe Veterans Day 1973 in peace.

Agreed to October 16, 1973.

October 18, 1973
[S. Con. Res. 54]

ADJOURNMENT–HOUSE OF REPRESENTATIVES AND SENATE

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Thursday, October 18, 1973, it stand adjourned until 12 o'clock meridian, Tuesday, October 23, 1973, and that when the House adjourns on Thursday, October 18, 1973, it stand adjourned until 12 o'clock meridian on Tuesday, October 23, 1973.

Agreed to October 18, 1973.

October 23, 1973
[H. Con. Res. 275]

"U. S. INTERESTS IN AND POLICY TOWARD THE PERSIAN GULF"–HEARINGS

Printing of additional copies.

Resolved by the House of Representatives (the Senate concurring), That one thousand additional copies of the hearings before the Subcommittee on the Near East of the Committee on Foreign Affairs of the House of Representatives, Ninety-second Congress, second session, entitled "U.S. Interests In and Policy Toward the Persian Gulf" be printed for the use of the Subcommittee on the Near East.

Passed October 23, 1973.

October 23, 1973
[H. Con. Res. 322]

COMMISSION ON THE BANKRUPTCY LAWS OF THE UNITED STATES–REPORT

Reprinting; printing of additional copies.

Resolved by the House of Representatives (the Senate concurring), That House Document 93–137, part 1, Report of the Commission on the Bankruptcy Laws of the United States, be reprinted as corrected, and that part 2 be printed as corrected, and that one thousand additional copies of each part be printed for the use of the House Committee on the Judiciary.

Passed October 23, 1973.

October 26, 1973
[H. Con. Res. 301]

"A HISTORY AND ACCOMPLISHMENTS OF THE PERMANENT SELECT COMMITTEE ON SMALL BUSINESS OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES"

Printing as House document.

Resolved by the House of Representatives (the Senate concurring), That there be printed with illustrations and photographs as a House document and suitably bound, under the direction of the Joint Committee on Printing, "A History and Accomplishments of the

Permanent Select Committee on Small Business of the House of Representatives of the United States", together with appendixes containing various tables, charts, and so forth, which were prepared at the instance and direction of the Honorable Joe L. Evins of Tennessee, chairman, together with such additional explanatory matter as the Joint Committee may deem pertinent.

SEC. 2. There shall be printed and suitably bound as directed by the Joint Committee, ten thousand copies of such document of which five hundred shall be appropriately bound in hard back covers bearing the title of the document in gold leaf lettering on the front covers as well as on the back strips, all for the use of the permanent Select Committee on Small Business of the House of Representatives.

Passed October 26, 1973.

November 5, 1973
[H. Con. Res. 373]

CORRECTIONS OF ENROLLED BILL H. R. 9286

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 9286) to authorize appropriations during the fiscal year 1974 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each reserve component of the Armed Forces, and the military training student loads, and for other purposes, is authorized and directed to make the following corrections:

Ante, p. 605.

(1) Immediately after section 805, insert the following new section:

"SEC. 806. Notwithstanding any other provision of law, upon enactment of this Act, no funds heretofore or hereafter appropriated may be obligated or expended to finance the involvement of United States military forces in hostilities in or over or from off the shores of North Vietnam, South Vietnam, Laos, or Cambodia, unless specifically authorized hereafter by the Congress."

Ante, p. 615.

(2) Redesignate sections 806 through 818 as sections 807 through 819, respectively.

Passed November 5, 1973.

November 14, 1973
[H. Con. Res. 378]

ADJOURNMENT–HOUSE OF REPRESENTATIVES AND SENATE

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Thursday, November 15, 1973, it stand adjourned until 12 o'clock meridian, Monday, November 26, 1973, and that when the Senate adjourns on Wednesday, November 21, 1973, it stand adjourned until 12 o'clock meridian, Monday, November 26, 1973.

Passed November 14, 1973.

"EMERGENCY POWERS STATUTES: PROVISIONS OF FEDERAL LAW NOW IN EFFECT DELEGATING TO THE EXECUTIVE EXTRAORDINARY AUTHORITY IN TIME OF NATIONAL EMERGENCY"

November 15, 1973
[S. Con. Res. 47]

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Special Committee on the Termination of the National Emergency five thousand additional copies of its report to the Senate entitled "Emergency Powers Statutes: Provisions of Federal Law Now in Effect Delegating to the Executive Extraordinary Authority in Time of National Emergency".

Printing of additional copies.

Agreed to November 15, 1973.

PRAYERS OFFERED BY REVEREND EDWARD L. R. ELSON

November 15, 1973
[S. Con. Res. 49]

Resolved by the Senate (the House of Representatives concurring), That there be printed with an illustration as a Senate document, the prayers by the Reverend Edward L. R. Elson, S.T.D., the Chaplain of the Senate, at the opening of the daily sessions of the Senate during the Ninety-second Congress, together with any other prayers offered by him during that period in his official capacity as Chaplain of the Senate; and that there be printed two thousand additional copies of such document, of which one thousand and thirty would be for the use of the Senate and nine hundred and seventy would be for the use of the Joint Committee on Printing.

Printing as Senate document; additional copies.

SEC. 2. The copy for the document authorized in section 1 shall be prepared under the direction of the Joint Committee on Printing.

Agreed to November 15, 1973.

CORRECTION OF ENROLLED BILL H. R. 1284

November 28, 1973
[H. Con. Res. 381]

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 1284 entitled "An Act to amend title 5, United States Code, to improve the administration of the leave system for Federal employees", the Clerk of the House of Representatives is authorized and directed to make the following additional change in the provisions of such bill: On page 3, line 12, of the House engrossed bill, insert ", or under clause (2) of section 5562(a) of this title," immediately after the word "subsection".

Ante, p. 705.

Passed November 28, 1973.

CORRECTION OF ENROLLED BILL H. R. 7446

November 28, 1973
[H. Con. Res. 382]

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 7446) to establish the American Revolution Bicentennial Administration, and for other purposes, is authorized and directed in the second sentence of section 9(a) to strike out "as he may prescribe" and insert in lieu thereof "as may be prescribed".

Ante, p. 697.

Passed November 28, 1973.

December 18, 1973
[H. Con. Res. 386]

USS *CARL VINSON*

Whereas the President of the United States on November 18, 1973, at a ceremony in honor of the Honorable Carl Vinson on his ninetieth birthday, announced the naming of the CVN–70 as the United States ship Carl Vinson; and

Whereas the Honorable Carl Vinson, of Milledgeville, Georgia, served as a Member of the United States House of Representatives from November 3, 1914, to January 2, 1965, a period of more than fifty years, thus establishing a record of service in the House of Representatives unparalleled in our Nation's history; and

Whereas Carl Vinson served as chairman of the former House Naval Affairs Committee from 1931 until 1947, and of the House Committee on Armed Services for fourteen of the sixteen years from 1949 through 1964, a combined total of thirty years, thus establishing a record for congressional service as chairman of a major committee; and

Whereas Carl Vinson's leadership of these two committees of the Congress was marked by great distinction and the exercise of high responsibilities that demonstrated unswerving devotion to his country; and

Whereas Carl Vinson was a driving force in the spectacular growth and development of United States military strength and national security over a period of almost four decades; and

Whereas Carl Vinson served his public stewardship with immense integrity, honesty, and selflessness, and with the needs of the Nation always as his primary concern; and

Whereas among his many other notable achievements, Carl Vinson was the architect of the farflung two-ocean Navy that gave the United States its preeminent role as the leader of the seas, among all world powers; and

Whereas Carl Vinson has been a longtime advocate of nuclear power for naval vessels: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States concurs in the naming of the nuclear-powered aircraft carrier CVN–70 as the United States ship Carl Vinson.

Passed December 18, 1973.

December 19, 1973
[H. Con. Res. 278]

"SOVIET ECONOMIC PROSPECTS FOR THE SEVENTIES"

Printing of additional copies.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Joint Economic Committee five thousand additional copies of its joint committee print of the Ninety-third Congress, first session, entitled "Soviet Economic Prospects for the Seventies".

Passed December 19, 1973.

December 19, 1973
[H. Con. Res. 402]

CORRECTIONS OF ENROLLED BILL S. 1435

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (S. 1435), to reorganize the governmental structure of the District of Columbia, to provide a charter for local government in the District of Columbia, subject to acceptance by a majority of registered qualified electors in the District of Columbia, to delegate certain legislative powers to the local government, to implement certain recommendations of the Commission on the Organization of the Government of the District of Columbia, and for other purposes, the Secretary of the Senate shall make the following corrections:

Ante, p. 774.

(1) In the parenthetical phrase in section 602(a)(5) of the bill, strike out "the Act of July 16, 1947" and insert in lieu thereof "title I of the District of Columbia Income and Franchise Tax Act of 1947".

(2) At the end of section 738 of the bill, insert the following subsection:

"(h) The foregoing provisions of this section shall take effect only if agreed to in accordance with the provisions of section 703(a) of this Act."

(3) In the first sentence of section 712 of the bill, strike out "711" and insert in lieu thereof "404(a)".

Passed December 19, 1973.

December 20, 1973
[H. Con. Res. 88]

"SUMMARY OF VETERANS LEGISLATION REPORTED, NINETY-THIRD CONGRESS, FIRST SESSION"

Resolved by the House of Representatives (the Senate concurring), That after the conclusion of the first session of the Ninety-third Congress there shall be printed for the use of the Committee on Veterans' Affairs of the House of Representatives fifty-six thousand one hundred copies of a publication entitled "Summary of Veterans Legislation Reported, Ninety-third Congress, First Session", with an additional forty-four thousand two hundred copies for the use of Members of the House of Representatives.

Printing of copies; additional copies.

SEC. 2. After the conclusion of the first session of the Ninety-third Congress there shall be printed for the use of the Committee on Veterans' Affairs of the United States Senate twenty thousand copies of a publication similar to that authorized by the first section of this concurrent resolution, but with emphasis upon matters relating to veterans' affairs considered by the Senate or by the Committee on Veterans' Affairs of the Senate.

Passed December 20, 1973.

December 20, 1973
[H. Con. Res. 369]

IMPEACHMENT, SELECTED MATERIALS

Resolved by the House of Representatives (the Senate concurring), That there is authorized to be printed as a House document the House committee print on Impeachment, Selected Materials, and that six thousand four hundred twenty copies be printed, of which one thousand shall be for the use of the House Committee on the Judiciary, one thousand for the House Document Room, and the balance prorated to the Members of the House of Representatives.

Printing as House document.

Additional copies.

SEC. 2. There shall be printed two thousand thirty additional copies of the document authorized by section 1 of this concurrent resolution, of which one thousand copies shall be for the use of the Senate Document Room and one thousand thirty copies shall be for the use of the Senate.

Passed December 20, 1973.

December 20, 1973
[H. Con. Res. 375]

"THE SUPREME COURT OF THE UNITED STATES"

Printing as House document; additional copies.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document with illustrations, the booklet entitled "The Supreme Court of the United States"; and that ninety-eight thousand four hundred additional copies shall be printed of which eighty-eight thousand four hundred shall be for the use of the House of Representatives and ten thousand copies shall be for the use of the Joint Committee on Printing.

SEC. 2. There shall be printed for the use of the Senate ten thousand three hundred additional copies of the document authorized by section 1 of this concurrent resolution.

Passed December 20, 1973.

December 21, 1973
[S. Con. Res. 11]

FISHING INDUSTRY

Whereas the position of the United States in world fisheries has declined from first to sixth place among the major fishing nations;

Whereas there has been a continuing decline in domestic production of food fish and shellfish for the last five years;

Whereas our domestic fishing fleet in many areas has become obsolete and inefficient;

Whereas intensive foreign fishing along our coasts has brought about declines in stocks of a number of species with resulting economic hardship to local domestic fishermen dependent upon such stocks;

Whereas rising costs and extremely high insurance rates have made fishing uneconomic in some areas even when stocks of fish and shellfish are at normal levels;

Whereas assistance to fishermen is very limited as contrasted to Federal aid to industrial, commercial, and agricultural interests;

Whereas United States fishermen cannot successfully compete against imported fish products in the market because a number of foreign fishing countries subsidize their fishing industry to a greater extent;

Whereas some 60 per centum of the seafood requirements of the United States is being supplied by imports;

Whereas the United States fisheries and fishing industry is a valuable natural resource supplying employment and income to thousands of people in all of our coastal States;

Whereas international negotiations so far have proved incapable of obtaining timely agreement on the protection of threatened species of fish;

Whereas our fisheries are beset with almost unsurmountable production and economic problems; and

Whereas certain of our coastal stocks of fish are being decimated by foreign fishing fleets: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the policy of the Congress that our fishing industry be afforded all support necessary to have it strengthened, and all steps be taken to provide adequate protection for our coastal fisheries against excessive foreign fishing, and further that the Congress is fully prepared to act immediately to provide interim measures to conserve overfished stocks and to protect our domestic fishing industry.

SEC. 2. The Congress also recognizes, encourages, and intends to support the key responsibilities of the several States for conservation and scientific management of fisheries resources within United States territorial waters; and in this context the Congress particularly commends Federal programs designed to improve coordinated protection, enhancement, and scientific management of all United States fisheries, including coastal, anadromous and highly migratory species, under such presently successful Federal aid programs under the Commercial Fisheries, Research and Development Act of 1964, and the newly developing Federal-State fisheries management programs.

78 Stat. 197.
16 USC 779 note.

Agreed to December 21, 1973.

December 22, 1973
[H. Con. Res. 412]

ADJOURNMENT SINE DIE

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Saturday, December 22, 1973, they shall stand adjourned sine die or until 12:00 noon on the second day after their respective Members are notified to reassemble in accordance with Section 2 of this resolution, whichever event first occurs.

SEC. 2. The Speaker of the House of Representatives and the President pro tempore of the Senate shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it, or whenever the majority leader of the Senate and the majority leader of the House, acting jointly, or the minority leader of the Senate and the minority leader of the House, acting jointly, file a written request with the Secretary of the Senate and the Clerk of the House that the Congress reassemble for the consideration of legislation.

Passed December 22, 1973.

PROCLAMATIONS

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PROCLAMATIONS

PROCLAMATION 4170

Thanksgiving Day, 1972

By the President of the United States of America

November 17, 1972

A Proclamation

When the first settlers gathered to offer their thanks to the God who had protected them on the edge of a wilderness, they established anew on American shores a thanksgiving tradition as old as Western man himself.

From Moses at the Red Sea to Jesus preparing to feed the multitudes, the Scriptures summon us to words and deeds of gratitude, even before divine blessings are fully perceived. From Washington kneeling at Valley Forge to the prayer of an astronaut circling the moon, our own history repeats that summons and proves its practicality.

Today, in an age of too much fashionable despair, the world more than ever needs to hear America's perennial harvest message: "Take heart! Give thanks! To see clearly about us is to rejoice; and to rejoice is to worship the Father; and to worship Him is to receive more blessings still."

At this Thanksgiving time our country can look back with special gratitude across the events of a year which has brought more progress toward lasting peace than any other year for a generation past; and we can look forward with trust in Divine Providence toward the opportunities which peace will bring.

Truly our cup runs over with the bounty of God—our lives, our liberties, and our loved ones; our worldly goods and our spiritual heritage; the beauty of our land, the breadth of our horizons, and the promise of peace that crowns it all. For all of this, let us now humbly give thanks.

80 Stat. 515; 82 Stat. 250.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, in consonance with Section 6103 of Title 5 of the United States Code designating the fourth Thursday of November in each year as Thanksgiving Day, do hereby proclaim Thursday, November 23, 1972, as a day of national thanksgiving. I call upon all Americans to assemble in homes and places of worship on this day, to join in offering gratitude for the countless blessings our people enjoy, and to embrace the elderly and less fortunate as special celebrants in the day's events, loving them as we have been loved.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of November, in the year of our Lord nineteen hundred seventy-two, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4171

National Farm-City Week, 1972

November 17, 1972

By the President of the United States of America

A Proclamation

The breadwinners of our national family—those whose hard work helps to provide the rest of us with food to eat and clothes to wear—are America's nearly 3 million farmers.

American agriculture leads our own economy and the world in productivity. The bounty of our farms is an indispensable element in the steadily rising standard of living for our cities—indeed for every American community large or small. This is the strong bond of interdependence and mutual benefit which links farm people to city people throughout this country, and to peoples in other countries all over the globe, wherever the agricultural exports of our heartland alleviate hunger and so promote the cause of peace.

National Farm-City Week is an occasion for wider recognition of this interdependence and for new efforts to increase cooperation between farm and city people. It is a time for renewal of our commitment to balanced national growth and to assuring the farmer of a fair share in the national prosperity to which he contributes so much.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week of November 17 through November 23, 1972, as National Farm-City Week. I encourage all citizens, especially leaders of agricultural organizations,

business groups, labor unions, youth and women's clubs, schools, and other interested groups, to participate in this observance. I urge the Department of Agriculture, land-grant educational institutions, and all appropriate organizations and Government officials to mark the significance of National Farm-City Week with special events and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of November, in the year of our Lord nineteen hundred seventy-two, and of the Indepedence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4172

National Family Week

By the President of the United States of America

November 18, 1972

A Proclamation

As prospects brighten for a lasting peace in the world, we can hope to approach more closely the age-old ideal of a single, harmonious family of man.

As we work toward that great goal, however, we must never forget that our starting point—the center of our affections and the wellspring of our self-renewal—must be the basic family circle. Parent and child, husband and wife, brother and sister, all truly mean "home" to every human being.

No institution can ever take the family's place in giving meaning to human life and a stable structure to society; indeed, as a wise philosopher observed thousands of years ago, "the root of the state is in the family." The pressures of our modern age make this a time of challenge for families in America, but every community has its inspiring examples of families which have risen to the demand and made the time of challenge a time of glory.

Our long-cherished American observances of Mother's Day and Father's Day are fittingly complemented by this new idea of a National Family Week, which this year will coincide with the Thanksgiving holiday—a time when families traditionally reunite, and when the family unit itself should stand high on that list of blessings for which we offer our thanks to God.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, in consonance with House Joint Resolution 135, do hereby proclaim the week beginning Sunday, November 19, 1972, as National Family Week. I invite the Governors of the several States, the chief officials of local governments, and all the people of the United States to mark this week with appropriate ceremonies and activities.

86 Stat. 757.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of November, in the year of our Lord nineteen hundred seventy-two, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4173

Bill of Rights Day and Human Rights Day and Week

December 9, 1972

By the President of the United States of America

A Proclamation

The ink was barely dry on the Constitution of the United States of America in the autumn of 1787 when leading patriots and statesmen of the young Republic took up the cry for amendments affording written guarantees of basic human freedoms under the proposed national government. "A bill of rights is what the people are entitled to against every government on earth . . ." Thomas Jefferson wrote, "and what no just government should refuse or rest on inference."

The idea that every individual was endowed by his Creator with rights no sovereign or majority could take away was thought dangerous and radical over much of the globe in those days, but it ran deep in the American grain even then. The very first Congress proposed a Bill of Rights, and by 1791 its proposals had become the first ten amendments to our Constitution.

1 USC prec. title 1.

Since that time, exactly as James Madison predicted to Jefferson that they would do, "the political truths declared in that solemn manner (have acquired) by degrees the character of fundamental maxims of free government." They have inspired our own Nation's accelerating efforts to assure every American full equality and dignity before the

law, and they have shone as a beacon for the rising aspirations of peoples around the world.

Finally in 1948, a little more than a century and a half after American freedoms were enshrined in the supreme law of this land, the Universal Declaration of Human Rights was approved by the United Nations General Assembly to assert the inalienable liberties of all men and women in every land.

Symbolic of the common principles and shared spirit which link these two great charters is the fact that the anniversaries of their adoption occur less than one week apart each December. As we observe those anniversaries once again this year, let us gratefully take stock of the progress made in realizing the full promise of freedom for America and the world, and let us renew our commitment to continuing that progress during 1973.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim December 15, 1972, as Bill of Rights Day, and December 10, 1972, as Human Rights Day, and I call upon the American people to observe the week beginning December 10, 1972, as Human Rights Week. I ask every American to make this observance a time of rededication to the cherished values embodied in our Bill of Rights and in the Universal Declaration of Human Rights.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of December, in the year of our Lord nineteen hundred seventy-two, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4174

Wright Brothers Day, 1972

By the President of the United States of America

December 9, 1972

A Proclamation

In the spring of 1900, a bicycle maker named Wilbur Wright wrote to a friend: "For some years I have been afflicted with the belief that flight is possible for man. My disease has increased in severity and I feel that it will soon cost me an increased amount of money if not my life."

Orville and Wilbur Wright followed their belief "that flight is possible for man", in spite of ridicule, danger, hardship, and failure, to a thin

strip of sand on the edge of the Atlantic Ocean. There, on December 17, 1903, Wilbur tossed a coin with his brother, lost the toss, and watched as Orville made the first successful flight in a mechanically-propelled airplane. Through the courage, the genius, and the tenacity of the Wright brothers, man was no longer earth-bound.

That epic flight sixty-nine years ago made the world a smaller place, brought men and nations into closer proximity through trade and travel, and opened the doors to the Universe.

36 USC 169.

To commemorate the historic achievements of the Wright brothers, the Congress, by a joint resolution of December 17, 1963 (77 Stat. 402), designated the seventeenth day of December of each year as Wright Brothers Day and requested the President to issue annually a proclamation inviting the people of the United States to observe that day with appropriate ceremonies and activities.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby call upon the people of this Nation, and the local and national government officials, to observe Wright Brothers Day, December 17, 1972, with appropriate ceremonies and activities, both to recall the accomplishments of the Wright brothers and to provide a stimulus to aviation in this country and throughout the world.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of December, in the year of our Lord nineteen hundred seventy-two, and of the Independenec of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4175

Modifying Proclamation No. 3279, Relating to Imports of Petroleum and Petroleum Products

December 16, 1972

By the President of the United States of America

A Proclamation

The Director of the Office of Emergency Preparedness, with the advice of the Oil Policy Committee, has under consideration a number of substantial proposals relating to the management of the oil import

program under Proclamation No. 3279, as amended. Pending final decisions and announcements on those proposals, he has recommended that the Secretary of the Interior be delegated authority to provide interim allocations for the allocation period commencing January 1, 1973, and for succeeding allocation periods.

Post, p. 1188.

The Director, with the advice of the Oil Policy Committee, has also recommended that occasional shortages of certain finished petroleum products important to the national security should be relieved by delegating authority to the Secretary of the Interior to permit additional imports from the United States Virgin Islands. Such delegated authority then could be used with the Director's existing authorities relating to Puerto Rico and the use of Western Hemisphere crude oil in the development of programs to assist in meeting these shortages.

The Director, with the advice of the Oil Policy Committee, has found that such changes would not adversely affect the national security.

I agree with the findings and recommendations of the Director and deem it necessary and consistent with the security objectives of Proclamation No. 3279, as amended, to adjust the imports of petroleum and petroleum products, and to improve the administration of the program, as hereinafter provided.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and laws of the United States, including section 232 of the Trade Expansion Act of 1962, do hereby proclaim that, effective as of the date of this Proclamation, Proclamation No. 3279, as amended, is further amended as follows:

76 Stat. 877.
19 USC 1862.

1. Subparagraph (4) of paragraph (b) of section 3 is amended by adding the following sentence at the end thereof:

75 Stat. 1020; 84 Stat. 2268.
19 USC 1862 note.

"Whenever the Secretary, upon recommendation of the Director of the Office of Emergency Preparedness, finds that there may be shortages in the supply of any finished product or products in Districts I–IV, which products are deemed by the Director of the Office of Emergency Preparedness to be important to the national security, the Secretary may allocate imports of any such product or products manufactured in the Virgin Islands in excess of the limitation in the preceding sentence for such product or products, for such time and under such conditions as he may deem consistent with the purposes of this proclamation."

2. Section 3A is amended to read as follows:

84 Stat. 2268.
19 USC 1862 note.

"Commencing with the allocation period January 1, 1973, through December 31, 1973, the Secretary, with the concurrence of the Director of the Office of Emergency Preparedness, is authorized to make an interim allocation for any allocation period or portion thereof to any person who held an allocation of imports of crude oil and unfinished oils

or of No. 2 fuel oil during the preceding allocation period. No such interim allocation shall exceed the like allocation held in such preceding allocation period by such person. However, the Secretary may adjust the allocation to any person limited by the previous sentence if such person would have been eligible for a larger allocation in 1973 under the regulations applicable during the allocation period commencing January 1, 1972. Any license issued under such interim allocation may be utilized for imports hereafter entering the United States prior to December 31, 1972, if authorized by the Secretary. Any allocation subsequently made to any person who receives an interim allocation pursuant to this section, shall be reduced by an amount equal to the interim allocation made pursuant to this section."

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of December, in the year of our Lord nineteen hundred seventy-two and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4176

Announcing the Death of Harry S Truman

December 26, 1972

By the President of the United States of America

A Proclamation

TO THE PEOPLE OF THE UNITED STATES:

It is my sad duty to announce officially the death of Harry S Truman, thirty-third President of the United States, on December 26, 1972.

Throughout his long career in public service, Harry S Truman was known as a man of forthrightness and integrity. He served with distinction in the United States Senate; and when the death of President Franklin Delano Roosevelt thrust him suddenly into the Presidency in April of 1945 at one of the most critical moments of our history, he met

that moment with courage and vision. His far-sighted leadership in the postwar era has helped ever since to preserve peace and freedom in the world.

Confronted during his Presidency with a momentous series of challenges, his strength and spirit proved equal to them all. His fortitude never wavered, and his faith in America never flagged.

President Truman had a deep respect for the office he held and for the people he served. He gave himself unstintingly to the duties of the Presidency while he held it, and in the years afterward he honorably supported and wisely counseled each of his successors.

The Nation to which he gave so much will honor his memory in admiration and respect, and the other countries for which he helped keep freedom alive will remember his name with gratitude.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, in tribute to the memory of President Truman, and as an expression of public sorrow, do hereby direct that the flag of the United States be displayed at half-staff at the White House and on all buildings, grounds, and Naval vessels of the United States for a period of thirty days from the day of his death. I also direct that for the same length of time the representatives of the United States in foreign countries shall make similar arrangements for the display of the flag at half-staff over their Embassies, Legations, and other facilities abroad, including all military facilities and stations.

I hereby order that suitable honors be rendered by units of the Armed Forces under orders of the Secretary of Defense on the day of the funeral.

I do further appoint December 28, 1972 to be a National Day of Mourning throughout the United States. I recommend that the people assemble on that day in their respective places of worship, there to pay homage to the memory of President Truman and to seek God's continued blessing on our land and on this His servant. I invite the people of the world who share our grief to join us in this solemn observance.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of December, in the year of our Lord nineteen hundred seventy-two, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4177

Proclamation Amending Part 3 of the Appendix to the Tariff Schedules of the United States with Respect to the Importation of Agricultural Commodities

December 30, 1972

By the President of the United States of America

A Proclamation

64 Stat. 261; 65 Stat. 75.

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), by Presidential Proclamation limitations have been imposed on the quantities of certain dairy products which may be imported into the United States in any quota year; and

76 Stat. 73. 19 USC prec. 1202 note. 77 Stat. 1017. 19 USC prec. 1202 note. 77A Stat. 441. 19 USC 1202.

WHEREAS, in accordance with section 102(3) of the Tariff Classification Act of 1962, the President by Proclamation No. 3548 of August 21, 1963 (28 F.R. 9279), proclaimed the additional import restrictions set forth in part 3 of the Appendix to the Tariff Schedules of the United States; and

77 Stat. 1028. 77 Stat. 1032. 78 Stat. 1249. 19 USC 1202. 80 Stat. 1767. 81 Stat. 1110. 82 Stat. 1455. 82 Stat. 1636. 82 Stat. 1649. 83 Stat. 915. 84 Stat. 2269. 86 Stat. 1642.

WHEREAS the import restrictions on certain dairy products set forth in part 3 of the Appendix to the Tariff Schedules of the United States as proclaimed by Proclamation No. 3548 have been amended by Proclamation No. 3558 of October 5, 1963; Proclamation No. 3562 of November 26, 1963; Proclamation No. 3597 of July 7, 1964; section 88 of the Tariff Schedules Technical Amendments Act of 1965 (79 Stat. 950); Proclamation No. 3709 of March 31, 1966; Proclamation No. 3790 of June 30, 1967; Proclamation No. 3822 of December 16, 1967; Proclamation No. 3856 of June 10, 1968; Proclamation No. 3870 of September 24, 1968; Proclamation No. 3884 of January 6, 1969; Proclamation No. 4026 of December 31, 1970; and Proclamation No. 4138 of June 3, 1972; and

77A Stat. 442. 19 USC 1202.

WHEREAS the Secretary of Agriculture has reported to me that he believes that additional quantities of dried milk provided for in item 950.02 of the Tariff Schedules of the United States (hereinafter referred to as "nonfat dry milk") may be imported for a temporary

period without rendering or tending to render ineffective, or materially interfering with, the price support program now conducted by the Department of Agriculture for milk or reducing substantially the amount of products processed in the United States from domestic milk; and

WHEREAS, under the authority of section 22, I have requested the United States Tariff Commission to make an investigation with respect to this matter; and 64 Stat. 261; 65 Stat. 75. 7 USC 624.

WHEREAS the Secretary of Agriculture has determined and reported to me that a condition exists with respect to nonfat dry milk which requires emergency treatment and that the quantitative limitation imposed on nonfat dry milk should be increased during the period ending February 15, 1973, without awaiting the recommendations of the United States Tariff Commission with respect to such action; and

WHEREAS I find and declare that the importation during the period ending February 15, 1973, of the additional quantity of nonfat dry milk specified below will not render or tend to render ineffective, or materially interfere with, the price support program which is being undertaken by the Department of Agriculture for milk and will not reduce substantially the amount of products processed in the United States from domestic milk; and that a condition exists which requires emergency treatment and that the quantitative limitation imposed on nonfat dry milk should be increased during such period without awaiting the recommendations of the United States Tariff Commission with respect to such action;

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that headnote 3(a) of Part 3 of the Appendix to the Tariff Schedules of the United States is temporarily amended by adding a new subdivision as follows: 76 Stat. 72. 19 USC prec. 1202 note. 77A Stat. 441; 86 Stat. 1647; *Post*, p. 1208.

(vi) Notwithstanding any other provision of this part, 25,000,000 pounds of dried milk described in item 115.50 may be entered during the period beginning December 30, 1972, and ending February 15, 1973, in addition to the annual quota quantity specified for such article under item 950.02, and import licenses shall not be required for entering such additional quantity. No individual, partnership, firm, corporation, association, or other legal entity (including its affiliates or subsidiaries) may during such period enter pursuant to this provision quantities of such additional dried milk totaling in excess of 2,500,000 pounds. 19 USC 1202. 77A Stat. 27. 77A Stat. 442. 19 USC 1202.

The additional quota quantity provided for herein shall continue in effect pending Presidential action upon receipt of the report and recommendations of the Tariff Commission with respect thereto.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of December in the year of our Lord nineteen hundred and seventy-two, and of the Independence of the United States of America the one hundred and ninety seventh.



PROCLAMATION 4178

Modifying Proclamation No. 3279, Relating to Imports of Petroleum and Petroleum Products

January 17, 1973

By the President of the United States of America

A Proclamation

The Director of the Office of Emergency Preparedness, with the advice of the Oil Policy Committee, has found that increases in domestic production in 1973 will not be sufficient to supply the expanded demand for petroleum and petroleum products during the year. He has therefore recommended an increase of 915,000 barrels per day in licensed imports into Districts I–IV, including the Canadian component of those imports.

The Director, with the advice of the Oil Policy Committee, has also found that there may be a threat of temporary shortage of No. 2 fuel oil in the current season and has recommended that the requirement for allocations of such fuel oil be suspended for the period January 1, 1973, through April 30, 1973. He has also recommended certain technical amendments to Proclamation No. 3279, as amended, relating to foreign trade zones, gilsonite, oil shale and liquefied gases.

Post, p. 1187.

In each instance above, the Director has found that his recommended changes would not adversely affect the national security.

The Director, with the advice of the Oil Policy Committee, has taken into account the estimates of the Secretary of the Interior of the quantity of crude oil and natural gas liquids that will be produced in Districts I–IV, adjusted to reflect other national security determinations, and has recommended that Proclamation No. 3279, as amended, be further amended to adjust imports in conformity with these findings.

I agree with the findings and recommendations of the Director and deem it necessary and consistent with the security objectives of Proclamation No. 3279, as amended, to adjust the imports of petroleum and

petroleum products, and to improve the administration of the program, as hereinafter provided.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in my by the Constitution and laws of the United States, including section 232 of the Trade Expansion Act of 1962, do hereby proclaim that, effective as of this date, Proclamation No. 3279, as amended, is further amended as follows:

76 Stat. 877.
19 USC 1862.

1. Paragraph (a) of Section 1 is revised to read as follows:

73 Stat. C26;
Post, p. 1188.

"SEC. 1(a) In Districts I–IV, in District V, and in Puerto Rico, no crude oil, unfinished oils, or finished products may be entered for consumption or withdrawn from warehouse for consumption, except (1) by or for the account of a person to whom a license has been issued by the Secretary of the Interior pursuant to an allocation made to such person by the Secretary in accordance with regulations issued by the Secretary, and such entries or withdrawals may be made only in accordance with the terms of such license, or (2) as authorized by the Secretary pursuant to paragraph (b) of this section, or (3) as to finished products, by or for the account of a department, establishment, or agency of the United States, which shall not be required to have such a license but which shall be subject to the provisions of paragraph (c) of this section, or (4) crude oil, unfinished oils, or finished products which are transported into the United States by pipeline, rail, or other means of overland transportation from the country where they were produced, which country, in the case of unfinished oils or finished products, is also the country of production of the crude oil from which they were processed or manufactured or (5) as provided in paragraph (d) of this section, or (6) as otherwise provided in this Proclamation."

2. Paragraph (a) of Section 1A is amended as follows:

86 Stat. 1593.
19 USC 1862
note.

(a) In subparagraph (1) substitute "1973" for "1972."

(b) Subparagraph (2) is revised to read as follows:

"(2) During the period January 1, 1973, through December 31, 1973, Canadian imports under allocations made pursuant to this subparagraph (2) into Districts I–IV shall not exceed an average of 675,000 barrels per day. Entries for consumption of crude oil or unfinished oils transported by pipeline may be made until midnight January 15, 1974 under any license authorizing such imports from Canada for that period and until midnight January 15, 1973, under any license authorizing such imports from Canada for the preceding allocation period. The Secretary shall by regulation provide for allocations of such imports. The regulations shall provide that licenses issued under such allocations shall permit the entry, or withdrawal from warehouses, for consumption of Canadian imports only."

86 Stat. 1636; *Post*, p. 1189. 19 USC 1862 note.

3. Subparagraph (1) of paragraph (a) of Section 2 is amended as follows:

(a) Substitute "2,025,000" for "1,165,000."

(b) Substitute the following for the third and fourth sentences:

"In addition to the imports permitted under the first sentence of this paragraph, for the period May 1, 1973, through December 31, 1973, and for each allocation period thereafter, there may be imported into District I, an average of 50,000 barrels per day of No. 2 fuel oil, manufactured in the Western Hemisphere from crude oil produced in the Western Hemisphere, for allocation, under regulations of the Secretary, to persons in the business in District I of selling No. 2 fuel oil who do not have crude oil import allocations into Districts I–IV and who operate deep water terminals in District I or have throughput agreements with deep water terminal operators in District I who do not have crude oil import allocations into District I–IV, on a fair and equitable basis, to the extent possible, in relation to such persons' inputs of No. 2 fuel oil to such terminals, having regard to any product import allocation into Districts I–IV made to such persons."

86 Stat. 1668; *Post*, p. 1189.

4. Add subparagraph (4) to paragraph (a) of Section 2 as follows:

"(4) For the period January 1, 1973, through April 30, 1973, any person who is in the business of selling No. 2 fuel oil in Districts I–IV to be used as fuel may import such No. 2 fuel oil into Districts I–IV without reducing the quantities of crude oil, unfinished oils, and finished products that have been or may be imported under the provisions of Section 1, Section 1A, and Section 2 of this proclamation. Such imports shall require no allocation and licenses shall be available for such imports in accordance with regulations issued by the Secretary."

82 Stat. 1605; *Post*, p. 1195.

5. Paragraph (f) of Section 9 is amended to read as follows:

"(f) 'Crude Oil' means a mixture of hydrocarbons that existed in the liquid phase in natural underground reservoirs and remains liquid at atmospheric pressure after passing through surface separating processes (and are not natural gas products) and the initial liquid hydrocarbons (at atmospheric conditions) produced from tar sands, gilsonite, and oil shale;."

80 Stat. 1744; *Post*, p. 1195.

6. Subparagraph (1) of paragraph (g) of Section 9 is amended to read as follows:

"(1) The following liquefied gases, namely ethane, propane, butanes, ethylene, propylene and butylenes, which are derived by refining or other processing of natural gas, crude oil, or unfinished oils;."

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of January, in the year of our Lord nineteen hundred seventy-three and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4179

National Jaycee Week, 1973

By the President of the United States of America

January 21, 1973

A Proclamation

The Jaycee idea began with a handful of young men in St. Louis 53 years ago. Today, it embraces some 325,000 members in the more than 6,000 American communities, that have chapters of the United States Jaycees, and it enriches the lives of communities in 80 countries around the world through the affiliates of Junior Chamber International.

Yet even in its maturity the Jaycees organization retains a youthful outlook, and even with its global scope it continues to build on the individual member—first helping him be the best man he can be, then helping him help his fellow man in need, one to one.

The Jaycee cares about people, and he shows it. He cares about progress, and he does something about it. He lives by the creed that "Service to humanity is the best work of life," and he throws himself into that work both as a vocation and as an avocation.

He is the kind of young man this country will need in great numbers to help meet the challenges of our Bicentennial Era and our coming third century. It is fitting that we should annually give special recognition and encouragement to him and to his organization.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning January 21, 1973, as National Jaycee Week—a time for the expression of America's gratitude for the many significant contributions of the U.S. Jaycees.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of January, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

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PROCLAMATION 4180

Announcing the Death of Lyndon Baines Johnson

January 23, 1973

By the President of the United States of America

A Proclamation

TO THE PEOPLE OF THE UNITED STATES:

It is my sad duty to announce officially the death of Lyndon Baines Johnson, the thirty-sixth President of the United States, on January 22, 1973.

President Johnson served his country for more than thirty years as Congressman, Senator, Vice President and President. Yet it can be said of Lyndon Johnson that he served his country all his life, for his was a complete and wholehearted love of our Nation. From his early days as a teacher, to his last days as a distinguished elder statesman, he did his best to make the promise and the wonder of America become as real in the lives of all his countrymen as it was in his own.

He once said that he was a free man, an American, a United States Senator, and a Democrat, in that order. He was also a great patriot.

Although he will no longer walk among us, Lyndon Johnson's influence on our times, which often seemed so much larger than life, cannot be stolen from us by death. Not only the things that he did, but also the spirit with which he did them, will be remembered long after time heals our sorrow at his leaving.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, in tribute to the memory of President Johnson, and as an expression of public sorrow, do hereby direct that the flag of the United States be displayed at half-staff at the White House and on all buildings, grounds, and Naval vessels of the United States for a period of thirty days from the day of his death. I also direct that for the same length of time the representatives of the United States in foreign countries shall make similar arrangements for the display of the flag at half-staff over their Embassies, Legations, and other facilities abroad, including all military facilities and stations.

I hereby order that suitable honors be rendered by units of the Armed Forces under orders of the Secretary of Defense on the day of the funeral.

I do further appoint Thursday, January 25, 1973 to be a National Day of Mourning throughout the United States. I recommend that the people assemble on that day in their respective places of worship, there to pay

homage to the memory of President Johnson. I invite the people of the world who share our grief to join us in this solemn observance.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of January in the year of our Lord nineteen hundred seventy-three and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4181

National Moment of Prayer and Thanksgiving

By the President of the United States of America

January 26, 1973

A Proclamation

A long and trying ordeal for America has ended. Our Nation has achieved its goal of peace with honor in Vietnam.

As a people with a deep and abiding faith, we know that no great work can be accomplished without the aid and inspiration of Almighty God. No time could be more fitting for grateful prayer and meditation than the opening moment of the peace we have achieved with His help.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, as requested by the Congress, do hereby designate 7:00 p.m., e.s.t., January 27, 1973 as a National Moment of Prayer and Thanksgiving, and the 24-hour period beginning then as a National Day of Prayer and Thanksgiving.

I urge all men and women of goodwill to join the prayerful hope that this moment marks not only the end of the war in Vietnam, but the beginning of a new era of world peace and understanding for all mankind. I authorize the flying of the American flag at the appointed hour, and I call on all the people of the United States to observe this moment with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of January, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4182

International Clergy Week in the United States

January 27, 1973

By the President of the United States of America

A Proclamation

Mediators between God and man and healers among people, clergymen are the custodians of the sacred.

To be a clergyman is a lofty calling which often entails difficulty and continuing sacrifice. Clergy serve their fellow men in parishes, hospitals, war zones, classrooms, orphanages, prisons, soup kitchens. In developing countries they assist in forming cooperatives, running playgrounds, relieving the hungry, sick and homeless.

Clergymen of the world contribute vastly to the cohesion, stability and growth of civilization. They urge respect for law, minister to humanitarian needs, counsel the afflicted, exhort to a higher morality, preserve and transmit the religious traditions of the ages.

Ante, p. 4.

To encourage all Americans to pay tribute to the clergymen of the world, the Congress, by House Joint Resolution 163, has requested the President to proclaim the week commencing January 28, 1973, as International Clergy Week in the United States.

It is therefore in this spirit of appreciation for the world's clergy and in recognition of their singular contribution to the spiritual, social and cultural evolution of society, that I, Richard Nixon, President of the United States of America, proclaim the week beginning January 28, 1973, as International Clergy Week in the United States. I call upon all Americans to honor clergymen of all faiths, in this country and abroad, by appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of January in the year of our Lord, nineteen hundred seventy-three and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4183

Quantitative Limitation on the Importation of Certain Meats into the United States

By the President of the United States of America

January 29, 1973

A Proclamation

WHEREAS section 2(a) of the act of August 22, 1964 (78 Stat. 594, 19 U.S.C. 1202 note) (hereinafter referred to as "the act"), declares that it is the policy of the Congress that the aggregate quantity of the articles specified in item 106.10 (relating to fresh, chilled, or frozen cattle meat) and item 106.20 (relating to fresh, chilled, or frozen meat of goats and sheep (except lambs)) of the Tariff Schedules of the United States (hereinafter referred to as "meat") which may be imported into the United States in any calendar year beginning after December 31, 1964, shall not exceed a quantity to be computed as prescribed in that section (hereafter referred to as "adjusted base quantity"); and

77A Stat. 20.
19 USC 1202.

WHEREAS section 2(b) of the act provides that the Secretary of Agriculture for each calendar year after 1964 shall estimate and publish the adjusted base quantity for such calendar year and shall estimate and publish quarterly the aggregate quantity of meat which in the absence of the limitations under the act would be imported during such calendar year (hereafter referred to as "potential aggregate imports"); and

WHEREAS the Secretary of Agriculture, pursuant to sections 2(a) and (b) of the act, estimated the adjusted base quantity of meat for the calendar year 1973 to be 1,046.8 million pounds and estimated the potential aggregate imports of meat for 1973 to be 1,450 million pounds; and

WHEREAS the potential aggregate imports of meat for the calendar year 1973, as estimated by the Secretary of Agriculture, exceed 110 percent of the adjusted base quantity of meat for the calendar year 1973 estimated by the Secretary of Agriculture; and

WHEREAS no limitation under the act is in effect with respect to the calendar year 1973; and

78 Stat. 594. 19 USC 1202 note.

WHEREAS section 2(c)(1) of the act requires the President in such circumstances to limit by proclamation the total quantity of meat which may be entered, or withdrawn from warehouse, for consumption, during the calendar year, to the adjusted base quantity estimated for such calendar year by the Secretary of Agriculture pursuant to section 2(b)(1) of the act; and

WHEREAS section 2(d) of the act provides that the President may suspend the total quantity proclaimed pursuant to section 2(c) of the act if he determines and proclaims that such action is required by overriding economic or national security interests of the United States, giving special weight to the importance to the Nation of the economic well-being of the domestic livestock industry; and

WHEREAS section 2(d) of the act further provides that such suspension shall be for such period as the President determines and proclaims to be necessary to carry out the purposes of section 2(d);

NOW, THEREFORE, I, RICHARD NIXON, President of the United States, acting under and by virtue of the authority vested in me as President and pursuant to section 2 of the act, do hereby proclaim as follows:

(1) In conformity with and as required by section 2(c)(1) of the act, the total quantity of the articles specified in item 106.10 (relating to fresh, chilled, or frozen cattle meat) and item 106.20 (relating to fresh, chilled, or frozen meat of goats and sheep (except lambs)) of part 2B, schedule 1 of the Tariff Schedules of the United States which may be entered, or withdrawn from warehouse, for consumption during the calendar year 1973, is limited to 1,046.8 million pounds.

77A Stat. 20. 19 USC 1202.

(2) It is hereby determined pursuant to section 2(d) of the act that the suspension of the limitation proclaimed in paragraph (1) is required by overriding economic interests of the United States, giving special weight to the importance to the Nation of the economic well-being of the domestic livestock industry.

(3) The limitation proclaimed in paragraph (1) is suspended during the calendar year 1973 unless because of changed circumstances it becomes necessary to take further action under the act. It is hereby determined necessary that such suspension shall be for such period in order to carry out the purposes of section 2(d) of the act.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of January, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4184

Save Your Vision Week, 1973

By the President of the United States of America

January 29, 1973

A Proclamation

Like many precious possessions, eyesight is usually taken for granted until it is lost. Yet the preservation of vision—one of life's greatest blessings—need not be left to chance. There are steps all of us can take to help keep our eyes healthy for a lifetime of useful service.

Simple safety precautions can substantially reduce the number of accidents which cause loss of vision. Potential sources of eye injury in the home, at work, and at school can be sought out and eliminated.

However, most blindness in the United States is the result not of injury, but of disease. Proper attention to hygiene, good nutrition, and, most important, regular professional eye examinations can minimize the risk of visual disability.

Glaucoma, one of the most common eye diseases, can be detected through a simple and painless test and, if detected early, can usually be arrested and controlled.

Many elderly Americans are unnecessarily blind because of cataracts. It is tragic that unwarranted fear of cataract surgery—successful in 95 percent of the cases—keeps many of our older citizens from regaining their sight.

For visual loss that can now neither be prevented nor cured, research such as that conducted by the Federal Government through the National Eye Institute offers new hope.

To encourage greater awareness of the importance of preserving sight, the Congress, by a joint resolution approved December 30, 1963 (77 Stat. 629), requested the President to proclaim the first week in March of each year as Save Your Vision Week.

36 USC 169a.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the week of March 4, 1973, as Save Your Vision Week. I invite the Governors of the States and appropriate local government officials to issue similar proclamations, and I call upon the Nation's mass communications media to join in bringing to the attention of all Americans the importance of preventive vision care.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of January, in the year of our Lord nineteen hundred seventy-

three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4185

National Safe Boating Week, 1973

January 29, 1973

By the President of the United States of America

A Proclamation

As more and more Americans in all parts of our Nation turn to boating as a leisure time activity, we need to give increasing attention to the safety requirements of the millions who participate in this healthy, challenging outdoor sport.

36 USC 161.

Aware of this need, the Congress approved a joint resolution on June 4, 1958 (72 Stat. 179) requesting that the President proclaim an annual National Safe Boating week during the week including July 4th of each year.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning July 1, 1973, as National Safe Boating Week.

I urge all Americans who use our waterways to take advantage of the numerous boating safety courses offered by governmental and private organizations to help make their stay afloat as safe as it is enjoyable. These courses, sponsored by the United States Coast Guard, the Coast Guard Auxiliary, the United States Power Squadrons, the American Red Cross and various State agencies, provide the average citizen with the information needed for the safe operation of recreational boats. I particularly urge the novice and the occasional boatman, the one who operates a small boat on only a few weekends of the year, to consider his own and his family's safety and to be prepared for the unexpected by taking advantage of the sound safety information such courses offer.

I also invite the Governors of the States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa, and the Commissioner of the District of Columbia to provide for the observance of this week.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of January, in the year of our Lord nineteen hundred

seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4186

American Heart Month, 1973

By the President of the United States of America

February 5, 1973

A Proclamation

Diseases of the heart and blood vessels impose an intolerable burden on the American people. They afflict one-eighth of our population—more than 27 million citizens. With every 30 seconds that pass, cardiovascular diseases claim another American life. The toll for 1973 will be staggering: more than one million lives, more than 200 million man-years lost from work and some $30 billion in lost income and the cost of medical care.

In 1948, the National Heart Act launched a nationwide effort to help alleviate this burden. This landmark bill created the Federal Government's National Heart Institute, bringing the public sector into a close alliance with the private sector, as exemplified by the American Heart Association, a national voluntary health agency.

62 Stat. 464. 42 USC 287 note.

In the nearly twenty-five years that have followed, science and medicine have made dramatic advances against this dread enemy. As cardiovascular medicine and surgery have undergone sweeping changes, new hope has been given to thousands of heart patients. Still heart and blood vessel diseases remain our Nation's deadliest health threat, and our cardiovascular disease rate is the second highest in the world.

June of this year will mark the twenty-fifth anniversary of the National Heart Act. On September 19, 1972, I signed into law a greatly expanded version of this authorization—the National Heart, Blood Vessel, Lung, and Blood Act of 1972—calling for significant increases in cardiovascular research and prevention programs. This legislation marks yet another milestone in our continued fight against preventable heart attack and stroke.

86 Stat. 679. 42 USC 287 note.

To encourage a continuing effective attack on cardiovascular diseases, the Congress, by a joint resolution approved December 30, 1963 (77 Stat. 843), requested the President to issue annually a proclamation designating February as American Heart Month.

36 USC 169b.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the month of February, 1973, as American Heart Month. I invite the Governors of the States, the Commonwealth of Puerto Rico, and officials of other areas subject to the jurisdiction of the United States to issue similar proclamations.

I urge the people of the United States to consider fully the nationwide problem of cardiovascular diseases, and to support programs essential to bring about its solution.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of February, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4187

National Inventors' Day

February 6, 1973

By the President of the United States of America

A Proclamation

In 1646, the Massachusetts General Court granted an immigrant ironworker named Joseph Jenks the first patent for machinery issued in what was then British North America—a 14 year monopoly on watermills for the "speedy dispatch of much worke with few hands." That was the beginning of what has become a long and proud tradition in this country.

The creators of our Republic, themselves the inventors of a new form of government, recognized the important role which inventors would play in achieving national progress and, accordingly, gave the Congress the Constitutional authority to grant inventors, for limited times, the exclusive rights to their discoveries. In 1790, Congress did that by establishing the United States Patent System and granting Samuel Hopkins the first patent.

History is filled with evidence of the success of this system. The names of Whitney, McCormick, Morse, Bell, and Edison and the cotton gin, the reaper, the telegraph and telephone, the light bulb, the airplane, transistor, television, are familiar examples of American inventiveness.

Ours is a proud history of technological achievement, but, as I noted in my message to the Congress on Science and Technology last March, it is not enough to take pride in the achievements of the past. Great and complex challenges at home and abroad demand further progress and new technology. Today, as in our past, the inventor must play a crucial role in determining whether we meet these challenges.

In honor of the important role played by inventors in promoting progress in the useful arts and in recognition of the invaluable contribution of inventors to the welfare of our people, the Congress has by Public Law 92–457 designated February 11, 1973 as National Inventors' Day. 86 Stat. 763.

It is particularly appropriate to have chosen February 11 as the day on which to honor all inventors in this manner, since it is the birthday of one of our Nation's most outstanding inventors, Thomas Alva Edison, to whom more than 1,000 patents were issued for his various inventions.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, as authorized and requested by the Congress, call upon the people of the United States to join in celebrating National Inventors' Day with appropriate ceremonies and activities honoring the important role played by inventors in promoting progress in useful arts and in recognition of their invaluable contribution to our welfare.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of February, in the year of our Lord nineteen hundred and seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4188

Display of the Flag in Honor of Vietnam Prisoners of War

By the President of the United States of America

February 13, 1973

A Proclamation

The death on January 22, 1973, of Lyndon Baines Johnson, a man dedicated to the cause of peace with honor in Vietnam, prevented

him by only a matter of hours from witnessing the attainment of that peace, and by only days from sharing in our rejoicing at the return of the first American prisoners of war.

Although the thirty-day mourning period which is traditional upon the passing of a President does not conclude for President Johnson until February 21, Mrs. Johnson has expressed to me her feeling that the most fitting tribute both to her husband's memory and to the heroism of the returning prisoners would be to return the flag of the United States from half-staff to full staff on the day the prisoners come home.

Lyndon Johnson gave himself completely in the service of his country. As Commander in Chief, he had the highest respect and affection for the men in uniform who gave so much on the battlefields and in the prison camps. On the night that he renounced his candidacy for re-election in order to seek an end to the war, he said of those brave men: "The peace that will bring them home someday will come." Now that peace with honor has come, and now that the men who made that peace possible are coming home, he would surely want the flag to be flying high.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, in expression of the Nation's gratitude for the service rendered and the sacrifices made by those Americans who have been prisoners of war in Indochina, those still missing, those who gave their lives, and their families and loved ones, do hereby direct that the provisions of Proclamation 3044 of March 1, 1954, and of Proclamation 4180 of January 23, 1973, with respect to display of the flag of the United States at half-staff be suspended effective on the day of return of the first prisoners to the United States, and that commencing on that day the flag once again be displayed at full staff.

68 Stat. C32; 83 Stat. 974. 36 USC 175 note.

Ante, p. 1154.

I urge all Americans to join in this observance by displaying the flag at their homes, places of business, and public buildings on the day of return; but I also request that the expression of public sorrow in tribute to the memory of President Lyndon B. Johnson as proclaimed in Proclamation 4180 shall not be diminished.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of February, in the year of our Lord nineteen hundred seventy-three and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4189

Modification of Trade Agreement Concession and Extension of Increased Rate of Duty on Imports of Certain Pianos

By the President of the United States of America

February 20, 1973

A Proclamation

Pursuant to the authority vested in him by the Constitution and the statutes, including section 350 of the Tariff Act of 1930, as amended (19 U.S.C. 1351), and section 201 of the Trade Expansion Act of 1962 (19 U.S.C. 1821) (hereinafter "TEA"), the President, by Proclamation No. 2929 of June 2, 1951, No. 3140 of June 13, 1956, and No. 3822 of December 16, 1967 (65 Stat. c12, 70 Stat. c33, and 82 Stat. 1455), proclaimed such modifications of existing duties as were found to be required or appropriate to carry out trade agreements into which he had entered;

48 Stat. 943; 76 Stat. 881. 76 Stat. 872.

Among the proclaimed modifications were modifications in the rate of duty on pianos which were provided for in item 725.02 of the Tariff Schedules of the United States (19 U.S.C. 1202) (hereinafter "TSUS");

82 Stat. 1591; 84 Stat. 2213.

Pursuant to sections 201(a)(2) and 351(a)(1) of the TEA (19 U.S.C. 1821(a)(2), 19 U.S.C. 1981(a)(1)), and in accordance with section 253(d) of said Act (19 U.S.C. 1883(d)), and Article XIX of the General Agreement on Tariffs and Trade (61 Stat. (pt. 5) A58, 8 UST (pt. 2) 1786), the President by Proclamation No. 3964 of February 21, 1970 (84 Stat. 2212) proclaimed two new items in the TSUS for pianos, including item 725.01 applicable to pianos, except grand pianos, and also proclaimed increased duties on imports of such pianos in item 924.00 of Subpart A of Part 2 of the Appendix to the TSUS, which increased duties are scheduled to terminate on February 21, 1973;

76 Stat. 872.

19 USC 1202 note.

84 Stat. 2214. 19 USC 1202.

In accordance with section 351(c)(2) of the TEA (19 U.S.C. 1981(c)(2)), after taking into account advice received from the Tariff Commission under section 351(d)(3) of the TEA (19 U.S.C. 1981(d)(3)) and after seeking advice of the Secretaries of Commerce and Labor, I have determined that the extension as hereinafter proclaimed of the

increased duties currently in effect on imports of pianos, except grand pianos, provided for in item 924.00 of the TSUS from February 21, 1973 to February 20, 1974, is in the national interest;

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including sections 201(a)(2) and 351(c)(2) of the Trade Expansion Act, and in accordance with section 253(d) of said Act and Article XIX of the General Agreement on Tariffs and Trade, do proclaim that—

76 Stat. 872.
19 USC 1821, 1981, 1883.
61 Stat. A58, 8 UST 1786.

(1) The column numbered 1 rates of duty provided for in TSUS item 725.01 by Proclamation 3822, as modified by paragraph 2(b) of Proclamation 3964, are hereby further modified to read as follows:

84 Stat. 2214.
19 USC 1202.

"

	Rate of duty effective on and after—		
	Feb. 21, 1970	Jan. 1, 1975	Jan. 1, 1976.
725.01	11.5% ad val.	10% ad val.	8.5% ad val."

(2) The increased rate of duty on imports of pianos provided for in item 924.00 of Subpart A to Part 2 of the Appendix to the TSUS is extended to articles entered, or withdrawn from warehouse, for consumption on and after February 21, 1973, and before the close of February 20, 1974.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of February in the year of our Lord nineteen hundred and seventy-three, and of the Independence of the United States of America the one hundred and ninety-seventh.

Richard Nixon

PROCLAMATION 4190

National Poison Prevention Week, 1973

February 28, 1973

By the President of the United States of America

A Proclamation

In recent years, there has been a significant reduction among our Nation's children in the number of deaths due to poisoning.

All Americans can be grateful to the many private and public groups who have worked so hard to prevent accidental poisonings through pro-

grams of education, product labeling, dosage limitations, and special packaging. We can be grateful, too, that thanks to the Poison Prevention Packaging Act of 1970, many products previously responsible for accidental poisonings among children are now being sold in special "child-proof" packaging. 84 Stat. 1670. 15 USC 1471 note.

But much still remains to be done. The accidental poisonings that continue to occur must still be a matter of grave concern. The natural curiosity of our children, their limitless ingenuity, their inclination to imitate adults, and their desire to taste whatever can be reached sometimes may lead them into dangers that are difficult to control by safety measures of any sort. All of us, therefore, must be constantly alert to the potential hazards of medicines and household products and must exercise every precaution in using and storing such substances.

To encourage such preventive measures, the Congress, in a joint resolution approved September 26, 1961 (75 Stat. 681), requested the President to issue annually a proclamation designating the third week in March as National Poison Prevention Week. 36 USC 165.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning March 18, 1973, as National Poison Prevention Week.

I direct all appropriate agencies of the Federal Government to participate actively in programs designed to promote maximum protection of our people against accidental poisonings, particularly among children. Further, I invite all State and local governments and private organizations and individuals to share in this national effort.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of February, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4191

Red Cross Month, 1973

By the President of the United States of America

March 3, 1973

A Proclamation

Each year, in the spirit of good neighborliness, millions of Americans pool their resources and efforts under the Red Cross banner to help others in distress or need.

The services of the Red Cross assist many kinds of people. They help provide lifesaving blood for the ill and injured; help restore the shattered lives of disaster victims; help our servicemen, veterans, and their families in periods of emergency; and help save lives and lessen suffering through training in first aid, water safety, and simple nursing skills.

While these could be called the basic purposes of the Red Cross, the organization also seeks out new areas of concern in American life. The Red Cross has helped the elderly to obtain government food assistance, the veteran to readjust to civilian life, the drug abuser to seek help, the migrant worker to better his living standards, and the student to obtain tutoring assistance.

Although the Red Cross receives the cooperation of many Federal, State, and local agencies, it derives its major financial support from the voluntary contributions of the American people. During the past year the Red Cross has been operating under an especially heavy financial burden because of outlays for disaster relief following the flood in Rapid City, South Dakota, and the Hurricane Agnes tragedy. I urge every American to help ensure that the Red Cross has the funds and volunteer manpower to fulfill its responsibilities during the year ahead. Helping the Red Cross—the Good Neighbor—continue its wide range of assistance programs is one way in which each of us can help our communities and our country.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America and Honorary Chairman of the American National Red Cross, do hereby designate March 1973 as Red Cross Month, a month when every citizen is asked to join, serve, and contribute.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4192

National Beta Club Week

March 5, 1973

By the President of the United States of America

A Proclamation

Nearly 150,000 young Americans in junior and senior high schools throughout the country live by the Beta Club motto: "Let us lead by serving others." By striving for high standards of honesty, accomplish-

ment, leadership, and service to others, Beta Club members are preparing themselves in the finest possible way for the responsibilities of citizenship and leadership which will be theirs in the years ahead.

To call public attention to the commendable activities and positive achievements of the Beta Club, the Congress, by a joint resolution approved October 19, 1972 (86 Stat. 917) has requested the President to designate the week which begins on the first Sunday in March, 1973 as National Beta Club Week.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week of March 4 through March 10, 1973, as National Beta Club Week, in recognition of the significant contributions being made by Beta Club members to the well-being of our country.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4193

Law Day, U.S.A., 1973

By the President of the United States of America

March 8, 1973

A Proclamation

Nearly 190 years ago, Alexander Hamilton wrote in The Federalist Papers that an independent judicial system is "the best expedient which can be devised in any government, to secure a steady, upright, and impartial administration of the laws."

The theme of the sixteenth annual observance of Law Day, U.S.A., "Help Your Courts—Assure Justice," makes Hamilton's words particularly timely. For it is in our courts that our Constitution and all our laws take on their practical meaning.

The judicial system is the final arbiter of American justice—and the final guarantor of American democracy. The first principle of the judiciary must always be to interpret the law fairly and without prejudice—the rights of the weak must be equally protected with those of the strong, the rights of the poor with those of the rich, the rights of the guilty with those of the innocent.

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We honor the law because it preserves civilized society. We revere the law because it protects the dignity of the individual. And we respect our courts because without them the words of law would be words without meaning.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby request the observance of Tuesday, May 1, 1973, as Law Day in the United States of America.

As requested by the Congress, I urge that our people observe Law Day with appropriate public ceremonies, through public bodies and private organizations, in schools, colleges and universities, and in other suitable places. I especially request that the courts, the legal profession, and all media of public information take the lead in such observances so that public understanding of the role of the courts in our society can be broadened. I call upon public officials to display the Nation's flag on public buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4194

Earth Week, 1973

March 12, 1973

By the President of the United States of America

A Proclamation

The first Earth Week in 1971 marked an important milestone for the cause of environmental protection. It also provided an important opportunity for all Americans to pay tribute to the qualities which have made our country great—individual initiative, voluntary action, and a deep sense of responsibility for the gifts of nature and the welfare of the community.

Our environment is the source of life upon which we all depend; its preservation has brought out the best in the American character. In thousands of communities, citizens have joined to improve the quality of their lives and those of their neighbors.

Our environmental problems have not been resolved since that first Earth Week, but we have done much and we will do more. While our

new awareness has taught us that our natural resources are exhaustible, we know that our most important resource, the American spirit, is not.

We can never rest in the effort to preserve and improve our good earth. Earth Week, 1973 gives us the chance to affirm our dedication to that high calling.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning April 8, 1973, as Earth Week. I call upon Federal, State and local officials to foster the purposes of Earth Week and to arrange for its proper observance. I ask that special attention be given to personal voluntary activities and educational efforts directed toward protecting and enhancing our life-giving environment.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4195

Small Business Week, 1973

By the President of the United States of America

March 12, 1973

A Proclamation

In no facet of our national life is the American genius for independence, innovation and self-improvement better displayed than in the small business community.

The instinct to create, sustain and expand an independent enterprise is as old as America herself—an impulse that brought the earliest settlers to our shores and motivated generation after generation of our citizens in their onward, upward march. Nowhere is it more clearly evident today than among our Nation's 8 million small businesses.

In the past year alone, more than 70 thousand new companies were started. Nineteen out of every twenty firms are considered small business, and they provide approximately 35 million jobs, and contribute more than $420 billion to the gross national product.

They also provide a ladder of opportunity to hard working, ambitious Americans of all races and creeds—the chance to harness individual

initiative and ability to the mighty potentials of the free enterprise system. As long as America remains true to her heritage, the small businessman will continue as a mainstay of our economy and our society.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning May 13, 1973, as Small Business Week. I ask all Americans to share with me during this week a deep pride in the many accomplishments of our Nation's small businessmen and women, and in the invaluable contribution they have made to our free way of life.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4196

National Defense Transportation Day and National Transportation Week, 1973

March 13, 1973

By the President of the United States of America

A Proclamation

Transportation has always been a central factor in the growth of our country. Our ability to meet economic needs, overcome geographic barriers, and respond rapidly to emergencies—foreign or domestic—rests largely on a modern and efficient transportation system.

From our earliest days, the Federal government has worked in partnership with the private sector to achieve better transportation systems. That partnership continues today—but the challenges it faces are changing. The need today is for initiatives which can help us to reconcile our transportation needs with our energy resources, to encourage mobility without impairing safety and security, to upgrade our transportation capabilities without damaging the environment.

Because of the great importance of transportation to our daily lives and in tribute to the men and women who move goods and people throughout America, the Congress by a joint resolution approved May 16, 1957, requested the President to proclaim annually the third

71 Stat. 30.
36 USC 160.

Friday in May of each year as National Defense Transportation Day and by a joint resolution approved May 14, 1962, requested the President to proclaim annually the week of May in which that Friday falls as National Transportation Week.

76 Stat. 69.
36 USC 166.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate Friday, May 18, 1973, as National Defense Transportation Day, and the week beginning May 13, 1973, as National Transportation Week.

I ask the people of our Nation to join with the Department of Transportation and with appropriate State and local agencies in reaffirming our commitment to a progressive and balanced transportation system for America.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4197

National Farm Safety Week

By the President of the United States of America

March 13, 1973

A Proclamation

The unfailing supply of food and fiber provided by the Nation's largest industry, agriculture, has been a foundation of American prosperity since our country's beginnings. Abundance on the farm, in turn, has been stimulated by constant technological progress. But the blessings of technology have sometimes been mixed, as each advance has also brought a new potential for injury.

Each year, many thousands of farm and ranch residents are killed or seriously injured in work, home, recreation and highway mishaps. For the most part, these accidents could be prevented if basic safety precautions were observed.

The dollar cost of rural accidents is high, but there is no higher price than the human suffering. This waste of precious human and economic resources must be reduced and can be reduced. The same energies and talents which have made agriculture so highly productive should also be turned to the task of making it safer.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning July 25, 1973, as National Farm Safety Week. I urge all persons engaged in farming and ranching to consider ways in which they can promote safer practices in work, home, and recreational activities, and can exercise greater caution when traveling on public roads. Further, I call upon community leaders, private organizations, and the communications media to assist in providing safety information so that we can be as effective in promoting safety on the farm as we have been in promoting abundance on the farm.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4198

National Action for Foster Children Week, 1973

March 14, 1973

By the President of the United States of America

A Proclamation

In today's rapidly changing, highly mobile society, more children than ever find themselves temporarily, or even permanently, separated from their parents. Such children may carry lasting emotional scars unless they can be placed in a stable family environment where they can feel loved and secure.

In the past year alone, more than 300,000 American children were living in foster homes. It is gratifying that so many Americans are working to help foster children. They include not only professionals in the child welfare field but hundreds of volunteers—businessmen, church and community leaders, and members of civic groups—all dedicated to the principle that none of our children should be deprived or neglected.

In recognition of these efforts, I am asking the Nation to set aside a week during which we can assess the needs of foster children, encourage States and communities to plan activities which will help meet those needs, and renew our determination to assure foster children that we care about them and their well-being.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week of April 8 through April 14, 1973, as National Action for Foster Children Week, 1973.

I urge Governors and Mayors to join me in proclaiming this observance, and I earnestly call upon citizens everywhere to volunteer their talents, energies and compassion in behalf of foster children, so that they may enjoy the sound development that comes from a full and happy family life.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4199

National Employ the Older Worker Week

By the President of the United States of America

March 15, 1973

A Proclamation

The employment of men and women who are 45 years of age and over is an important objective—not only for those directly involved, but for our entire country. For their energies, their talents, and their experience are a national resource of tremendous value which is not now being fully utilized.

There are many barriers hampering middle-aged and older Americans in continuing as productive and useful participants in the society and in the work force. This Administration is committed to overcoming these barriers.

In an expanding economy such as ours the single most effective response to the employment problems of older workers will come from the understanding and voluntary cooperation of employers in both the private and public sectors.

To encourage such cooperative efforts, the Congress, by House Joint Resolution 334, has requested the President to issue a proclamation designating the second full calendar week in March of 1973 as National Employ the Older Worker Week.

Ante, p. 8.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning March 11, 1973, as National Employ the Older Worker Week. I am pleased to join with the Congress in urging all employers to consider the skills and qualifications of those men and women 45 years of age and older who are unemployed or underemployed and who are able and willing to work.

I am also asking the Secretary of Labor to see to it that those public officials at national, State, and local levels who provide job placement, counseling, training, and retraining services accelerate their efforts to help older workers to find suitable jobs and training opportunities. We must not only concentrate on these efforts during this week but sustain them at high level throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4200

National Wildlife Week

March 16, 1973

By the President of the United States of America

A Proclamation

Americans carved a nation out of the wilderness. Now we must preserve the wilderness for the Nation.

The theme of this year's National Wildlife Week is: "Discover Wildlife—It's Too Good To Miss." In a greater sense, Americans are *re*discovering the natural animal world around them. Our concern for the fate of wild animals has increased. We have come to realize that the development of the human habitat has occurred at great cost to another kind of habitat. And we are seeking more effective ways to prevent and enhance our wilderness areas.

All men need refuges for their spirit. The wilderness invokes contemplation and provides recreation, and the animal wildlife of America provides a fascinating dimension to our natural heritage which we know must be preserved for future generations to enjoy.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning March 18, 1973, as National Wildlife Week.

I ask all citizens to renew their efforts to preserve and enhance our natural environment, especially those areas now inhabited by our natural wildlife. Because the need is still great for better tools with which to do the job, I also urge the Congress once again to act promptly on my proposal to strengthen protection for hundreds of endangered species.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4201

Loyalty Day, 1973

By the President of the United States of America

March 23, 1973

A Proclamation

The meaning of America is rooted deep in the brains and bones of men and women who once cherished a dream that mankind might live in freedom somehow, somewhere on this earth. The dream became an idea, the idea an ideal, and the ideal a reality here in this land. Brighter than the sun, the meaning of America shines across the world, warming those to whom the dignity of living in liberty is still a dream.

Generations of men and women "who more than self their country loved" have given all that liberty demanded to keep the meaning of America alive, both in our land and in the hearts of others abroad. This willingness to give is the measure of our loyalty—it is reflected in how we live our liberty, and how we love our country.

On this Loyalty Day, let us reaffirm our commitment to the great work which began long ago, but which is still unfinished as our Nation is unfinished—to make whole and perfect the meaning of America: "that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness."

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, in accordance with the joint resolution of the Congress of July 18, 1958, do call upon the people of the United States, and upon all patriotic, civic and educational organizations to observe Tuesday, May 1, 1973 as Loyalty Day, with appropriate ceremonies in which all may join.

72 Stat. 369.
36 USC 162.

I call also upon appropriate officials of the Government to display the

flag of the United States on all Government buildings on that day as an expression of our loyalty to the Nation symbolized by that flag.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4202

Modifying Proclamation No. 3279, Relating To Imports of Petroleum And Petroleum Products

March 23, 1973

By the President of the United States of America

A Proclamation

The Chairman of the Oil Policy Committee, in the exercise of his responsibility to maintain a constant surveillance of imports of petroleum and its primary derivatives in respect to the national security, and after consultation with the Oil Policy Committee, has informed me that, in his opinion, the following circumstance indicates a need for further Presidential action under section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862), as amended, namely:

76 Stat. 877.

Petitions now pending before the Oil Import Appeals Board for relief in the form of grants of allocations of imports of crude oil, unfinished oils, and finished products would, if acted upon favorably by the Board, exceed in the aggregate the limits of the maximum levels of imports established in section 2 of Proclamation No. 3279, as amended; and, in order that the Board shall be in position to consider such petitions on their merits, the Board should be empowered, without regard to such maximum levels, to modify, on the grounds of exceptional hardship, any allocation made to any person under regulations issued pursuant to section 3 of Proclamation No. 3279, as amended; to grant allocations of imports of crude oil and unfinished oils in special circumstances to persons with importing histories who do not qualify for allocations under such

Post, p. 1189.

regulations; and to grant allocations of imports of finished products on the grounds of exceptional hardship to persons who do not qualify for allocations under such regulations.

The Chairman of the Oil Policy Committee, after the consultation referred to and in the light of the circumstance mentioned, has recommended that section 4 of Proclamation No. 3279, as amended, be amended as hereinafter provided.

Post, p. 1192.

The Chairman has found that the national security will not be adversely affected by the Presidential action which he has recommended.

I agree with the findings and recommendations of the Chairman and deem it necessary and consistent with the national security objectives of Proclamation No. 3279, as amended, that section 4 of Proclamation No. 3279, as amended, be amended as hereinafter provided.

73 Stat. C25.
19 USC 1862 note.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and laws of the United States, including section 232 of the Trade Expansion Act of 1962, do hereby proclaim that, effective as of this date, paragraph (b) of section 4 of Proclamation No. 3279, as amended, is hereby amended to read as follows:

76 Stat. 877.
19 USC 1862.

74 Stat. C33;
Post, p. 1192.
19 USC 1862 note.

"(b) The Appeals Board may be empowered (1) within the limits of the maximum levels of imports established in section 2 of this proclamation, to modify on the grounds of error any allocation made to any person under such regulations; (2) without regard to the limits of the maximum levels of imports established in section 2 of this proclamation, (i) to modify, on the grounds of exceptional hardship, any allocation made to any person under such regulations; (ii) to grant allocations of imports of crude oil and unfinished oils in special circumstances to persons with importing histories who do not qualify for allocations under such regulations; and (iii) to grant allocations of imports of finished products on the grounds of exceptional hardship to persons who do not qualify for allocations under such regulations; and (3) to review the revocation or suspension of any allocation or license. The Secretary may provide that the Board may take such action on petitions as it deems appropriate and that the decisions by the Appeals Board shall be final."

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4203

Senior Citizens Month, 1973

March 26, 1973

By the President of the United States of America

A Proclamation

Today more than 20 million Americans have six and a half decades or more of life behind them, and rich years of promise still before them. This distinguished generation grew up with the twentieth century, and they came to the fullness of their maturity at the same time America did. They have stood in the forefront of this country's rise to unprecedented national well-being and to the world leadership role which is ours today.

Our older citizens have given their best to America. Now they deserve the best from America.

Senior Citizens Month each year is a time for all our people to renew the recognition, the respect, and the active concern which properly belong to older Americans.

The theme of this year's observance is OLDER AMERICANS IN ACTION. It points our attention to the basic fact that most older people are not mere onlookers in our society—nor are they society's wards. They remain vital, versatile, and highly valued contributors to the quality of American life.

Government's actions on behalf of older Americans must never become mere caretaking. Rather they must be designed to free and assist senior citizens so that they can remain active and involved, in ways of their own choosing. This principle has guided us as Federal spending to help older Americans has increased by almost three-fourths during the past four years.

But Senior Citizens Month 1973 must be something more than a time for renewing our commitment to Government efforts concerning older Americans—important as these efforts are. It must also be a time for strengthening those human bonds which will ensure older Americans an active and honored place in our families, our communities, and our Nation.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the month of May, 1973, as Senior Citizens Month.

I invite the officials of the Federal, State, and local governments, leaders of voluntary and private organizations, and all Americans every-

where to join in appropriate recognition of OLDER AMERICANS IN ACTION during this month and throughout the coming year.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4204

Cancer Control Month, 1973

By the President of the United States of America

March 28, 1973

A Proclamation

The forces fighting cancer in America are being mobilized as never before in our history.

Under the National Cancer Program, authorized by the National Cancer Act of 1971, public and private resources are being marshaled in the most intensive campaign ever waged against malignant disease.

I have on numerous occasions expressed my strong, personal commitment to the attack on cancer. Cancer is now killing Americans at the rate of 350,000 a year and causing untold suffering for many others. Everything that can effectively be done to find better ways of detecting, treating, and ultimately preventing cancer must be done so that we can substantially reduce its impact.

As a means of giving continued emphasis to the cancer problem, the Congress, by a joint resolution of March 28, 1938 (52 Stat. 148), requested the President to issue annually a proclamation setting aside the month of April as Cancer Control Month.

36 USC 150.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the month of April, 1973, as Cancer Control Month, and I invite the Governors of the States and the Commonwealth of Puerto Rico, and the appropriate officials of all other areas under the United States flag to issue similar proclamations.

To give new emphasis to this serious problem, and to encourage the determination of the American people to meet it, I also ask the medical and health professions, the communications industries, and all other interested persons and groups to unite during this appointed time in

public reaffirmation of our Nation's strong commitment to control cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4205

Pan American Day and Pan American Week

April 7, 1973

By the President of the United States of America

A Proclamation

Eighty-three years ago the International Union of American Republics was established, the forerunner of the Organization of American States. There have been differences among the member nations in those eighty-three years, and some of these differences continue today. But far more significant is the fact that, despite dramatic changes and our great cultural and political diversity, the members of the hemispheric community have maintained and strengthened our common forum in a general climate of friendship and understanding.

2 UST 2394; 21 UST 607.

It is an intangible force which forms the basis of solidarity among the Americas—a combination of idealism and realism and a capacity to grow and adjust with the times. The Organization of American States is the focal point of this force, a place where cooperation rather than confrontation strengthens the common ties shared by the nations of the hemisphere.

This unity of the Americas is based on respect for the historic personality of each of the countries of the Americas and demands a mutual understanding and respect for each country.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim Saturday, April 14, 1973, as Pan American Day, and the week beginning April 8 and ending April 14 as Pan American Week, and I call upon the Governors of the fifty States, the Governor of the Commonwealth of Puerto Rico, and appropriate officials of all other areas under the flag of the United States to issue similar proclamations.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of April, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4206

Nicolaus Copernicus Week

By the President of the United States of America

April 10, 1973

A Proclamation

Nineteen hundred seventy-three marks the 500th anniversary of the birth of Nicolaus Copernicus (Mikolaj Kopernik). This brilliant son of Poland distinguished himself as an economist, physician, mathematician, theologian, soldier, and statesman. But above all, it was his inspired work in astronomy and his theories about the place of the earth in the universe that marked him for greatness and precipitated the flowering of modern science.

In a world of darkness, his only weapons were the light of learning and devotion to truth. The daring, imagination, reason, discipline, and versatility of Copernicus led mankind to a brighter age. It is fitting that we pay tribute to him on the anniversary of his birth, and that we remind ourselves how much a single man, dedicated and unafraid, can do to extend knowledge and enrich human consciousness. This anniversary should also serve to remind us that the study of science is one of man's noblest pursuits.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, in consonance with House Joint Resolution 5, *Ante*, p. 12. do hereby designate the week of April 23, 1973, as Nicolaus Copernicus Week, and I call upon the people of the United States to join with the Nation's scientific community, as well as that of Poland and other nations, in observing that week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of April, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4207

National Maritime Day, 1973

April 11, 1973

By the President of the United States of America

A Proclamation

The first transatlantic voyage by a steamship was made by an American vessel, the "Savannah", on May 22, 1819, from its namesake port in Georgia to Liverpool, England. To commemorate that event, the Congress, by a joint resolution approved four decades ago, designated May 22 of each year as National Maritime Day, and requested the President to issue a proclamation annually calling for its observance.

In welcome contrast to those of the past twelve years, National Maritime Day, 1973, finds this Nation at peace. Our merchant marine, which so effectively served as the logistic lifeline to our Armed Forces and allies in Southeast Asia, can now concentrate its full attention on the movement of cargoes which link the United States and its trading partners in peaceful enterprise.

International trade is an important and constructive force in forging concord between nations, and we have assigned high priorities to the improvement and expansion of our trade relations with the rest of the world.

84 Stat. 1018. 46 USC 1101 note.

I am confident that the American merchant marine, which is being restructured and revitalized under the Merchant Marine Act of 1970, will contribute in large measure to the success of these endeavors.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby urge the people of the United States to honor our American merchant marine on May 22, 1973, by displaying the flag of the United States at their homes and other suitable places, and I request that all ships sailing under the American flag observe "dress ship" procedures on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of April, in the year of our Lord nineteen hundred seventy-three, and

of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4208

National Clean Water Week

By the President of the United States of America

April 14, 1973

A Proclamation

Clean water can mean many things—a sparkling stream, a refreshing drink, an industrial essential, or a beleaguered resource.

The need for clean water always exists. Agencies of government, researchers in universities, and concerned citizens individually and through organizations are working to assure a reliable and plentiful supply. Our heightened awareness of its importance in our lives and in our national life is a safeguard for its protection and enhancement. It is appropriate that we recognize the efforts of all those who are seeking to preserve our clean water supplies and encourage them and all our citizens to continue their quest.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, in concurrence with H.J. Res. 437, do hereby designate the week beginning April 15, 1973, as National Clean Water Week. I call upon Federal, State, and local officials to support National Clean Water Week and to arrange for its proper observance. I also ask that special attention be given to personal voluntary activities and education efforts directed toward recognizing the need for clean water and protecting the supply.

Ante, p. 22.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of April, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4209

Jim Thorpe Day

April 16, 1973

By the President of the United States of America

A Proclamation

In the early years of this century when Americans of racial and ethnic minority backgrounds were reaching for greater dignity and opportunity among their fellow-citizens, and when excellence in sport commanded increasing admiration across the country, one magnificent athlete from the Oklahoma frontier came to world renown as a pioneer in both of these developing trends.

His name was James Francis Thorpe; his roots were in the Potowatomi/Sac and Fox Tribe of the American Indians; and his prowess on playing fields from Carlisle Institute to the Stockholm Olympics remains legendary in this, the 85th anniversary year of his birth.

The history of college and professional football, world decathlon and pentathlon competition, and major league baseball is permanently enriched by the contributions of this noble American who has been acclaimed by some as the greatest athlete of the first half of the 20th century. And millions of young people who aspire to achievements transcending a disadvantaged background continue to take heart from Jim Thorpe's example.

Ante, p. 23.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, in accordance with Senate Joint Resolution 73, do hereby proclaim Monday, April 16, 1973, as "Jim Thorpe Day" and call upon the people of the United States to mark this day with appropriate observances.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of April, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4210

Modifying Proclamation 3279, Relating to Imports of Petroleum and Petroleum Products, Providing for the Long-Term Control of Imports of Petroleum and Petroleum Products Through a System of License Fees and Providing for Gradual Reduction of Levels of Imports of Crude Oil, Unfinished Oils and Finished Products

By the President of the United States of America

April 18, 1973

A Proclamation

The Chairman of the Oil Policy Committee maintains a constant surveillance of imports of petroleum and its primary derivatives in respect to the national security.

He informs me that, in the course of his surveillance, he has reviewed the status of imports under Proclamation 3279, as amended, of petroleum and its primary derivatives in their relation to the national security and that further Presidential action under section 232 of the Trade Expansion Act of 1962, as amended, is required.

73 Stat. C25.
19 USC 1862 note.

76 Stat. 877.
19 USC 1862.

He recommends, after consultation with the Oil Policy Committee, that the method of adjusting imports of petroleum and petroleum products be modified by immediately suspending tariffs on imports of petroleum and petroleum products and by shifting to a system whereby

fees for licenses covering such imports shall be charged and whereby such fees may be adjusted from time to time, as required in order to discourage the importation into the United States of petroleum and petroleum products in such quantities or under such circumstances as to threaten to impair the national security; to create conditions favorable, in the long range, to domestic production needed for projected national security requirements; to increase the capacity of domestic refineries and petro-chemical plants to meet such requirements; and to encourage investment, exploration, and development necessary to assure such growth.

The Chairman informs me further, that the levels of imports heretofore fixed in calendar year 1973, with respect to Districts I–IV, District V, and Puerto Rico, reflect application of the established policy that for each such area the maximum level of imports shall be the difference between estimated supply and estimated demand, and that he finds that such levels of imports should be continued to be permitted without payment of the fees otherwise provided for in this proclamation.

I agree with the recommendations of the Chairman, and I deem it necessary and consistent with the national security objectives of the Trade Expansion Act of 1962, as amended, that provision be made for a gradual transition from the existing quota method of adjusting imports of petroleum and petroleum products to a long-term program for adjustment of imports of petroleum and petroleum products through the suspension of existing tariffs and the institution of a system of fees applicable to imports of crude oil, unfinished oils, and finished products, which fees may be adjusted from time to time.

76 Stat. 872.
19 USC 1801 note.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and laws of the United States, including section 232 of the Trade Expansion Act of 1962, do hereby proclaim that, effective as of this date, that portion of Proclamation 3279, as amended, beginning with section 1 thereof, is hereby amended to read as follows:

USC prec. title 1.
76 Stat. 877.
19 USC 1862.

73 Stat. C25.
19 USC 1862 note.

"SEC. 1(a) In Districts I–IV, in District V, and in Puerto Rico, no crude oil, unfinished oils, or finished products may be entered for consumption or withdrawn from warehouse for consumption, except (1) by or for the account of a person to whom a license has been issued by the Secretary of the Interior pursuant to an allocation made to such person by the Secretary in accordance with regulations issued by the Secretary, and such entries or withdrawals may be made only in accordance with the terms of such license, or (2) as authorized by the Secretary pursuant to paragraph (b) of this section, or (3) as to finished products, by or for the account of a department, establishment, or agency of the United States, which shall not be required to have such a license

but which shall be subject to the provisions of paragraph (c) of this section, or (4) as provided in paragraph (c) of this section, or (5) as otherwise provided in this proclamation.

(b) The Secretary of the Interior may, in his discretion, authorize entries, without allocation or license, of small quantities of crude oil, unfinished oils, or finished products.

(c) In Districts I–IV, District V, and in Puerto Rico, no department, establishment, or agency of the United States shall without prior payment of the fees provided for in this proclamation, import finished products in excess of the respective allocations made to them by the Secretary of the Interior. Such allocations shall, except as otherwise provided in this proclamation, be within the maximum levels of imports established in section 2 of this proclamation.

(d) The Secretary may, by regulation, provide that no allocation or license shall be required in connection with the transportation to the United States by pipeline through a foreign country of crude oil, unfinished oils, or finished products produced in the customs territory of the United States or, in the event of commingling with foreign oils of like kind and qualities incidental to such transportation, of quantities equivalent to the quantities produced in and shipped from such customs territory."

"SEC. 2(a) Except as otherwise provided in this proclamation, the maximum level of imports, from sources other than Canada and Mexico which may be made without prior payment of the fees provided in this proclamation, of crude oil, unfinished oils, and finished products (other than residual fuel oil to be used as fuel) shall be:

(1) for Districts I–IV, 1,992,000 average barrels per day per calendar year: *Provided,* That, in addition to the foregoing, there may be imported into District I an average of 50,000 barrels per day of No. 2 fuel oil, manufactured in the Western Hemisphere from crude oil produced in the Western Hemisphere under allocations made by the Secretary, pursuant to regulations of the Secretary, to deepwater terminal operators currently receiving allocations and who do not have crude oil import allocations into Districts I–IV; *Provided Further,* That, whenever the Chairman of the Oil Policy Committee finds that, because of supply, price, or other considerations, the requirement that No. 2 fuel oil be manufactured in the Western Hemisphere from crude oil produced in the Western Hemisphere is unduly restricting the availability of such oil for importation into District I and is not required for the national security, he shall so advise the Secretary who shall then suspend such requirement by appropriate regulation. No such suspension shall be renewed except upon a new finding by the Chairman as required by the preceding sentence; *Provided Further,* That, the Secretary may, by regulation, provide that a holder of an allocation for the importation of

No. 2 fuel oil may import crude oil produced in the Western Hemisphere in lieu of No. 2 fuel oil, barrel for barrel, and exchange such crude oil for No. 2 fuel oil.

(2) for District V, 670,000 average barrels per day per calendar year.

(3) for Puerto Rico 227,221 average barrels per day per year commencing April 1, 1973; *Provided,* That no person who manufactures in Puerto Rico No. 2 fuel oil from crude oil produced in the Western Hemisphere shall incur a reduction of an allocation or be deemed to have violated a condition of an allocation by reason of a shipment of such oil to a person who holds an allocation of imports of No. 2 fuel oil into District I and who does not have a crude oil import allocation into District I; *Provided Further,* That, this limitation shall not apply to long-term allocations of imports into Puerto Rico.

(4) for District I, 2,900,000 average barrels per day per year, commencing April 1, 1973, of residual fuel oil to be used as fuel.

(5) for Districts II–IV, 42,000 average barrels per day per calendar year of residual fuel oil to be used as fuel.

(6) for District V, 75,600 average barrels per day per calendar year of residual fuel oil to be used as fuel.

(b) Imports of asphalt, ethane, propane, and butanes shall not be subject to the levels established in this proclamation nor shall any allocation or license be required for their importation.

(c) Crude oil may be imported into District I to be topped for use as burner fuel under such conditions as the Secretary may, by regulation, provide. The quantities of crude oil, unfinished oils, and finished products that may be imported into the United States under the provisions of this proclamation shall not be reduced by reason of imports of crude oil used as fuel under this paragraph.

(d)(1) Except as otherwise provided in this proclamation, the maximum levels of imports from Canada of crude oil and unfinished oils to which license fees are not applicable shall be:

(i) for Districts I–IV, 960,000 average barrels per day per calendar year; *Provided,* That, the Secretary may, within the limits established by subparagraph (1) of paragraph (a) of this section, increase the quantity of crude oil, unfinished oils, and finished products which may be imported from Canada so long as such increase is consonant with the purposes of this proclamation.

(ii) for District V, 280,000 average barrels per day per calendar year; *Provided,* That, the Secretary may, within the limits established by subparagraph (1) of paragraph (a) of this section, increase the quantity of crude oil, unfinished oils, and finished products which may be im-

ported from Canada so long as such increase is consonant with the purposes of this proclamation.

(2) Entries for consumption of imports from Canada by pipeline may be made until midnight January 15 of the calendar year following the calendar year in which any license authorizing such imports from Canada was issued.

(e) Except as otherwise provided in this proclamation, the maximum level of imports from Mexico of crude oil produced in Mexico and unfinished oils and finished products produced in Mexico wholly from Mexican crude oil shall be 32,500 average barrels per day per calendar year.

(f) The levels established, and the total demand referred to, in this section do not include free withdrawals by persons pursuant to section 309 of the Tariff Act of 1930, as amended (19 U.S.C. 1309), or petroleum supplies for vessels or aircraft operated by the United States between points referred to in said section 309 (as to vessels or aircraft, respectively) or between any point in the United States or its possessions and any point in a foreign country." 52 Stat. 1080; 67 Stat. 514; 74 Stat. 361.

"SEC. 3(a) Effective May 1, 1973, the Secretary shall, by regulation, establish a system of fees for licenses issued under allocations of imports of crude oil, unfinished oils, and finished products, over the above levels of imports established by section 2 of this proclamation. Such regulations shall require, among other appropriate provisions, that such fees shall be:

FEE SCHEDULE

[Cents per barrel]

	May 1, 1973	Nov. 1, 1973	May 1, 1974	Nov. 1, 1974	May 1, 1975	Nov. 1, 1975
Crude	10½	13	15½	18	21	21
Motor gasoline	52	54½	57	59½	63	63
All other finished products and unfinished oils (except ethane, propane and butanes)	15	20	30	42	52	63

Provided, That, license fees paid for imports of crude oil or unfinished oils will be refunded to the extent that such crude oils or unfinished oils have been incorporated into petrochemical or finished products subsequently exported or that asphalt as defined in this proclamation was produced from the imported feedstocks.

(b) Except for allocation and licenses to which the license fee is not applicable, applications for allocations of imports of crude oil, unfinished oils, or finished products shall be accompanied by the applicant's certified check or a cashier's check payable to the order of the Treasurer of the United States in the appropriate amount chargeable

pursuant to this section. Applications not accompanied by a certified or cashier's check in the amount required shall not be considered.

(c)(1) All monies received by the Secretary under the terms of paragraph (b) of this section shall be held by the Secretary of the Interior in a suspense account and may be drawn upon by the Secretary for the payment of any refunds of refundable license fees and for payments to Puerto Rico of sums collected by way of license fees for imports into Puerto Rico. Balances remaining in such suspense account not required for payment hereinabove provided shall be deposited at the end of each fiscal year in the Treasury of the United States and credited to miscellaneous receipts.

(2) Refunds pursuant to subparagraph (1) of paragraph (c) of this section shall be made without interest."

"SEC. 4(a) The Secretary of the Interior is hereby authorized to issue regulations for the purpose of implementing this proclamation.

(b)(1) With respect to the allocation of imports of crude oil and unfinished oils into Districts I–IV and into District V, such regulations shall provide for a fair and equitable distribution of allocations of imports for which license fees are not applicable among eligible persons having refinery capacity in relation to refinery inputs or in relation to storage capacities of such allocation holders. The Secretary may, by regulation, also provide for the making of allocations of imports for which license fees are not applicable, of crude oil and unfinished oils into Districts I–IV and into District V to persons having petrochemical plants in these districts in relation to the outputs of such plants or in relation to inputs to such plants. Provision may be made in the regulations for the making of such allocations on the basis of graduated scales. Notwithstanding the levels prescribed in section 2 of this proclamation, the Secretary may also by regulation make such provisions as he deems consonant with the objectives of this proclamation for the making of allocations of imports of crude oil and unfinished oils to which the license fee is not applicable into Districts I–IV and into District V to persons who manufacture from crude oil and unfinished oils and who export finished products and petrochemicals, subject to such designations as the Secretary may make. Notwithstanding the levels established in section 2 of this proclamation the Secretary may make allocations to which license fees shall not be applicable to new, expanded, or reactivated refinery capacity and petrochemical plants for a period of five years from the date such facility comes on stream. Such allocations shall not exceed 75 percent of estimated refinery inputs or the percentage of petrochemical plant inputs applicable.

(2) Such regulations shall provide for the allocations of imports with respect to which license fees are not applicable of crude oil and unfinished oils into Puerto Rico among persons having refinery capacity in Puerto

Rico in the calendar year 1964 on the basis of the allocation of crude and unfinished oils received by such persons for the allocation period commencing April 1, 1973; *Provided,* That, in respect of imports for which license fees are applicable, license fees paid for imports of crude oil and unfinished oils into Puerto Rico will be refunded to the extent that such crude oil or unfinished oils have been incorporated into finished products consumed in Puerto Rico or petrochemicals or finished products exported therefrom.

(3) Except for crude oil or unfinished oils imported under license or licenses for which a fee has been charged, or pursuant to specific relief granted pursuant to section 5, such regulations shall require that imported crude oil and unfinished oils be processed in the licensee's refinery or petrochemical plant, except that exchanges for domestic crude or unfinished oils may be made, if otherwise lawful, if effected on a current basis and reported in advance to the Secretary, and if the domestic crude or unfinished oils are processed in the licensee's refinery or petrochemical plant.

(4) With respect to the allocation of imports of finished products (other than residual fuel oil to be used as fuel) in respect of which license fees are not applicable into Puerto Rico, such regulations shall provide, to the extent possible for a fair and equitable distribution of imports of such finished products among persons who were importers of such finished products into Puerto Rico during all or part of the calendar year 1958, or such higher level as the Secretary may have determined to be required to meet demand in Puerto Rico for finished products that would not otherwise have been met, during the calendar year 1973.

(5) With respect to the allocation of imports to which license fees are not applicable of residual fuel oil to be used as fuel in Puerto Rico, such regulations shall, to the extent possible, provide for a fair and equitable distribution of imports of residual fuel oil to be used as fuel among persons who were importers of that product into Puerto Rico during all or part of the calendar year 1958. In addition, the Secretary by regulation may, to the extent possible, provide for a fair and equitable distribution of imports of residual fuel oil to be used as fuel, the maximum sulphur content of which is acceptable to the Secretary (i) among persons who are in the business in the respective districts or Puerto Rico of selling residual fuel oil to be used as fuel and who had inputs of that product to deepwater terminals located in the respective districts or Puerto Rico and (ii) among persons who are in the business in the respective districts or Puerto Rico of selling residual fuel oil to be used as fuel and who have throughput agreements (warehouse agreements) with deepwater terminal operators. With respect to the allocation of imports into District I of residual fuel oil to be used as fuel, such regulations shall, to the extent possible, provide for a fair and equitable distribution of imports of residual fuel oil to be used as fuel (i) among persons who are

in the business in District I of selling residual fuel oil to be used as fuel and who have had inputs of that product to deepwater terminals located in District I, and (ii) among persons who are in the business in District I of selling residual fuel oil to be used as fuel and have throughput agreements (warehouse agreements) with deepwater terminal operators. With respect to the allocation of imports of residual fuel oil to be used as fuel into District I, Districts II–IV, District V, and Puerto Rico, such regulations shall also provide, to the extent possible, for the granting of allocations of imports of residual fuel oil to be used as fuel in accordance with procedures established pursuant to section 5 of this proclamation.

(c) Such regulations may provide for the revocation or suspension by the Secretary of any allocation or license on grounds relating to the national security, or the violation of the terms of this proclamation, or of any regulation, allocation, or license issued pursuant to this proclamation.

(d) For the balance of the calendar year 1973, notwithstanding the levels established in section 2 of this proclamation and the provisions of paragraph (b) of this section, the Secretary may provide by regulation for additional allocations of imports in respect of which license fees are not applicable of crude oil and unfinished oils to persons in District I–IV, and District V who manufacture in the United States residual fuel oil to be used as fuel, the maximum sulphur content of which is acceptable to the Secretary, in consultation with the Secretary of Health, Education, and Welfare. These allocations to each of such persons shall not exceed the amount of such residual fuel oil manufactured by that person."

"SEC. 5(a) The Secretary of the Interior is authorized to provide for the establishment and operation of an Appeals Board to consider petitions by persons affected by the regulations issued pursuant to this proclamation. The Appeals Board shall be comprised of a representative each from the Departments of the Interior, Justice, and Commerce to be designated respectively by the heads of such Departments.

(b) The Appeals Board may be empowered, subject to the general direction of the Chairman of the Oil Policy Committee, (1) within the limits of the maximum levels of imports established in this proclamation, to modify on the grounds of error any allocation made to any person under such regulations; (2) without regard to the limits of the maximum levels of imports established in this proclamation, (i) to modify, on the grounds of exceptional hardship, any allocation with respect to which license fees are not applicable made to any person under such regulations; (ii) to grant allocations of imports to which license fees will not be applicable of crude oil and unfinished oils in special circumstances to persons with importing histories who do not qualify for allocations under such regulations; and (iii) to grant allocations of imports, to which license fees shall not be applicable, of finished products on the grounds of exceptional hardship; and to assure that adequate supplies of crude

oil, unfinished oils, and finished products are made available to independent refiners or established marketers who are experiencing exceptional hardship or in emergencies requiring, in its judgment, the grant of allocations to them, and (3) to review the revocation or suspension of any allocation or license. The Secretary may provide that the Board may take such action on petitions as it deems appropriate and that the decisions by the Appeals Board shall be final.

(c) Effective April 30, 1980, the jurisdiction of the Oil Import Appeals Board shall expire."

"SEC. 6 Persons who apply for allocations of crude oil, unfinished oils, or finished products, persons to whom such allocations have been made, and persons who hold such allocations shall furnish to the Secretary of the Interior such information and shall make such reports as he may require, by regulations or otherwise, in the discharge of his responsibilities under this proclamation."

"SEC. 7 The Chairman of the Oil Policy Committee shall provide policy direction, coordination, and surveillance of the oil import control program, including approval of regulations issued pursuant to this proclamation. He shall perform those functions after receiving the advice of the Oil Policy Committee and in accordance with guidance from the Assistant to the President with responsibility in the area of economic affairs."

"SEC. 8 The Oil Policy Committee shall consist of the Deputy Secretary of the Treasury, as Chairman, and the Secretaries of State, Defense, Interior, and Commerce, the Attorney General, and the Chairman of the Council of Economic Advisers, as members. The President may, from time to time, designate other officials to serve as members of the Committee. The Chairman may create subcommittees of the Committee to study and report to the Committee concerning specified subject matters."

"SEC. 9 The Oil Policy Committee shall consult with and advise the Chairman on oil import policy, including the operation of the control program under Proclamation 3279, as amended, and on recommendations for changes in the program by the issuance of new proclamations with respect to it, or otherwise."

73 Stat. C25.
19 USC 1862 note.

"SEC. 10 The Chairman of the Oil Policy Committee shall from time to time, as in his judgment is required, review the status of imports of petroleum and its primary derivatives in respect to the national security, and, after consultation with the Oil Policy Committee, he shall inform the President of any circumstances which, in the Chairman's opinion, might indicate the need for further Presidential action under section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862), as amended. In the event prices of crude oil or its products or derivatives should be increased after the effective date of this proclamation, beyond the limits contemplated by the Cost of Living Council, such review may include a

76 Stat. 877.
19 USC 1862.

determination as to whether such increase or increases are necessary to accomplish the national security objectives of section 232 of the Trade Expansion Act of 1962, as amended, and this proclamation."

"SEC. 11 Annually, beginning May 1, 1974, the maximum levels of imports subject to allocation and license, to which license fees shall not be applicable, shall be reduced as follows:

For the year commencing May 1, 1974, the maximum levels of such imports shall be ninety percent (90%), in barrels per day, of the levels established during the calendar year 1973;

For the year commencing May 1, 1975, the maximum levels of such imports shall be eighty percent (80%), in barrels per day, of the levels established during the calendar year 1973;

For the year commencing May 1, 1976, the maximum levels of such imports shall be sixty-five percent (65%), in barrels per day, of the levels established during the calendar year 1973;

For the year commencing May 1, 1977, the maximum levels of such imports shall be fifty percent (50%), in barrels per day, of the levels established during the calendar year 1973;

For the year commencing May 1, 1978, the maximum levels of such imports shall be thirty-five percent (35%), in barrels per day, of the levels established during the calendar year 1973;

For the year commencing May 1, 1979, the maximum levels of such imports shall be twenty percent (20%), in barrels per day, of the levels established during the calendar year 1973.

Effective April 30, 1980, the system of issuing allocations and licenses not subject to license fee shall be abolished;

Provided, That, with respect to any allocation period expiring prior to May 1, 1974, such allocation period shall be extended to April 30, 1974, and the Secretary shall issue appropriate regulations to issue additional oil import licenses to reflect such extension."

"SEC. 12(a) Commitments and obligations contained in long-term allocations heretofore made of imports of crude oil into Puerto Rico shall be unimpaired by this proclamation or regulations issued thereunder.

(b) Commitments and obligations contained in that certain allocation made to Hess Oil and Chemical Corporation of imports of finished products into Districts I–IV, dated December 12, 1967, effective January 1, 1968, shall be unimpaired by this proclamation or regulations issued thereunder."

"SEC. 13 The Secretary of the Interior may delegate, and provide for successive redelegation of, the authority conferred upon him by this proclamation. All departments and agencies of the Executive Branch of the Government shall cooperate with and assist the Secretary of the Interior in carrying out the purposes of this proclamation."

"SEC. 14 Executive Order 1 0761 of March 27, 1958, entitled "Government Purchases of Crude Petroleum and Petroleum Products" (23 FR 2067) is revoked."

"SEC. 15 As used in this proclamation:

(a) "Person" includes an individual, a corporation, firm, or other business organization or legal entity, and an agency of a state, territorial or local government, but does not include a department, establishment, or agency of the United States.

(b) "District I" means the states of Maine, New Hamsphire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, and the District of Columbia.

(c) "Districts II–IV" means all of the states of the United States except those states within District I and District V.

(d) "Districts I–IV" means the District of Columbia and all of the states of the United States except those states within District V.

(e) "District V" means the states of Arizona, Nevada, California, Oregon, Washington, Alaska, and Hawaii.

(f) "Crude oil" means a mixture of hydrocarbons that existed in natural underground reservoirs and which is liquid at atmospheric pressure after passing through surface separating processes and does not include natural gas products. It includes the initial liquid hydrocarbons produced from tar sands, gilsonite, and oil shale.

(g) "Finished products" means any one or more of the following petroleum oils, or a mixture or combination of such oils, or any component or components of such oils which are to be used without further processing by any one or more of the processes described in subparagraphs (1) through (3) of paragraph (h) of this section, and which, as of January 1, 1973, under the Tariff Schedules of the United States, were not subject to a duty of more than one cent ($0.01) per pound of the hydrocarbons therein contained:

77A Stat. 3.
19 USC 1202.

(1) The term "liquefied gases" means the following liquefied or liquefiable gases, namely, ethane, propane, butanes, ethylene, propylene, and butylenes which are derived by refining or other processing of natural gas, crude oil, or unfinished oils.

(2) "Gasoline" means a refined petroleum distillate, including naphtha, jet fuel or other petroleum oils (but not isoprene or cumene having a purity of 50 percent or more by weight, or benzene which meets the ASTM distillation standards for nitration grade) derived by refining or processing crude oil or unfinished oils, in whatever type of plant such refining or processing may occur, and having a boiling range at atmospheric pressure from 80° to 400° F.

(3) "Kerosene" means any jet fuel, diesel fuel, fuel oil or other petroleum oils derived by refining or processing crude oil or unfinished oils, in whatever type of plant such refining or processing may occur, which has a boiling range at atmospheric pressure from 400° to 550° F.

(4) "Distillate fuel oil" means any fuel oil, gas oil, topped crude oil, or other petroleum oils, derived by refining or processing crude oil or unfinished oils, in whatever type of plant such refining or processing may occur, which has a boiling range at atmospheric pressure from 550° to 1200° F.

(5) "Residual fuel oil" means a petroleum oil, which is (i) any topped crude or viscous residuum of crude or unfinished oils or one or more of the petroleum oils defined in subparagraphs (2) through (4) of this paragraph (g), which has a viscosity of not less than 45 seconds Saybolt Universal at 100° F. to be used as fuel without further processing other than by mechanical blending or (ii) crude oil to be used as fuel without further processing other than by blending by mechanical means.

(6) "Asphalt" means a solid or semi-solid cementitious crude oil or derivative of crude oil, 50 percent or more of the constituents of which are bitumins, which is not to be used as fuel and which is to be used without further processing except airblowing or blending by mechanical means.

(7) "Lubricating oils" means any lubricant containing more than 50 percent by volume of refined petroleum distillates or specially treated petroleum residuum.

(8) "Natural gas products" means liquids (under atmospheric conditions), including natural gasoline, which are recovered by process of absorption, adsorption, compression, refrigeration, cycling, or a combination of such processes, from mixtures of hydrocarbons that existed in a reservoir and which, when recovered and without processing in a refinery or other plant, fall within any of the definitions of products contained in clauses (2) through (4) of this paragraph (g).

(h) "Unfinished oils" means one or more of the petroleum oils listed in clauses (1) through (4) and clause (8) of paragraph (g) of this section or a mixture or combination of such oils, or any component or

components of such oils, which are to be further processed in one or more of the following ways:

(1) By distillation with a resulting yield of at least two distinct finished products or unfinished oils, two of which must be equal to not less than 10 percent of the total charge of such imported unfinished oils to a distillation unit. Different grades or specifications of finished products or unfinished oils will not constitute distinct finished products or unfinished oils for purposes of this subparagraph. Distillation of petroleum oils which have been reconstituted by blending of two or more finished products or unfinished oils does not constitute processing for the purposes of this subparagraph.

(2) By catalytic or thermal conversion in process units such as alkylation, coking, cracking, hydrofining, hydrodesulfurization, polymerization, isomerization, dehydrogenation, or refining.

(3) By physical separation established by means of solvent dewaxing, solvent deasphalting, solvent extraction, or extractive distillation.

(i) As used in paragraphs (g) and (h) of this section, the term "petroleum oil" includes only hydrocarbons derived from crude oil or natural gas.

(j) The term "imports from Canada" as used in this proclamation, means entries for consumption or withdrawals from warehouse for consumption of the following items which have been transported into the United States from Canada, by overland means (pipeline, rail, or other means of overland transportation) or over waterways other than ocean waterways, to-wit: crude oil produced in Canada, unfinished oils which have been derived from crude oil or natural gas produced in Canada, and finished products which have been produced in Canada from crude oil produced in Canada.

(k) The expression "long-term allocation" means:

(1) That certain allocation made to Commonwealth Oil Refining Company, Inc., of imports of crude and unfinished oils into Puerto Rico dated May 10, 1968—effective January 1, 1968 (as amended).

(2) That certain allocation made to Phillips Petroleum Company of imports of unfinished oils into Puerto Rico—dated December 23, 1965—effective January 1, 1966 (as amended).

(3) That certain allocation made to Sun Oil Company of imports of crude oil into Puerto Rico—effective April 18, 1968 (as amended).

(4) That certain allocation made to Union Carbide Corporation of imports of crude oil and unfinished oils into Puerto Rico—dated April 19, 1968—effective April 19, 1968.

(5) That certain allocation made to Hess Oil and Chemical Corporation of imports of finished products into Districts I–IV—dated December 12, 1967—effective January 1, 1968 (Hess Oil and Chemical Corporation now Amerada-Hess).

(1) The term "imports" includes both entry for consumption and withdrawal from warehouse for consumption."

"SEC. 16. Effective as of May 1, 1973, tariffs upon imports of petroleum and petroleum products listed in Schedule 4, Part 10—"Petroleum, natural gas, and products derived therefrom" of the Tariff Schedules of the United States shall be and are suspended."

77A Stat. 213; 82 Stat. 1546. 19 USC 1202.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of April, in the year of our Lord nineteen hundred seventy-three and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4211

Thirtieth Anniversary of the Warsaw Ghetto Uprising

April 21, 1973

By the President of the United States of America

A Proclamation

Thirty years ago a remnant of determined Polish Jews launched a resistance of desperation in the Warsaw Ghetto. All who took part knew that death would be the almost certain consequence, yet they readily chose that path in their struggle for freedom.

As we recall the valor of these honored and desperate heroes, we are mindful that the price of freedom is high. The debt we owe the gallant defenders of the Warsaw Ghetto is part of the same obligation all of us who live in freedom owe to those who refuse to capitulate in the face of invasion or violence. The names of these Warsaw Ghetto warriors are an inspiration to free men everywhere.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, in accordance with House Joint Resolution 303, do hereby designate the twenty-ninth day of April 1973 to mark the thirtieth anniversary of the uprising against the Nazi occupation

Ante, p. 23.

forces by the beleaguered and outnumbered Jews of the Warsaw Ghetto who, by their heroic deeds, reaffirmed the determination of the oppressed to fight for freedom and dignity and thereby helped keep alive the spirit of liberty.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of April, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4212

National Arthritis Month, 1973

By the President of the United States of America

April 21, 1973

A Proclamation

Arthritis and the rheumatic diseases are the Nation's number one crippling disorders. They afflict some 17 million Americans of all ages, causing their victims untold suffering and cruel limitations of normal activity. Among the chronic illnesses suffered by our people, only heart disease is more widespread. The cost of arthritis and rheumatic diseases to Americans must be counted not only in billions of dollars of lost earnings and medical expenses each year, but also in poignant human terms.

This is a price we need not continue to pay. Year by year the advancement of medical science through private and publicly supported medical research and education permits thousands of arthritis victims to receive more effective treatment and live freer lives. We can and must continue this progress and extend its benefits to all who have been so unjustly sentenced to lives of pain and disability from arthritis and the rheumatic diseases.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the month of May 1973 as National Arthritis Month. I invite the Governors of the States, the Commonwealth of Puerto Rico, and officials of other areas subject to the jurisdiction of the United States to issue similar proclamations.

I urge individuals and organizations working in the educational, philanthropic, scientific, medical and health care fields to accelerate our national effort to discover the cause and cures of arthritis and rheumatic diseases and to alleviate the suffering of persons struck by these disorders.

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And I ask the wholehearted support of all Americans for this vital humanitarian cause.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of April, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4213

Proclamation Amending Part 3 of the Appendix to the Tariff Schedules of the United States With Respect to the Importation of Agricultural Commodities

April 25, 1973

By the President of the United States of America

A Proclamation

64 Stat. 261; 65 Stat. 75.

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), limitations have been imposed by Presidential proclamations on the quantities of certain dairy products which may be imported into the United States in any quota year; and

77A Stat. 441. 19 USC 1202.

WHEREAS, the import restrictions proclaimed pursuant to said section 22 are set forth in part 3 of the Appendix to the Tariff Schedules of the United States; and

WHEREAS, at my request, the United States Tariff Commission has made an investigation under the authority of subsection (d) of section 22 of the Agricultural Adjustment Act, to determine whether additional quantities of the articles provided for in items 950.07 through 950.10E of the Tariff Schedules of the United States (hereinafter referred to as "cheese") may be entered for a temporary period without rendering or tending to render ineffective, or materially interfering with, the price support program now conducted by the Department of Agriculture for milk or reducing substantially the amount of products processed in the United States from domestic milk; and

WHEREAS, the said Commission has submitted to me a report of its investigation; and

WHEREAS, on the basis of such investigation and report, I find and declare that changed circumstances require the modification for a temporary period, as hereinafter proclaimed, of the quotas on cheese provided for in items 950.07 through 950.10E of the Tariff Schedules of the United States, in order to carry out the purposes of the said section 22; and

77A Stat. 442; 86 Stat. 1644. 19 USC 1202. 64 Stat. 261; 65 Stat. 75. 7 USC 624.

WHEREAS, I find and declare that the allocation of shares of the import quotas proclaimed herein among the countries of origin shall be based upon the proportion of such articles supplied by such countries during the applicable representative periods, taking due account of any special factors which may have affected or may be affecting the trade in the articles concerned; and

WHEREAS, I find and declare that the entry during the period ending July 31, 1973, of the additional quantities of cheese specified below will not render or tend to render ineffective, or materially interfere with, the price support program which is being undertaken by the Department of Agriculture for milk and will not reduce substantially the amount of products processed in the United States from domestic milk;

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that headnote 3(a) of part 3 of the Appendix to the Tariff Schedules of the United States is temporarily amended by adding a new subdivision as follows:

76 Stat. 72. 19 USC prec. 1202 note. *Ante*, p. 1149.

(vii) Notwithstanding any other provision of this part, quantities of the articles described in items 950.07 through 950.10E, equivalent to 50 percentum of the total of the annual quota quantities for such articles may be entered during the period beginning April 25, 1973, and ending July 31, 1973, in addition to the total of the annual quota quantities specified for such articles. Such additional quantities may be entered only by or for the account of a person or firm to which a license has been issued under authority of the Secretary of Agriculture and in accordance with the terms of such license. Licenses shall be issued to the same persons or firms as licenses for the entry during calendar year 1973 of the quota quantities specified in items 950.07 through 950.10E. Licenses shall be issued on such basis that (*a*) each of the annual quota quantities provided for the articles described in items 950.07, 950.08B, 950.09A, 950.09B, 950.10, 950.10A, and for each of the supplying countries, wherever applicable, are increased by 50 percentum for calendar year 1973, and (*b*) each of the annual quota quantities provided for the articles described in the items set forth in the following table and for each of the supplying countries, wherever applicable, are increased for calendar year 1973 by the amounts set forth in such table:

77A Stat. 442; 81 Stat. 1112; 82 Stat. 1652; 83 Stat. 916. 19 USC 1202.

Item No.	*Supplying Country*	*Quantity in pounds*
950.08A	Australia	910,000
	Canada	306,000
	Ireland	659,000
	New Zealand	6,529,000
	Sweden	65,000
	Other Countries as follows: Austria, Belgium, Bulgaria, Denmark, Israel, Italy, Netherlands, Portugal, Switzerland, United Kingdom, and West Germany (aggregate)	154,000

Item No.	*Supplying County*	*Quantity in pounds*
950.10B	Austria	6,281,000
	Denmark	2,584,000
	Finland	None
	Norway	836,000
	Switzerland	134,000
	West Germany	146,000
	Netherlands	105,000
	Israel	30,000
	Other Countries	94,000
950.10C	Austria	864,000
	Denmark	2,102,000
	Finland	None
	Switzerland	1,374,000
	West Germany	None
	Ireland	105,000
	Norway	41,000
	Portugal	138,000
	Other Countries	88,000
950.10D	Belgium	235,000
	Denmark	8,806,000
	Finland	None
	France	1,509,000
	Iceland	321,000
	Ireland	81,000
	Netherlands	211,000
	Norway	178,000
	Poland	1,032,000
	Sweden	897,000
	Switzerland	108,000
	United Kingdom	248,000
	West Germany	2,033,000
	New Zealand	None
	Canada	1,397,000
	Portugal	114,000
	Austria	100,000
	Italy	9,000
	Israel	73,000
	Other Countries	144,000
950.10E	Denmark	3,340,000
	Iceland	32,000
	Ireland	None
	Poland	193,000
	United Kingdom	395,000
	West Germany	50,000
	Australia	None
	Other Countries	None

In addition to the foregoing and to the annual quota quantity specified for such article, up to 612,500 pounds of the article described in item 950.08A, consisting of natural cheddar cheese, the product of Canada, made from unpasteurized milk and aged not less than 9 months, which prior to the exportation has been certified to meet such requirements by an official of the Canadian Government, may be entered without license during the period beginning April 25, 1973, and ending July 31, 1973.

Ante, p. 1203.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of April in the year of our Lord nineteen hundred and seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4214

World Trade Week, 1973

By the President of the United States of America

May 4, 1973

A Proclamation

We stand today on the threshold of a new era of peace in the world—a time that opens new and ever-widening opportunities for global cooperation which can bring a greater measure of progress and prosperity for the peoples of all nations. One of the most powerful forces for such progress can be the expansion of world trade.

Our advanced industrial technology, our highly efficient agricultural system, and our increasingly productive labor force have combined to make America the world's largest exporter of all countries in the world. In the process we have also become the world's largest marketing country for the products of other countries.

History clearly demonstrates that trade creates more and better-paying jobs for American workers, a wider choice of products for American consumers, enhanced opportunities for the creative and competitive skills of American business, and a higher standard of living for all Americans.

But we also know that expanded trade must be achieved within the context of an international economic system which is fair to all participants. For this reason the United States proposed major reforms in the international monetary field in 1972; marked progress toward their adoption is presently being made. For this same reason, I have recently submitted to the Congress the Trade Reform Act of 1973. Its enactment will enable the United States to enter the international trade negotiations later this year with the tools we need to achieve fair reductions in trade barriers, to help build a new international economic order and to advance our interests within it.

Under such legislation, the United States can continue to work with other nations in building a fair and open trading world.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the week beginning May 20, 1973, as World Trade Week, and I call upon all Americans to cooperate in observing that week by participating with the business community and all levels of Government in activities that emphasize the importance of world trade to the United States economy and to our relations with other nations.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of May in the year of our Lord nineteen hundred seventy-three, and

of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4215

National Historic Preservation Week

May 5, 1973

By the President of the United States of America

A Proclamation

As the pace of change accelerates in the world around us, Americans more than ever before need a lively awareness of our roots and origins in the past on which to base our sense of identity in the present and our directions for the future. "People will not look forward to posterity," said Burke, "who never look backward to their ancestors."

America's history is told not only in books, museums, and monuments, but also across the face of the land itself and along the streets of our cities and towns. Our lives can be immeasurably enriched by preserving as an integral part of modern America some of the settings in which generations before us have lived and worked.

Pressures to sweep away in the name of "progress" such irreplaceable examples of our heritage seem to grow steadily stronger, but the movement to resist those pressures through a farsighted historic preservation effort is gaining strength even faster, with both public and private support. National Historic Preservation Week is an appropriate time to consider what is at stake in this cause, to chart what must be done, and to reaffirm our resolve to do it while there is still time.

Ante, p. 65.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, as requested by Senate Joint Resolution 51, do hereby proclaim the week beginning May 6, 1973, as National Historic Preservation Week. I call upon government agencies at all levels, interested private individuals, and concerned citizens to mark this observance with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of May, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4216

Proclamation Amending Part 3 of the Appendix to the Tariff Schedules of the United States With Respect to the Importation of Agricultural Commodities

By the President of the United States of America

May 10, 1973

A Proclamation

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), limitations have been imposed by Presidential proclamations on the quantities of certain dairy products which may be imported into the United States in any quota year; and

64 Stat. 261; 65 Stat. 75.

WHEREAS the import restrictions proclaimed pursuant to said section 22 are set forth in part 3 of the Appendix to the Tariff Schedules of the United States; and

77A Stat. 441. 19 USC 1202.

WHEREAS the Secretary of Agriculture has reported to me that he believes that additional quantities of dried milk provided for in item 950.02 of the Tariff Schedules of the United States (hereinafter referred to as "nonfat dry milk") may be entered for a temporary period without rendering or tending to render ineffective, or materially interfering with, the price support program now conducted by the Department of Agriculture for milk or reducing substantially the amount of products processed in the United States from domestic milk; and

77A Stat. 442.

WHEREAS, under the authority of section 22, I have requested the United States Tariff Commission to make an investigation with respect to this matter; and

WHEREAS the Secretary of Agriculture has determined and reported to me that a condition exists with respect to nonfat dry milk which requires emergency treatment and that the quantitative limitation imposed on nonfat dry milk should be increased during the period ending June 30, 1973, without awaiting the recommendations of the United States Tariff Commission with respect to such action; and

WHEREAS I find and declare that the entry during the period ending June 30, 1973, of an additional quantity of 60,000,000 pounds of nonfat dry milk will not render or tend to render ineffective, or materially interfere with, the price support program which is being undertaken by the Department of Agriculture for milk and will not reduce substantially the amount of products processed in the United States from domestic milk; and that a condition exists which requires emergency treatment and that the quantitative limitation imposed on nonfat dry milk should be increased during such period without awaiting the recommendations of the United States Tariff Commission with respect to such action;

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that subdivision (vi) of headnote 3(a) of Part 3 of the Appendix to the Tariff Schedules of the United States is amended to read as follows:

64 Stat. 261; 65 Stat. 75. 7 USC 624. 76 Stat. 72. 19 USC prec. 1202 note. *Ante*, p. 1149; *Post*, p. 1242.

77A Stat. 27. 19 USC 1202.

(vi) Notwithstanding any other provision of this part, 25,000,000 pounds of dried milk described in item 115.50 may be entered during the period beginning December 30, 1972, and ending February 15, 1973, and 60,000,000 pounds of such milk may be entered during the period beginning the day after the date of issuance of this proclamation and ending June 30, 1973, in addition to the annual quota quantity specified for such article under item 950.02, and import licenses shall not be required for entering such additional quantities. No individual, partnership, firm, corporation, association, or other legal entity (including its affiliates or subsidiaries) may during such period enter pursuant to this provision quantities of such additional dried milk totaling in excess of 2,500,000 pounds.

77A Stat. 442.

The 60,000,000 pound additional quota quantity provided for herein shall continue in effect pending Presidential action upon receipt of the report and recommendations of the Tariff Commission with respect thereto.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of May, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America, the one hundred and ninety-seventh.

Richard Nixon

PROCLAMATION 4217

Mother's Day, 1973

By the President of the United States of America

May 11, 1973

A Proclamation

For nearly 60 years, this Nation has set aside one day each year to recognize the enormous responsibility a mother bears for the development of her children and our future citizens. Mother's Day also provides a special opportunity for a grateful Nation to pay tribute to other contributions that the mothers of America are making to our national life.

Today we are in the midst of a national movement to ensure equal rights for women. This movement has helped bring millions of additional women into the work force, performing highly skilled and challenging jobs—many of them previously filled by men. Great numbers of these women are mothers who are pursuing careers even while they continue to carry out major family responsibilities.

American women have made wide-ranging contributions to our country throughout its history. Pioneer women helped push westward the American frontier. Women have filled countless industrial positions in wartime when men have entered the Armed Forces. In medicine, science, law, education and every other profession, women have helped this country achieve unparalleled successes.

It is appropriate on this Mother's Day that we honor mothers of every generation:

—Older mothers, many of whom are widowed and living alone.

—Mothers in their middle years who began careers after their children were grown.

—Younger mothers who devote full time to their family responsibilities.

—Mothers who, in addition to their vital role at home, are engaged in volunteer service or employment that is of inestimable value to our economy and the quality of American life.

And particularly, this year, we honor the mothers and wives of those who served in the Vietnam war, especially those whose loved ones lost their lives or were held as prisoners of war.

36 USC 142.

The Congress, by a joint resolution of May 8, 1914 (38 Stat. 770), designated the second Sunday of May each year as a day on which to honor all mothers for their countless contributions to their families, their communities, and the Nation.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America do hereby request that Sunday, May 13, 1973, be observed as Mother's Day. I urge Government officials and all citizens to mark that day by displaying the flag of the United States and by participating in appropriate observances.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of May, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4218

Prayer for Peace Memorial Day, May 28, 1973

May 25, 1973

By the President of the United States of America

A Proclamation

This day of memorial to those who have given their lives to preserve America's freedom over the centuries has special meaning for us in 1973. The longest and most difficult war in our history is over. The brave men who served so well in that conflict are home again; our valiant prisoners are free at last and reunited with their loved ones—all made possible by the firm resolve of the American people. Thus our prayers for peace this day are also prayers of thanksgiving.

Through our history we have seen despotisms and ideologies come and declare themselves the wave of the future, crushing freedom under foot—but each has passed, and freedom, sure as spring, has pushed up through the ruins again to reaffirm the essential dignity of man.

Americans have been on the side of that dignity in every war we have fought. Today, freedom survives in South Vietnam, and generations hence, the literature of liberty will tell that America demonstrated fully and finally its great commitment to its founding principles by fighting on behalf of just eighteen million people half a world away—and by achieving at last what we fought for.

Those who stood at Hue and Khe Sanh were the spiritual descendants of the heroes of Chosin, Bastogne, Gettysburg, and Lexington. The patriotic line continues unbroken. America called, and the answer came back yes.

Now those soldiers and sailors and airmen who have kept freedom's faith look to America—not for thanks, but to know if we have marked their deeds and if, in the way we live our freedom, we are determined to be worthy of those deeds.

Only by working to make war obsolete in the future can we truly redeem the sacrifices of patriots who fell in the wars of the past. The tensions which still exist among nations will yield to negotiation if we are steadfast in our purpose and patient in our endeavor. New relationships are already taking shape, pointing to the creation of a more stable and open world, a world in which hatred and discrimination are replaced by brotherhood and understanding—above all, a world free forever of fear and want and war.

This is the dream for which generations of American fighting men have made the ultimate sacrifice, from the bridge at Concord to the jungles of Vietnam. It can be achieved. Their sacrifices have moved us ever closer to it.

The Congress, by a joint resolution approved May 11, 1950, has requested the President to issue a proclamation calling upon the people of the United States to observe each Memorial Day as a day of prayer for permanent peace. 64 Stat. 158.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate Memorial Day, Monday, May 28, 1973, as a day of prayer for permanent peace, and I designate the hour beginning in each locality at 11 o'clock in the morning of that day as a time to unite in prayer.

I urge the press, radio, television, and all other information media to cooperate in this observance.

As a special mark of respect for those Americans who have given their lives in the war in Vietnam, I direct that the flag of the United States be flown at half-staff all day on Memorial Day on all buildings, grounds, and naval vessels of the Federal Government throughout the United States and all areas under its jurisdiction and control.

I also request the Governors of the United States and of the Commonwealth of Puerto Rico and the appropriate officials of all local units of government to direct that the flag be flown at half-staff on all public buildings during that entire day, and request the people of the United States to display the flag at half-staff from their homes for the same period.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of May, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4219

World Environment Day

June 4, 1973

By the President of the United States of America

A Proclamation

As the astronauts of Skylab I orbit the earth in America's first manned space station, we are mindful once again of the essential unity of mankind—bound together by the finite resources of one small planet. One of the chief concerns of this and subsequent space missions will be the resources of the earth and the quality of its environment. As before, our findings will form the basis for positive contributions to our fellow man.

But we do not have to rely upon the results of space research to improve the earth's environment. All men and women have a personal role to play in this vital endeavor. The United Nations Conference on the Human Environment held last June, with the participation of one hundred and thirteen nations, was a reflection of the increased understanding of all mankind that environmental quality is everybody's business—superseding any temporary differences which may hamper relations between nations.

In response to a resolution of the Conference on the Human Environment, the United Nations General Assembly last December endorsed a recommendation reading, in part, as follows:

"The General Assembly . . . designates 5 June as World Environment Day and urges Governments and the organizations in the United Nations System to undertake on that day every year world-wide activities reaffirming their concern for the preservation and enhancement of the environment, with a view to deepening environmental awareness and to pursuing the determination expressed at the Conference."

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do, in support of the action of the United Nations General Assembly, call on the people of the United States and United States Government agencies to observe June 5 as World Environ-

ment Day with appropriate ceremonies and activities emphasizing the concern of Americans for a better environment in which to live.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of June in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4220

Flag Day and National Flag Week, 1973

By the President of the United States of America

June 8, 1973

A Proclamation

The outcome of the American Revolution was far from settled on June 14, 1777, when the Congress resolved that the flag of the United States should have 13 stripes, alternating red and white, and 13 white stars in a field of blue "representing the new constellation."

The creation of this fresh banner in a New World where European powers long had contended for domination signified the new unity of the American people and their determination to win their independence.

Although the constellation of stars has expanded from 13 to 50 since the 18th century, the flag we revere today has changed very little in the intervening 196 years. It continues to represent our common devotion to the principles of freedom and equality which have sustained Americans ever since those uncertain days when independence was yet to be won.

To commemorate the adoption of the Stars and Stripes as our country's flag, the Congress, by a joint resolution of August 3, 1949 (63 Stat. 492), designated June 14 of each year as Flag Day and requested the President to issue annually a proclamation calling for its observance. The Congress has also requested the President, by a joint resolution of June 9, 1966 (80 Stat. 194), to issue annually a proclamation designating the week in which June 14 occurs as National Flag Week and calling upon all the citizens of the United States to fly the flag of the United States on the days of that week.

36 USC 157.

36 USC 157a.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning June 10, 1973, as National Flag Week, and I direct the appropriate Government officials to display the flag on all Government buildings during that week.

I urge all Americans to observe Flag Day, June 14, and National Flag Week by flying the Stars and Stripes from their homes and other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of June, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4221

American Education Week, 1973

June 11, 1973

By the President of the United States of America

A Proclamation

More than physical resources or industrial capacity, this Nation's greatest asset is its people.

Americans are both a heterogeneous and a homogeneous people, diverse in our multicultural heritage, in our varied talents, in our personal goals. Yet we are also a homogeneous people in our dedication to certain national objectives, among them the goal of broadening and enriching the American experience for our children and their children. One constant theme in our national story from its very beginnings has been our faith in education and our commitment to its advancement.

Educational institutions can be strong and effective only if they receive broad public support and continuing public attention. That is why it is so appropriate that the theme for American Education Week this year is "Get Involved."

There are many ways for individual Americans to "get involved" in education. For those who hold leadership positions in their communities, getting involved can mean strong support for needed innovation. For those whose profession is education, getting involved can mean subjecting proposed reforms to the most rigorous test of all: Will they benefit students?

But "getting involved" is appropriate advice for other Americans too. For the businessman who understands the give-and-take of the marketplace, for the oceanographer who understands the mystic cycles of the sea, for the writer who understands the beauty and power of words, getting involved can mean sharing knowledge and enthusiasm with young people struggling to make their own career decisions.

Getting involved can mean taking the time to help a handicapped child learn to read. It can mean raising the aspirations of a disadvantaged child by listening to his hopes and dreams—and by caring about them. It can mean working with gifted young people to help them channel their creativity into productive outlets.

Above all, getting involved means giving support to the dedicated men and women who are entrusted with the education of our children. They are trained professionals who welcome constructive change. They deserve our confidence.

Education should be everyone's concern, for the knowledge and values imparted to our youth today will determine our future as a people.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week of October 21–27, 1973, as American Education Week.

I urge all Americans to join with me during this period in a reaffirmation of faith in our educational system and a new dedication to helping that system meet the challenges that now confront it.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of June, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4222

Honor America, 1973

By the President of the United States of America

June 14, 1973

A Proclamation

This year, for the first time in a dozen years, America will be at peace on Independence Day.

For the first time in a generation, none of our young men will be drafted into the armed services.

Clearly there is much for which we should be thankful. Equally so, we have much upon which to reflect: not only the challenges that still lie ahead but also the qualities of mind and soul that have brought us through the trials of the past and have kept us a great people.

National holidays have traditionally provided us with opportunities for such reflection and celebration. Flag Day, celebrated June 14th, is one such day; Independence Day is another.

Between the two is a 21-day interval. This year—a year when all of us pray that we may be entering a new era of peace and goodwill among men—it seems particularly fitting that we mark this 21-day period in a very special way.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the period beginning June 14, 1973 and extending through July 4, 1973 as a 21-day salute to our country. "HONOR AMERICA" shall be the theme for this salute. I call on all Americans to join during this period in appropriate public observances and personal activities which will express their love for this country, their respect for its past and their dedication to its future.

This should not be a time in which we ignore our country's problems. But it should be a time in which we gain renewed appreciation for those physical and spiritual resources which can enable us to meet those problems—and to make our great Nation greater still.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of June, in the year of our Lord nineteen hundred seventy-three and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4223

Commemorating the Opening of the Upper Mississippi River

June 14, 1973

By the President of the United States of America

A Proclamation

Three hundred years ago two French explorers led a small band of men in search of a river the Indians called the Mississippi. It was their

hope that the river would lead to the Pacific Ocean and give access to the riches of the Orient.

Father Jacques Marquette and Louis Jolliet never reached the Pacific, but their mission was an immense success, for the river they found has brought America wealth beyond measure.

The waters of the Mississippi are the most wide-ranging navigation system in the land; they provide recreational opportunities for millions of Americans; they have been the source of all history and culture that enriches the lives of us all; they nurture our farms and our cities; and they bind our people and the shores of our land from sea to sea.

To commemorate the opening of the upper Mississippi River by Marquette and Jolliet, the Congress, by House Joint Resolution 533, has asked that June 17, 1973 be designated as a day of commemoration of this event. *Ante*, p. 74.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate June 17, 1973, as a day of commemoration of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet in 1673, and I call upon the people of the United States to join together in acknowledging and appreciating one of our Nation's greatest natural resources and one of the most significant wellsprings of our cultural heritage.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of June, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4224

Father's Day, 1973

By the President of the United States of America

June 15, 1973

A Proclamation

Each year, the third Sunday in June is set aside to honor the American father. In a complex and sometimes coldly impersonal age, Father's Day brings us back to basics.

A basic unit of our society is the family which a father helps to form and hold together. A basic force in our economic life is the work a father does to provide for his wife and children. One of the strongest leadership

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influences forming the character of our young people is the example a father sets for his sons and daughters. The very identity through which we know ourselves is rooted in surnames proudly inherited from our fathers and their fathers before them.

All of these things are part of what fatherhood means, yet the whole is also more than the sum of its parts. At its heart is the timeless impulse, commonplace yet wonderfully noble, that moves man to partnership with woman and both to the raising of children, children for whom they strive to build a home and a world a little better than what they themselves have known before.

It is the American father's glory that he works to make each day of the year his family's; it is our proper tribute to him, that we should join to make this one day his.

On this Father's Day we again have the opportunity to pay a justly deserved tribute to the counselors, providers, arbiters, and leaders who are our fathers.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, in accordance with a joint resolution of the Congress approved April 24, 1972, do hereby request that June 17, 1973, be observed as Father's Day.

86 Stat. 124.
36 USC 142a.

I invite the governments of the States and communities to observe Father's Day with appropriate ceremonies, and I urge all our people to offer public and private expressions on that day of the abiding love and gratitude which they bear for the fathers of America.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of June, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America, the one hundred ninety-seventh.

Richard Nixon

PROCLAMATION 4225

National Autistic Children's Week 1973

June 15, 1973

By the President of the United States of America

A Proclamation

One of the most cruel and difficult to understand of all childhood mental disorders is the baffling condition known as childhood autism.

The autistic child does not develop normal speech, make full contact with the world about him, or learn in the usual way from those who seek to reach him in his seclusion of silence or gibberish.

It is estimated that about four children in every 10,000 are autistic. Without special education and care, nearly all are faced with a life of confinement at home or in an institution for the mentally ill. The human costs are equally disturbing; not only do autistic children lead wasted lives but the lives of their parents are scarred by feelings of frustration as they and others seek to understand the bizarre behavior of the children and try to find help in the community.

Autistic children first received medical recognition as a special group in 1943. Now, thirty years later, the underlying causes of early childhood autism are still unknown, and there is no specific treatment. Furthermore, almost all autistic children continue to be excluded from existing school systems.

The outlook is not without hope, however. Many experts continue to express cautious optimism that somewhere there is a solution to this frustrating mystery—a chemical key, a treatment approach, or a pivotal research discovery that will unlock the autistic child from his forced isolation. To provide greater public recognition of the plight of these children the Congress has, by a Joint Resolution which I approved today, called upon me to proclaim the last week of June, 1973, as National Autistic Children's Week.

Ante, p. 74.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the week of June 24 through June 30, 1973, as National Autistic Children's Week. I invite the Governors of the States, the Commonwealth of Puerto Rico, and officials of other areas subject to the jurisdiction of the United States to issue similar proclamations.

I urge the people of the United States and educational, philanthropic, scientific, medical, and health care organizations and professionals to provide the educational and other care services needed by autistic children and to support aggressive research efforts to discover the causes and cure of childhood autism and thus alleviate the suffering of persons struck by this tragic disorder.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of June, in the year of our Lord nineteen hundred seventy-three and of the Independence of the United States of America, the one hundred ninety-seventh.



PROCLAMATION 4226

White Cane Safety Day, 1973

June 16, 1973

By the President of the United States of America

A Proclamation

The White Cane has become an emblem that distinguishes more than one million Americans with severe visual disabilities. It is a symbol of their determination to be self-reliant, independent, and productive members of society.

For all its simplicity, the White Cane provides those individuals with the mobility they need to compete in a very complicated world designed by and for people with unimpaired vision. It helps to provide them with almost miraculous ability to walk in strange and sometimes hazardous surroundings without depending on help from others.

Helen Keller—a courageous pioneer in helping her fellow blind—once observed: "* * * of all the senses, sight must be the most delightful."

Each of us who is blessed with this "delightful" sense, should resolve that while we respect the independence of the visually disabled, we should also make every effort to smooth the path and ease their burden. The first step is to extend every courtesy and care to those who display this badge of courage—the White Cane.

The Congress, as an annual reminder to Americans of the significance of the White Cane, has, by a joint resolution of October 6, 1964 (78 Stat. 1003), authorized the President to proclaim October 15 of each year as White Cane Safety Day.

36 USC 169d.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim October 15, 1973, as White Cane Safety Day.

I urge all Americans to mark this occasion by giving greater consideration for the special needs of the visually handicapped, and particularly by learning to heed the White Cane in order that our visually handicapped may use our streets and public facilities with optimum safety.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of June, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4227

Modifying Proclamation No. 3279, Relating to Imports of Petroleum and Petroleum Products, Providing for the Long-Term Control of Imports of Petroleum and Petroleum Products Through a System of License Fees and Providing for Gradual Reduction of Levels of Imports of Crude Oil, Unfinished Oils and Finished Products

By the President of the United States of America

June 19, 1973

A Proclamation

The Chairman of the Oil Policy Committee, after consultation with the committee, has advised me that Proclamation No. 3279, as amended by Proclamation No. 4210 of April 18, 1973, requires a number of technical changes which include, among others, revisions in the definitions of certain terms, the correction of inadvertent omissions, and provisions relating to the application of the oil import program to certain imports from foreign trade zones and the territories of American Samoa, Guam, and the Virgin Islands.

Ante, p. 1187.

The Chairman has advised me that none of these changes will adversely effect the national security.

I agree with the foregoing recommendations and findings of the Chairman.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and laws of the United States, including

76 Stat. 877. 19 USC 1862.

section 232 of the Trade Expansion Act of 1962, as amended, do hereby proclaim that, effective as of this date, Proclamation No. 3279, as

Ante, p. 1187.

amended by Proclamation No. 4210 of April 18, 1973, is hereby amended as follows:

Ante, p. 1189.

1. Subparagraph (1) of paragraph (a) of section 2 thereof is amended to read as follows:

"(1) for Districts I–IV, 1,992,000 average barrels per day per calendar year; *Provided,* That, in addition to the foregoing, there may be imported into District I an average of 50,000 barrels per day of No. 2 fuel oil, manufactured in the Western Hemisphere from crude oil produced in the Western Hemisphere under allocations made by the Secretary, pursuant to regulations of the Secretary, to deepwater terminal operators who do not have crude oil import allocations into Districts I–V or Puerto Rico and who, in the allocation period beginning prior to January 1, 1973, had received, from the Secretary, an allocation of imports into District I of No. 2 fuel oil; *Provided Further,* That the Secretary may, by regulation, provide that a holder of an allocation for the importation of No. 2 fuel oil, may import crude oil produced in the Western Hemisphere in lieu of No. 2 fuel oil, barrel for barrel, and exchange such crude oil for No. 2 fuel oil. Whenever the Chairman of the Oil Policy Committee, after consultation with the committee, finds that, because of supply, price, or other considerations, the requirement that No. 2 fuel oil be manufactured in the Western Hemisphere from crude oil produced in the Western Hemisphere is unduly restricting the availability of such oil for importation into District I and is not required for the national security, he shall so advise the Secretary who shall then suspend such requirement for such period of time as he shall deem compatible with the purposes of this proclamation."

Ante, p. 1190.

2. Subparagraph (i) of paragraph (d)(1) of section 2 thereof is amended to read as follows:

"(i) for Districts I–IV, 960,000 average barrels per day per calendar year; *Provided,* That the Secretary may, within the limits established by subparagraph (1) of paragraph (a) of this section, increase the quantity of crude oil and unfinished oils, which may be imported from Canada so long as such increase is, in his judgment, consonant with the purposes of this proclamation."

3. Subparagraph (ii) of paragraph (d)(1) of section 2 thereof is amended to read as follows:

"(ii) for District V, 280,000 average barrels per day per calendar year; *Provided,* That, the Secretary may, within the limits established by subparagraph (1) of paragraph (a) of this section, increase the quantity of crude oil and unfinished oils which may be imported from Canada,

so long as such increase is, in his judgment, consonant with the purposes of this proclamation."

4. Paragraph (a) of section 3 thereof is hereby amended to read as follows: *Ante*, p. 1191.

"SEC. 3(a)(1) Effective May 1, 1973, the Secretary shall, by regulation, establish a system of fees for licenses issued under allocations of imports of crude oil, unfinished oils, and finished products, over the above levels of imports established by section 2 of this proclamation. Such regulation shall require, among other appropriate provisions, that (i) with respect to imports, other than imports from Canada of motor gasoline and finished products, such fees shall be: *Ante*, pp. 1189, 1222.

Fee Schedule

[Cents per barrel]

	May 1, 1973	Nov. 1, 1973	May 1, 1974	Nov. 1, 1974	May 1, 1975	Nov. 1, 1975
Crude	10.5	13.0	15.5	18.0	21.0	21.0
Motor gasoline	52.0	54.5	57.0	59.5	63.0	63.0
All other finished products and unfinished oils (except ethane, propane, butanes, and asphalt)	15.0	20.0	30.0	42.0	52.0	63.0

and,

(ii) that, with respect to imports from Canada of motor gasoline and finished products, such fees shall be:

Fee Schedule

[Cents Per Barrel]

	May 1, 1973	Nov. 1, 1973	May 1, 1974	Nov. 1, 1974	May 1, 1975	Nov. 1, 1975	May 1, 1976	Nov. 1, 1976
Motor gasoline	0	0	5.7	6.0	12.6	12.6	22.1	22.1
Other finished products (but not including ethane, propane, butanes, or asphalt)	0	0	3.0	4.2	10.4	12.6	22.1	22.1
	May 1, 1977	Nov. 1, 1977	May 1, 1978	Nov. 1, 1978	May 1, 1979	Nov. 1, 1979	May 1, 1980	Nov. 1, 1980
Motor gasoline	31.5	31.5	41.0	41.0	50.4	50.4	63.0	63.0
Other finished products (but not including ethane, propane, butanes, or asphalt)	31.5	31.5	41.0	41.0	50.4	50.4	63.0	63.0

"(2) License fees payable for imports of motor gasoline or other finished products or unfinished oils, manufactured in American Samoa, Guam, or the Virgin Islands or in a foreign trade zone and transported to the Customs territory of the United States by overland means or by vessel or vessels under United States registry, shall be at the rate applicable to the feedstock from which such motor gasoline or other finished product or unfinished oil was manufactured: *Provided,* That such rate shall apply also in cases where the holder of the license establishes to

the satisfaction of the Secretary that he made a good faith attempt to arrange shipment by vessel under United States registry and that no such vessel was available for the purpose at the time this shipment was made.

"(3) The Secretary is authorized to refund fees, whether in whole or in part, where (i) the licensee failed to use, wholly or in part, the license issued to him; (ii) refunds of license fees, whether in whole or in part, are ordered by the Oil Import Appeals Board; (iii) refund of a license fee, whether in whole or in part, is called for by reason of a person having exported finished products or petrochemicals; (iv) crude oil imported by virtue of a license for which a fee was paid has been manufactured into asphalt; (v) refund of a license fee is called for by reason of the same having been improperly charged."

Ante, p. 1191.

5. Paragraph (b) of section 3 thereof is amended to read as follows:

"(b) Except for allocations and licenses to which a license fee is not applicable, applications for allocations and licenses for imports subject to fee under the preceding paragraph shall be accompanied by the applicant's certified check, or a cashier's check, payable to the order of the Treasurer of the United States in the amount chargeable pursuant to this section or by a bond with a surety on the list of acceptable sureties on Federal bonds maintained by the Bureau of Accounts, Department of the Treasury, in a sum not less than the amount chargeable pursuant to this section, conditioned upon payment to the order of the Treasurer of the United States, within thirty (30) calendar days from the date of entry or withdrawal from warehouse for consumption of the commodities for the importation of which a license or licenses have issued, in the amount chargeable pursuant to this section. Applications not accompanied by a certified check, cashier's check, or bond in the amount required shall not be considered. Applications by or for the account of a department, establishment, or agency of the United States need not be accompanied by a certified check or a cashier's check or a bond as required by this paragraph."

6. Subparagraph (1) of paragraph (c) of section 3 thereof is hereby amended to read as follows:

"(c) (1) All monies received by the Secretary under the terms of paragraph (b) of this section shall be held by the Secretary in a suspense account and may be drawn upon by the Secretary (i) for the payment of refundable license fees; (ii) for the payment to Puerto Rico of sums equal to the sums collected by way of license fees for imports into Puerto Rico (other than imports from the Virgin Islands) and not otherwise refundable; and (iii) for the payment to American Samoa, Guam, or the Virgin Islands, as the case may be, of sums equal to the sums collected

by way of license fees and not otherwise refundable for imports therefrom into the Customs territory of the United States of crude oil or motor gasoline, other finished products, or unfinished oils, manufactured in American Samoa, Guam, or the Virgin Islands. Balances remaining in such suspense account and not required to be reserved for payments hereinabove provided shall be deposited at the end of each fiscal year in the Treasury of the United States and credited to miscellaneous receipts. Whenever the Chairman of the Oil Policy Committee, after consultation with the committee, determines that any such payments to Puerto Rico, American Samoa, Guam, or the Virgin Islands are not consonant with the purposes of this proclamation, he shall so advise the Secretary who shall then amend the applicable regulations accordingly."

7. Subparagraph (1) of paragraph (b) of section 4 thereof is hereby amended by adding the following at the end thereof: *Ante*, p. 1192.

"In respect of the territories of American Samoa, Guam, the Virgin Islands, and foreign trade zones, the Secretary may make such regulations as he deems consonant with the purposes of this proclamation to the end that persons having refineries and petrochemical plants located in such territories or zones shall participate to the fullest practicable extent, upon terms not less favorable, so far as possible, than those accorded to persons in the Customs territory of the United States in all appropriate aspects of the programs authorized by this proclamation."

8. Subparagraph (2) of paragraph (b) of section 4 is hereby amended by deleting the proviso therein contained.

9. Subparagraph (5) of paragraph (b) of section 4 thereof is hereby amended to read as follows:

"(5) With respect to the allocation of imports to which license fees are not applicable of residual fuel oil to be used as fuel in Puerto Rico, such regulations shall, to the extent possible, provide for a fair and equitable distribution of imports of residual fuel oil to be used as fuel among persons who were importers of that product into Puerto Rico during all or part of the calendar year 1958. In addition, the Secretary by regulation may, to the extent possible, provide for a fair and equitable distribution of imports of residual fuel oil to be used as fuel, the maximum sulphur content of which is acceptable to the Secretary, (i) among persons who are in the business in the respective districts or Puerto Rico of selling residual fuel oil to be used as fuel and who in a base period to be established by the Secretary had inputs of that product to deepwater terminals located in the respective districts or Puerto Rico and (ii) among persons who are in the business in the respective districts or Puerto Rico of selling residual fuel oil to be used as fuel and who have through-

put agreements (warehouse agreements) with deepwater terminal operators. With respect to the allocation of imports into District I of residual fuel oil to be used as fuel, such regulations, shall, to the extent possible, provide for a fair and equitable distribution of imports of residual fuel oil to be used as fuel (i) among persons who are in the business in District I of selling residual fuel oil to be used as fuel and who in a base period to be established by the Secretary had inputs of that product to deepwater terminals located in District I; (ii) among persons who are in the business in District I of selling residual fuel oil to be used as fuel and who have throughput agreements (warehouse agreements) with deepwater terminal operators; and (iii) notwithstanding the levels established in section 2 of this proclamation, during the allocation year commencing in 1973, the Secretary may make allocations of imports of residual fuel oil to be used as fuel into District I to persons in District I who own and operate newly constructed deepwater terminal facilities, based upon estimated deepwater terminal inputs during a base period to be established by the Secretary. For the allocation period commencing in 1974 and subsequent allocation periods, the Secretary may make allocations of imports of residual fuel oil to be used as fuel into District I based upon estimated deepwater terminal inputs during a base period to be established by the Secretary to persons in District I who own and operate newly constructed deepwater terminal facilities; *Provided,* That such allocations shall be included within the levels established by subparagraph (4) of paragraph (a) of section 2 of this proclamation, as amended."

Ante, pp. 1189, 1222.

Ante, p. 1194.

10. Paragraph (b) of section 5 thereof is hereby amended to read as follows:

"(b) The Appeals Board may be empowered, subject to the general direction of the Chairman of the Oil Policy Committee, without regard to the limits of the maximum levels of imports established in section 2 of this proclamation: (1) to reverse or modify on grounds of error actions taken by the Secretary on applications for allocations of imports under such regulations; (2) to modify, on the grounds of exceptional hardship, any allocation made to any person under such regulations; (3) to grant allocations of imports of crude oil and unfinished oils in special circumstances to persons with importing histories who do not qualify for allocations under such regulations; (4) to grant allocations of imports of finished products on grounds of exceptional hardship; (5) to grant allocations of imports of crude oil, unfinished oils, and finished products to independent refiners or established independent marketers who are

Ante, pp. 1189, 1222.

experiencing exceptional hardship or in emergencies in order to assure, insofar as practicable, that adequate supplies are available; (6) to review the revocation or suspension of any allocation or license; (7) to review the denial by the Secretary of refunds of license fees, whether in whole or in part, theretofore paid by a person; and (8) to grant refunds, in whole or in part, of license fees paid by persons to whom licenses were issued for imports which they subsequently became entitled to make under allocations made by the Board. Except with respect to its function to review applications for allocations of imports to which license fees are applicable, licenses issued pursuant to Board allocations shall be fee exempt."

11. The first paragraph of section 11 thereof is amended to read as follows: *Ante*, p. 1196.

"SEC. 11 Annually, beginning May 1, 1974, the maximum levels of imports subject to allocation and license, to which license fees shall not be applicable, except allocations made and licenses issued by reason of new, expanded, or reactivated refinery capacity and petrochemical plants in Districts I–IV and District V allocations and licenses issued to persons who manufacture in such Districts finished products or petrochemicals from crude oil and unfinished oils and who export finished products or petrochemicals, subject to such designations as the Secretary may make, shall be reduced as follows:"

12. Paragraph (a) of section 12 thereof is amended to read as follows: *Ante*, p. 1196.

"SEC. 12(a) Commitments and obligations contained in long-term allocations heretofore made of imports of crude oil and unfinished oils into Puerto Rico shall be unimpaired by this proclamation or regulations issued thereunder."

13. Subparagraph (2) of paragraph (g) of section 15 thereof is amended to read as follows: *Ante*, p. 1197.

"(2) 'Gasoline' means a refined petroleum distillate, including naphtha, jet fuel or other petroleum oils (but not benzene which meets the ASTM distillation standards for nitration grade or cumene, ethylbenzene, isoprene, meta-xylene, orthoxylene or para-xylene having a purity of 95 percent or more by weight) derived by refining or processing crude oil or unfinished oils, in whatever type of plant such refining or processing may occur, and having a boiling range at atmospheric pressure from 80° to 400°F."

Ante, p. 1198.

14. Subparagraph (4) of paragraph (g) of section 15 thereof is amended to read as follows:

"(4) 'Distillate fuel oil' means any fuel oil, gas oil, topped crude oil, or other petroleum oils (except refined petroleum wax) derived by refining or processing crude oil or unfinished oils, in whatever type of plant such refining or processing may occur, which has a boiling range at atmospheric pressure from 550° to 1200°F."

15. Subparagraph (1) of paragraph (h) of section 15 thereof is amended to read as follows:

"(1) By distillation with a resulting yield of at least two distinct finished products or unfinished oils, two of which must be equal to not less than 10 percent of the total charge of such unfinished oils to a distillation unit. Different grades or specifications of finished products or unfinished oils will not constitute distinct finished products or unfinished oils for purposes of this subparagraph. Distillation of petroleum oils which have been reconstituted by blending of two or more finished products or unfinished oils does not constitute processing for the purposes of this subparagraph."

16. Subparagraph (2) of paragraph (h) of section 15 thereof is amended to read as follows:

"(2) By catalytic or thermal conversion in process units such as alkylation, coking, cracking, hydrofining, hydrodesulphurization, polymerization, isomerization, dehydrogenation, or reforming."

Ante, p. 1199.

17. Paragraph (k) of section 15 thereof is amended by adding the following subparagraphs:

"(6) That certain allocation made to Fuel Desulphurization, Inc., of residual fuel oil and fuel oil into Districts I–IV—dated January 8, 1969 (as amended).

"(7) That certain allocation made to Guardian Oil Refining Corporation of residual fuel oil in Districts I–IV—dated January 8, 1969 (as amended).

"(8) That certain allocation made to Supermarine Inc., of residual fuel oil and fuel oil into Districts I–IV—dated January 8, 1969 (as amended).

"(9) That certain zone allocation made to Hawaiian Independent Refinery, Inc., of shipments of crude oil and unfinished oils into foreign-

trade sub-zone No. 9–A at Ewa, Oahu, Hawaii, of foreign-trade zone No. 9—Honolulu, Hawaii, dated May 7, 1970."

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of June, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4228

National Student Government Day

By the President of the United States of America

July 2, 1973

A Proclamation

Fundamental to the American educational ideal is the sense that our schools should be not only centers of learning but also laboratories for democracy. From the primary grades all the way up through the graduate departments of our universities, various forms of self-government and independent decision-making have become an increasingly important factor in the educational process.

Student councils and similar organizations provide students with an opportunity to work together for common purposes, select leaders from among their peers, and deal responsibly with faculty and administrators in their schools. Such opportunities are helping to teach the basic skills of citizenship and to develop the qualities of leadership in the young people who take part. By enhancing the self-respect of students and the mutual respect among groups within a school community, student governments also contribute to that climate of eagerness to learn and grow in which education can best flourish.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim November 14, 1973, as National Student Government Day. I invite the Governors of the States and of the Commonwealth of Puerto Rico and other officials at the local level to issue similar proclamations.

I also urge all educational institutions to join in appropriate activities to highlight the importance of student government and to encourage wider participation in its activities. I further urge all students in our country to acquaint themselves fully with their own student governments, and to play a constructive role in contributing to their success.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of July, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



PROCLAMATION 4229

Captive Nations Week, 1973

July 13, 1973

By the President of the United States of America

A Proclamation

As a nation we seek no imposition of our beliefs. But as human beings, we must always keep alive the hope that our great heritage of freedom will one day be enjoyed throughout the world.

As we make progress toward world peace and security, let us continue to show our sympathies for others who aspire to liberty and self-determination. In support of this sentiment, the Eighty-Sixth Congress on July 17, 1959, by a joint resolution, authorized and requested the President to proclaim the third week in July in each year as Captive Nations Week.

73 Stat. 212.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning July 15, 1973, as Captive Nations Week.

I call upon the people of the United States to observe this week with appropriate ceremonies and activities, and I urge rededication to the high purpose of individual liberty for all men.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of July, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4230

Amending Part 3 of the Appendix to the Tariff Schedules of the United States With Respect to the Importation of Agricultural Commodities

By the President of the United States of America

July 18, 1973

A Proclamation

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), limitations have been imposed by Presidential proclamations on the quantities of certain dairy products which may be imported into the United States in any quota year; and

64 Stat. 261; 65 Stat. 75.

WHEREAS the import restrictions proclaimed pursuant to said section 22 are set forth in part 3 of the Appendix to the Tariff Schedules of the United States; and

77A Stat. 441. 19 USC 1202.

WHEREAS the Secretary of Agriculture has reported to me that he believes that additional quantities of dried milk provided for in item 950.02 of the Tariff Schedules of the United States (hereinafter referred to as "nonfat dry milk") may be entered for a temporary period without rendering or tending to render ineffective, or materially interfering with, the price support program now conducted by the Department of Agriculture for milk or reducing substantially the amount of products processed in the United States from domestic milk; and

77A Stat. 442.

WHEREAS, under the authority of section 22, I have requested the United States Tariff Commission to make an investigation with respect to this matter; and

WHEREAS the Secretary of Agriculture has determined and reported to me that a condition exists with respect to nonfat dry milk which requires emergency treatment and that the quantitative limitation imposed on nonfat dry milk should be increased during the period ending

August 31, 1973, without awaiting the recommendations of the United States Tariff Commission with respect to such action; and

WHEREAS I find and declare that the entry during the period ending August 31, 1973, of an additional quantity of 80,000,000 pounds of nonfat dry milk will not render or tend to render ineffective, or materially interfere with, the price support program which is being undertaken by the Department of Agriculture for milk and will not reduce substantially the amount of products processed in the United States from domestic milk; and that a condition exists which requires emergency treatment and that the quantitative limitation imposed on nonfat dry milk should be increased during such period without awaiting the recommendations of the United States Tariff Commission with respect to such action;

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that subdivision (vi) of headnote 3(a) of part 3 of the Appendix to the Tariff Schedules of the United States is amended to read as follows:

64 Stat. 261; 65 Stat. 75. 7 USC 624. 76 Stat. 72. 19 USC prec. 1202 note. *Ante*, p. 1149; *Post*, p. 1242.

(vi) Notwithstanding any other provision of this part, 25,000,000 pounds of dried milk described in item 115.50 may be entered during the period beginning December 30, 1972, and ending February 15, 1973, 60,000,000 pounds of such milk may be entered during the period beginning May 11, 1973, and ending June 30, 1973, and 80,000,000 pounds of such milk may be entered during the period beginning July 19, 1973, and ending August 31, 1973, in addition to the annual quota quantity specified for such article under item 950.02, and import licenses shall not be required for entering such additional quantities. No individual, partnership, firm, corporation, association, or other legal entity (including its affiliates or subsidiaries) may during each such period enter pursuant to this provision quantities of such additional dried milk totaling in excess of 2,500,000 pounds.

77A Stat. 27. 19 USC 1202.

77A Stat. 442.

The 80,000,000 pound additional quota quantity provided for herein shall continue in effect pending Presidential action upon receipt of the report and recommendations of the Tariff Commission with respect thereto.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of July in the year of our Lord nineteen hundred seventy-

three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4231

Columbus Day, 1973

By the President of the United States of America

August 14, 1973

A Proclamation

The pages of history teach us that it is the extraordinary man who has shaped our past and thus determined much of what we are today. Such a man was Christopher Columbus, son of Italy and explorer of the New World.

Columbus launched the great age of discovery in the Americas. For five centuries, the spirit of discovery has continued to flourish here. On this Columbus Day, we can usefully reflect on the many ways in which that spirit still lives on, not only in our efforts to expand our physical horizons but in everything we do which helps us broaden our understanding of our world and of ourselves.

In recognizing our debt to the great navigator, we are mindful that his most enduring legacies to us are those qualities of vision, faith, and boldness without which progress can never take place. His determination to seek the truth against great odds continues to inspire our efforts to achieve a better and more peaceful world.

In tribute to the achievement of Columbus, the Congress of the United States, by joint resolution approved April 30, 1934 (48 Stat. 657), as modified by the act of June 28, 1968 (82 Stat. 250), requested the President to proclaim the second Monday in October of each year as Columbus Day.

36 USC 146.
5 USC 6103.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate Monday, October 8, 1973, as Columbus Day. I invite the people of this Nation to observe that day in schools, churches, and other suitable places with appropriate ceremonies in honor of the great explorer. I also direct that the flag of the

United States be displayed on all public buildings on the appointed day in memory of Christopher Columbus.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of August, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred and ninety-eighth.



PROCLAMATION 4232

General Pulaski's Memorial Day

August 14, 1973

By the President of the United States of America

A Proclamation

On the eleventh day of October, 1973, the people of the United States will honor the 194th anniversary of the death of Casimir Pulaski, a dedicated patriot who fought selflessly and courageously for the cause of freedom both in Poland and America. It was on October 11, 1779 that Pulaski gave his life for the infant American nation, dying in an attempt to free the city of Savannah, Georgia.

Today, in remembrance of his heroic sacrifice, we pay grateful tribute to Casimir Pulaski. As we do, we also pay tribute to all other Americans of Polish ancestry who have contributed to the greatness of America. Their energies and their devotion have been instrumental in the building of our country from our earliest years down to the present day.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate Thursday, October 11, 1973, as General Pulaski's Memorial Day, and I direct the appropriate officials to display the United States flag on that day on all Government buildings.

I also invite the people of America to set aside this day for appropriate ceremonies in honor of the memory of General Casimir Pulaski and his dedication to the defense of liberty.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of August, in the year of our Lord nineteen hundred seventy-

three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4233

Leif Erikson Day, 1973

By the President of the United States of America

August 15, 1973

A Proclamation

Leif Erikson first established ties between the Nordic countries and the New World when he and his companion Norse explorers landed on the North American continent in the 11th century. Their success in the face of formidable odds provides a memorable example of how vision and faith and courage can achieve even the most elusive goals.

From Leif Erikson's day to ours, the Nordic culture has been a major influence in shaping the American character. As we honor his memory, we also honor the contributions of those who followed later in the path that he first traveled.

It is with these thoughts in mind that I happily comply with the request of the Congress of the United States, in a joint resolution approved September 2, 1964 (78 Stat. 849), that the President proclaim October 9 in each year as Leif Erikson Day.

36 USC 169c.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate Tuesday, October 9, 1973, as Leif Erikson Day; and I direct the appropriate Government officials to display the flag of the United States on all Government buildings that day.

I also invite the people of the United States to honor the memory of Leif Erikson on that day by holding appropriate exercises and ceremonies in suitable places across our land.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of August, in the year of our Lord nineteen hundred seventy-three,

and of the Independence of the United States of America the one hundred and ninety-eighth.



PROCLAMATION 4234

National Legal Secretaries' Court Observance Week

August 16, 1973

By the President of the United States of America

A Proclamation

When we think of our American judicial system we think most often of the judges, lawyers, court reporters, juries, clients, law enforcement officers and others who are a part of the courtroom scene. But often we fail to give proper recognition to the legal secretaries who make it possible for our judicial system to function effectively.

Highly trained and highly skilled legal secretaries make an indispensable contribution to the administration of justice in America. Because they work behind the scenes, however, many of these individuals have little opportunity for exposure to actual courtroom proceedings. Many believe that courtroom exposure of this type would enrich their understanding of their work.

To emphasize the desirability of courtroom experience for legal secretaries, the Congress has enacted House Joint Resolution 466, the 93rd Congress, which authorizes and requests the President to proclaim the second full week in October of this year as National Legal Secretaries' Court Observance Week.

Ante, p. 349.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning October 14, 1973, as National Legal Secretaries' Court Observance Week. I call upon the people of the United States, particularly the legal community, to observe that week with appropriate activities.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of August, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4235

National Next Door Neighbor Day, 1973

By the President of the United States of America

August 16, 1973

A Proclamation

In recent years, our growing ability to travel and communicate across great distances has caused some loosening in those bonds of neighborhood and community which have always been fundamental to the fabric of American life. These ties have not snapped, however; they still exist. And we can contribute a great deal to the quality of our existence and to the vitality of our society by doing all we can to revive and strengthen the place of neighborliness in our daily lives.

We cannot expect to have good neighbors, however, unless we are ready to be good neighbors, to go out of our way to extend friendship and support to those who live near us. Each of us, after all, is our neighbor's neighbor—and the responsibility for building a happier, livelier, fuller life in each of our communities must rest, in the end, with each of us.

It was with these important thoughts in mind that the Congress enacted Senate Joint Resolution 25, 93rd Congress, which authorizes and requests the President to issue a proclamation designating the fourth Sunday of September, 1973, as National Next Door Neighbor Day.

Ante, p. 349.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the fourth Sunday of September, 1973, as National Next Door Neighbor Day, and do call upon the people of the United States and interested groups and organizations to observe that day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of August, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred and ninety-eighth.



PROCLAMATION 4236

Women's Equality Day

August 16, 1973

By the President of the United States of America

A Proclamation

USC prec. title 1.

Fifty-three years ago, on August 26, 1920, the Nineteenth Amendment was certified as part of our Constitution, assuring that "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex."

The struggle for women's suffrage, however, was only the first step toward full and equal participation of women in our Nation's life. In recent years, we have made other giant strides by attacking sex discrimination through our laws and by paving new avenues to equal economic opportunity for women. Today, in virtually every sector of our society, women are making important contributions to the quality of American life.

And yet, much still remains to be done. American women, though they represent a majority of our population, still suffer from myriad forms of discrimination.

In the pursuit of equal rights for women, the Federal Government must take the lead and set the example. As I reminded the heads of executive departments and agencies in 1971, American women represent an important reservoir of ability and dedication which Government must draw upon to a greater degree. I therefore directed at that time that the Government demonstrate its recognition of the equality of women by making greater use of their skills.

86 Stat. 103. 42 USC 2000e note.

Last year, with the enactment of the Equal Employment Opportunity Act of 1972, a strong new statutory base was provided for furthering equal opportunity for women in the Federal Government. With the help of this new tool, Federal agencies are now carrying out affirmative action plans to guarantee full opportunity for the advancement of women in accordance with their abilities. During the past two years, the number

of women in the middle and higher grade levels of Government employment has significantly increased. And we are determined to do better still.

While we are making great strides to eliminate outright job discrimination because of sex in the Federal Government, we must recognize that people's attitudes cannot be changed by laws alone. There still exist elusive prejudices born of mores and customs that stand in the way of progress for women. We must do all that we can to overcome these barriers against what is fair and right.

Because I firmly believe that women should not be denied equal protection of the laws of this Nation and equal opportunity to participate fully in our national life, I reaffirm again my support for the Equal Rights Amendment to the Constitution. This amendment can represent a giant step forward in achieving full equality of opportunity for all Americans as we approach the 200th birthday of our Nation. I hope it will be speedily ratified. 86 Stat. 1523.

The Congress has, by House Joint Resolution 52, 93rd Congress, designated August 26, 1973, as Women's Equality Day, and authorized and requested the President to issue a proclamation in commemoration of that day in 1920 on which women of America were first guaranteed the right to vote. *Ante*, p. 350.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby call upon the people of the United States and interested groups and organizations to observe August 26, 1973, as Women's Equality Day with appropriate ceremonies and activities. I further urge all our people to use this occasion to reflect on the importance of achieving equal rights and opportunities for women and to dedicate themselves anew to that great goal. For the cause of equal rights and opportunities for women is inseparable from the cause of human dignity and equal justice for all.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of August, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred and ninety-eighth.

Richard Nixon

PROCLAMATION 4237

Citizenship Day and Constitution Week

August 23, 1973

By the President of the United States of America

A Proclamation

For nearly two centuries, generations of Americans have cherished the blessing of self-government under the Constitution of the United States—that great charter which William Gladstone called "the most wonderful work ever struck off at a given time by the brain and purpose of man."

1 USC prec. title 1.

Borrowing what seemed best from other representative democracies and devising other elements out of their own genius, the framers of our Constitution erected the balanced and durable system that has weathered so many national crises so well over the decades since. The wise principles they built on—including a federal union of States, a bill of individual rights, and a division of powers among three coequal and independent branches of government—remain as vital today as they were in 1787 for the vigorous pursuit of public purposes and the restraint of arbitrary rule.

Experience has also taught us that constitutional government and democratic citizenship must go hand in hand, for only an informed and active citizenry can breathe life into the institutions of government. It is fitting, then, that the Congress by joint resolutions of February 29, 1952, and August 2, 1956, has ordained that we honor the two together each September, by observing the anniversary of the signing of the Constitution as Citizenship Day and the week following that day as Constitution Week.

66 Stat. 9.
36 USC 153.
70 Stat. 932.
36 USC 159.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, call upon appropriate Government officials to display the flag of the United States on all Government buildings on Citizenship Day, September 17, 1973. I urge Federal, State, and local officials, as well as leaders of civic, educational and religious organizations to conduct appropriate ceremonies and programs on that day.

I also designate as Constitution Week the period beginning September 17 and ending September 23, 1973. I urge all Americans to observe the week with such commemorative and educational activities as may

foster a better understanding of, and deeper reverence for, the Constitution of the United States. USC prec. title 1.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of August, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4238

Amending Part 3 of The Appendix to The Tariff Schedules of The United States With Respect to The Importation of Agricultural Commodities

By the President of the United States of America

August 28, 1973

A Proclamation

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), limitations have been imposed by Presidential proclamations on the quantities of certain dairy products which may be imported into the United States in any quota year; and 64 Stat. 261; 65 Stat. 75.

WHEREAS, the import restrictions proclaimed pursuant to said section 22 are set forth in part 3 of the Appendix to the Tariff Schedules of the United States; and 77A Stat. 441. 19 USC 1202.

WHEREAS, the Secretary of Agriculture has reported to me that he believes that additional quantities of dried milk provided for in item 950.02 of the Tariff Schedules of the United States (hereinafter referred to as "nonfat dry milk") may be entered for a temporary period without rendering or tending to render ineffective, or materially interfering with, the price support program now conducted by the Department of Agriculture for milk or reducing substantially the amount of products processed in the United States from domestic milk; and 77A Stat. 442.

WHEREAS, under the authority of section 22, I have requested the United States Tariff Commission to make an investigation with respect to this matter; and

WHEREAS, the Secretary of Agriculture has determined and reported to me that a condition exists with respect to nonfat dry milk which requires emergency treatment and that the quantitative limitation imposed on nonfat dry milk should be increased during the period ending October 31, 1973, without awaiting the recommendations of the United States Tariff Commission with respect to such action; and

WHEREAS, I find and declare that the entry during the period ending October 31, 1973, of an additional quantity of 100,000,000 pounds of nonfat dry milk will not render or tend to render ineffective, or materially interfere with, the price support program which is being undertaken by the Department of Agriculture for milk and will not reduce substantially the amount of products processed in the United States from domestic milk; and that a condition exists which requires emergency treatment and that the quantitative limitation imposed on nonfat dry milk should be increased during such period without awaiting the recommendations of the United States Tariff Commission with respect to such action;

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that subdivision (vi) of headnote 3(a) of part 3 of the Appendix to the Tariff Schedules of the United States is amended to read as follows:

64 Stat. 261; 65 Stat. 75. 7 USC 624. 76 Stat. 72. 19 USC prec. 1202 note. *Ante*, p. 1149.

77A Stat. 27. 19 USC 1202.

(vi) Notwithstanding any other provision of this part, 25,000,000 pounds of dried milk described in item 115.50 may be entered during the period beginning December 30, 1972, and ending February 15, 1973, 60,000,000 pounds of such milk may be entered during the period beginning May 11, 1973, and ending June 30, 1973, 80,000,000 pounds of such milk may be entered during the period beginning July 19, 1973, and ending August 31, 1973, and 100,000,000 pounds of such milk may be entered during the period beginning the day after the date of issuance of this proclamation and ending October 31, 1973, in addition to the annual quota quantity specified for such article under item 950.02, and import licenses shall not be required for entering such additional quantities. No individual, partnership, firm, corporation, association, or other legal entity (including its affiliates or subsidiaries) may during each such period enter pursuant to this provision quantities of such additional dried milk totaling in excess of 2,500,000 pounds. The 100,000,000 pound additional quota quantity authorized to be entered during the period ending October 31, 1973, shall be allocated among supplying countries as follows:

77A Stat. 442.

Supplying Country	*Quantity in Pounds*
Australia	25,000,000
New Zealand	25,000,000
Canada	10,000,000
Member States of the European Economic Community	40,000,000

The 100,000,000 pound additional quota quantity provided for herein shall continue in effect pending Presidential action upon receipt of the report and recommendations of the Tariff Commission with respect thereto.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of August, in the year of our Lord nineteen hundred seventy-

three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4239

National Highway Week, 1973

By the President of the United States of America

September 4, 1973

A Proclamation

Since the United States was established, nearly two centuries ago, highways have been our Nation's lifelines.

In our early days, the roads—crude as they were—enabled our Nation to expand until the Atlantic was linked to the Pacific. Roads symbolized the adventurous spirit of our ancestors as wagon trains rolled ever westward into new sections of our country.

And as the highway system expanded, so, too, did our Nation's economy.

Today, highways are a vital connecting link in America's balanced transportation system. They are essential to the achievement of our economic and social goals. And they continue to manifest the American spirit of independence, enabling us to come and go when and where we please.

At the same time, highway transportation poses new challenges today that can be met only by determined and imaginative effort.

We must work to enhance the efficiency of all transportation so that we can better conserve our fuel supplies and reduce urban congestion. I urge all Americans to join in this effort, to make use of public transportation and carpools wherever possible, and to otherwise save motor fuel.

We must harmonize highway transportation with our environment so that we can more fully enjoy the blessings of nature and the works of man.

All of us must do our very best to prevent highway accidents, reducing the unacceptable price we pay each day in death and suffering on our roadways.

The Federal-Aid Highway Act of 1973, which I recently signed into law, will provide a major tool in meeting these challenges by giving State

Ante, p. 250.

and local officials a broader range of alternative solutions as they address their transportation requirements.

Only by meeting these challenges today can we continue to enjoy the full benefits of our highway system tomorrow.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the week beginning September 23, 1973, as National Highway Week. I urge Federal, State, and local government officials, as well as highway industry and other organizations, to hold appropriate observances during that week, recognizing the benefits which highway transportation has provided for our country in the past and reflecting on how we can best continue to realize those benefits in the future.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of September, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninty-eighth.



PROCLAMATION 4240

United Nations Day, 1973

September 4, 1973

By the President of the United States of America

A Proclamation

59 Stat. 1031.

Each year the peoples of the world celebrate October 24 as United Nations Day, recalling the date in 1945 when the United Nations Charter came into force. This is an appropriate occasion for people everywhere to renew their adherence to the Charter ideals of peace and human rights, and their determination to promote economic and social progress and a greater measure of justice and freedom for all.

This year the anniversary occurs at a time of dramatic change in world affairs. We sense the promise of a more peaceful world and the opportunity for new strides in international cooperation.

As the world climate improves, the prospects will grow for using the United Nations to alleviate political disputes and for broadening its constructive activity in the social, economic and technological fields.

In some areas, international cooperation is already a longstanding tradition—moving the international mails, regulating international

communications and transportation, preventing the worldwide spread of disease, developing international standards of practice in labor, and many others.

More recently, the United Nations and other international agencies have begun to work in other areas—devising safeguards, for example, for the production of nuclear energy and rules concerning man's use of outer space; extending the rule of law over the exploitation of the oceans; protecting the environment; protecting the rights of refugees and prisoners of war; and inhibiting the international traffic in narcotic drugs. Efforts are also underway to cope with the problems of population growth and with the hijacking of aircraft and other forms of international terrorism.

In the years ahead the growing interdependence of nations will inevitably require international institutions to be even more effective in dealing with this new agenda. We need to create new arrangements to control new technologies for the common good. We must bridge the interests of rich and poor countries on matters of trade and aid. We must facilitate the exchange of technical and scientific knowledge and encourage modes of cooperative behavior which will permit nations to live together in concord.

Within this framework I hope all Americans will continue to appreciate and analyze, soberly and realistically, the benefits they and all peoples gain from international cooperation—within the United Nations and other institutions—to meet the challenges of the modern world.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate Wednesday, October 24, 1973, as United Nations Day. I urge the citizens of this Nation to observe that day with community programs which will promote understanding and support for the United Nations and its affiliated agencies.

I have appointed Donald S. MacNaughton to be United States National Chairman for United Nations Day and, through him, I call upon State and local officials to encourage citizens' groups and agencies of communication—press, radio, television, and motion pictures—to engage in appropriate observances of United Nations Day in cooperation with the United Nations Association of the United States of America and other interested organizations.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of September, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred and ninety-eighth.



PROCLAMATION 4241

National Hispanic Heritage Week, 1973

September 7, 1973

By the President of the United States of America

A Proclamation

As America's bicentennial celebration draws near, it is particularly fitting that we pay tribute to the different ethnic groups that have worked together to build our Nation. Americans of Hispanic origin have played an instrumental role in our country's history since the days when America was first opened by European explorers, and the lives of all Americans have been enriched by the lasting and diverse contributions of Hispanic culture.

In the fields as varied as music, architecture, language, education, politics, medicine, literature, industry and religion, Hispanic Americans have contributed wisdom, beauty and spiritual strength. American life today would be infinitely poorer without these contributions. With them, Americans continue to work toward the realization of a dream that is as old as the earliest Spanish explorers—the dream of a new world on a new Continent—a world in which men can reach new heights of freedom and achievement.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the week beginning September 10, 1973, and ending September 16, 1973, as National Hispanic Heritage Week. I call upon all Americans, particularly those in the field of education, to observe that week with appropriate ceremonies and activities, and I urge all Americans to extend a cordial welcome to the recently arrived immigrants and visitors among us who represent the rich heritage of Hispanic lands.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of September, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4242

National Hunting and Fishing Day

By the President of the United States of America

September 14, 1973

A Proclamation

Hunting and fishing appeal to many Americans.

They provide an opportunity for our people to be outdoors, to travel, and to enjoy the blessings of nature. The result is that both the cause of conservation and the spirit of man are benefitted. Through the purchase of licenses and permits, the payment of excise taxes on hunting and fishing equipment, and voluntary contributions, the hunter or fisherman plays a vital role in the betterment of the Nation's wildlife resources and in support of hunting and boating safety programs.

The American people have been coming to realize in recent years that the environment of man is one with the environment of fish and wildlife—that which harms one harms the other. This is a truth which has always been understood by the Nation's sportsmen. They have long been active in the effort to protect and renew our environment and we will continue to look to them for leadership in this vital area.

In recognition of the many worthwhile contributions of the American hunter and angler, the Congress, by House Joint Resolution 210, has requested the President to declare the fourth Saturday of September, 1973 as National Hunting and Fishing Day.

Ante, p. 24.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate Saturday, September 22, 1973, as National Hunting and Fishing Day.

I urge all our citizens to join with outdoor sportsmen in the wise use of our natural resources and in insuring their proper management for the benefit of future generations.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of September, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4243

Fire Prevention Week, 1973

September 14, 1973

By the President of the United States of America

A Proclamation

Scarcely a day passes that we do not read of a tragic fire which has destroyed life or property somewhere in our land. Each year more than 12,000 lives are lost from fires in America and an additional 300,000 people suffer serious injury. Fires also cause a staggering loss in terms of property damage. Each year the cost in property destroyed by fires in this country is more than $3 billion while another $8 billion is spent on additional fire costs.

While this needless waste cannot be halted completely, we know that active fire prevention can do much to reduce these terrible misfortunes. Two years ago, I appointed a National Commission on Fire Prevention and Control which has since reported its findings concerning our Nation's fire problem. The Commission's strong emphasis on fire prevention is persuasive and sensible. It encourages us to place a greater priority on the work of preventing fires before they start rather than simply working to put them out after they begin.

Accidents are often acts beyond our control, but careless accidents can be prevented. Every American must recognize his or her responsibility to make fire prevention an effective national commitment.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning October 7, 1973, as Fire Prevention Week.

I urge all our citizens to involve themselves personally in fire prevention activities in their own communities, working with local fire departments and local governments as well as with the National Fire Protection Association. I also request all Federal agencies, in cooperation with the Federal Fire Council, to conduct effective year-round fire prevention programs in order to help reduce the terrible loss of life and property from fires.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of September, in the year of our Lord nineteen hundred

seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4244

Child Health Day, 1973

By the President of the United States of America

September 17, 1973

A Proclamation

There are few things in life more delightful than the sight of healthy children—enjoying their youth and looking forward to a long and fulfilling life. One of our most important national responsibilities is the assurance of full and healthy development for the children of America.

Parents, of course, have the primary responsibility for the health of their children and the home is the greatest single influence on child development. But the responsibility for child health is also shared by a wide range of the institutions which help meet children's needs. In a sense, almost everything we do as a people to foster better social, economic and environmental conditions can have an impact for good on the health of the American child.

Each year since 1928, we have set aside one day as Child Health Day to recognize the enormity of our individual and national responsibility and to reaffirm our commitment to child health.

By joint resolution of May 18, 1928, as amended (36 U.S.C. 143), the Congress requested the President to issue annually a proclamation declaring the first Monday in October as Child Health Day.

45 Stat. 617; 73 Stat. 627.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim Monday, October 1, 1973, as Child Health Day. I invite all citizens, agencies and organizations concerned with child health to join in such activities as will help alert all Americans to the vital importance of improving child health.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of September, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



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PROCLAMATION 4245

National Employ the Handicapped Week, 1973

September 18, 1973

By the President of the United States of America

A Proclamation

This country was founded upon a promise made to all of its people: that our government would work to assure every citizen a fair and equal start in the race of life. Implicit in this promise is the concept that a person has a right to compete for any job he is able to perform.

This promise has been kept for a great many of our people, but not for all. Too many handicapped persons—particularly young disabled veterans—are unable to find work.

Perhaps the greatest difficulty a handicapped person faces is not his own disability, but rather the attitudes of society concerning that disability. Yet handicapped people are able to perform a wide range of jobs with great skill and efficiency. The employer who hires the handicapped is not only helping them; he is also helping himself and his country.

Let us all work therefore to make good on the promise America has always held out to its people—allowing each person who is willing to work and who is qualified to work a fair chance to work.

59 Stat. 530; 84 Stat. 914.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, in accordance with a joint resolution of the Congress approved August 11, 1945, as amended (36 U.S.C. 155), do hereby proclaim the week of October 7, 1973, as National Employ the Handicapped Week.

I urge the Nation's Governors, mayors, and all other public officials, as well as leaders in every area of American life, to join with the handicapped themselves in making this observance a time of new awakening in our country to the value and the importance of employing handicapped men and women.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of September, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4246

Johnny Horizon '76 Clean Up America Month

By the President of the United States of America

September 19, 1973

A Proclamation

While the Federal Government pursues its national responsibility to prevent pollution of our air, water and land resources, no contribution to a better environment can match the exercise of individual responsibility. We must recognize that environmental improvement and protection require the commitment and positive action of each and every American.

We can have clean air, clean water, beautiful, open forests and shores, but all these will not improve our environment if our immediate surroundings are cluttered and degraded. Our most precious environment is the area in which we live—our city streets and rural towns. Environmental awareness goes far beyond the improvement of what we commonly refer to as our natural resources.

The spirit with which we work to enhance our lives must be one of: "I'll help, too." To dramatize this spirit, the Congress has by House Joint Resolution 695, 93rd Congress, designated the period of September 15 to October 15, 1973 as "Johnny Horizon '76 Clean Up America Month" and requested the President to issue a proclamation calling for observance of this month.

Ante, p. 351.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim "Clean Up America Month," and ask our Nation's attention to the Johnny Horizon '76 environmental awareness and action program for America's 200th birthday and related Bicentennial activities. I urge representatives of business, industry, labor, government, civic groups and other citizens to join

together to demonstrate the significant results that can be realized when Americans translate their concerns into affirmative action. I further urge neighborhood and community cleanups, beautification programs, resource recovery and education programs, anti-litter campaigns, energy and wildlife conservation efforts and other worthwhile activities.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of September, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4247

Country Music Month, October 1973

September 29, 1973

By the President of the United States of America

A Proclamation

We do not truly know America until, in Whitman's phrase, we "hear America singing"—singing not only the songs of concert stage and night-club, choir loft and schoolroom, but also the earthy, emotion-packed melodies and lyrics that have come to be called "country."

At one time, that particularly rich and honest strain in the American musical tradition was largely confined to the geographic areas its name implies: the countryside and Western ranges of America's heartland. But half a century ago, in 1923, Fiddlin' John Carson broke through with the first widely popular country music recording, and since then records and the broadcast airwaves have been winning new audiences for country and Western music all over America and around the world—so that now the term describes not just a locale but a state of mind and style of taste, as much beloved downtown as on the farm.

Today, no matter where men and women happen to live, country music may be one of the truest voices speaking to and for them. All of us can better understand our Nation's head and heart by listening to "hear America singing" in that voice.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, ask Americans to mark the month of October, 1973, with suitable observances as Country Music Month.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of September, in the year of our Lord nineteen hundred and seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4248

National Day of Prayer, 1973

By the President of the United States of America

October 5, 1973

A Proclamation

America is a nation under God. This is not a consequence of legislative mandate, but of the spiritual commitment of a people. Throughout our history, we have turned to God for guidance, for sustenance, and in gratitude for the blessings of freedom.

When our forbears stood on the rocks at Plymouth, they turned to God in prayer.

When our Founding Fathers created a nation nearly two hundred years ago, they asked God's blessing upon their endeavor.

When those who shaped our form of government met in 1787, they sought God's assistance.

When our Nation threatened to tear itself apart a little over a hundred years ago, Abraham Lincoln turned to God for the understanding to keep us together.

We do not assume God's favor, but we seek it. We do not suppose that our way is God's way, but we pray for the wisdom to understand God's way, and the grace to let it be our own. For we know that neither wealth, nor wisdom, nor strength of arms can sustain a nation's greatness, except that God look with favor on the purposes of that nation and its people.

The challenges of our future are no less grave than those faced and met by the men and women to whose faith we are indebted for the constantly recurring miracle of America. As we act to meet the challenges of the American future, let us do so with the same profound faith in

the God of our fathers, mindful of the words of the Psalms: "Blessed is the nation whose God is the Lord; and the people whom He hath chosen for His own inheritance."

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim Wednesday, October 17, as National Day of Prayer, 1973. I ask that on this day the people of the United States join in reaffirming our dependence on God's grace, beseeching His blessings on our endeavors and His guidance in the search for peace, reconciliation, and goodwill among all people.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of October, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America, the one hundred and ninety-eighth.

Richard Nixon

PROCLAMATION 4249

Veterans Day, 1973

October 5, 1973

By the President of the United States of America

A Proclamation

As America enjoys the blessings of peace for the first time in more than a dozen years, it is appropriate that we should pay special honor to those whose service helped us to achieve it.

We salute our veterans on a day of their own each year, a day on which we express our pride in them and our awareness of a debt to them which can never fully be repaid.

At no period in our history has there been more reason to call the Nation's attention to the achievements of its veterans than today. Never before has peace been more welcome nor prospects for its permanence more substantial.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby call on all Americans to join in observing Monday, October 22, 1973, as Veterans Day. I urge both public ceremony and private contemplation in recognition of the precious gifts of freedom and security that are ours because those we honor have stood in our defense.

Let us give special consideration on that day to those who have died in our Nation's wars and those who have been disabled. Let this be a day of remembrance for those veterans who are in our hospitals, a day on which our appreciation is expressed tangibly by our visits and our attention.

Further, let this be a day on which all Americans take special cognizance of the needs of those young veterans who are currently readjusting to civilian life; let us give them personal help and encouragement.

I direct the appropriate officials of Government to arrange for the display of the flag of the United States on this day. I request officials of Federal, State and local governments to support its observance and I urge schools, churches, unions, civic and patriotic organizations to participate in appropriate public ceremonies throughout the Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of October, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.

Richard Nixon

PROCLAMATION 4250

National School Lunch Week, 1973

By the President of the United States of America

October 12, 1973

A Proclamation

The National School Lunch Program—now in its twenty-seventh year—works to ensure nutritious and well-balanced meals to young people in our country. Since its inception, the National School Lunch Program, in close partnership with State and local communities, has provided food, funds, and technical assistance in a comprehensive program of child nutrition.

Today, more than 25 million youngsters participate in the program daily. In recent years, a determined and consistent effort has been made to extend the program's benefits to schools that do not have lunch or other food programs for their students.

Because of the special need for good nutrition among high school students and the challenge of achieving their full participation in the program, innovative efforts to make the program more relevant to the needs and experience of today's high school students are now under way.

76 Stat. 779.
36 USC 168.

By a joint resolution approved on October 9, 1962, the Congress designated the week beginning on the second Sunday of October in each year as National School Lunch Week, and requested the President to issue annually a proclamation calling for observance of that week.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby urge the people of the United States to observe the week of October 14, 1973, as National School Lunch Week and to give special and deserved recognition to the role of good nutrition in building a strong America through strong American youth.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of October, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4251

Drug Abuse Prevention Week, 1973

October 17, 1973

By the President of the United States of America

A Proclamation

No problem faced by America is more insidious than the problem of drug abuse. It strikes at the heart of our national well-being, destroying lives, breeding crime, dividing families, and shredding the fabric of mutual trust and concern which is the hallmark of a decent society.

In the past four years, I have given the highest priority to the work of eliminating this danger to our Nation. That effort is now bearing fruit.

Improved law enforcement is reducing illicit narcotics supplies. International cooperation has increased the number of seizures of heroin, opium, and other narcotics. Arrests of drug traffickers and pushers are rising, while drug-related crimes in our major cities have begun to decline. Increased resources for the rehabilitation of addicts have resulted in a decrease in narcotics-related deaths. New treatment facilities are providing for addicts an avenue of escape from the tyranny of drugs.

These indices of progress are heartening, for they demonstrate that we can eliminate drug abuse as America's public enemy number one and that we are on the way to meeting that objective.

But our recent success should not cause us to slacken on our pace in this battle. Rather, it should inspire us to redouble our efforts with a view to achieving final victory.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week of October 21–27, 1973, as Drug Abuse Prevention Week.

Drug Abuse Prevention Week this year will provide the fourth annual observance of our national commitment to remove drug abuse as a threat to our national life. As the family is the keystone of American life, the theme of Drug Abuse Prevention Week 1973 will be *The American Family—A Response to Drug Abuse*. I hope that our people will give particular emphasis at this time to the role of the family in strengthening our Nation's moral fiber. And let us remember, too, that lasting success in the battle against drug abuse will come only if all members of our national family work closely together in this historic struggle.

I call upon officials at every level of government, upon educators, medical professionals, and communicators, upon the business community and the civic groups of our Nation, upon the churches and the clergy, and upon all who bear the special trusts of parenthood and care of the young, to rededicate themselves during this week to the total banishment of drug abuse from American life.

I again urge every American to commit himself wholeheartedly, beginning now, to this supremely important humanitarian cause.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of October, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.

Richard Nixon

PROCLAMATION 4252

National Forest Products Week, 1973

By the President of the United States of America

October 18, 1973

A Proclamation

As a Nation, we have grown increasingly dependent upon the resources of our forest lands, especially wood and wood products. As the 1970's have brought record worldwide demands for housing, pulp, paper,

building materials, and furniture, Americans have become more keenly aware of the need for careful management and development of our timber resources so as to ensure a continuous supply of timber and other forest products. As Theodore Roosevelt put it many years ago, forest protection does not limit our resources but "on the contrary, gives the assurance of larger and more certain supplies."

We have also come to recognize the importance of the forest products industry to the vitality of the Nation's economy and the maintenance of our high standard of living. For example, the thousands of products that are manufactured from wood each year represent one-fifth of the industrial raw materials in the Nation. Forest products industries provide five percent of the Nation's employment, and five percent of our gross national product originates in timber based activities.

Projections for future demands of wood and wood products, both at home and abroad, indicate that consumers will want and need even more forest products in the 1980's and beyond. This means that we must give even greater attention to the protection and renewal of our forest resources. We must find better and more efficient ways to use our timber supply, ways which are consistent with our environmental values. And we must improve the technology for reclaiming and recycling forest products.

In order to give further recognition and emphasis to the importance of forest resources and forest products to the Nation, the Congress has by joint resolution of September 13, 1960 (74 Stat. 898) designated the seven-day period beginning on the third Sunday of October in each year as National Forest Products Week and has requested the President to issue an annual proclamation calling for the observance of that week.

36 USC 163.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby call upon the people of the United States to observe the week beginning October 21, 1973, as National Forest Products Week. I ask that public attention be directed through appropriate activities and ceremonies to the importance of forest products in American life and to the responsibility we have for protecting and using them in the most intelligent manner possible.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of October, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4253

Proclamation Amending Part 3 of the Appendix to the Tariff Schedules of the United States with Respect to the Importation of Agricultural Commodities

By the President of the United States of America

October 31, 1973

A Proclamation

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), limitations have been imposed by Presidential proclamations on the quantities of certain dairy products which may be imported into the United States in any quota year; and

64 Stat. 261; 65 Stat. 75.

WHEREAS the import restrictions proclaimed pursuant to said section 22 are set forth in part 3 of the Appendix to the Tariff Schedules of the United States; and

77A Stat. 441. 19 USC 1202.

WHEREAS the Secretary of Agriculture has reported to me that he believes that additional quantities of butter, butter substitutes containing butterfat and butter oil provided for in items 950.05 and 950.06 of part 3 of the Appendix to the Tariff Schedules of the United States (TSUS) may be entered for a temporary period without rendering or tending to render ineffective, or materially interfering with, the price support program now conducted by the Department of Agriculture for milk or reducing substantially the amount of products processed in the United States from domestic milk; and

77A Stat. 442; 77 Stat. 1028. 19 USC 1202.

WHEREAS, under the authority of section 22, I have requested the United States Tariff Commission to make an investigation with respect to this matter; and

WHEREAS the Secretary of Agriculture has determined and reported to me that a condition exists with respect to such articles provided

77A Stat. 442; 77 Stat. 1028. 19 USC 1202.

for in items 950.05 and 950.06 of the TSUS which requires emergency treatment and that the quantitative limitation imposed on such articles should be increased during the period ending December 31, 1973, without awaiting the recommendations of the United States Tariff Commission with respect to such action; and

77A Stat. 442. 19 USC 1202. 77 Stat. 1028.

WHEREAS I find and declare that the entry during the period ending December 31, 1973, of additional quantities of 56,000,000 pounds of the articles provided for in item 950.05 of the TSUS and 22,600,000 pounds of the articles provided for in item 950.06 of the TSUS will not render or tend to render ineffective, or materially interfere with, the price support program which is being undertaken by the Department of Agriculture for milk and will not reduce substantially the amount of products processed in the United States from domestic milk; and that a condition exists which requires emergency treatment and that the quantitative limitations imposed on such articles should be increased during such period without awaiting the recommendations of the United States Tariff Commission with respect to such action;

64 Stat. 261; 65 Stat. 75. 7 USC 624. 76 Stat. 72. 19 USC prec. 1202 note. *Ante*, pp. 1149, 1242.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that headnote 3(a) of part 3 of the Appendix to the Tariff Schedules of the United States is temporarily amended by adding a new subdivision as follows:

(viii) Notwithstanding any other provision of this part, 56,000,000 pounds of the articles described in item 950.05 and 22,600,000 pounds of the articles described in item 950.06 may be entered during the period beginning November 1, 1973, and ending December 31, 1973, in addition to the annual quota quantities specified for such articles under items 950.05 and 950.06, and import licenses shall not be required for entering such additional quantities. No individual, partnership, firm, corporation, association, or other legal entity (including its affiliates or subsidiaries) may during such period enter pursuant to this provision an aggregate quantity of such additional articles in excess of 2,500,000 pounds. The 56,000,000 pounds of the articles described in item 950.05 shall be allocated among supplying countries as follows:

Supplying Country	*Quantity in pounds*
New Zealand	28,560,000
Member States of the European Economic Community	24,640,000
Other Countries as follows:	
Argentina, Australia, Canada, Norway, Sweden, and Switzerland	2,800,000

The additional quota quantities provided for herein shall continue in effect pending Presidential action upon receipt of the report and recommendations of the Tariff Commission with respect thereto.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October in the year of our Lord nineteen hundred and seventy-three, and of the Independence of the United States of America the one hundred and ninety-eighth.



PROCLAMATION 4254

National Farm-City Week, 1973

By the President of the United States of America

November 12, 1973

A Proclamation

Never before in history has so much of the world looked to the American farmer for its food supply. The ability of less than 3 million farmers to keep Americans the best-fed people in the world, while simultaneously meeting the demands of countless millions overseas, is one of our Nation's greatest success stories. This success has contributed significantly not only to our own economic well-being but also to the peace and progress of all mankind.

A strong bond of interdependence links America's farms to America's cities. We should do everything we can to strengthen that bond. People in rural areas and people in urban areas must become increasingly aware of the needs and aspirations of those who live elsewhere, for neither group can prosper without the other. National Farm-City Week is an excellent vehicle for advancing this purpose.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the period of November 16 through November 22 as National Farm-City Week.

I call on our agricultural organizations, business groups, labor unions, schools, and other interested groups, to participate in this observance. I request the Department of Agriculture, our land-grant educational institutions, and all appropriate organizations and government officials to mark the significance of National Farm-City Week with special events and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of November, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4255

Thanksgiving Day, 1973

November 16, 1973

By the President of the United States of America

A Proclamation

In the first Thanksgiving, man affirmed his determination to live in God's grace and to act in God's will on the shores of a new land of promise. In this Thanksgiving season we reaffirm that determination.

Time has not dimmed, nor circumstance diminished the need for God's hand in all that America may justly endeavor. In times of trial and of triumph that single truth reasserts itself, and a people who have never bowed before men go gladly to their knees in submission to divine power, and in thanks for divine sustenance.

On this Thanksgiving Day we mark the 10th anniversary of the tragic death of President John F. Kennedy. As we give thanks for the bounty and goodness of our land, therefore, let us also pause to reflect on President Kennedy's contributions to the life of this Nation we love so dearly.

Those who celebrated the first Thanksgiving had endured hardship and loss, but they kept alive their hope and their faith. Throughout our history, each generation has endured hardship and loss, but our faith and trust in God's providence has remained undiminished. At this first Thanksgiving in twelve years in which the United States will have been at peace, we see that God's grace also remains undiminished. For this we give thanks.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, in accordance with the wish of the Congress as expressed in Section 6103 of Title 5 of the United States Code, do hereby proclaim Thursday, November 22, 1973, as a day of national thanksgiving, and concurrently, a day of prayer for the memory of John F. Kennedy. Let all Americans unite on this day, giving thanks for the manifold blessings vouchsafed our people, and inviting all of those less fortunate than ourselves to share in those blessings in God's name, for His sake, and for our own.

80 Stat. 515; 82 Stat. 250.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of November, in the year of our Lord nineteen hundred

seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4256

Bill of Rights Day Human Rights Day and Week

By the President of the United States of America

December 7, 1973

A Proclamation

Among the principles undergirding our Declaration of Independence in 1776 was the fundamental conviction that all men are endowed with certain inalienable rights and that the purpose of instituting governments is to secure these rights. The first Congress acted quickly to secure the basic rights of the American people by proposing ten amendments to the Constitution of the United States. These amendments, our Bill of Rights, came into effect one hundred eighty-two years ago, on December 15, 1791, and have served ever since as guiding ideals of our democracy. Each generation of Americans has contributed in its own way to realizing the promise of the Bill of Rights, ensuring its responsiveness to the increasingly complex conditions of American society.

1 USC prec. title 1.

The continuing vitality of that promise depends upon our own steadfast dedication to the principles upon which this Republic was founded. Now, in this decade of our Bicentennial, it is especially appropriate for us to commemorate the anniversary of the adoption of the Bill of Rights and to recall with pride the efforts of our predecessors to make its ideals a true guarantee of the rights of all Americans.

It is fitting that we take note at the same time of the progress made by the world community in its recognition of the rights of all members of the human family. This week marks the twenty-fifth anniversary of the Universal Declaration of Human Rights, adopted by the United Nations General Assembly on December 10, 1948, to proclaim standards of freedom and equality common to all nations and all peoples. Though widely separated by time and authorship, the Bill of Rights and the Universal Declaration of Human Rights share a common commitment to the ideals of equality, dignity, and individual worth.

Our actions as Americans to strengthen the Bill of Rights are inseparable from our commitment to the ideals of the Universal Declaration of Human Rights. The strength and success of our efforts to advance these goals here at home will have a positive impact on the cause of human rights throughout the world.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim December 10, 1973, as Human Rights Day and December 15, 1973, as Bill of Rights Day. I call upon the people of the United States to observe the week beginning December 10, 1973, as Human Rights Week. Let us make this observance a time for reaffirming the high principles of the Bill of Rights and of the Universal Declaration of Human Rights and for making them a living reality in the daily lives of every American. For each of us, through our own example, can do a great deal to strengthen the cause of liberty and justice for all.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of December, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



PROCLAMATION 4257

Wright Brothers Day, 1973

December 15, 1973

By the President of the United States of America

A Proclamation

Seventy years ago, on December 17, 1903, Orville and Wilbur Wright, two bicycle makers from Dayton, Ohio, helped to launch mankind on a new and exciting adventure.

Their historic first flight over the sand dunes of Kitty Hawk, North Carolina, in a crude machine they had designed and built themselves, lasted only 12 seconds and covered a mere 120 feet. It represented, however, a critical step in a process which has revolutionized modern society.

The airplane's ability to move people and goods swiftly, safely, and efficiently is unrivaled. The social ramifications of this development, measured in terms of human mobility and global communications, have been boundless. The airplane has brought people closer together, and

thereby has opened hitherto unimagined opportunities for commercial, political, and cultural exchange. While the airplane has worked to shrink our world in physical terms, it has enormously expanded the human potentialities within it.

It is both fitting and proper, therefore, on this 70th anniversary of powered flight, that we should commemorate the achievements of two resourceful and farsighted men who have come to symbolize America's inventive genius. To this end, the Congress, by a joint resolution approved December 17, 1963 (77 Stat. 402), has designated the seventeenth day of December of each year as Wright Brothers Day and has requested the President to issue a proclamation inviting the people of the United States to observe that day with appropriate ceremonies and activities. 36 USC 169.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby call upon the people of this Nation and their local and national government officials to observe Wright Brothers Day, December 17, 1973, with appropriate ceremonies and activities, both to recall the accomplishment of the Wright brothers and to provide a stimulus to the further progress of aviation in this country and throughout the world.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of December, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



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GUIDE TO LEGISLATIVE HISTORY OF PUBLIC LAWS

GUIDE TO LEGISLATIVE HISTORY OF

(93d CONGRESS

NOTE: Companion bills

Public Law		87 Stat.	Bill No.	House	
No.	Date approved			Report No.	Committee reporting
	1973				
93–1	Jan. 19	3	H.J. Res. 1		
93–2	Jan. 26	4	H.J. Res. 163		
93–3	Feb. 1	4	H.J. Res. 246		
93–4	Feb. 2	4	S.J. Res. 26		
93–5	Feb. 9	5	S.J. Res. 59 (H.J. Res. 331).		
93–6	Feb. 16	6	S.J. Res. 42 (H.J. Res. 123).	93–4	Public Works
93–7	Feb. 16	6	H.J. Res. 299		
93–8	Feb. 17	7	S.J. Res. 37		
93–9	Mar. 8	7	H.J. Res. 345	93–20 93–33	Appropriations [Conference]
93–10	Mar. 15	8	H.J. Res. 334		
93–11	Mar. 15	9	H.R. 3694		
93–12	Mar. 30	9	S. 583	93–52	Judiciary
93–13	Mar. 30	9	H.R. 4278	93–36 93–76	Education and Labor [Conference]
93–14	Apr. 9	11	H.R. 5446	93–78	Interstate and Foreign Commerce
93–15	Apr. 9	11	H.R. 5445	93–77	Interstate and Foreign Commerce
93–16	Apr. 9	12	H.J. Res. 5		
93–17	Apr. 10	12	H.R. 3577	93–7 93–95	Ways and Means [Conference]
93–18	Apr. 14	22	H.J. Res. 437		
93–19	Apr. 16	23	S.J. Res. 73		
93–20	Apr. 20	23	H.J. Res. 303 (S.J. Res. 18).		
93–21	Apr. 20	23	H.J. Res. 275		
93–22	Apr. 20	24	S. 1315		
93–23	Apr. 20	24	H.J. Res. 210		
93–24	Apr. 20	24	H.R. 1975	93–15 93–119	Agriculture [Conference]
93–25	Apr. 26	25	H.J. Res. 496	93–122 93–146	Appropriations [Conference]
93–26	Apr. 27	26	S. 1493 (H.R. 4954)	93–94	Armed Services
93–27	Apr. 27	27	H.R. 6883	93–145	Agriculture
93–28	Apr. 30	27	S. 398 (H.R. 6168)	93–114 93–148	Banking and Currency [Conference]
93–29	May 3	30	S. 50 (H.R. 71)	93–43	Education and Labor
93–30	May 5	65	S.J. Res. 51		
93–31	May 8	65	S. 1494	93–134	Armed Services
93–32	May 11	65	S. 394 (H.R. 5683)	93–91 93–169	Agriculture [Conference]
93–33	May 14	71	H.R. 3841		
93–34	May 14	72	S.J. Res. 93		
93–35	May 16	72	H.J. Res. 393	93–37 93–158	Education and Labor [Conference]

BILLS ENACTED INTO PUBLIC LAW

1st SESSION)

are in parentheses

Senate		Dates of consideration and passage: Congressional Record, Vol. 119 (1973)		Presidential statement: Public Papers of the Presidents
Report No.	Committee reporting	House	Senate	
				Nixon: 1973
----	----	Jan. 3, 15	Jan. 6, 16	
----	----	Jan. 23	Jan. 23	
----	----	Jan. 26	Jan. 26	
93-3	Banking, Housing and Urban Affairs.	Jan. 30	Jan. 26	
93-18	Labor and Public Welfare	Feb. 8	Feb. 8	
93-8	Public Works	Feb. 5	Feb. 1	
----	----	Feb. 6	Feb. 7	
93-15	Aeronautical and Space Sciences.	Feb. 7	Feb. 6	Feb. 19.
93-44	Appropriations	Feb. 21, 28	Feb. 26, 28	
----	----	Mar. 12	Mar. 12	
93-50	Judiciary	Feb. 20	Mar. 1	
93-14	Judiciary	Mar. 14	Feb. 7, Mar. 19	
93-59	Agriculture and Forestry	Mar. 5, 15	Mar. 14	
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----	----	Mar. 22	Mar. 27	
93-84	Finance	Feb. 27, Apr. 4	Mar. 27, 29	
93-113	Judiciary	Mar. 29	Apr. 11	
93-110	Judiciary	Apr. 12	Apr. 11	
93-115, 93-116	Judiciary	Apr. 5	Apr. 12	
93-112	Judiciary	Mar. 22	Apr. 11	
93-119	Foreign Relations	Apr. 17	Apr. 13	
93-111	Judiciary	Mar. 22	Apr. 11	
93-85	Agriculture and Forestry	Feb. 22, Apr. 12	Mar. 28, Apr. 12	
93-120	Appropriations	Apr. 12, 18	Apr. 17, 18	Apr. 28.
93-104	Armed Services	Apr. 16	Apr. 10	
----	----	Apr. 18	Apr. 18	
93-63	Banking, Housing and Urban Affairs.	Apr. 16, 18, 30	Mar. 19, 20, Apr. 18, 30	May 2.
93-19	Labor and Public Welfare	Mar. 13, Apr. 18.	Feb. 20, Apr. 18.	May 4.
93-109	Judiciary	May 2	Apr. 11, May 3	
93-105	Armed Services	Apr. 30	Apr. 10	
93-20	Agriculture and Forestry	Apr. 4, May 10	Feb. 20, 21, May 9.	May 11.
93-133	Banking, Housing and Urban Affairs.	Mar. 27	May 2	May 14.
93-124	Banking, Housing and Urban Affairs.	May 2	Apr. 17	
----	----	Mar. 5, May 3	Apr. 18	

Public Law		87 Stat.	Bill No.	House	
No.	Date approved			Report No.	Committee reporting
	1973				
93-36	May 18	72	S. 1379 (H.R. 5932)	93-139	Merchant Marine and Fisheries
93-37	May 24	73	S. 721 (H.R. 4967)	93-112	Interior and Insular Affairs
93-38	June 5	73	S.J. Res. 112		
93-39	June 12	73	H.R. 6077 (S. 1804)	93-98	Post Office and Civil Service
93-40	June 12	74	S. 1235 (H.R. 6830)	93-213	Public Works
93-41	June 14	74	H. J. Res. 533		
93-42	June 15	74	H. J. Res. 296		
93-43	June 18	75	S. 49 (H.R. 2828)	93-131	Veterans' Affiairs
93-44	June 18	88	S. 38 (H.R. 6388)	93-157	Interstate and Foreign Commerce
				93-225	[Conference]
93-45	June 18	91	S. 1136 (H.R. 7806)	93-227	Interstate and Foreign Commerce
93-46	June 18	96	H.R. 2246	93-53	Public Works
				93-254	[Conference]
93-47	June 22	98	H.R. 5610	93-82	Foreign Affairs
				93-260	[Conference]
93-48	June 22	99	H.R. 4682	93-130	Armed Services
93-49	June 25	99	H.R. 5293	93-89	Foreign Affairs
				93-261	[Conference]
93-50	July 1	99	H.R. 9055	93-350	Appropriations
93-51	July 1	129	S. 1386 (H.R. 5464)	93-208	Interior and Insular Affairs
93-52	July 1	130	H.J. Res. 636	93-328	Appropriations
				93-364	[Conference]
93-53	July 1	134	H.R. 8410	93-267	Ways and Means
				93-355, 93-362	[Conference]
93-54	July 1	139	S. 1201 (H.R. 7127)	93-269	Interior and Insular Affairs
93-55	July 1	140	S. 1501 (H.R. 6338)	93-266	Interior and Insular Affairs
93-56	July 1	140	H.J. Res. 499	93-262	Judiciary
93-57	July 6	140	H.R. 5157	93-279	Education and Labor
93-58	July 6	141	H.R. 7357	93-222	Interstate and Foreign Commerce
93-59	July 6	142	S. 1972		
93-60	July 6	143	S. 1994 (H.R. 8662)	93-280	Joint Committee on Atomic Energy
93-61	July 6	145	S. 1808		
93-62	July 6	146	H.R. 5857	93-209	Public Works
93-63	July 6	147	S.J. Res. 128		
93-64	July 9	147	H.R. 8537 (S. 1916)	93-282	Armed Services
				93-361	[Conference]
93-65	July 9	150	H.R. 5383	93-136	Merchant Marine and Fisheries
93-66	July 9	152	H.R. 7445	93-165	Ways and Means
				93-365	[Conference]
93-67	July 10	161	S. 1759 (H.R. 5858)	93-210	Public Works
93-68	July 10	161	S. 1938	93-297	Agriculture
93-69	July 10	162	H.R. 7200	93-204	Interstate and Foreign Commerce
				93-319	[Conference]
93-70	July 10	168	H.R. 7670	93-234	Merchant Marine and Fisheries
93-71	July 10	169	H.R. 6187	93-291	Merchant Marine and Fisheries
93-72	July 10	169	H.R. 6330	93-211	Public Works
93-73	July 10	170	H.R. 5452	93-138	Merchant Marine and Fisheries
93-74	July 23	171	H.R. 7528	93-171	Science and Astronautics
				93-353	[Conference]
93-75	July 26	176	H.R. 8949 (S. 2087)	93-348	Veterans' Affairs
93-76	July 30	176	S. 1413 (H.R. 7423)	93-304	Government Operations

Senate		Dates of consideration and passage: Congressional Record, Vol. 119 (1973)		Presidential statement: Public Papers of the Presidents
Report No.	Committee reporting	House	Senate	
				Nixon: 1973
93–126	Public Works	May 8	Apr. 30	
93–53	Interior and Insular Affairs	May 7	Mar. 6, May 10	
93–154	Banking, Housing and Urban Affairs.	May 23	May 21	
93–152	Post Office and Civil Service	Apr. 16, May 22	May 17, June 4	
93–92	Foreign Relations	May 30	Apr. 2	
		June 5	June 6	
		May 17	June 4	
93–55	Veterans' Affairs	Mar. 7, June 5	Mar. 6, May 31	
93–12	Commerce	May 2, 30	Feb. 5, June 5	June 19.
93–87	Labor and Public Welfare	May 31	Mar. 13, 27, June 5.	June 19.
93–117	Public Works	Mar. 15, June 8	May 8, June 6	June 19.
83–162	Foreign Relations	Mar. 28, June 7	May 21, June 12	
93–203	Armed Services	Apr. 30	June 13	
93–161	Foreign Relations	Mar. 29, June 12	May 21, June 12	
		June 29	June 29	July 1.
93–222	Interior and Insular Affairs	June 19	June 19	
93–277	Appropriations	June 26, 30	June 29, 30	July 1.
93–249	Finance	June 13, 29, 30	June 26, 27, 30	
93–164	Interior and Insular Affairs	June 19	May 22, June 21	
93–174	Interior and Insular Affairs	June 19	May 30, June 21	
		June 19	June 20	
		June 19	June 22	
93–215	Labor and Public Welfare	May 31, June 21	June 15	
93–266	Foreign Relations	June 29	June 28	
93–224	Joint Committee on Atomic Energy.	June 25	June 21, 22	
93–158	Public Works	June 28	May 23, June 28.	
93–228	Public Works	May 30	June 22	
93–264	Banking, Housing and Urban Affairs.	June 28	June 28, 29	
93–235	Armed Services	June 19, 28, 29	June 22, 29	
93–233	Commerce	May 8, June 28	June 22	
93–240	Finance	May 9, June 30	June 30	July 11.
93–241	Public Works	May 30, June 29.	June 27	
93–200	Agriculture and Forestry	June 28	June 12	
93–202	Labor and Public Welfare, Finance.	May 22, June 28.	June 19, 22	
93–221	Commerce			
93–259	Commerce	June 8	June 29	
93–279	Commerce	June 22	June 29	
93–234	District of Columbia	May 21, June 27.	June 22	
93–271	Labor and Public Welfare, Commerce.	May 8, June 30	June 28	
93–179	Aeronautical and Space Sciences	May 23, July 11.	June 19, June 28.	
93–317	Veterans' Affairs	July 17, 19	July 18	
93–201	Labor and Public Welfare	July 17	June 15	

Public Law		87 Stat.	Bill No.	House	
No.	Date approved			Report No.	Committee reporting
	1973				
93-77	July 30	176	H.R. 2323	93-307	Ways and Means
93-78	July 30	177	H.R. 2324	93-308	Ways and Means
93-79	July 30	177	H.R. 6394	93-310	Ways and Means
93-80	Aug. 1	178	H.R. 9172		
93-81	Aug. 1	178	H.R. 6717	93-212	Public Works
93-82	Aug. 2	179	S. 59 (H.R. 9048)	93-368	Veterans' Affairs
93-83	Aug. 6	197	H.R. 8152 (S. 1930)	93-249 93-401	Judiciary [Conference]
93-84	Aug. 6	219	S. 1090 (H.R. 8538)	93-324	Interstate and Foreign Commerce
93-85	Aug. 10	220	S.J. Res. 144 (S.J. Res. 129).		
93-86	Aug. 10	221	S. 1888 (H.R. 8860)	93-337 93-427	Agriculture [Conference]
93-87	Aug. 13	250	S. 502	93-118 93-410	Public Works [Conference]
93-88	Aug. 14	296	S. 1993 (H.R. 8867)	93-385	Joint Committee on Atomic Energy.
93-89	Aug. 14	297	H.R. 4083	93-257	District of Columbia
93-90	Aug. 14	305	S. 2120 (H.R. 8813)	93-302	Interstate and Foreign Commerce
93-91	Aug. 14	306	H.R. 8658	93-278 93-416	Appropriations [Conference]
93-92	Aug. 14	311	H.R. 6713	93-258	District of Columbia
93-93	Aug. 14	314	S. 1410		
93-94	Aug. 15	314	S. 1887		
93-95	Aug. 15	314	S. 1423 (H.R. 77)	93-205 93-378	Education and Labor [Conference]
93-96	Aug. 16	315	H.R. 8510 (S. 1977)	93-284 93-408	Science and Astronautics [Conference]
93-97	Aug. 16	318	H.R. 8947	93-327 93-409	Appropriations [Conference]
93-98	Aug. 16	329	H.R. 8760	93-285 93-426	Appropriations [Conference]
93-99	Aug. 16	341	H.R. 6676	93-311	Ways and Means
93-100	Aug. 16	342	H.R. 6370 (S. 1798)	93-140 93-418	Banking and Currency [Conference]
93-101	Aug. 16	348	H.R. 3630	93-309	Ways and Means
93-102	Aug. 16	349	H.R. 3867	93-111	Interior and Insular Affairs
93-103	Aug. 16	349	S.J. Res. 25		
93-104	Aug. 16	349	H.J. Res. 466		
93-105	Aug. 16	350	H.J. Res. 52		
93-106	Aug. 16	350	H.R. 5649 (S. 1625)	93-289	Merchant Marine and Fisheries
93-107	Sept. 14	350	S. 1841 (H.R. 9553)	93-483	Interstate and Foreign Commerce
93-108	Sept. 19	351	H.J. Res. 695		
93-109	Sept. 21	352	S. 1165 (H.R. 7482)	93-323	Interstate and Foreign Commerce
93-110	Sept. 21	352	H.R. 6912 (S. 929)	93-203 93-424	Banking and Currency [Conference]
93-111	Sept. 21	354	S. 1385 (H.R. 6129)	93-263	Interior and Insular Affairs

Senate		Dates of consideration and passage: Congressional Record, Vol. 119 (1973)		Presidential statement: Public Papers of the Presidents
Report No.	Committee reporting	House	Senate	Nixon: 1973
93-313	Finance	June 27	July 16	
93-314	Finance	June 27	July 16	
93-315	Finance	June 27	July 16	
93-336	Agriculture and Forestry	July 16	July 20	
93-250	Public Works	May 22, July 19.	July 17	
93-312	Interior and Insular Affairs			
93-54	Veterans' Affairs	July 17	Mar. 6, July 19.	Aug. 2.
		June 14, 18,	June 28,	
93-349	[Conference]	Aug. 2.	Aug. 2.	
93-123	Commerce	July 20	May 7, July 24.	
93-267	Banking, Housing and Urban Affairs.	Aug. 2	Aug. 1	
93-173	Agriculture and Forestry	July 10-12, 16, 19, Aug. 3.	June 5-8, July 31, Aug. 3.	Aug. 10.
93-61	Public Works	Apr. 17-19,	Mar. 14, 15,	Aug. 13.
93-355	[Conference]	Aug. 3.	Aug. 1.	
93-341	Joint Committee on Atomic Energy.	July 30	July 26	
93-370	District of Columbia	June 11	Aug. 2	
93-297	Commerce	July 17	June 30, Aug. 1.	
93-321	Appropriations	June 18, Aug. 3.	July 19, 20, Aug. 3.	
93-371	District of Columbia	June 11	Aug. 2	
93-248	Banking, Housing and Urban Affairs.	Aug. 2	June 27, Aug. 3.	
93-350	Foreign Relations	Aug. 2	July 28	
93-139	Labor and Public Welfare	June 12,	May 16,	
93-320	[Conference]	July 25.	July 17.	
93-275	Labor and Public Welfare	June 22, Aug. 3.	June 29, July 27.	
93-338	Appropriations	June 28, July 30,	July 23, 30	
93-346	Appropriations	June 20, Aug. 3.	July 28, Aug. 3.	
93-316	Finance	June 27, Aug. 3	July 17	
93-149	Banking, Housing and Urban Affairs.	May 9, Aug. 3	May 22, Aug. 3	
93-322	Finance	June 27, Aug. 3	July 19	
93-216	Interior and Insular Affairs	May 7, July 30	June 15	
93-172	Judiciary	Aug. 2	May 23, Aug. 3	
		Aug. 2	Aug. 3	
		Aug. 2	Aug. 3	
93-375	Commerce	July 17	Aug. 3	
93-347	Commerce	Sept. 13	Sept. 6, 13	
93-392	Judiciary	Sept. 6	Sept. 13	
93-103	Commerce	Sept. 10	Apr. 10, 30	
93-58	Banking, Housing and Urban Affairs.	May 29, Sept. 6	Mar. 28, 29, Apr. 4, 5, May 30, Sept. 7.	
93-78	Foreign Relations			
93-165	Interior and Insular Affairs	June 19, Sept. 6	May 22, June 21, Sept. 7.	

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No.	Date approved			Report No.	Committee reporting
	1973				
93–112	Sept. 26	355	H.R. 8070 (S. 1875)	93–244	Education and Labor
				93–500	[Conference]
93–113	Oct. 1	394	S. 1148 (H.R. 7265)	93–405	Education and Labor
93–114	Oct. 1	417	S. 776 (H.R. 8709)	93–472	Banking and Currency
93–115	Oct. 1	418	S. 1352 (H.R. 5384)	93–498	Merchant Marine and Fisheries
93–116	Oct. 1	421	S. 902 (H.R. 7395)	93–486	Merchant Marine and Fisheries
93–117	Oct. 2	421	H.J. Res. 719		
93–118	Oct. 4	424	H.J. Res. 753		
93–119	Oct. 4	424	H.R. 5451	93–137	Merchant Marine and Fisheries
93–120	Oct. 4	429	H.R. 8917	93–322	Appropriations
				93–512	[Conference]
93–121	Oct. 4	447	S. 1636 (H.R. 8548)	93–318	Banking and Currency
				93–389	[Conference]
93–122	Oct. 9	448	S. 2075 (H.R. 6576)	93–382	Interior and Insular Affairs
93–123	Oct. 15	449	S.J. Res. 160		
93–124	Oct. 16	449	H.J. Res. 727	93–519	Appropriations
				93–566	[Conference]
93–125	Oct. 18	450	S. 2419		
93–126	Oct. 18	451	H.R. 7645 (S. 1248) (S. 2436).	93–223	Foreign Affairs
				93–367, 93–563	[Conference]
93–127	Oct. 18	455	S. 1141 (H.R. 8789)	93–391	Banking and Currency
				93–521	[Conference]
93–128	Oct. 18	456	H.R. 7976	93–484	Interior and Insular Affairs
93–129	Oct. 19	456	S. 1914	93–510	Foreign Affairs
93–130	Oct. 19	460	H.R. 7699	93–464	Interior and Insular Affairs
93–131	Oct. 19	460	H.R. 6628	93–123	Foreign Affairs
93–132	Oct. 19	461	H.R. 4507	93–469	Banking and Currency
93–133	Oct. 19	461	S. 795 (H.R. 3926)	93–255	Education and Labor
				93–529	[Conference]
93–134	Oct. 19	466	S. 1016 (H.R. 8029)	93–377	Interior and Insular Affairs
93–135	Oct. 24	468	H.R. 8619	93–275	Appropriations
				93–520	[Conference]
93–136	Oct. 24	490	H.R. 3799	93–457	Post Office and Civil Service
93–137	Oct. 26	491	H.R. 8825	93–296	Appropriations
				93–411, 93–569	[Conference]
93–138	Oct. 26	503	S. J. Res. 164		
93–139	Oct. 26	503	S. 2486 (H.R. 10252)	93–555	Public Works
93–140	Oct. 26	504	H.R. 8250	93–256	District of Columbia
93–141	Oct. 26	510	S. 2282 (H.R. 9611)	93–558	Public Works
93–142	Oct. 26	510	H.J. Res. 748	93–538	Appropriations
93–143	Oct. 30	510	H.R. 9590	93–309	Appropriations
				93–570	[Conference]
93–144	Nov. 1	527	S. 907	93–583	Interstate and Foreign Commerce
93–145	Nov. 1	527	H.R. 6691	93–107	Appropriations
				93–576	[Conference]
93–146	Nov. 3	548	S. 2016 (H.R. 8351)	93–415	Interstate and Foreign Commerce
				93–587	[Conference]
93–147	Nov. 3	554	H.R. 689	93–268	Judiciary
93–148	Nov. 7†	555	H.J. Res. 542 (S. 440)	93–287	Foreign Affairs
				93–547	[Conference]
93–149	Nov. 7	560	H.R. 5943	93–496	Foreign Affairs

†Passed over veto.

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				Nixon: 1973
93-318	Labor and Public Welfare	June 5, Sept. 18	July 18, Sept. 13	Sept. 26.
93-391	[Conference]			
93-311	Labor and Public Welfare	Sept. 17, 20	July 18, Sept. 19	Oct. 1.
93-57	Banking, Housing and Urban Affairs.	Sept. 17	Mar. 14, Sept. 18.	
93-245	Commerce	Sept. 18	June 27	
93-273	Commerce	Sept. 18	June 30	
		Sept. 17	Oct. 1	
		Oct. 3	Oct. 3	
93-405	Commerce	May 8	Sept. 24	
93-362	Appropriations	June 27, Sept. 20	Aug. 1, Sept. 21	
93-190	Banking, Housing and Urban Affairs	June 28, Aug. 3	June 22, Sept. 20.	
93-218	Finance			
93-229	Foreign Relations			
93-342	Interior and Insular Affairs	Sept. 13	July 26, Sept. 25.	
		Oct. 2	Oct. 1	
93-411	Appropriations	Sept. 25, Oct. 11	Oct. 3, 12	
		Oct. 1	Sept. 17	
93-176 93-396	Foreign Relations	June 7, Sept. 11, Oct. 10.	June 11-14, Sept. 26, Oct. 10.	
93-244	Banking, Housing and Urban Affairs.	Sept. 12, Oct. 4	July 11, Oct. 4	
93-413	Interior and Insular Affairs	Sept. 18	Oct. 4	
93-356	Foreign Relations	Oct. 2	Sept. 6	
93-427	Interior and Insular Affairs	Sept. 17	Oct. 8	
93-400	Interior and Insular Affairs	May 21, Oct. 3	Sept. 21	
93-430	Banking, Housing and Urban Affairs.	Sept. 17	Oct. 4	
93-100	Labor and Public Welfare	June 13, 14, Oct. 2.	May 1, 2, Oct. 4	Oct. 19.
93-167	Interior and Insular Affairs	Oct. 1	May 22, Oct. 8	
93-253	Appropriations	June 15, Sept. 25.	June 28, Oct. 10	
93-456	Post Office and Civil Service	Sept. 17	Oct. 11	
93-272	Appropriations	June 22, Aug. 1, Oct. 11.	June 30, Sept. 7, Oct. 13.	
		Oct. 15	Oct. 12	
93-454	Public Works	Oct. 15	Oct. 10	
93-372	District of Columbia	June 11, Oct. 12	Aug. 2	
93-379	Public Works	Oct. 15	Aug. 3	
93-455	Appropriations	Oct. 4	Oct. 13	
93-378	Appropriations	Aug. 1, Oct. 16	Sept. 5, Oct. 16	
93-175	Commerce	Oct. 15	June 18	
93-323	Appropriations	Apr. 17, 18, Oct. 16.	July 19, Oct. 18	
93-226	Commerce	Sept. 6, Oct. 17	June 21, 28, Oct. 18.	Nov. 3.
93-468	Judiciary	June 19	Oct. 18	
93-220	Foreign Relations	June 25, July 18, Oct. 12, Nov. 7.	July 18-20, Oct. 12, Nov. 7.	Oct. 24.
93-471	Foreign Relations	Sept. 17	Oct. 23	

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	1973				
93-150	Nov. 7	560	H.R. 9639	93-458	Education and Labor
				93-540	[Conference]
93-151	Nov. 9	565	S. 607 (H.R. 8920)	93-373	Banking and Currency
				93-522	[Conference]
93-152	Nov. 13	569	S. 11 (H.R. 8056)	93-390	Interior and Insular Affairs
93-153	Nov. 16	576	S. 1081 (H.R. 9130)	93-414	Interior and Insular Affairs
				93-617, 93-624	[Conference]
93-154	Nov. 16	594	S. 2410 (H.R. 10956)	93-601	Interstate and Foreign Commerce
93-155	Nov. 16	605	H.R. 9286	93-383	Armed Services
				93-588	[Conference]
93-156	Nov. 21	623	H.R. 5692	93-265	Post Office and Civil Service
93-157	Nov. 21	623	H.R. 4771	93-259	District of Columbia
93-158	Nov. 26	627	S. 2645 (H.R. 11216)	93-619	Joint Committee on Atomic Energy
93-159	Nov. 27	627	S. 1570 (H.R. 9681)	93-531	Interstate and Foreign Commerce
				93-628	[Conference]
93-160	Nov. 27	635	H.R. 3801	93-214	Post Office and Civil Service
93-161	Nov. 27	635	H.R. 8219 (S. 1526)	93-349	Ways and Means
93-162	Nov. 27	636	H.R. 8916	93-321	Appropriations
				93-625	[Conference]
93-163	Nov. 27	659	H.R. 9295 (S. 2477)	93-603	Agriculture
93-164	Nov. 29	660	H.J. Res. 735	93-536	Armed Services
93-165	Nov. 29	660	H.R. 8187	93-537	Armed Services
93-166	Nov. 29	661	S. 2408 (H.R. 10614)	93-534	Armed Services
				93-634	[Conference]
93-167	Nov. 29	686	H.R. 5777 (S. 1880)	93-159	Interstate and Foreign Commerce
93-168	Nov. 29	688	S. 2681 (H.R. 11424)		
93-169	Nov. 29	689	H.R. 10366	93-595	Armed Services
93-170	Nov. 29	689	H.R. 10369	93-590	Armed Services
93-171	Nov. 29	690	H.R. 7582	93-535	Armed Services
93-172	Nov. 30	691	H.R. 10937	93-618	Judiciary
93-173	Dec. 3	691	H.R. 11104	93-609	Ways and Means
93-174	Dec. 5	692	H.R. 9575	93-499	Merchant Marine and Fisheries
93-175	Dec. 5	693	H.R. 10840 (S. 1904)	93-613	House Administration
93-176	Dec. 5	693	H.R. 6334	93-454	Post Office and Civil Service
93-177	Dec. 6	694	H.R. 9474 (S. 275)	93-398	Veterans' Affairs
93-178	Dec. 10	697	H.R. 11710		
93-179	Dec. 11	697	H.R. 7446	93-226	Judiciary
				93-639	[Conference]
93-180	Dec. 13	704	S.J. Res. 155	93-629	Public Works
93-181	Dec. 14	705	H.R. 1284	93-456	Post Office and Civil Service
93-182	Dec. 15	707	H.R. 11324 (S. 2702)	93-643	Interstate and Foreign Commerce
				93-709	[Conference]
93-183	Dec. 15	709	S. 1618 (H.R. 6862)	93-635	Public Works
93-184	Dec. 15	710	H.R. 3436	93-386	Interior and Insular Affairs
93-185	Dec. 15	712	H.R. 8528	93-300	Armed Services
93-186	Dec. 15	713	H.R. 974	93-557	Public Works
93-187	Dec. 15	713	S. 2503	93-637	Public Works
93-188	Dec. 15	713	H.R. 6768	93-124	Foreign Affairs
				93-642	[Conference]

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				Nixon: 1973
93-404	Agriculture and Forestry	Sept. 13, Oct. 12, 18, 24.	Sept. 24, Oct. 16, 23.	
93-130	Labor and Public Welfare	Sept. 5, Oct. 24	May 9, Oct. 16	
93-227	Judiciary	Sept. 17	June 28, Oct. 30	
93-268	Public Works			
93-207	Interior and Insular Affairs	Aug. 2, Nov. 12	July 9-14, 16, 17, Nov. 13.	Nov. 16.
93-397	Labor and Public Welfare	Oct. 25, 31	Sept. 19, Oct. 30	
93-385	Armed Services	July 30, 31, Oct. 31.	Sept. 20-22, 24-28, Oct. 1, Nov. 5.	
93-467	[Conference]			
93-489	Post Office and Civil Service	June 18	Nov. 13	
93-384	District of Columbia	June 11, Nov. 8	Sept. 7	
93-487	Joint Committee on Atomic Energy.	Nov. 13	Nov. 9	
93-159	Interior and Insular Affairs	Oct. 17, Nov. 13.	May 31, June 1, 4, 5, Nov. 14.	
93-488	Post Office and Civil Service	June 4	Nov. 13	
93-471, 93-492	Foreign Relations	Nov. 6	Oct. 23, Nov. 13	
93-390	Appropriations	June 29, Nov. 13.	Sept. 17, Nov. 14.	
93-494	Agriculture and Forestry	Nov. 5	Nov. 13, 14	
93-510	Armed Services	Nov. 6	Nov. 16	
93-515	Armed Services	Oct. 15	Nov. 16	
93-389	Armed Services	Oct. 11, Nov. 14.	Sept. 13, Nov. 15.	
93-345	Commerce	May 16, Oct. 2	July 31, Aug. 1, 2, Nov. 16.	
93-493	Foreign Relations	Nov. 14	Nov. 13, 15	
93-508	Armed Services	Nov. 5	Nov. 16	
93-509	Armed Services	Nov. 5	Nov. 16	
93-507	Armed Services	Oct. 15	Nov. 16	
93-527	Judiciary	Nov. 6	Nov. 19	
93-552	Finance	Nov. 7	Nov. 27, 30, Dec. 1-3.	
93-550	Commerce	Sept. 18	Nov. 21	
93-263	Rules and Administration	Nov. 6	June 28, Nov. 19.	
93-525	Post Office and Civil Service	Sept. 17	Nov. 20	
93-373	Veterans' Affairs	July 30, Nov. 14.	Aug. 2, Nov. 16.	Dec. 6.
		Dec. 3, 7	Dec. 6	
93-449	Judiciary	June 7, Nov. 27	Oct. 10, Nov. 14.	Dec. 11.
93-422	Rules and Administration	Dec. 3	Oct. 4	
93-491	Post Office and Civil Service	Sept. 17, Nov. 27.	Nov. 15, Nov. 30.	
93-504	Commerce	Nov. 27, Dec. 14.	Dec. 4, 14	Dec. 15.
93-247	Public Works	Dec. 3	June 27	
93-585	Interior and Insular Affairs	Sept. 17	Nov. 30	
93-516	Armed Services	July 16, Nov. 30.	Nov. 16	
93-597	Public Works	Oct. 15	Dec. 3	
93-465	Public Works	Dec. 3	Oct. 13	
93-196	Foreign Relations	May 15, Dec. 3	June 8, Nov. 29	Dec. 17.
93-514	[Conference]			

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	1973				
93-189	Dec. 17	714	S. 1443 (H.R. 9360)	93-388	Foreign Affairs
				93-664	[Conference]
93-190	Dec. 18*	736	S. 2641	93-661	Judiciary
93-191	Dec. 18	737	H.R. 3180	93-88	Post Office and Civil Service
				93-712	[Conference]
93-192	Dec. 18	746	H.R. 8877	93-305	Appropriations
				93-626, 93-682	[Conference]
93-193	Dec. 19	765	S. 1747 (H.R. 9437)	93-651	Interstate and Foreign Commerce
93-194	Dec. 20	766	H.R. 11459	93-638	Appropriations
				93-693	[Conference]
93-195	Dec. 20	769	H.R. 5089	93-375	Interior and Insular Affairs
93-196	Dec. 20	770	S.J. Res. 180		
93-197	Dec. 22	770	H.R. 10717	93-572	Interior and Insular Affairs
93-198	Dec. 24	774	S. 1435 (H.R. 9682)	93-482	District of Columbia
				93-703	[Conference]
93-199	Dec. 26	836	H.R. 11088	93-702	Foreign Affairs
93-200	Dec. 27	838	H.R. 3490	93-610	Judiciary
93-201	Dec. 27	838	S. 2267		
93-202	Dec. 28	838	H.R. 11441	93-671	Education and Labor
93-203	Dec. 28	839	S. 1559 (H.R. 11010)	93-659	Education and Labor
				93-737	[Conference]
93-204	Dec. 28	883	S. 513	93-729	Banking and Currency
93-205	Dec. 28	884	S. 1983 (H.R. 37)	93-412	Merchant Marine and Fisheries
				93-740	[Conference]
93-206	Dec. 28	904	S. 1529	93-701	Interior and Insular Affairs
93-207	Dec. 28	906	S. 1776	93-680	Public Works
93-208	Dec. 28	907	S. 2794		
93-209	Dec. 28	907	H.R. 7352	93-425	Judiciary
93-210	Dec. 28	908	S. 2714	93-717	Armed Services
93-211	Dec. 28	909	H.J. Res. 858 (S.J. Res. 178).	93-731	Public Works
93-212	Dec. 28	909	S. 2498	93-724	Armed Services
93-213	Dec. 28	910	S. 1038	93-711	Armed Services
93-214	Dec. 28	910	S. 2316	93-721	Armed Services
93-215	Dec. 28	911	S. 2178 (H.R. 9430)	93-636	Public Works
93-216	Dec. 28	911	S. 2493	93-723	Armed Services
93-217	Dec. 28	912	H.R. 655	93-556	Public Works
93-218	Dec. 28	912	S. 2166	93-720	Armed Services
93-219	Dec. 28	912	S. 2551	93-725	Armed Services
93-220	Dec. 28	913	S. 2413	93-722	Armed Services
93-221	Dec. 29	913	H.R. 5760	93-471	Banking and Currency
93-222	Dec. 29	914	S. 14 (H.R. 7974)	93-451	Interstate and Foreign Commerce
				93-714	[Conference]
93-223	Dec. 29	936	H.R. 10806	93-656	District of Columbia
93-224	Dec. 29	937	H.R. 5874 (S. 925)	93-299	Ways and Means
				93-700	[Conference]
93-225	Dec. 29	942	H.R. 2303	93-233	Agriculture
93-226	Dec. 29	943	H.J. Res. 736 (S.J. Res. 169).	93-679	Public Works
93-227	Dec. 29	944	H.R. 4738	93-470	Banking and Currency

*Became law without the President's approval.

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				Nixon: 1973
93-189	Foreign Relations	July 26, Dec. 4	June 25, 26, Dec. 5.	
		Dec. 3	Nov. 9	Dec. 17.
93-461	Post Office and Civil Service	Apr. 11, Dec. 17.	Oct. 11, Dec. 11.	
93-414	Appropriations	June 26, Nov. 13, Dec. 5.	Oct. 4, Dec. 6	
93-195	Commerce	Dec. 3, 4	June 13, Dec. 5	
93-548	Appropriations	Nov. 14, Dec. 7	Nov. 20, Dec. 7	
93-603	Interior and Insular Affairs	Sept. 17	Dec. 7	
		Dec. 17	Dec. 14	
93-604	Interior and Insular Affairs	Oct. 16, Dec. 17	Dec. 7	Dec. 22.
93-219	District of Columbia	Oct. 10, Dec. 17	June 20, July 10, Dec. 19.	Dec. 24.
93-657	Foreign Relations	Dec. 11	Dec. 20	
93-610	Judiciary	Nov. 6	Dec. 12	
93-513	Commerce	Dec. 20	Nov. 16	
		Dec. 3	Dec. 18	
93-304	Labor and Public Welfare	Nov. 28, Dec. 20.	July 24, Dec. 5, 20.	Dec. 28.
93-636	[Conference]			
93-580	Banking, Housing and Urban Affairs.	Dec. 17	Nov. 30	Dec. 28.
93-307	Commerce	Sept. 18, Dec. 20.	July 24, Dec. 19.	Dec. 28.
93-223	Interior and Insular Affairs	Dec. 17	June 19, Dec. 18.	
93-269	Public Works	Dec. 3	June 28, Dec. 14.	
93-648	Veterans' Affairs	Dec. 20	Dec. 19	
93-418	Judiciary	Sept. 17, Dec. 17.	Oct. 8, 9, Dec. 18.	
93-517	Armed Services	Dec. 17	Nov. 16	
93-660	Rules and Administration	Dec. 18	Dec. 20	Dec. 28.
93-452	Armed Services	Dec. 18	Oct. 10	Dec. 31.
93-523	Armed Services	Dec. 17	Nov. 20	
93-388	Armed Services	Dec. 18	Sept. 13, Dec. 19.	Dec. 31.
93-464	Public Works	Dec. 3	Oct. 13, Dec. 13	
93-451	Armed Services	Dec. 18	Oct. 10	Dec. 31.
93-627	Public Works	Oct. 15	Dec. 14	
93-354	Armed Services	Dec. 18	July 28, Dec. 19	Dec. 31.
93-512	Armed Services	Dec. 18	Nov. 20	Dec. 31.
93-448	Armed Services	Dec. 18	Oct. 10	Dec. 31.
93-656	Banking, Housing and Urban Affairs.	Sept. 17	Dec. 20	
93-129	Labor and Public Welfare	Sept. 12, Dec. 18.	May 14, 15, Dec. 19.	Dec. 29.
93-621	[Conference]			
93-650	District of Columbia	Nov. 26	Dec. 20	
93-166	Banking, Housing and Urban Affairs.	Nov. 6, Dec. 19	June 22, Nov. 7, Dec. 19.	
93-652	Agriculture and Forestry	June 18	Dec. 20	
93-602	Public Works	Dec. 3, 19	Dec. 7	
93-655	Banking, Housing and Urban Affairs.	Sept. 17	Dec. 20	

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93-228	Dec. 29	944	S. 2491	93-739	Agriculture
93-229	Dec. 29	945	H.R. 6758	93-655	District of Columbia
93-230	Dec. 29	945	S. 1945	93-715	Agriculture
93-231	Dec. 29	946	H.R. 1920 (S. 2535)	93-554	Public Works
93-232	Dec. 29	946	H.J. Res. 865		
93-233	Dec. 31	947	H.R. 11333	93-627	Ways and Means
93-234	Dec. 31	975	H.R. 8449	93-359	Banking and Currency
	1974				
93-235	Jan. 2	984	S.J. Res. 182		
93-236	Jan. 2	985	H.R. 9142	93-620	Interstate and Foreign Commerce
				93-744	[Conference]
93-237	Jan. 2	1023	S. 2482		
93-238	Jan. 2	1026	H.R. 11575	93-662	Appropriations
				93-741	[Conference]
93-239	Jan. 2	1046	H.R. 11372	93-677	Public Works
93-240	Jan. 2	1049	H.R. 11771	93-694	Appropriations
				93-742	[Conference]
93-241	Jan. 2	1057	H.R. 11238	93-657	District of Colunbia
93-242	Jan. 2	1061	H.R. 8529	93-687	Merchant Marine and Fisheries
93-243	Jan. 2	1069	S. 2812 (H.R. 11928)	93-735	Public Works
93-244	Jan. 2	1070	H.R. 3733	93-281	Veterans' Affairs
93-245	Jan. 3	1071	H.R. 11576	93-663	Appropriations
				93-736, 93-745	[Conference]

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				Nixon: 1973
93–420	Agriculture and Forestry	Dec. 20	Oct. 11	
93–649	District of Columbia	Nov. 26	Dec. 20	
93–256	Agricu.ture and Forestry	Dec. 18	June 28	
93–626	Public Works	Oct. 15	Dec. 14, 21	
		Dec. 18	Dec. 19	
				Nixon: 1974
		Nov. 13–15, Dec. 21.	Dec. 20, 21	Jan. 3.
				Nixon: 1973
93–583	Banking, Housing and Urban Affairs.	Sept. 5, Dec. 20	Dec. 1, 3, 18, 20.	Dec. 31.
		Dec. 20	Dec. 19	
				Nixon: 1974
		Nov. 8, Dec. 20	Dec. 11, 13, 21	Jan. 2.
		Dec. 17, 20	Sept. 28, Dec. 19.	
93–617	Appropriations	Nov. 29, 30, Dec. 20.	Dec. 13, 20	
93–628	Public Works	Dec. 3, 21	Dec. 14, 21	Jan. 2.
93–620	Appropriations	Dec. 11, 20	Dec. 17, 20	
93–651	District of Columbia	Nov. 26	Dec. 20	
93–633	Commerce	Dec. 4, 20	Dec. 18	
93–630	Public Works	Dec. 18, 21	Dec. 14, 21	
93–609	Interior and Insular Affairs	July 16	Dec. 21	
93–614	Appropriations	Nov. 30, Dec. 19, 20.	Dec. 12, 21	

LAWS AFFECTED IN VOLUME 87

EXPLANATION

General.

The following table is designed to serve as a guide to prior laws which are patently amended, repealed, or otherwise affected by the textual provisions of the public laws and proclamations contained in this volume.

This table is arranged chronologically. In preparing the table the "basic act" principle has been followed. Under this principle the key listing of amendatory legislation will be found under the basic act affected, rather than under intervening amendments thereto. Furthermore, all laws included are treated as if tables covering prior volumes of the United States Statutes at Large were in existence. Thus, no attempt is made to give an historical picture of a law, and only the latest amendment in the chain will be reflected. Occasionally, to promote clarity, cross references have been supplied at key points.

Users of the table should, therefore, look under the date, public law number, or statutes volume and page number of the basic act affected, in order to determine whether changes have been made by the public laws and proclamations contained in this volume. Although a given section of any act may have been added at a later date, the section is carried under the date and statutes citation of the basic act. For this reason the page numbers in the column headed "Statutes volume and page" are the numbers of the page on which each act begins.

The "Comment" column describes the nature of the affecting action. These are editorial comments, intended to reflect what is patent in the laws reviewed, and every effort has been made to avoid interpretations.

From time to time the annual tables will be cumulated and made separately available as a convenience to users. The most recent cumulation is the Laws Affected Tables for 1956–1970, Volumes 70–84, United States Statutes at Large.

Caveat.

This table is editorially compiled and presented as a reference guide only. Hence it has no evidentiary status or legal effect. Indirect or implied relationships are not included. These may be found through use of the Subject Index or through research based on the text itself.

Note.

Volumes 71 through 86 of the United States Statutes at Large included additional tables of amendments and other affecting actions for special groups of materials such as Revised Statutes, Internal Revenue Codes, positive law titles of the United States Code, etc. Other tables listed broad repeals of unspecified provisions and prior laws which were simply referred to in the text. Because of their limited usefulness and the existence in some cases of other research aids for these materials, former tables 2–19 have been discontinued.

The Office of the Federal Register invites criticisms or suggestions as to the usefulness of this finding aid.

LAWS AFFECTED IN VOLUME 87

TABLE OF PRIOR LAWS AMENDED, REPEALED, OR OTHERWISE AFFECTED

Provisions affected				Amendatory provisions			
Date	Statutes vol.:page	Chapter	Section	87 Stat.	Public Law	Section	Comment
1876							
July 24	19:97	226	----------	82, 81, 88	93–43	7(a)(4), 6(c), 10(c)	Partial repeal; savings provision.
1878							
June 11	20:102	180	5	509	93–140	25(c)	Amendment.
1883							
Mar. 3	22:564	130	8	712	93–185	----------	Do.
1887							
Feb. 4	24:379	104	----------	1008	93–236	304(c)	Exception.
4	24:379	104	----------	1021	93–236	601(b)	Nonapplicability.
4	24:379	104	1(16)(a), (b)	1021	93–236	601(e)	Existing text designated as (a); subsec. (b) added.
4	24:379	104	4	166	93–69	201	Nonapplicability.
4	24:379	104	5	996	93–236	206(d)(3)	Applicability.
4	24:379	104	15a(4)	166	93–69	201	Addition.
4	24:379	104	301–325	838	93–201	1	Nonapplicability.
4	24:379	104	303(b)	838	93–201	1	Revision.
4	24:379	104	303(b)	838	93–201	2	Termination date of 1970 amendment, repeal.
1889							
Mar. 1	25:772	328	48	826, 836	93–198	739(d), 771(d)	Amendment (former sec. 45).
1890							
July 2	26:209	647	----------	1021	93–236	601(a)(2), (3)	Nonapplicability.
1892							
July 26	27:268	250	3	1058, 1061	93–241	1(a)(2), 3	Revision.
26	27:268	250	5	1060, 1061	93–241	1(b), 3	Do.
1893							
Mar. 2	27:532	197	----------	268	93–87	135	Nonapplicability.
1894							
Aug. 27	28:509	349	73, 74	1021	93–236	601(a)(2), (3)	Do.
1898							
Feb. 28	30:250	32	----------	------	--------	----------	(Revised. See 1902, P.L. 224.)
July 1	30:544	541	----------	1021	93–236	601(b)	Nonapplicability.
1	30:544	541	40b	838	93–200	----------	Revision.
1	30:544	541	77(j)	1002	93–236	211(a)	Exception.
7	30:652	571	----------	312	93–92	1(7)	Do.

TABLE OF PRIOR LAWS AFFECTED—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.:page	Public Law	Section	87 Stat.	Public Law	Section	Comment
1902							
July 1	32:632	224	"Sec. 1"	508	93–140	25(a)	Amendment.
1	32:632	224	"Sec. 7"	508	93–140	25(b)	Revision.
1906							
June 20	34:316	254	2(b)(1)	313	93–92	2(1), 3	Do.
20	34:316	254	2(b)(3)	313	93–92	2(2), 3	Amendment.
28	34:546	324	1	305	93–89	501	Do.
1911							
Mar. 1	36:961	435	----------	443	93–120	----------	Restriction.
1912							
Aug. 24	37:417	302	----------	82, 81, 88	93–43	7(a)(12), 6(c), 10(c)	Partial repeal; savings provision.
24	37:417	302	1	437	93–120	----------	Exception.
1913							
Mar. 4	37:938	435	8, par. 97(a)	811, 836	93–198	493(b), 771(c)	Amendment.
Dec. 23	38:251	43	14(b)	314	93–93	----------	Do.
23	38:251	43	19(j)	147	93–63	----------	Effective and termination dates of 1966 amendment, extension.
23	38:251	43	19(j)	342, 348	93–100	1, 8	Do.
1914							
July 16	38:454	127	5	504	93–140	2	Nonapplicability.
Sept. 26	38:717	203	----------	687	93–167	4(b)	Applicability.
26	38:717	203	----------	1021	93–236	601(a)(2), (3)	Nonapplicability.
26	38:717	203	5(l)	591	93–153	408(c)	Deletion; new subsec. (l) added.
26	38:717	203	5(m)	592	93–153	408(d)	Addition.
26	38:717	203	6	592	93–153	408(e)	Amendment.
26	38:717	203	13(b), (c)	592	93–153	408(f)	Subsec. (b) redesignated as (c); new (b) added.
26	38:717	203	16	592	93–153	408(g)	Revision.
Oct. 15	38:730	212	----------	1021	93–236	601(a)(2), (3)	Nonapplicability.
1916							
Aug. 25	39:535	235	----------	146	93–62	2	Supplemental provision.
Sept. 7	39:742	267	----------	748	93–192	----------	Applicability.
1917							
Sept. 24	40:288	43	----------	68	93–32	2	Supplemental provision.
24	40:288	43	----------	929	93–222	2	Do.
24	40:288	43	----------	939	93–224	9(b)	Do.
24	40:288	43	----------	1001	93–236	210(e)	Do.
24	40:288	43	1	135	93–53	2	Amendment.
24	40:288	43	21	134	93–53	1	Debt limit increase, extension.

TABLE OF PRIOR LAWS AFFECTED—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.:page	Public Law	Section	87 Stat.	Public Law	Section	Comment
1917							
Sept. 24	40:288	43	21	691	93–173	1, 2	Debt limit, increase; repeal of temporary provision.
24	40:288	43	22(j)	135	93–53	3(a), (b)	Addition.
1918							
Mar. 19	40:450	106	----------	708	93–182	3(a)	Supplemental provision.
19	40:450	106	1	709	93–189	5, 7	Suspension of authority.
Sept. 19	40:960	215	4(b)(6)	936	93–223	1(1)–(3)	Addition.
1919							
Feb. 24	40:1057	254	1303(d)	746	93–191	13, 14(a)	Partial repeal.
1920							
Feb. 25	41:437	146	28	576, 585	93–153	101, 203(c)	Revision; applicability.
Mar. 1	41:500	153	1	810, 836	93–198	492(a), 771(c)	Revision.
June 4	41:750	238	1	453	93–126	8	Effective date of 1971 amendment, extension.
[1] **1921**							
June 10	42:20	13	201	3	93–1	1(a)	Exception.
1923							
Mar. 4	42:1509	534	----------	1070	93–244	----------	(Revised. See 1946, P.L. 456.)
1924							
June 6	43:463	202	2(a)	779, 836	93–198	203(a), 771(b)	Revision.
6	43:463	202	2(b)	779, 836	93–198	203(a), 771(b)	Do.
6	43:463	202	2(e)(1)	782, 836	93–198	203(b)(1), 771(b)	Amendment.
6	43:463	202	2(e)(2)	782, 836	93–198	203(b)(2), 771(b)	Do.
6	43:463	202	4(a)	782, 836	93–198	203(c)(1), (2), 771(b)	Do.
6	43:463	202	4(b)	782, 836	93–198	203(c)(3), 771(b)	Repeal.
6	43:463	202	4(c)	782, 836	93–198	203(c)(3), 771(b)	Do.
6	43:463	202	5(c)	782, 836	93–198	203(d)(1), 771(b)	Revision.
6	43:463	202	5(e)	782, 836	93–198	203(d)(2), 771(b)	Amendment.
6	43:463	202	6	782, 836	93–198	203(e), 771(b)	Repeal.
6	43:463	202	7	782, 836	93–198	203(f), 771(b)	Revision.
6	43:463	202	8(a)	783, 836	93–198	203(g), 771(b)	Amendment.

[1] Referred to in text as 1922.

TABLE OF PRIOR LAWS AFFECTED—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.:page	Public Law	Section	87 Stat.	Public Law	Section	Comment
1925							
Feb. 12	43:892	413	----------	82, 81, 88	93–43	7(a)(13), 6(c), 10(c)	Partial repeal; savings provision.
12	43:892	413	----------	85, 81, 88	93–43	7(a)(43), 6(c), 10(c)	Do.
Mar. 3	43:1119	561	6(c)	531	93–145	----------	Amendment.
1926							
Mar. 16	44:208	47	11	1057, 1061	93–241	1(a)(1), 3	Revision.
Apr. 15	44:254	123	----------	83, 81, 88	93–43	7(a)(15), 6(c), 10(c)	Partial repeal; savings provision.
May 7	44:403	186	4(g), (h)	98	93–47	1(1)	Subsec. (g) redesignated as (h); new (g) added.
7	44:403	186	4(h)(2), (3)	98	93–47	1(2)	Par. (2) deleted; new (2), (3) added.
20	44:577	257	----------	1013	93–236	502(a)	Applicability.
20	44:577	257	10	5	93–5	1	Applicability; time extension.
1927							
Feb. 23	44:1106	630	----------	83, 81, 88	93–43	7(a)(16), 6(c), 10(c)	Partial repeal; savings provision.
Mar. 4	44:1424	803	44	105	93–50	----------	Supplemental provision.
1928							
Mar. 23	45:326	181	----------	83, 81, 88	93–43	7(a)(17), 6(c), 10(c)	Partial repeal; savings provision.
May 17	45:600	419	3, 4	507	93–140	19	Sec. 3 renumbered as 4; new 3 added.
1929							
Feb. 18	45:1222	770	10(a)	902, 903	93–205	13(b), 16	Amendment.
28	45:1349	843	----------	83, 81, 88	93–43	7(a)(18), 6(c), 10(c)	Partial repeal; savings provision.
Mar. 2	45:1492	934	----------	421	93–115	12	Repeal.
1930							
May 27	46:391	271	7	432	93–120	----------	Exception.
28	46:432	278	----------	83, 81, 88	93–43	7(a)(19), 6(c), 10(c)	Partial repeal; savings provision.
			Tariff Schedules				
June 17	46:590	361	Item 106. 10	1158	Proc. No. 4183	(1)–(3)	Supplemental provision.
17	46:590	361	Item 106. 20	1158	Proc. No. 4183	(1)–(3)	Do.

TABLE OF PRIOR LAWS AFFECTED—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.:page	Public Law	Section	87 Stat.	Public Law	Section	Comment
1930			**Tariff Schedules —Con.**				
June 17	46:590	361	Item 725. 01	1166	Proc. No. 4189	(1)	Revision.
17	46:590	361	Pt. 1, B, Hdnt. 3 (App.)	176	93–77	1(b), 2	Amendment.
17	46:590	361	Item 903. 90 (App.)	341	93–99	2(a), (b)	Duty suspension, extension.
17	46:590	361	Item 907. 50 (App.)	177	93–79	1, 2(a)	Addition.
17	46:590	361	Item 907. 80 (App.)	348	93–101	1(1)–(3), 2(a)	Amendment; duty suspension, extension.
17	46:590	361	Item 911. 07 (App.)	341	93–99	1(a), (b)	Duty suspension, extension.
17	46:590	361	Item 911.10 (App.)	176	93–77	1(a), 2	Do.
17	46:590	361	Item 911.11 (App.)	176	93–77	1(a), 2	Do.
17	46:590	361	Item 911.12 (App.)	177	93–78	1(a), (b)	Do.
17	46:590	361	Items 911.13–911.16 (App.)	176	93–77	1(a), 2	Do.
17	46:590	361	Item 924.00 (App.)	1166	Proc. No. 4189	(2)	Supplemental provision.
17	46:590	361	Pt. 3, Hdnt. 3(a)(vi) (App.)	1149	Proc. No. 4177	----------	Addition.
17	46:590	361	Pt. 3, Hdnt. 3(a)(vi) (App.)	1208	Proc. No. 4216	----------	Revision.
17	46:590	361	Pt. 3, Hdnt. 3(a)(vi) (App.)	1232	Proc. No. 4230	----------	Do.
17	46:590	361	Pt. 3, Hdnt. 3(a)(vi) (App.)	1242	Proc. No. 4238	----------	Do.
17	46:590	361	Pt. 3, Hdnt. 3(a)(vii) (App.)	1203	Proc. No. 4213	----------	Addition.
17	46:590	361	Pt. 3, Hdnt. 3(a)(viii) (App.)	1260	Proc. No. 4253	----------	Do.
17	46:590	361	Item 950.02 (App.)	1149	Proc. No. 4177	----------	Supplemental provision.
17	46:590	361	Item 950.02 (App.)	1208	Proc. No. 4216	----------	Do.
17	46:590	361	Item 950.02 (App.)	1232	Proc. No. 4230	----------	Do.
17	46:590	361	Item 950.02 (App.)	1242	Proc. No. 4238	----------	Do.

TABLE OF PRIOR LAWS AFFECTED—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.:page	Public Law	Section	87 Stat.	Public Law	Section	Comment
1930			**Tariff Schedules —Con.**				
June 17	46:590	361	Item 950.05 (App.)	1260	Proc. No. 4253	----------	Supplemental provision.
17	46:590	361	Item 950.06 (App.)	1260	Proc. No. 4253	----------	Do.
17	46:590	361	Items 950.07–950.10E (App.)	1203	Proc. No. 4213	----------	Do.
17	46:590	361	Item 950.08A (App.)	1204	Proc. No. 4213	----------	Do.
17	46:590	361	514	177	93–79	2(b)	Exception.
17	46:590	361	514	341	93–99	2(b)(2)	Do.
17	46:590	361	514	348	93–101	2(b)	Do.
1931							
Feb. 23	46:1277	718	----------	83, 81, 88	93–94	7(a)(20), 6(c), 10(c)	Partial repeal; savings provision.
1932							
June 30	47:382	212	----------	658	93–162	----------	Exception.
30	47:382	212	321	174	93–74	6	Do.
30	47:382	212	321	195	93–82	302(2)	Do.
July 1	47:564	240	----------	905	93–206	7	Applicability.
14	47:664	286	----------	83, 81, 88	93–43	7(a)(21), 6(c), 10(c)	Partial repeal; savings provision.
22	47:725	304	5B	147	93–63	----------	Effective date of 1969 repeal, extension.
22	47:725	304	5B	342, 348	93–100	1, 8	Do.
1933							
Mar. 3	47:1489	428 (title III)	2, 3	620	93–155	813(a)	Applicability.
4	47:1571	441	----------	83, 81, 88	93–43	7(a)(22), 6(c), 10(c)	Partial repeal; savings provision.
May 12	48:31	10	----------	224	93–86	1(6)	Savings provision.
12	48:31	10	8c(5)(B)(d)–(f)	222	93–86	1(2)(A)	Termination date of 1970 amendment, extension.
12	48:31	10	8c(6)(I)	945	93–230	----------	Amendment.
12	48:31	10	8c(17)	222	93–86	1(2)(B)	Do.
12	48:31	10	8c(18)	222	93–86	1(2)(B)	Do.
June 13	48:128	43	5(c)	343, 348	93–100	5(b), 8	Do.
1934							
Jan. 30	48:337	87	3	352	93–110	3(a)(c),	Repeal; effective date.
30	48:337	87	4	352	93–110	3(a), (c)	Do.
Apr. 26	48:614	176	----------	83, 81, 88	93–43	7(a)(23), 6(c), 10(c)	Partial repeal; savings provision.

TABLE OF PRIOR LAWS AFFECTED—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.:page	Public Law	Section	87 Stat.	Public Law	Section	Comment
1934							
June 13	48:948	324	2	51	93–29	501	Supplemental provision.
18	48:984	383	----------	770	93–197	3(a)	Applicability.
19	48:1064	416	331	350	93–107	1	Addition.
19	48:1064	416	331	351	93–107	2	Repeal; effective date.
19	48:1064	416	391	219	93–84	1(c)	Revision.
19	48:1064	416	396(k)(1)	219	93–84	1(a)	Do.
19	48:1064	416	396(k)(2)	219	93–84	1(b)	Amendment.
19	48:1064	416	399(a), (b)	219, 220	93–84	2(a), (b)	Existing text designated as (a); subsec. (b) added.
19	48:1125	436	8(a) (ch. III)	303	93–89	201(1)(A), (B), 202	Amendment.
19	48:1125	436	8(b) (ch. III)	303	93–89	201(2) (A), (B), 202	Do.
19	48:1125	436	10(1)(d) (ch. V)	304	93–89	301(1)–(3)	Do.
19	48:1125	436	10(3)(d) (ch. V)	304	93–89	301(1)–(3)	Do.
19	48:1125	436	10(4)(d) (ch. V)	304	93–89	301(1)–(3)	Do.
19	48:1125	436	10(6)(d) (ch. V)	304	93–89	301(1)–(3)	Do.
19	48:1125	436	10(9)(d) (ch. V)	304	93–89	301(1)–(3)	Do.
19	48:1125	436	11(d) (ch. V)	304	93–89	302(1)–(3)	Addition.
19	48:1125	436	35(10)(b) (ii) (ch. III)	303	93–89	201(3), 202	Amendment.
19	48:1125	436	35(15)(ii) (ch. III)	303	93–89	201(4), 202	Do.
27	48:1246	479	2(a)	220	93–85	1(a)	Do.
27	48:1246	479	2(a)	421	93–117	1(a)	Do.
27	48:1246	479	2(b)	984	93–234	208	Exception.
27	48:1246	479	2(c)	883	93–204	----------	Applicability.
27	48:1246	479	2(d)	883	93–204	----------	Do.
27	48:1246	479	2(h)	883	93–204	----------	Do.
27	48:1246	479	207(e)	53	93–29	501	Do.
27	48:1246	479	207(e)	380	93–112	303(g)(2)	Do.
27	48:1246	479	207(g)–(l)	53	93–29	501	Do.
27	48:1246	479	207(g)–(l)	380	93–112	303(g)(2)	Do.
27	48:1246	479	207(n)	53	93–29	501	Do.
27	48:1246	479	207(n)	380	93–112	303(g)(2)	Do.
27	48:1246	479	217	220	93–85	1(b)	Amendment.
27	48:1246	479	217	421	93–117	1(b)	Do.
27	48:1246	479	220(h)(5)–(7)	883	93–204	----------	Applicability.
27	48:1246	479	220(h)(9)	883	93–204	----------	Do.
27	48:1246	479	220(h)(10)	883	93–204	----------	Do.
27	48:1246	479	221(f)	220	93–85	1(c)	Amendment.
27	48:1246	479	221(f)	421	93–117	1(c)	Do.
27	48:1246	479	232(i)	883	93–204	----------	Addition.
27	48:1246	479	235(m)	220	93–85	1(d)	Amendment.
27	48:1246	479	235(m)	421	93–117	1(d)	Do.
27	48:1246	479	236(n)	220	93–85	1(e)	Do.
27	48:1246	479	236(n)	421	93–117	1(e)	Do.
27	48:1246	479	306(g)	936	93–222	7(c)	Do.
27	48:1246	479	402(j)	343, 348	93–100	4, 8	Addition.
27	48:1246	479	404	344, 348	93–100	6, 8	Revision.

TABLE OF PRIOR LAWS AFFECTED—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.:page	Public Law	Section	87 Stat.	Public Law	Section	Comment
1934							
June 27	48:1246	479	809(f)	220	93–85	1(f)	Amendment.
27	48:1246	479	809(f)	421	93–117	1(f)	Do.
27	48:1246	479	810(k)	220	93–85	1(g)	Do.
27	48:1246	479	810(k)	421	93–117	1(g)	Do.
27	48:1246	479	1002(a)	220	93–85	1(h)	Do.
27	48:1246	479	1002(a)	422	93–117	1(h)	Do.
27	48:1246	479	1101(a)	220	93–85	1(i)	Do.
27	48:1246	479	1101(a)	422	93–117	1(i)	Do.
1935							
Feb. 2	49:19	Pub. Res. 2	----------	213	93–83	2	Exception.
Apr. 9	49:120	29	----------	83, 81, 88	93–43	7(a)(24), 6(c), 10(c)	Partial repeal; savings provision.
June 15	49:378	148	401	890	93–205	6(b)	Applicability.
15	49:378	148	401(a)	902, 903	93–205	13(b), 16	Amendment.
28	49:425	170	1	451, 452	93–126	3(1), (2)	Do.
Aug. 14	49:620	271	1–6	973, 974	93–233	18(z–2)(1)(A)(ii), (2)	Provision subsequent to repeal.
14	49:620	271	201–231	152	93–66	201(a)(1), (2)	Benefits, increase.
14	49:620	271	201–231	947	93–233	1(b)(1), (2)	Effective date of 1973 benefits increase, modification.
14	49:620	271	201(b)(1)(E)–(J)	955	93–233	7(a)	Cls. (E)–(G) deleted; new (E)–(J) added.
14	49:620	271	201(b)(2)(E)–(J)	956	93–233	7(b)	Do.
14	49:620	271	202	947, 948	93–233	1(f), (g)	Supplemental provision.
14	49:620	271	202(d)(8)(D)(ii)(III)	161	93–66	240(a), (b)	Addition.
14	49:620	271	202(e)(2)(B)	947	93–233	1(c)	Exception.
14	49:620	271	202(e)(5)	969	93–233	18(f)(2)	Amendment of supplemental provision.
14	49:620	271	202(e)(7)	947	93–233	1(f)	Addition.
14	49:620	271	202(f)(1)(B)(ii)	969	93–233	18(f)(2)	Amendment of supplemental provision.
14	49:620	271	202(f)(1)(G)	969	93–233	18(f)(3)	Supplemental provision.
14	49:620	271	202(f)(3)(B)	947	93–233	1(c)	Exception.
14	49:620	271	202(f)(6)	969	93–233	18(f)(2)	Amendment of supplemental provision.
14	49:620	271	202(f)(8)	948	93–233	1(g)	Addition.
14	49:620	271	202(j)(1)	947, 948	93–233	1(c), (i)	Nonapplicability.
14	49:620	271	202(m)	948	93–233	1(i)	Applicability.
14	49:620	271	202(w)(5)	967	93–233	18(b)	Addition.
14	49:620	271	203(f)(1)	153	93–66	202(a), (d)	Amendment.
14	49:620	271	203(f)(3)	153	93–66	202(b), (d)	Do.
14	49:620	271	203(f)(4)(B)	153	93–66	202(a), (d)	Do.
14	49:620	271	203(f)(8)(A)	953	93–233	3(k)(1)	Revision.

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Aug. 14	49:620	271	203(f)(8)(B)	953	93-233	3(k)(2)	Amendment.
14	49:620	271	203(f)(8)(B)(ii)	967	93-233	18(a)(1), (2)	Do.
14	49:620	271	203(f)(8)(C)	953	93-233	3(k)(3)	Do.
14	49:620	271	203(h(1)(A)	153	93-66	202(c), (d)	Do.
14	49:620	271	209(a)(8)	153	93-66	203(a)(1), (e)	Do.
14	49:620	271	209(a)(8)	953, 954	93-233	5(a)(1), (e)	Do.
14	49:620	271	211(b)(1)(H)	153	93-66	203(a(2), (e)	Do.
14	49:620	271	211(b)(1)(H)	953, 954	93-233	5(a)(2)(e)	Do.
14	49:620	271	213(a)(2)(ii)	153	93-66	203(a)(3), (e)	Do.
14	49:620	271	213(a)(2)(ii)	953, 954	93-233	5(a)(3), (e)	Do.
14	49:620	271	213(a)(2)(iii)	153	93-66	203(a)(3), (e)	Do.
14	49:620	271	213(a)(2)(iii)	953, 954	93-233	5(a)(3), (e)	Do.
14	49:620	271	215(a)	154	93-66	203(f)	Supplemental provision.
14	49:620	271	215(a)	948-952	93-233	2(a), c)	Table revised.
14	49:620	271	215(a)(1)(A)	952	93-233	2(d)	Effective date of 1972 amendment, modification.
14	49:620	271	215(a)(3)	948	93-233	1(h)(1), (2)	Amendment.
14	49:620	271	215(b)(4)	952	93-233	2(d)	Effective date of 1972 amendment, modification.
14	49:620	271	215(c)	952	93-233	2(d)	Do.
14	49:620	271	215(e)(1)	153	93-66	203(a)(4), (e)	Amendment.
14	49:620	271	215(e)(1)	953, 954	93-233	5(a)(4), (e)	Do.
14	49:620	271	215(i)	152	93-66	201(b)	Applicability.
14	49:620	271	215(i)	947	93-233	1(c)	Do.
14	49:620	271	215(i)	952	93-233	3(i)	Supplemental provision.
14	49:620	271	215(i)(1)(A)(i)	952	93-233	3(a)	Revision.
14	49: 20	271	215(i)(1)(B)(ii)	952	93-233	3 b)	Amendment.
14	49:620	71	215(i)(2)(A)(i	952	93-233	3(c)	Do.
14	49:620	271	215(i)(2)(A (ii)	952	93-233	3(d)(1)-(3)	Do.
14	4 620	271	215(i)2)(B)	952	93-233	3(e)	Amendments.
14	49:620	271	215(i)(2)(C)(ii)	952	93-233	3(f)	Amendment.
14	49:620	27	215(i)(2)(D)	952	93-233	3(g)	Do.
14	4 :620	271	215(i)(2)(E)	952	93-233	3(h)	Deletion.
1	9:620	271	223(b)	947, 948	93-233	1 c)(i)	Nonapplicability.

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Aug. 14	49: 20	271	226(a)	969	93–233	18(f)(1)(B)	Subsec. (a)(1 redesignated a (a). D .
14	49 620	271	226(a)(1)	969	3-233	1 (f)(1)(A)	
14	49:620	271	226(a)(1)(A),(B)	969	93–233	18(f)(1(B)	Cls. (A),(B) redesignated as Cls. (a)(1),( ).
14	49:620	271	226(a)(1)(A),(B),(2)	969	93–233	18(f)(1)(B)	Cls. (a)(1)(A),(B) redesignated as (a)(1),(2)
14	49:620	271	226(e)(2)(A)–(D)	142	93–58	3(1)–(4), 4(a)	Amendment (relating to medicare eligibility for disabled)
14	49:620	271	226(f)	969	93–233	18(f (1)(C)	Subsec. (f) (relating to widows' and widowers benefits) redesignated as (h).
14	49:620	271	226(f)	969	93–233	18(f)(1)(C)	Subsec. (f) (relating to certain uninsured individuals' benefits) redesignated as (i).
14	49:620	271	226(h)	969	93–233	18(f)(1)(C)	Former subsec. (f) (relating to wid ws' and widowers' benefits) redesignated as (h).
14	49:620	271	226(h)(1)(A)	969	93–233	18(f)(2)	Amendment. (See also 1935, P.L. 271, sec. 202(e)(5), (f)(1)(B)(ii), (6).)
14	49:620	271	226(h)(1)(B)	969	93–233	18(f)(3)	Amendment. (See also 1935, P.L. 271, sec. 202(f)(1)(G).)
14	49:620	271	226(h)(2)	969	93–233	18(f)(4)	Amendment.
14	49:620	271	226(h)(3)	969	93–233	18(f)(4)	Do.
14	49:620	271	226(i)	969	93–233	18(f)(1)(C)	Former subsec. (f) (relating to certain uninsured individuals' benefits) redesignated as (i).
14	49:620	271	227	952	93–233	2(b)(1), (c)	Amendment.
14	49:620	271	227	952	93–233	2(b)(2), (c)	Repeal of 1972 amendment.
14	49:620	271	228	952	93–233	2(b)(1), (c)	Amendment.
14	49:620	271	228	952	93–233	2(b)(2), (c)	Repeal of 1972 amendment.
14	49:620	271	228(d)	968	93–233	18(c)	Amendment.
14	49:620	271	230(a)	952	93–233	3(j)(1)(A),(B)	Do.
14	49:620	271	230(c)	153	93–66	203(c), (e)	Do.
14	49:620	271	230(c)	953	93–233	3(j)(2)	Do.
14	49:620	271	230(c)	954	93–233	5(c), (e)	Do.
14	49:620	271	303(w)(2)(B)(ii)	141	93–58	1	Supplemental provision.

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Aug. 14	49:620	271	502(1)	135	93–53	4(a)(1)	Amendment.
14	49:620	271	502(2)	135	93–53	4(a)(2)	Do.
14	49:620	271	505(a)(8)	135	93–53	4(a)(3)	Do.
14	49:620	271	505(a)(9)	135	93–53	4(a)(4)	Do.
14	49:620	271	505(a)(10)	135	93–53	4(a)(5)	Do.
14	49:620	271	506(f)(3)	967	93–233	16	Supplemental provision.
14	49:620	271	508(b)	135	93–53	4(a)(6)	Amendment.
14	49:620	271	509(a)(2)(B)	967	93–233	16	Supplemental provision.
14	49:620	271	509(a)(2)(C)	967	93–233	16	Do.
14	49:620	271	509(b)	135	93–53	4(a)(7)	Amendment.
14	49:620	271	510(b)	136	93–53	4(a)(8)	Do.
14	49:620	271	516	136	93–53	4(b)	Addition.
14	49:620	271	602	973	93–233	18(z–2)(i)(B)(ii)	Waiver.
14	49:620	271	603(a)(1)	970, 974	93–233	18(j)	Exception.
14	49:620	271	1001–1006	973, 974	93–233	18(z–2)(1)(A)(ii)(2)	Provision subsequent to repeal.
14	49:620	271	1101(a)	973, 974	93–233	18(z–2)(1)(A)(ii), (2)	Amendment.
14	49:620	271	1101(a)(1)	973, 974	93–233	18(z–2)(1)(A)(i), (2)	Do.
14	49:620	271	1115	973, 974	93–233	18(z–2)(1)(B)(i), (2)	Do.
14	49:620	271	1115(a)	973, 974	93–233	18(z–2)(1)(B)(ii), (2)	Do.
14	49:620	271	1115(b)	973, 974	93–233	18(z–2)(1)(B)(iii)(2)	Do.
14	49:620	271	1116(a)(1)	974	93–233	18(z–2)(1)(C)(i)(2)	Do.
14	49:620	271	1116(a)(3)	974	93–233	18(z–2)(1)(C)(ii), (2)	Do.
14	49:620	271	1116(b)	974	93–233	18(z–2)(1)(C)(iii), (2)	Do.
14	49:620	271	1116(d)	974	93–233	18(z–2)(1)(C)(iv), (2)	Do.
14	49:620	271	1122(d)(1)	973	93–233	18(z)	Do.
14	49:620	271	1122(d)(2)	973	93–233	18(z–1)	Do.
14	49:620	271	1130(a)	970, 974	93–233	18(j), (z–3)(1)	Do.
14	49:620	271	1130(a)(2)	159	93–66	221(1), (2)	Do.
14	49:620	271	1401–1405	973, 974	93–233	18(z–2)(1)(A)(ii), (2)	Provision subsequent to repeal.
14	49:620	271	1601–1634	157	93–66	212(e)	Applicability.
14	49:620	271	1601–1634	959	93–233	11(b)	Waiver.
14	49:620	271	1601–1634	973, 974	93–233	18(z–2)(1)(A)(ii), (2)	Continuation provision.
14	49:620	271	1601–1634	974	93–233	19(b)	Exception.
14	46:620	271	1611(a)(1)(A)	154	93–66	210(a), (c)	Amendment.
14	49:620	271	1611(a)(1)(A)	154	93–66	211(a)(1)(A)	Supplemental provision.
14	49:620	271	1611(a)(1)(A)	953	93–233	4(a)(1)	Effective date of 1973 amendment, modification.
14	49:620	271	1611(a)(1)(A)	953	93–233	4(a)(2), (b)(3)	Amendment of supplemental provision.
14	49:620	271	1611(a)(1)(A)	953	93–233	4(b)(1)	Amendment.
14	49:620	271	1611(a)(2)(A)	154	93–66	210(b), (c)	Do.

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Aug. 14	49:620	271	1611(a)(2)(A)	154	93–66	211(a)(1)(A)	Supplemental provision.
14	49:620	271	1611(a)(2)(A)	953	93–233	4(a)(1)	Effective date of 1973 amendment, modification.
14	49:620	271	1611(a)(2)(A)	953	93–233	4(a)(2), (b)(3)	Amendment of supplemental provision.
14	49:620	271	1611(a)(2)(A)	953	93–233	(4)(b)(2)	Amendment.
14	49:620	271	1611(b)(1)	154	93–66	210(a),(c)	Do.
14	49:620	271	1611(b)(1)	154	93–66	211(a)(1)(A)	Supplemental provision.
14	49:620	271	1611(b)(1)	953	93–233	4(a)(1)	Effective date of 1973 amendment, modification.
14	49:620	271	1611(b)(1)	953	93–233	4(a)(2), (b)(3)	Amendment of supplemental provision.
14	49:620	271	1611(b)(1)	953	93–233	4(b)(1)	Amendment.
14	49:620	271	1611(b)(2)	154	93–66	210(b)(c)	Do.
14	49:620	271	1611(b)(2)	154	93–66	211(a)(1)(A)	Supplemental provision.
14	49:620	271	1611(b)(2)	953	93–233	4(a)(1)	Effective date of 1973 amendment, modification.
14	49:620	271	1611(b)(2)	953	93–233	4(a)(2), (b)(3)	Amendment of supplemental provision.
14	49:620	271	1611(b)(2)	953	93–233	4(b)(2)	Amendment.
14	49:620	271	1611(g)	154	93–66	211(a)(2)	Applicability.
14	49:620	271	1611(g)	968	93–233	18(d)	Deletion; new subsec. (g) added.
14	49:620	271	1611(h)	968	93–233	18(e)	Deletion; new subsec. (h) added.
14	49:620	271	1614(a)(3)(A)–(D)	957	93–233	9(2)	Exception.
14	49:620	271	1614(a)(3)(A)	957	93–233	9(1)	Amendment.
14	49:620	271	1614(a)(3)(E)	957	93–233	9(2)	Addition.
14	49:620	271	1616(e)	965	93–233	14	Do.
14	49:620	271	1631(a)(4)(B)	969, 974	93–233	18(g), (z–3)(1)	Amendment.
14	49:620	271	1633(a)	158	93–66	214(1),(2)	Existing text designated as subsec. (a) and amended.
14	49:620	271	1633(b)	158	93–66	214(3)	Addition.
14	49:620	271	1814(a)	970, 974	93–233	18(k)(2), (z–3)(2)	Amendment.
14	49:620	271	1814(a)(2)(E)	970, 974	93–233	18(k)(1), (z–3)(2)	Revision.
14	49:620	271	1814(b)	967	93–233	16	Supplemental provision.
14	49:620	271	1832(a)(2)(B)(i)(II)	966, 967	93–233	15(a)(2), (b), (d)	Supplemental provision; savings provision.
14	49:620	271	1833(a)(2)	967	93–233	16	Supplemental provision.
14	49:620	271	1843(b)	970, 974	93–233	18(l), (z–3)(1)	Amendment.
14	49:620	271	1861(b)(7)	965–967	93–233	15(a)(1), (b), (d)	Supplemental provision; savings provision.

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Aug. 14	49:620	271	1861(v)(5)(A)	967	93-233	17(a)	Supplemental provision.
14	49:620	271	1862(a)(12)	970, 974	93-233	18(k)(3), (z-3)(2)	Amendment.
14	49:620	271	1876(a)(3)(A)(ii)	970, 974	93-233	18(m), (z-3)(3)	Do.
14	49:620	271	1876(g)(2)	971, 974	93-233	18(n)(1), (2), (z-3)(3)	Do.
14	49:620	271	1876(g)(2)(i), (ii)	971, 974	93-233	18(n)(3), (4), (z-3)(3)	Designation "(i)" deleted; cl. (ii) deleted.
14	49:620	271	1901-1910	971	93-233	18(q)	Exception.
14	49:620	271	1901	960, 965	93-233	13(a)(1), (d)	Amendment.
14	49:620	271	1902(a)(5)	960, 965	93-233	13(a)(2)(A), (B), (d)	Do.
14	49:620	271	1902(a)(10)	960, 965	93-233	13(a)(3), (d)	Revision.
14	49:620	271	1902(a)(13)(B)	961, 965	93-233	13(a)(4), (d)	Amendment.
14	49:620	271	1902(a)(13)(C)	972	93-233	18(x)(1)	Do.
14	49:620	271	1902(a)(14)(A)	961, 965	93-233	13(a)(5), (d)	Do.
14	49:620	271	1902(a)(14)(B)	961, 962, 965	93-233	13(a)(6)(A)-(D), (d)	Do.
14	49:620	271	1902(a)(17)	962, 965	93-233	13(a)(7)(A)-(D), (8), (d)	Do.
14	49:620	271	1902(a)(18)	962, 965	93-233	13(a)(8), (d)	Do.
14	49:620	271	1902(a)(20)(C)	962, 965	93-233	13(a)(9), (d)	Do.
14	49:620	271	1902(a)(21)	972	93-233	18(x)(4)	Do.
14	49:620	271	1902(a)(24)	972	93-233	18(x)(4)	Do.
14	49:620	271	1902(a)(26)(B)	972	93-233	18(x)( )	Do.
14	49:620	271	1902(a)(33)(A)	972	93-233	18((2)	Do.
14	49:620	271	1902(a)(34)	971, 974	93-233	18(o), (z-3)(4)	Do.
14	49:620	271	1902(a)(35)(A)	971	93-233	18(p)	Do.
14	49:620	271	1902(a)(36)	972	93-233	18(x)(3)(A), (B)	Par. (37) redesignated as (36).
14	49:620	271	1902(a)(37)	972	93-233	18(x)(3)(A), (B)	Redesignated as par. 36.
14	49:620	271	1902(d)	972	93-233	8(x)(4)	Amendment.
14	49:620	271	1902(e)	971	93-233	18(q)	Revision.
14	49:620	271	1902(f)	962, 965	93-233	13(a) 0)(A)-(D), (d)	Amendment.
14	49:620	271	1902(f)	970	93-233	18(l)	Applicability.
14	49:620	271	1903(a)	972	93-233	18(x)(5)	Amendment.
14	49:620	271	1903(a)(1)	963, 965	93-233	13(a)(11), (d)	Do.
14	49:620	271	1903(a)(1)	971	93-233	18(r)(1)	Do.
14	49:620	271	1903(a)(4)	972	93-233	18(s)	Do.
14	49:620	271	1903(a)(5)	972	93-233	18(t)	Do.
14	49:620	271	1903(b)(1)-(3)	972	93-233	18(x)(6)	Pars. (2), (3) redesignated as (1), (2).

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Aug. 14	49:620	271	1903(b)(2)	971	93-233	18(r)(2)	Amendment.
14	49:620	271	1903(b)(2)	972, 974	93-233	18(u), (z-3)(4)	Do.
14	49:620	271	1903(c)	973	93-233	18(y)(1)(A)	Deletion.
14	49:620	271	1903(d)	973	93-233	18(y)(1)(B)	Amendment.
14	49:620	271	1903(f)(4)	963, 965	93-233	13(a)(12), (d)	Revision.
14	49:620	271	1903(g)(1)(C)	972	93-233	18(v)	Amendment.
14	49:620	271	1903(i)(3)	967	93-233	16	Supplemental provision.
14	49:620	271	1903(j)	160	93-66	234(a), (b)	Deletion; effective date.
14	49:620	271	1904(f)(1)-(3)	963	93-233	13(a)(12)	Nonapplicability.
14	49:620	271	1905(a)	963, 965	93-233	13(a)(13), (d)	Amendment.
14	49:620	271	1905(a)(iv)	964, 965	93-233	13(a)(14), (d)	Do.
14	49:620	271	1905(a)(v)	964, 965	93-233	13(a)(13), (d)	Do.
14	49:620	271	1905(a)(vii)	964, 965	93-233	13(a)(16), (17), (d)	Addition.
14	49:620	271	1905(a)(16)	973	93-233	18(x)(7)	Amendment.
14	49:620	271	1905(b)	973	93-233	18(y)(2)	Do.
14	49:620	271	1905(c)	973	93-233	18(x)(8)	Do.
14	49:620	271	1905(h)	973	93-233	18(x)(9)	Subsec. (h) (relating to skilled nursing facility) redesignated as (i).
14	49:620	271	1905(h)(1)(B)(i)	972	93-233	18(w)(1), (2)	Part of existing text redesignated as (i) and amended.
14	49:620	271	1905(h)(1)(B)(ii)	972	93-233	18(w)(3)	Amendment.
14	49:620	271	1905(h)(2)	973	93-233	18(x)(10)	Do.
14	49:620	271	1905(i)	973	93-233	18(x)(9)	Subsec (h) (relating to skilled nursing facility) redesignated as (i).
14	49:620	271	1905(j)	964, 965	93-233	13(a)(18), (d)	Addition.
14	49:620	271	1905(k)	964, 965	93-233	13(a)(18), (d)	Do.
14	49:620	271	1908(d)	973	93-233	18(y)(3)	Amendment.
14	49:620	271	1908(e)-(g)	973	93-233	18(y)(3)	Subsecs. (e), (f) deleted; (g) redesignated as (e).
24	49:750	320	32	10	93-13	2	Supplemental provision.
24	49:750	320	32	249	93-86	4(a)(1)	Do.
24	49:750	320	32	563	93-150	5(a), 6(b)	Do.
29	49:967	399	----------	163, 166	93-69	103(a), 109(c)	Termination date of 1970 annuity increase, extension.
29	49:967	399	----------	163, 166	93-69	103(b), 109(c)	Termination date of 1971 annuity increase, extension.
29	49:967	399	----------	163, 166	93-69	103(c), 109(c)	Termination date of 1972 annuity increase, extension.

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1936							
May 15	49:1278	598	----------	84, 81, 88	93–43	7(a)(25), 6(c), 10(c)	Partial repeal; savings provision.
20	49:1363	605	3(a)	66	93–32	2	Exception.
20	49:1363	605	3(f)	70, 71	93–32	3, 12	Repeal.
20	49:1363	605	4	66	93–32	2	Transfer of funds.
20	49:1363	605	5	66	93–32	2	Do.
20	49:1363	605	201	66	93–32	2	Do.
20	49:1363	605	301–310	66–71	93–32	2, 12	Secs. 301, 302 deleted; new 301–310 added.
20	49:1363	605	405(e)	70, 71	93–32	4, 12	Deletion; new subsec. (e) added.
20	49:1363	605	406(a)	70, 71	93–32	5, 12	Amendment.
20	49:1363	605	407(a)	70, 71	93–32	6, 12	Do.
20	49:1363	605	407(c)	70, 71	93–32	7, 12	Addition.
20	49:1363	605	408(a)	70, 71	93–32	8(a), (b), 12	Amendment.
20	49:1363	605	408(b)(3)	71	93–32	9, 12	Deletion; new par. (3) added.
27	49:1380	622	5(b)	350	93–106	2	Amendment.
June 19	49:1526	692	----------	1021	93–236	601(a)(2), (3)	Nonapplicability.
20	49:1544	722	1	151	93–65	6(a)	Amendment.
29	49:1985	835	502(a)	169	93–71	1(1), (2)	Do.
29	49:1985	835	607(k)(8)(ii)	421	93–116	----------	Revision.
29	49:1985	835	1103(f)	168	93–70	3	Amendment.
1937							
June 24	50:307	162	1	163, 166	93–69	103(a), 109(c)	Termination date of 1970 annuity increase, extension.
24	50:307	162	1	163, 166	93–69	103(b), 109(c)	Termination date of 1971 annuity increase, extension.
24	50:307	162	1	163, 166	93–69	103(c), 109(c)	Termination date of 1972 annuity increase, extension.
24	50:307	162	1, "Sec. 2"	163, 166	93–69	103(a), 109(c)	Termination date of 1970 annuity increase, extension.
24	50:307	162	1, "Sec. 2"	163, 166	93–69	103(b), 109(c)	Termination date of 1971 annuity increase, extension.
24	50:307	162	1, "Sec. 2"	163, 166	93–69	103(c), 109(c)	Termination date of 1972 annuity increase, extension.
24	50:307	162	1, "Sec. 2"	164, 166	93–69	104(b)(3), 109(c)	Annuity increase.
24	50:307	162	1, "Sec. 2(a)(2)"	162, 165	93–69	101(1), 109(a)	Amendment, nonapplicability.
24	50:307	162	1, "Sec. 2(a)(3)"	162, 165	93–69	101(2), (3), 109(a)	Do.
24	50:307	162	1, "Sec. 2(e)"	163, 166	93–69	103(a), 109(c)	Termination date of 1970 annuity increase, extension.
24	50:307	162	1, "Sec. 2(e)"	163, 166	93–69	103(b), 109(c)	Termination date of 1971 amendment, extension.
24	50:307	162	1, "Sec. 2(e)"	163, 166	93–69	103(c), 109(c)	Termination date of 1972 amendnent, extension.
24	50:307	162	1, "Sec. 2(e)"	164, 166	93–69	104(b)(1)–(3), 109(c)	Amendment.
24	50:307	162	1, "Sec. 2(i)"	163, 166	93–69	103(a), 109(c)	Termination date of 1970 amendment, extension.

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1937							
June 24	50:307	162	1, "Sec. 2(i)"	163, 166	93–69	103(b), 109(c)	Termination date of 1971 amendment, extension.
24	50:307	162	1, "Sec. 2(i)"	163, 166	93–69	103(c), 109(c)	Termination date of 1972 annuity increase, extension.
24	50:307	162	1, "Sec. 2(i)"	164, 166	93–69	104(c), 190(c)	Amendment.
24	50:307	162	1, "Sec. 3(a)(1)–(4)"	163, 166	93–69	103(c), 109(c)	Termination date of 1972 annuity increase, extension.
24	50:307	162	1, "Sec. 3(a)(1)–(3)"	163, 166	93–69	103(b), 109(c)	Termination date of 1971 annuity increase, extension.
24	50:307	162	1, "Sec. 3(a)(1)"	163, 166	93–69	103(a), 109(c)	Termination date of 1970 annuity increase, extension.
24	50:307	162	1, "Sec. 3(a)(2)"	163, 166	93–69	103(a), 109(c)	Do.
24	50:307	162	1, "Sec. 3(a)(3)"	163, 166	93–69	103(a), 109(c)	Termination date of 1970 amendment, extension.
24	50:307	162	1, "Sec. 3(a)(4)"	163, 166	93–69	103(b), 109(c)	Termination date of 1971 amendment, extension.
24	50:307	162	1, "Sec. 3(a)(5)"	163, 166	93–86	103(c), 109(c)	Termination date of 1972 amendment, extension.
24	50:307	162	1, "Sec. 3(a)(6)"	163, 166	93–69	104(a), 109(c)	Addition.
24	50:307	162	1, "Sec. 3(e)"	163, 166	93–69	103(a), 109(c)	Termination date of 1970 annuity increase, extension.
24	50:307	162	1, "Sec. 3(e)"	163, 166	93–69	103(b), 109(c)	Termination date of 1971 annuity increase, extension.
24	50:307	162	1, "Sec. 3(e)"	164, 166	93–69	104(d), 109(c)	Supplemental provision.
24	50:307	162	1, "Sec. 3(e)(xi), (xii)"	141, 142	93–58	1,4(a)	Addition.
24	50:307	162	1, "Sec. 5(a)–(p)"	164, 166	93–69	104(d), 109(c)	Annuity increase.
24	50:307	162	1, "Sec. 5(a)–(o)"	163, 166	93–69	103(c), 109(c)	Termination date of 1972 annuity increase, extension.
24	50:307	162	1, "Sec. 5(a)–(n)"	163, 166	93–69	103(b), '109(c)	Termination date of 1971 annuity increase, extension.
24	50:307	162	1, "Sec. 5(a)–(m)"	163, 166	93–69	103(a), 109(c)	Termination date of 1970 annuity increase, extension.
24	50:307	162	1, "Sec. 5(a)"	163, 166	93–69	103(a), 109(c)	Do.
24	50:307	162	1, "Sec. 5(b)"	163, 166	93–69	103(a), 109(c)	Do.
24	50:307	162	1, "Sec. 5(l)(1)"	141, 142	93–58	2(3)–(5), 4(a)	Amendment.
24	50:307	162	1, "Sec. 5(l)(1)(ii)"	141, 142	93–58	2(1), (2), 4(a)	Do.

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1937							
June 24	50:307	162	1, "Sec. 5(m)"	163, 166	93–69	103(a), 109(c)	Termination date of 1970 amendment, extension.
24	50:307	162	1, "Sec. 5(n)"	163, 166	93–69	103(a), 109(c)	Do.
24	50:307	162	1, "Sec. 5(o)"	163, 166	93–69	103(b), 109(c)	Termination date of 1971 amendment, extension.
24	50:307	162	1, "Sec. 5(p)"	163, 166	93–69	103(c), 109(c)	Termination date of 1972 amendment, extension.
24	50:307	162	1, "Sec. 5(q)"	163, 166	93–69	104(d), 109(c)	Addition.
24	50:307	162	1, "Sec. 6"	163, 166	93–69	103(a), 109(c)	Termination date of 1970 pension increase, extension.
24	50:307	162	1, "Sec. 6"	163, 166	93–69	103(b), 109(c)	Termination date of 1971 pension increase, extension.
24	50:307	162	1, "Sec. 6"	163, 166	93–69	103(c), 109(c)	Termination date of 1972 pension increase, extension.
July 19	50:515	208	----------	84, 81, 88	93–43	7(a)(26), 6(c), 10(c)	Partial repeal; savings provision.
Aug. 16	50:664	308	1	784, 836	93–198	208(h), 771(b)	Amendment.
Sept. 1	50:888	412	10(e)	422	93–117	2	Do.
1938							
Feb. 16	52:31	430	----------	27	93–27	----------	Exception.
16	52:31	430	----------	229	93–86	1(13)	Supplemental provision.
16	52:31	430	301(b)(13)(K)	229	93–86	12(a)	Amendment.
16	52:31	430	316	178	93–80	----------	Exception.
16	52:31	430	316(g)	178	93–80	----------	Addition.
16	52:31	430	331–336	229	93–86	1(11)	Nonapplicability, extension.
16	52:31	430	336	161	93–68	----------	Amendment; exception.
16	52:31	430	338	229	93–86	1(11)	Nonapplicability, extension.
16	52:31	430	339	229	93–86	1(11)	Do.
16	52:31	430	342	233	93–86	1(19)(A)	Do.
16	52:31	430	342a	233	93–86	1(19)(A)	Do.
16	52:31	430	342a	233	93–86	1(19)(B)	Amendment.
16	52:31	430	343	233	93–86	1(19)(A)	Nonapplicability, extension.
16	52:31	430	344	233	93–86	1(19)(A)	Do.
16	52:31	430	344a(a)	233	93–86	1(19)(A)	Termination date of 1970 amendment, extension.
16	52:31	430	344a(a)	233	93–86	1(19)(C), (D)	Amendment.
16	52:31	430	344a(b)	233	93–86	1(19)(A)	Nonapplicability, extension.
16	52:31	430	344a(b)(ii)	233	93–86	1(19)(A)	Do.
16	52:31	430	344a(b)(iv)–(vi)	233	93–86	1(19)(A)	Do.
16	52:31	430	344a(e)	233	93–86	1(19)(A)	Do.
16	52:31	430	344a(h)	233	93–86	1(19)(A)	Do.
16	52:31	430	345	233	93–86	1(19)(A)	Do.
16	52:31	430	346	233	93–86	1(19)(A)	Do.

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1938							
Feb. 16	52:31	430	350	233	93–86	1(19)(A)	Amendments.
16	52:31	430	350(a)	233	93–86	1(19)(D), (E)	Do.
16	52:31	430	350(e)(2)	233	93–86	1(19)(F)	Do.
16	52:31	430	350(h)	233	93–86	1(19)(G)	Do.
16	52:31	430	353(e)	27	93–27	----------	Exception.
16	52:31	430	353(g)	27	93–27	----------	Addition.
16	52:31	430	374(a)	236	93–86	1(25)	Amendment.
16	52:31	430	377	233	93–86	1(19)(A)	Nonapplicability, extension.
16	52:31	430	378(d)	235	93–86	1(22)	Termination date of 1970 amendment, extension.
16	52:31	430	378(e)	229	93–86	1(11)	Do.
16	52:31	430	379	229	93–86	1(11)	Do.
16	52:31	430	379	235	93–86	1(22)	Do.
16	52:31	430	379b	226	93–86	1(9)	Nonapplicability.
16	52:31	430	379b(c)	226	93–86	1(9)	Amendments.
16	52:31	430	379b(c)(1)	226	93–86	1(9)	Do.
16	52:31	430	379b(c)(3)	226	93–86	1(9)	Amendment.
16	52:31	430	379b(d)	226	93–86	1(9)	Revision.
16	52:31	430	379b(e)	226	93–86	1(9)	Do.
16	52:31	430	379b(g)	226	93–86	1(9)	Do.
16	52:31	430	379b(i)	226	93–86	1(9)	Do.
16	52:31	430	379c	227	93–86	1(9)	Do.
16	52:31	430	379d–379j	228	93–86	1(10)	Nonapplicability.
16	52:31	430	379g(c)	228	93–86	1(10)	Addition.
16	52:31	430	385	229	93–86	1(11)	Termination date of 1970 amendment, extension.
16	52:31	430	385	235	93–86	1(22)	Do.
June 11	52:667	591	----------	84, 81, 88	93–43	7(a)(27), 6(c), 10(c)	Partial repeal; savings provision.
20	52:797	684	2	810, 836	93–198	492(b)(1), 771(c)	Amendment.
20	52:797	684	5	810, 836	93–198	492(b)(2), 771(c)	Revision.
20	52:797	684	16	782	93–198	203(d)(1)	Supplemental provision.
25	52:1196	739	----------	176	93–76	----------	(Revised. See 1971, P.L. 92–28, sec. 1.)
29	52:1233	774	----------	82, 81, 88	93–43	7(a)(2), 6(c), 10(c)	Repeal; savings provision.
1939							
May 26	53:783	92	----------	421	93–115	12	Repeal. (See also 1929, P.L. 934.)
June 28	53:856	154	----------	84, 81, 88	93–43	7(a)(28), 6(c), 10(c)	Partial repeal; savings provision.
Aug. 4	53:1187	260	9(c)	905	93–206	4	Nonapplicability.
1940							
June 24	54:505	653	----------	84, 81, 88	93–43	7(a)(29), 6(c), 10(c)	Partial repeal; savings provision.
July 19	54:773	755	----------	765	93–193	2(a)	Transfer of functions.
Oct. 9	54:1063	824	13(ch. II)	304	93–89	401	Revision.
9	54:1063	824	14(ch. II)	304	93–89	401	Do.
9	54:1063	824	24(ch. II)	305	93–89	401	Nonapplicability.
9	54:1063	824	25(ch. II)	305	93–89	401	Do.
9	54:1063	824	25 (ch. II)	305	93–89	402	Amendment.

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1941							
May 23	55:190	71	----------	83, 81, 88	93–43	7(a)(14), 6(c), 10(c)	Partial repeal; savings provision.
23	55:190	71	----------	84, 81, 88	93–43	7(a)(30), 6(c), 10(c)	Do.
26	55:203	74	----------	229	93–86	1(13)	Nonapplicability, extension. (See also 1938, P.L. 430.)
1942							
Apr. 28	56:219	527	----------	84, 81, 88	93–43	7(a)(31), 6(c), 10(c)	Partial repeal; savings provision.
1943							
June 2	57:93	64	----------	84, 81, 88	93–43	7(a)(32), 6(c), 10(c)	Do.
1944							
June 26	58:327	352	----------	84, 81, 88	93–43	(7a)(33), 6(c), 10(c)	Do.
July 1	58:682	410	1	604	93–154	2(b)(1)	Amendment.
1	58:682	410	1	936	93–222	7(a)	Revision.
1	58:682	410	304(c)(1)	91	93–45	102(1), (2)	Amendment.
1	58:682	410	305(d)	91	93–45	103(1), (2)	Do.
1	58:682	410	306(a)	91	93–45	104(a)(1), (2)	Do.
1	58:682	410	309(a)	91	93–45	104(b)(1), (2)	Do.
1	58:682	410	309(c)	91	93–45	104(c)(1), (2)	Do.
1	58:682	410	310	91	93–45	105(1), (2)	Do.
1	58:682	410	314(a)(1)	92	93–45	106(a)(1)(A), (B)	Do.
1	58:682	410	314(b)(1)(A)	92	93–45	106(a)(2)(A), (B)(b)	Do.
1	58:682	410	314(c)	92	93–45	106(a)(3)(A), (B)(b)	Do.
1	58:682	410	314(d)(1)	92	93–45	106(a)(4)(A), (B)	Do.
1	58:682	410	314(e)	92	93–45	106(a)(5)(A)–(C)	Do.
1	58:682	410	314(e)	568	93–151	8	Do.
1	58:682	410	394(a)	92	93–45	107(a)(1), (2)	Do.
1	58:682	410	395(a)	92	93–45	107(b)	Do.
1	58:682	410	395(b)	92	93–45	107(c)	Do.
1	58:682	410	396(a)	92	93–45	107(d)(1), (2)	Do.
1	58:682	410	397(a)	92	93–45	107(e)(1), (2)	Do.
1	58:682	410	398(a)	92	93–45	107(f)	Do.
1	58:682	410	399c	933	93–222	3	Addition.
1	58:682	410	601(a)	92	93–45	108(a)(1)	Revision.
1	58:682	410	601(b)	93	93–45	108(a)(2)(A), (B)	Amendment.
1	58:682	410	601(c)	93	93–45	108(a)(3)(A), (B)	Do.
1	58:682	410	621(a)(1), (2)	93	93–45	108(b)(1)	Do.
1	58:682	410	625(2)	93	93–45	108(b)(2)	Do.

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1944							
July 1	58:682	410	772(a)(14)	604	93–154	3(b)(1)–(3)	Addition.
1	58:682	410	774(a)(1)(D)	605	93–154	3(c)	Amendment.
1	58:682	410	776	604	93–154	3(a)	Addition.
1	58:682	410	792(b)	93	93–45	109(a)(1), (2)	Amendment.
1	58:682	410	792(c)(1)	93	93–45	109(b)(1), (2)	Do.
1	58:682	410	793(a)	93	93–45	109(c)(1), (2)	Do.
1	58:682	410	794A(b)	93	93–45	109(d)(1), (2)	Do.
1	58:682	410	901(a)	93	93–45	110(1), (2)	Do.
1	58:682	410	1001(c)	93	93–45	111(a)(1), (2)	Do.
1	58:682	410	1003(b)	93	93–45	111(b)(1), (2)	Do.
1	58:682	410	1004(b)	93	93–45	111(c)(1), (2)	Do.
1	58:682	410	1005(b)	93	93–45	111(d)(1), (2)	Do.
1	58:682	410	1201–1214	604	93–154	2(b)(2)	Secs. 1201–1214 (title XII) redesignated as 1301–1314 (title XIII).
1	58:682	410	1201–1210	594–604	93–154	2(a)	Addition.
1	58:682	410	1206(f)	596, 597	93–154	2(a)	Applicability.
1	58:682	410	1301–1315	914–933	93–222	2	Addition.
1	58:682	410	1301–1314	604	93–154	2(b)(2)	Former secs. 1201–1214 (title XII) redesignated as 1301–1314 (title XIII).
1	58:682	410	1301–1314	936	93–222	7(b)	Repeal.
1945							
Mar. 31	59:39	24	----------	84, 81, 88	93–43	7(a)(34), 6(c), 10(c)	Partial repeal; savings provision.
Apr. 25	59:77	40	----------	638	93–162	----------	Applicability.
July 31	59:512	171	3(b)	314	93–94	----------	Amendment.
Dec. 6	59:597	248	----------	941	93–224	15	Applicability.
6	59:597	248	----------	1005	93–236	301(f)	Do.
6	59:597	248	104	337, 339	93–98	----------	Exception.
6	59:597	248	104	477, 479	93–135	----------	Do.
6	59:597	248	104	500	93–137	----------	Do.
6	59:597	248	104	546	93–145	----------	Do.
6	59:597	248	104	656, 658	93–162	----------	Do.
6	59:597	248	104	753, 756	93–192	----------	Do.
6	59:597	248	104	1051, 1056	93–240	----------	Do.
6	59:597	248	201(8)	992	93–236	202(g)(1)	Addition.
6	59:597	248	201(9)	1005	93–236	301(f)	Do.
20	59:619	264	9	454	93–126	15	Do.
29	59:669	291	12	635	93–161	----------	Do.

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1946								
Feb.	20	60:23	304	3	3	93–1	1(b)	Exception.
	20	60:23	304	3(a)	984	93–235	1(a)	Do.
	20	60:23	304	5(b)(3)	3	93–1	1(c)	Do.
	20	60:23	304	5(b)(3)	984	93–235	1(b)	Do.
May	2	60:160	374	----------	84, 81, 88	93–43	7(a)(35), 6(c), 10(c)	Partial repeal; savings provision.
	21	60:204	387	----------	783, 836	93–198	204(d), 771(b)	Transfer of functions.
	21	60:204	387	3	783, 836	93–198	204(d), 771(b)	Abolishment of office of Director.
June	4	60:230	396	4	560	93–150	2(a)	Amendment.
	4	60:230	396	6(a)–(d)	10	93–13	2	Existing text designated as (a); subsecs. (b)–(d) added.
	4	60:230	396	6(b)–(d)	562	93–150	5(a)	Deletion; new subsecs. (b)–(d) added.
	4	60:230	396	7	11	93–13	2	Nonapplicability.
	4	60:230	396	7	563	93–150	5(a)	Do.
	4	60:230	396	8	560	93–150	2(b)	Amendment.
	4	60:230	396	9(b)	564	93–150	9	Do.
	4	60:230	396	10	562	93–150	3(b)	Do.
	4	60:230	396	11(a)–(h)	561	93–150	3(a)	Subsecs. (a)–(f) deleted; (g), (h) redesignated as (d), (e); new (a)–(c) added.
	4	60:230	396	14(a)	564	93–150	8(1)	Amendment.
	4	60:230	396	14(b)	564	93–150	8(2)	Do.
	4	60:230	396	14(e)	564	93–150	8(3)	Do.
	26	60:317	456	"Sec. 5 (a)–(d)"	1070	93–244	----------	Existing text designated as (a); subsecs. (b)–(d) added.
July	23	60:596	520	"Sec. 3"	909	93–212	----------	Exception.
	23	60:596	520	"Sec. 3"	910	93–214	----------	Do.
	23	60:596	520	"Sec. 3"	911	93–216	----------	Do.
	23	60:596	520	"Sec. 3"	912	93–218	----------	Do.
	23	60:596	520	"Sec. 3"	912	93–219	----------	Do.
	23	60:596	520	"Sec. 3"	913	93–220	1	Do.
	23	60:596	520	"Sec. 3(e)"	99	93–48	----------	Do.
	31	60:718	570	1	828, 829, 836	93–198	739(g)(3), (7), 771(d)	Amendment.
	31	60:718	570	9	829, 836	93–198	739(g)(4), (5), 771(d)	Do.
	31	60:718	570	14(a)	829, 836	93–198	739(g)(6), 771(d)	Do.
Aug.	2	60:790	592	4(a)	778, 836	93–198	201(a), 771(b)	Revision.
	2	60:790	592	4(b)	778, 836	93–198	201(b)(1), (2), 771(b)	Amendment.
	2	60:790	592	4(c)	778, 836	93–198	201(c), 771(b)	Addition.
	2	60:790	592	5(b)	779, 836	93–198	201(d), 771(b)	Amendment.
	13	60:999	724	623	453	93–126	10	Revision.
	13	60:999	724	633	724	93–189	16	Nonapplicability.
	13	60:999	724	634	724	93–189	16	Do.
	13	60:999	724	636	723	93–189	16	Applicability.
	13	60:999	724	801–882	723	93–189	16	Do.
	14	60:1082	733	301	246	93–86	2	Repeal.

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Date		Statutes vol.:page	Public Law	Section	87 Stat.	Public Law	Section	Comment
1947								
June	23	61:136	101	302(c)(8)	314	93–95	----------	Addition.
July	1	61:234	148	----------	82, 81, 88	93–43	7(a)(9), 6(c), 10(c)	Repeal; savings provision.
	6	61:328	195 (art. I, title XII)	11(c)	310	93–91	9	Exception.
	31	61:686	296	----------	85, 81, 88	93–43	7(a)(36), 6(c), 10(c)	Partial repeal; savings provision.
Aug.	4	61:742	342	----------	82, 81, 88	93–43	7(a)(8), 6(c), 10(c)	Repeal; savings provision.
1948								
Jan.	27	62:6	402	701	688	93–168	3	Revision.
	27	62:6	402	703	142	93–59	----------	Amendment.
Mar.	24	62:84	452	----------	82, 81, 88	93–43	7(a)(3), 6(c), 10(c)	Repeal; savings provision.
	24	62:84	452	1	88, 81	93–43	7(a)(61), 6(c), 10(c)	Do.
May	14	62:234	526	----------	82, 81, 88	93–43	7(a)(6), 6(c), 10(c)	Do.
June	1	62:281	566	1–4	527	93–143	610	Supplemental provision.
	1	62:281	566	1	526	93–143	610	Exception.
	4	62:339	605	2	811, 836	93–198	494, 771(c)	Amendment.
	24	62:604	759	10(b)(4)	693, 694	93–176	3(1)–(3), 4	Do.
	24	62:604	759	18(a)	616	93–155	807(d)(1), (2), (e)	Amendment; savings provision.
	25	62:1019	782	----------	85, 81, 88	93–43	7(a)(37), 6(c), 10(c)	Partial repeal; savings provision.
July	1	62:1215	871	----------	82, 81, 88	93–43	7(a)(5), 6(c), 10(c)	Repeal; savings provision.
	2	62:1225	883	----------	617	93–155	809	Revision.
1949								
May	26	63:111	73	1	453	93–126	9	Supplemental provision.
June	30	63:377	152	203(n)	216, 218	93–83	2, 3	Amendment.
July	15	63:413	171	103(b)	422	93–117	5	Do.
	15	63:413	171	513	423	93–117	13(a)	Do.
	15	63:413	171	515(b)(5)	423	93–117	13(b)	Do.
	15	63:413	171	517(a)(1)	423	93–117	13(c)	Do.
	15	63:413	171	523(f)	423	93–117	13(d)	Do.
Aug.	18	63:616	250	9	829, 836	93–198	739(g), 771(d)	Do.
Oct.	12	63:802	351	207	149	93–64	205, 206	Repeal.
	13	63:845	355	----------	85, 81, 88	93–43	7(a)(38), 6(c), 10(c)	Partial repeal; savings provision.
	28	63:954	429	----------	651	93–162	----------	Exception.
	31	63:1051	439	103(e)(1)	233	93–86	1(20)(A), (B)	Amendments.
	31	63:1051	439	103(e)(2)	233	93–86	1(20)(A)	Amendment.
	31	63:1051	439	103(e)(2)	233	93–86	1(20)(C)	Revision.
	31	63:1051	439	103(e)(2)	450	93–125	1(b)	Amendment.
	31	63:1051	439	103(e)(4)(A)	234	93–86	1(20)(D)–(F)	Do.
	31	63:1051	439	103(e)(5)	235	93–86	1(20)(G)	Do.
	31	63:1051	439	104(d)	235	93–86	1(24)	Addition.

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1949							
Oct. 31	63:1051	439	105(a)	230	93–86	1(18)(A)	Revision.
31	63:1051	439	105(b)	230	93–86	1(18)(B)	Do.
31	63:1051	439	105(b)(1)	944	93–228	1(b)	Amendment.
31	63:1051	439	105(c)–(f)	230	93–86	1(18)(A)	Effective and termination dates of 1970 amendment, deletion.
31	63:1051	439	105(c)(1)	232	93–86	1(18)(C), (C), (D)	Amendment.
31	63:1051	439	105(c)(3)	232	93–86	1(18)(F)	Do.
31	63:1051	439	105(e)(1)	232	93–86	1(18)(E)	Deletion.
31	63:1051	439	105(e)(2)	232	93–86	1(18)(E)	Amendment.
31	63:1051	439	105(e)(3)	232	93–86	1(18)(E)	Deletion.
31	63:1051	439	105(g)	232	93–86	1(18)(E)	Do.
31	63:1051	439	105(h)	230	93–86	1(18)(A)	Effective and termination dates of 1970 amendment, deletion.
31	63:1051	439	105(i)	230	93–86	1(18)(A)	Do.
31	63:1051	439	107	224	93–86	1(8)	Termination date of 1970 amendment, extension.
31	63:1051	439	107(a)	225	93–86	1(8)(A)	Revision.
31	63:1051	439	107(b)	225	93–86	1(8)(B)	Amendment.
31	63:1051	439	107(c)	225	93–86	1(8)(C), (D)	Addition.
31	63:1051	439	107(c)	450	93–125	1(b)	Amendment.
31	63:1051	439	107(c)	944	93–228	1(a)	Do.
31	63:1051	439	201	222	93–86	1(3)(A)	Effective and termination dates of 1970 amendment, deletion.
31	63:1051	439	201(b)	942	93–225	----------	Revision.
31	63:1051	439	201(c)	222	93–86	1(3)(A)	Effective and termination dates of 1970 amendment, deletion.
31	63:1051	439	201(c)	222, 223	93–86	1(3)(B), (C)	Amendment.
31	63:1051	439	202	223	93–86	1(4)	Do.
31	63:1051	439	203	235	93–86	1(22)	Nonapplicability, extension.
31	63:1051	439	407	230	93–86	1(16)	Termination date of 1970 amendments, extension.
31	63:1051	439	407	235	93–86	1(21)	Termination date of 1970 amendment, extension.
31	63:1051	439	408(b)	235	93–86	1(22)	Amendment.
31	63:1051	439	408(k)	229	93–86	1(15)	Termination date of 1970 amendment, extension.
31	63:1051	439	408(l)	235	93–86	1(22)	Do.
31	63:1051	439	416	956	93–233	8(b)(2)	Effective date of 1972 amendment, suspension.
1950							
Mar. 10	64:12	453	----------	82, 81, 88	93–43	7(a)(10), 6(c), 10(c)	Repeal; savings provision.
Apr. 19	64:44	474	9	974	93–233	19(a)	Revision.

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1950							
June 2	64:195	533	----------	832, 836	93–198	743(b), 771(d)	Repeal.
Aug. 1	64:384	630	9A(a)	354	93–111	2	Exception.
4	64:411	659	1	693	93–175	1, 2	Revision.
4	64:411	659	9	829, 836	93–198	739(g)(9), 771(d)	Amendment.
10	64:434	682	----------	82, 81, 88	93–43	7(a)(11), 6(c), 10(c)	Repeal; savings provision.
11	64:438	686	3(h)	507	93–140	17	Amendment.
Sept. 6	64:595	759	----------	85, 81, 88	93–43	7(a)(39), 6(c), 10(c)	Partial repeal; savings provision.
8	64:794	771	10–12	147, 149	93–64	101, 206	Repeal.
8	64:798	774	302	616	93–155	807(b)(2), (e)	Amendment; savings provision.
8	64:798	774	302(1), (2)	615, 616	93–155	807(b)(1), (e)	Part of existing text designated as (1); cl. (2) added; savings provision.
12	64:832	784	203	7, 8	93–9	3, 4	Revision.
21	64:873	797	2, "Sec. 18(g)"	147	93–63	----------	Effective and termination dates of 1966 and 1969 amendment, extension.
21	64:873	797	2, "Sec. 18(g)"	342, 348	93–100	1, 8	Do.
21	64:873	797	2, "Sec. 18(g)"	342, 348	93–100	3(1), 8	Amendment.
21	64:873	797	2, "Sec. 18(g)(1), (2)"	342, 348	93–100	3(2), 8	Designation "(1)" deleted; cl. (2) deleted.
1951							
Mar. 23	65:7	9	102(c)(1)	152	93–66	1	Amendment.
June 30	65:98	63	1	627	93–157	9	Repeal.
Oct. 24	65:616	203	----------	85, 81, 88	93–43	7(a)(40), 6(c), 10(c)	Partial reapeal; savings provision.
1952							
July 10	66:516	486	----------	560	93–149	1(a), (b)	Revision.
11	66:579	504	----------	85, 81, 88	93–43	7(a)(41), 6(c), 10(c)	Partial repeal; savings provision.
15	66:637	547	1415	892	93–205	8(a)	Applicability.
1953							
July 27	67:197	153	----------	85, 81, 88	93–43	7(a)(42), 6(c), 10(c)	Partial repeal; savings provision.
1954							
May 6	68:70	350	14	265	93–87	129(a)	Amendment.
18	68:101	364	213	832, 836	93–198	743(c), 771(d)	Deletion.
18	68:101	364	214	832, 836	93–198	743(c), 771(d)	Do.
18	68:101	364	216–218	832, 836	93–198	743(c), 771(d)	Do.
18	68:101	364	402	832, 836	93–198	743(d), 771(d)	Repeal.

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1954								
June	17	68:250	399	----------	770	93–197	3(b), (a)	Repeal; exception.
	30	68:330	451	2	354	93–111	1	Amendment.
	30	68:330	451	4	354	93–111	2	Addition.
	30	68:330	453	----------	85, 81, 88	93–43	7(a)(44), 6(c), 10(c)	Partial repeal; savings provision.
July	10	68:454	480	101–110	237	93–86	1(26)	Time extension.
	10	68:454	480	101–110	237	93–86	1(26)	Limitation.
	10	68:454	480	103(o)	237	93–86	1(26)	A nendment.
	10	68:454	480	103(o)	450	93–125	1(e)(ii), (iii)	Technical amendment.
	10	68:454	480	201–205	237	93–86	1(26)	Ti ne extension.
	10	68:454	480	201–205	237	93–86	1(26)	Limitation.
	10	68:454	480	303	237	93–86	1(26)	Do.
	10	68:454	480	409	237	93–86	1(26)	Amendment. (See also 1954, P.L. 480, secs. 101–110, 201–205.)
	10	68:454	480	411	237	93–86	1(26)	Addition.
	22	68:497	517	6(h)	460	93–130	1, 2	Revision.
Aug.	2	68:590	560	701(b)	423	93–117	11	Amendment.
	3	68:652	565	2	390	93–112	500(a), (b)	Repeal; savings provision.
	5	68:674	568	1(a), (b)	935	93–222	6(a)	Existing text designated as (a); subsec. (b) added.
	13	68:718	587	28(g)	349	93–102	----------	Applicability.
	13	68:718	587	29	349	93–102	----------	Addition.
	26	68:832	665	414(e)	732	93–189	27	Do.
	26	68:832	665	502(b)	452	93–126	5(1)–(3)	Amendment.
	27	68:880	675	----------	82, 81, 88	93–43	7(a)(7), 6(c), 10(c)	Repeal; savings provision.
	28	68:897	690	703(a)–(c)	224	93–86	1(7)(A)	Amendment.
	28	68:897	690	708	224	93–86	1(7)(B)	Do.
1955								
July	15	69:324	161	515	676	93–166	507(a)	Revision.
	15	69:354	163	----------	85, 81, 88	93–43	7(a)(45), 6(c), 10(c)	Partial repeal; savings provision.
Aug.	12	69:699	376	1	832, 836	93–198	751(1), 771(e)	Amendment.
	12	69:699	376	2(2)(A)	311, 313	93–92	1, 3	Revision.
	12	69:699	376	2(8)	832, 836	93–198	751(2), 771(e)	Addition.
	12	69:699	376	2(9)	832, 836	93–198	751(2), 771(e)	Do.
	12	69:699	376	3	809, 836	93–198	491, 771(c)	Revision.
	12	69:699	376	5(a)(8), (9)	311, 313	93–92	1(2)(A)–(C), 3	Par. (8) redesignated as (9); new 8 added.
	12	69:699	376	5(b)(1)	311, 313	93–92	1(3),3	Amendment.
	12	69:699	376	5(b)(2)	311, 313	93–92	1(4),3	Do.
	12	69:699	376	5(b)(3)	311, 313	93–92	1(4),3	Do.
	12	69:699	376	5(b)(6)	312, 313	93–92	1(5), 3	Repeal.

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1955							
Aug. 12	69:699	376	5(d)	312, 313	93–92	1(6), 3	Revision.
12	69:699	376	5(f)	312, 313	93–92	1(7), 3	Addition.
12	69:699	376	8(a)(1)	312, 313	93–92	1(8), 3	Revision.
12	69:699	376	8(f)	312, 313	93–92	1(9), 3	Amendment.
12	69:699	376	8(h)–(k)	833, 836	93–198	751(3), 771(e)	Revision.
12	69:699	376	8(i)	312, 313	93–92	1(10)(A)–(C), 3	Amendment.
12	69:699	376	8(j)(1)	312, 313	93–92	1(11)(A)–(C), 3	Do.
12	69:699	376	8(m)(3)	312, 313	93–92	1(12), 3	Do.
12	69:699	376	8(o)	312, 313	93–92	1(13)(A)–(C), 3	Do.
12	69:699	376	8(p)(1)	313	93–92	1(14), 3	Do.
12	69:699	376	9(e)	313	93–92	1(15), 3	Do.
12	69:699	376	10(a)(1)	313	93–92	1(16), 3	Do.
12	69:699	376	10(a)(3)(A),(B)	834, 836	93–198	751(4)(1), (2), 771(e)	Existing text designated as (A); subpars. (B), (C) added.
12	69:699	376	10(a)(4)	313	93–92	1(17), 3	Revision.
12	69:699	376	10(a)(4)	835, 836	93–198	751(5), 771(e)	Do.
12	69:699	376	10(a)(5)	835, 836	93–198	751(5), 771(e)	Do.
12	69:699	376	10(a)(6)–(9)	835, 836	93–198	751(5), 771(e)	Repeal.
12	69:699	376	10(b)	313	93–92	1(18), 3	Amendment.
12	69:699	376	10(b)	835, 836	93–198	751(6), 771(e)	Do.
12	69:699	376	10(c)	835, 836	93–198	751(7), 771(e)	Do.
12	69:699	376	10(d)	835, 836	93–198	751(8), 771(e)	Revision.
12	69:699	376	10(e)	313	93–92	1(19), 3	Amendment.
12	69:699	376	11(a)	313	93–92	1(20), 3	Do.
12	69:699	376	15	835, 836	93–198	751(9), 771(e)	Do.
12	69:699	376	15(a), (b)	835, 836	93–198	751(10)(1), (2), 771(e)	Existing text designated as (a), subsec. (b) added.
1956							
June 19	70:293	597	3(5)	466	93–133	4(a), (b)	Amendment.
19	70:293	597	4(a)(4)	58, 59	93–29	801(b), (e)	Addition.
19	70:293	597	5(a)(1)–(3)	58, 59	93–29	801(c)(1)(2), (4), (e)	Amendment.
19	70:293	597	5(a)(3)(D)	58, 59	93–29	801(c)(3), (e)	Addition.
19	70:293	597	5(b)	59	93–29	801(c)(5), (e)	Amendment.
19	70:293	597	6(a)	59	93–29	801(c), (e)	Do.
19	70:293	597	7(a)	59	93–29	801(d)(1), (e)	Do.
19	70:293	597	7(b)(1)	59	93–29	801(d)(2), (e)	Do.
19	70:293	597	401–404	57, 59	93–29	801(a), (e)	Addition.
29	70:374	627	108(b)	250	93–87	102	Amendment.
29	70:374	627	209(f)(1)	260	93–87	121(a)	Exception.

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1956							
July 2	70:474	641	----------	85, 81, 88	93–43	7(a)(46), 6(c), 10(c)	Partial repeal; savings provision.
1957							
Aug. 26	71:416	85–167	----------	86, 81, 88	93–43	7(a)(47), 6(c), 10(c)	Do.
Sept. 7	71:619	85–300	----------	169	93–72	----------	Exceptions.
7	71:619	85–300	6	169	93–72	----------	Applicability.
1958							
June 6	72:183	85–451	1(b)–(e)	832, 836	93–198	743(a), 771(d)	Deletion.
July 18	72:384	85–536	2, "Sec. 4(b)"	1025	93–237	8	Amendment.
18	72:384	85–536	2, "Sec. 4(c)(1)(B)"	1024	93–237	3(b)	Do.
18	72:384	85–536	2, "Sec. 4(c)(2)"	1024	93–237	3(b)	Do.
18	72:384	85–536	2, "Sec. 4(c)(4)"	1023, 1024	93–237	1(1)–(4), 3(b)	Do.
18	72:384	85–536	2, "Sec. 7(b)(4)"	1024	93–237	5	Do.
18	72:384	85–536	2, "Sec. 7(b)(5)"	1023	93–237	2(a)	Revision (secs. 5 as added 1969, P.L. 91–173 and 1970, P.L. 91–597 relating to loans for additions or alterations required under the Egg Products Inspection Act, the Wholesome Poultry Products Act and the Wholesome Meat Act).
18	72:384	85–536	2, "Sec. 7(b)(6)"	1024	93–237	2(b)(1), (2)	Repeal; par. (7) redesignated as (6).
18	72:384	85–536	2, "Sec. 7(b)(7)"	1024	93–237	2(b)(2)	Redesignated as par. (6).
18	72:384	85–536	2, "Sec. 7(b)(7)"	1024	93–237	6	Addition.
18	72:384	85–536	2, "Sec. 7(g)"	1024	93–237	3(a)	Subsec. (g) (relating to loans to handicapped persons and organizations for the handicapped) redesignated as (h).
18	72:384	85–536	2, "Sec. 7(h)"	1024	93–237	3(a)	Do.
18	72:384	85–536	2, "Sec. 10(a)"	1025	93–237	7	Amendment.
29	72:426	85–568	----------	175	93–74	7	Exception.
29	72:426	85–568	203(b)(11)	174	93–74	6	Addition.
29	72:426	85–568	207	175	93–74	7	Do.
Aug. 23	72:731	85–726	601(d)	1048	93–239	4	Revision (relating to emergency locator transmitters (formerly beacons)).

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1958							
Aug. 23	72:731	85–726	1113	90	93–44	7(a), (b)	Addition.
28	72:972	85–804	1	615, 616	93–155	807(a), (e)	Amendment; savings provision.
28	72:1084	85–846	5	296	93–88	----------	Amendment.
Sept. 2	72:1572	85–863	----------	86, 81, 88	93–43	7(a)(48), 6(c), 10(c)	Partial repeal; savings provision.
2	72:1698	85–874	6(e)	161	93–67	----------	Amendment.
1959							
Aug. 10	73:302	86–149	412	615	93–155	803(b)(1)	Repeal.
Sept. 9	73:479	86–249	8(d)	169	93–72	----------	Addition.
10	73:491	86–254	----------	86, 81, 88	93–43	7(a)(49), 6(c), 10(c)	Partial repeal; savings provision.
14	73:547	86–260	----------	88, 81	93–43	7(a)(60), 6(c), 10(c)	Repeal; savings provision.
1960							
Apr. 8	74:17	86–412	1	310	93–91	10	Supplemental provisions.
1961							
June 29	75:129	87–63	6	765	93–193	1(a)	Amendment.
30	75:149	87–70	708	422	93–117	7	Do.
Aug. 8	75:294	87–128	----------	240	93–86	1(27)(B)	Exception.
8	75:294	87–128	305(a)	237	93–86	1(27)(B)	Amendment.
8	75:294	87–128	305(b), (c)	237	93–86	1(27)(B)	Cl. (b) redesignated as (c); new (b) added.
8	75:294	87–128	306(a)(13)	240	93–86	1(27)(B)	Addition.
8	75:294	87–128	308	480	93–135	----------	Applicability.
8	75:294	87–128	309	480	93–135	----------	Do.
8	75:294	87–128	309A	480	93–135	----------	Do.
8	75:294	87–128	310A–310C	480	93–135	----------	Do.
8	75:294	87–128	310B(d)(4)–(6)	241	93–86	1(27)(B)	Addition.
8	75:294	87–128	321(a)	24	93–24	2, 6	Amendment.
8	75:294	87–128	321(a)	1025	93–237	10(d), (e)	Amendment; effective date; time extension.
8	75:294	87–128	321(b)	24	93–24	3	Deletion; new subsec. (b) added.
8	75:294	87–128	321(b)	1025	93–237	10(a), (b)	Amendment; effective date.
8	75:294	87–128	324	25	93–24	4	Amendment.
8	75:294	87–128	328	25	93–24	5	Do.
8	75:294	87–128	328	1024	93–237	4	Savings provision.
8	75:294	87–128	328(a)–(f)	24	93–24	1, 8	Repeal; savings provision (relating to disaster loans, fiscal years 1972, 1973).
30	75:402	87–167	2(c)–(g)	424, 428	93–119	2(1)(B), (C), 3(a), (b)	Subsecs. (c)–(f) redesignated as (d)–(g); new (c) added; savings provision.
30	75:402	87–167	2(c)	424, 428	93–119	2(1)(D)(1), (2), 3(a), (b)	Amendment (former subsec. (c)); savings provision

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1961							
Aug. 30	75:402	87–167	2(e)	424, 428	93–119	2(1)(E), 3(a), (b)	Amendment (former subsec. (e)); savings provision.
30	75:402	87–167	2(g)	424, 428	93–119	2(1)(A), 3(a), (b)	Repeal; savings provision.
30	75;402	87–167	2(h)	424, 428	93–119	2(1)(F), 3(a), (b)	Revision; savings provision.
30	75:402	87–167	2(j)	424, 428	93–119	2(1)(G), 3(a), (b)	Amendment; savings provision.
30	75:402	87–167	3	425, 428	93–119	2(2), 3(a), (b)	Revision; savings provision.
30	75:402	87–167	3	425	93–119	2(4)	Nonapplicability.
30	75:402	87–167	4	425	93–119	2(2)	Applicability.
30	75:402	87–167	4	425, 428	93–119	2(3)(A), 3(a), (b)	Amendment; savings provision.
30	75:402	87–167	4(c)	425, 428	93–119	2(3)(B), (C), 3(a), (b)	Repeal; savings provision.
30	75:402	87–167	5	425	93–119	2(2)	Applicability.
30	75:402	87–167	5	425, 428	93–119	2(4), 3(a), (b)	Revision; savings provision.
30	75:402	87–167	6	425, 426, 428	93–119	2(5), (6), 3(a), (b)	Sec. 6 renumbered as 7 and revised; new 6 added; savings provision.
30	75:402	87–167	7	426, 428	93–119	2(6), (7) 3(a), (b)	Former sec. 6 renumbered as 7 and revised; former sec. 7 renumbered as 8; savings provision.
30	75:402	87–167	8	427, 428	93–119	2(7), (8), 3(a), (b)	Former sec. 7 renumbered as 8; former sec. 8 renumbered as 9; savings provision.
30	75:402	87–167	9	427, 428	93–119	2(8), (9), 3(a), (b)	Former sec. 8 renumbered as 9; former sec. 9 renumbered as 10; savings provision.
30	75:402	87–167	9(a)	427, 428	93–119	2(8)(A)–(C), 3(a), (b)	Amendment; savings provision.
30	75:402	87–167	9(b)	428	93–119	2(8)(D), 3(a), (b)	Do.
30	75:402	87–167	10	427, 428	93–119	2(9), (10), 3(a), (b)	Former sec. 9 renumbered as 10; former sec. 10 renumbered as 11 and amended; savings provision.
30	75:402	87–167	10(c)	427, 428	93–119	2(9)(A), 3(a), (b)	Revision; savings provision.
30	75:402	87–167	10(d)	427, 428	93–119	2(9)(B), 3(a), (b)	Amendment; savings provision.
30	75:402	87–167	10(f)	427, 428	93–119	2(9)(C), 3(a), (b)	Repeal; savings provision.
30	75:402	87–167	11	428	93–119	2(10), (11), 3(a), (b)	Former sec. 10 renumbered as 11 and amended; former sec. 11 renumbered as 12 and amended; savings provision.

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1961							
Aug. 30	75:402	87–167	12	428	93–119	2(11), (12), 3(a), (b)	Repeal; former sec. 11 renumbered as 12 and amended; savings provision.
30	75:402	87–167	13	428	93–119	2(13), 3(a), (b)	Former sec. 14 renumbered as 13; savings provision.
30	75:402	87–167	14	428	93–119	2(13), 3(a), (b)	Sec. 14 renumbered as 13; former sec. 15 renumbered as 14; savings provision.
30	75:402	87–167	15	428	93–119	2(14), 3(a), (b)	Former sec. 15 renumbered as 14; former sec. 16 renumbered as 15; savings provision.
30	75:402	87–167	16	428	93–119	2(14), 3(a), (b)	Sec. 16 renumbered as 15 and amended; savings provision.
30	75:402	87–167	17	428	93–119	2(15), 3(a), (b)	Repeal; savings provision.
30	75:411	87–178	----------	88, 81	93–43	7(a)(61), 6(c), 10(c)	Repeal; savings provision. (See also 1948, P.L. 452, sec. 1.)
Sept. 4	75:424	87–195	----------	132	93–52	101(b)	Supplemental provision.
4	75:424	87–195	----------	725	93–189	20	Exception.
4	75:424	87–195	102–114	714	93–189	2(1)	Chapter heading amended (pt. I, ch. 1.)
4	75:424	87–195	102–114	716	93–189	2(3)	Transfer of funds.
4	75:424	87–195	102(a), (b)	714	93–189	2(2)(A), (B)	Existing text designated as (a); subsec. (b) added.
4	75:424	87–195	103–114	715	93–189	2(3)	Addition.
4	75:424	87–195	203	717	93–189	3(a)	Revision.
4	75:424	87–195	203	717	93–189	3(b)	Repeal; effective date.
4	75:424	87–195	211(a)	717	93–189	4(1)	Amendment.
4	75:424	87–195	214(c)–(e)	717	93–189	4(2)	Subsecs. (c), (d) deleted; new (c)–(e) added.
4	75:424	87–195	221	717	93–189	5(1)	Amendment.
4	75:424	87–195	221	717	93–189	5(2)	Expiration date, extension.
4	75:424	87–195	222	717	93–189	5(2)	Do.
4	75:424	87–195	223(i)	717	93–189	5(2)	Amendment. (See also, 1961, P.L. 87–195, secs. 221, 222.)
4	75:424	87–195	234(a)	717	93–189	6(1)	Expiration date, extension.
4	75:424	87–195	234(b)	717	93–189	6(1)	Do.
4	75:424	87–195	235(a)(4)	717	93–189	6(1)	Amendment. (See also 1961, P.L. 87–195, sec. 234(a), (b).)
4	75:424	87–195	240	717	93–189	6(2)	Expiration date, extension.

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1961							
Sept. 4	75:424	87–195	240(h)	717	93–189	6(2)	Amendment.
4	75:424	87–195	252(b)	718	93–189	7	Revision.
4	75:424	87–195	292	718	93–189	8	Amendment.
4	75:424	87–195	301(e)	718	93–189	9(1)	Addition.
4	75:424	87–195	302(a)	719	93–189	9(2)	Amendment.
4	75:424	87–195	302(b)(2)	719	93–189	9(3)	Do.
4	75:424	87–195	302(d)	719	93–189	9(4)	Revision.
4	75:424	87–195	302(e)	719	93–189	9(5)	Amendment.
4	75:424	87–195	451(a)	719	93–189	10	Revision.
4	75:424	87–195	481(a), (b)	719	93–189	11(a)	Existing text designated as (a); subsec. (b) added.
4	75:424	87–195	482	720	93–189	11(b)	Amendment.
4	75:424	87–195	502A	720	93–189	12(a)	Addition.
4	75:424	87–195	503	720	93–189	12(b)(1)	Revision.
4	75:424	87–195	504(a)	721	93–189	12(b)(2)(A), (B)	Amendment.
4	75:424	87–195	505(e)	721	93–189	12(b)(3)	Addition.
4	75:424	87–195	505(f)	721	93–189	12(b)(3)	Do.
4	75:424	87–195	506(a)	721	93–189	12(b)(4)(A)–(C)	Amendment.
4	75:424	87–195	507–509	722	93–189	12(b)(5)	Repeal.
4	75:424	87–195	512	722	93–189	12(b)(5)	Do.
4	75:424	87–195	513(a), (b)	722	93–189	12(b)(6)(A), (B)	Existing text designated as (a) and amended; subsec. (b) added.
4	75:424	87–195	514	722	93–189	12(b)(5)	Repeal.
4	75:424	87–195	532	722	93–189	13(1)	Amendment.
4	75:424	87–195	533	722	93–189	13(2)	Deletion.
4	75:424	87–195	610(a)	716	93–189	2(3)	Limitation.
4	75:424	87–195	614(a)	716	93–189	2(3)	Do.
4	75:424	87–195	617	722	93–189	14	Amendment.
4	75:424	87–195	620(e)(1)	722	93–189	15	Do.
4	75:424	87–195	625(e)	724	93–189	16	Applicability.
4	75:424	87–195	625(k)	722	93–189	16	Addition.
4	75:424	87–195	634(f), (g)	724	93–189	17	Subsec. (f) deleted; new (f), (g) added.
4	75:424	87–195	637(a)	724	93–189	18	Amendment.
4	75:424	87–195	638	725	93–189	19	Do.
4	75:424	87–195	639A	725	93–189	20	Addition.
4	75:424	87–195	639B	725	93–189	20	Do.
4	75:424	87–195	640B	725	93–189	21	Do.
4	75:424	87–195	640C	725	93–189	21	Do.
4	75:424	87–195	644(g)	726	93–189	22(1)	Revision.
4	75:424	87–195	644(i)	726	93–189	22(2)	Repeal.
4	75:424	87–195	644(m)	726	93–189	22(3)	Revision.
4	75:424	87–195	655(c)	132	93–52	101(b)	Exception.
4	75:424	87–195	655(c)	722	93–189	12(c)	Nonapplicability.
4	75:424	87–195	657	726	93–189	23	Revision.
4	75:424	87–195	801–805	728	93–189	24	Addition.
21	75:527	87–256	105(f)	646	93–162	----------	Applicability.
21	75:527	87–256	108(c)	646	93–162	----------	Do.
22	75:612	87–293	3(b)	99	93–49	1	Amendment.
22	75:612	87–293	10(d)	99	93–49	2	Do.
1962							
Mar. 15	76:23	87–415	----------	883, 839	93–203	614, 615, 3	Repeal; savings provision.
Aug. 6	76:265	87–569	----------	988	93–236	201(c)	Applicability.
31	76:415	87–620	1	421	93–115	12	Repeal. (See also 1929, P.L. 934.)

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1962							
Sept. 28	76:653	87-714	2	902, 903	93-205	13(d), 16	Amendment.
Oct. 15	76:914	87-807	5 b)	310	93-91	11	Exception.
23	76:1145	87-866	4	273	93-87	144	Amendment.
24	76:1216	87-880	----------	86, 81, 88	93-43	7(a)(50), 6(c), 10(c)	Partial repeal; savings provision.
1963							
Oct. 31	77:282	88-164	122(b)	95	93-45	301(a)(1), (2)	Amendment.
31	77:282	88-164	131	95	93-45	301(b)(1), (2)	Do.
31	77:282	88-164	137(b)(1)	95	93-45	301(c)	Do.
31	77:282	88-164	201(a)	94	93-45	202(a)(1), (2)	Do.
31	77:282	88-164	207	94	93-45	202(b)	Do.
31	77:282	88-164	221(b)	94	93-45	203(a)	Do.
31	77:282	88-164	224(a)	94	93-45	203(b)(1)-(3)	Do.
31	77:282	88-164	246	94	93-45	204(a)	Do.
31	77:282	88-164	247(d)	94	93-45	204(b)	Do.
31	77:282	88-164	252	94	93-45	205(a)	Do.
31	77:282	88-164	253(d)	94	93-35	205(b)(1), (2)	Do.
31	77:282	88-164	256(e)	94	93-45	205(c)	Do.
31	77:282	88-164	261(a)	94	93-45	206(a)(1), (2)	Do.
31	77:282	88-164	261(b)	94	93-45	206(b)(1), (2)	Do.
31	77:282	88-164	271(d)(1)	94	93-45	207(a)(1), (2)	Do.
31	77:282	88-164	271(d)(2)	95	93-45	207(b)(A), (B)	Do.
Nov. 4	77:301	88-168	1	73	93-37	2	Do.
7	77:307	88-174	507	676	93-166	508	R vision.
7	77:307	88-174	610	615	93-155	803(b)(1)	Repeal. (See also 1959, P.L. 86-149, sec. 412.)
Dec. 31	77:844	88-257	----------	86, 81, 88	93-43	7(a)(51), 6(c), 10(c)	Partial repeal; savings provision.
1964							
May 20	78:194	88-308	5(a), (b)	1068	93-242	15	Revision.
July 2	78:241	88-352	603	413	93-113	417(b)	Applicability.
9	78:302	88-365	----------	281	93-87	164(a)(3), (b)(3)	Restriction.
9	78:302	88-365	3(e)(4)	261	93-87	121(a)	Applicability.
9	78:302	88-365	3(e)(4)	270	93-87	137(b)	Do.
9	78:302	88-365	4(a)	295	93-87	301(a), (b)	Amendment.
9	78:302	88-365	4(c)	295	93-87	301(c)	Do.
9	78:302	88-365	9	295	93-87	301(d)(1), (2), (4), (5)	Do.
9	78:302	88-365	9(3), (4)	295	93-87	301(d)(3)	Cl. (3) redesignated as (4); new (3) added.
9	78:302	88-365	12(f)	295	93-87	301(f)	Addition.
9	78:302	88-365	16(b)	295	93-87	301(g)	Revision.
Aug. 10	78:386	88-411	3	452	93-126	7(b)	Amendment.
20	78:508	88-452	101-118	883, 839	93-203	614, 615, 3	Repeal (pt. A); savings provision.
20	78:508	88-452	120-132	883, 839	93-203	614, 615, 3	Repeal (pt. B); savings provision.
20	78:508	88-452	161-167	883, 839	93-203	614, 615, 3	Repeal (pt. E); savings provision.

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1964							
Aug. 20	78:508	88-452	222(a)(1)	838	93-202	----------	Amendment.
20	78:508	88-452	801-835	417, 416	93-113	603, 601(c)	Repeal; continuation provision.
30	78:682	88-511	----------	86, 81, 88	93-43	7(a)(52), 6(c), 10(c)	Partial repeal; savings provision.
31	78:703	88-525	----------	248	93-86	3(n)	Exception.
31	78:703	88-525	3(b)	248	93-86	3(l)	Revision.
31	78:703	88-525	3(e)	246, 249	93-86	3(b), (p)	Amendment.
31	78:703	88-525	3(e)	450	93-125	1(h)	Technical amendment.
31	78:703	88-525	3(e)	956	93-233	8(a)(1)	Interim amendment; effective date.
31	78:703	88-525	3(e)	956	93-233	8(a)(2)	Effective date of 1973 amendment, temporary suspension.
31	78:703	88-525	3(e)(3)	246	93-86	3(a)(1), (2)	Addition.
31	78:703	88-525	3(f)	249	93-86	3(o)	Amendment.
31	78:703	88-525	3(n)	246	93-86	3(c)	Addition.
31	78:703	88-525	5(b)	247	93-86	3(g), (h)	Amendment.
31	78:703	88-525	5(c)	247	93-86	3(e)	Do.
31	78:703	88-525	5(d)	246	93-86	3(d)	Addition.
31	78:703	88-525	7(a)	248	93-86	3(m)	Revision.
31	78:703	88-525	7(a)	450	93-125	1(k)	Amendment.
31	78:703	88-525	10(e)	247	93-86	3(i)(2)	Do.
31	78:703	88-525	10(e)(6)-(8)	247	93-86	3(i)	Cl. (6) redesignated as (8); new (6), (7) added.
31	78:703	88-525	10(h)	248	93-86	3(k)	Amendment.
31	78:703	88-525	10(h)	450	93-125	1(j)	Do.
31	78:703	88-525	10(i)	247	93-86	3(f)	Addition.
31	78:703	88-525	16(a)	248	93-86	3(j)	Amendment.
31	78:703	88-525	17	248	93-86	3(n)	Addition.
Sept. 2	78:769	88-560	312(h)	221	93-85	4	Amendment.
2	78:769	88-560	312(h)	423	93-117	10	Do.
3	78:897	88-578	4(a)(2)	179	93-81	2	Revision.
3	78:897	88-578	4(b)	178	93-81	1	Amendment.
3	78:897	88-578	7(a)(1)	902, 903	93-205	13(c), 16	Do.
18	78:956	88-600	----------	452	93-126	7(c)	Do.
Oct. 13	78:1043	88-643	236	65	93-31	1(1), (2)	Do.
13	78:1043	88-643	291(b)(1)-(4)	908	93-210	1(a)(1), (2), (b)	Pars. (1)-(3) renumbered as (2)-(4); new (1) added; effective date.
1965							
June 11	79:127	89-37	304	615	93-155	803(b)(1)	Repeal. (See also 1959, P.L. 86-149, sec. 412.)
July 14	79:218	89-73	101(8)	30	93-29	102	Amendment.
14	79:218	89-73	201	30	93-29	201(a)	Revision.
14	79:218	89-73	202(4)	31	93-29	201(b)(1)	Do.
14	79:218	89-73	202(9)-(16)	31	93-29	201(b)(2)	Addition.
14	79:218	89-73	202(a), (b)	32	93-29	201(b)(3)	Existing text designated as (a); subsec. (b) added.
14	79:218	89-73	203-210	32-36	93-29	201(c)	Addition.
14	79:218	89-73	301-308	36-45	93-29	301	Secs. 301-306 deleted; new 301-308 added.
14	79:218	89-73	401-432	45-49	93-29	401	Secs. 401, 402 deleted; new 401-432 added.

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1965								
July	14	79:218	89–73	501–511	45, 49–54	93–29	401, 501	Secs. 501–503 deleted; new 501–511 added.
	14	79:218	89–73	601–614	417	93–113	604(a)	Repeal.
	14	79:218	89–73	601(d)	55	93–29	601	Addition.
	14	79:218	89–73	603	55	93–29	602	Amendment.
	14	79:218	89–73	611–614	55	93–29	603(a)	Heading revised (pt. B).
	14	79:218	89–73	611	55	93–29	603(b)	Revision.
	14	79:218	89–73	613	55	93–29	603(c)	Partial revision.
	14	79:218	89–73	614	55	93–29	604	Revision.
	14	79:218	89–73	701–710	57	93–29	704(c)	Amendment.
	14	79:218	89–73	705(a)	57	93–29	704(a)	Do.
	14	79:218	89–73	705(a)(1)	57	93–29	704(b)	Do.
	14	79:218	89–73	705(a)(2)(B)	57	93–29	703	Do.
	14	79:218	89–73	705(a)(5)	56	93–29	702	Addition.
	14	79:218	89–73	707	56	93–29	701	Revision.
	14	79:218	89–73	801–805	36	93–29	202	Repeal.
	22	79:244	89–80	401(c)	140	93–55	----------	Amendment.
	23	79:254	89–81	101(d)	456	93–127	4	Applicability.
	27	79:282	89–92	3(7)	352	93–109	2, 4	Addition.
	27	79:282	89–92	6	352	93–109	3, 4	Amendment.
Aug.	10	79:451	89–117	702(c)	423	93–117	9	Do.
	10	79:451	89–117	708(a)	422	93–117	8(a)	Do.
	10	79:451	89–117	708(b)	423	93–117	8(b)	Do.
	26	79:552	89–136	----------	133	93–52	101(e)	Supplemental provision.
	26	79:552	89–136	105	96	93–46	1	Amendment.
	26	79:552	89–136	201(c)	96	93–46	2	Do.
	26	79:552	89–136	301(b)	96	93–46	3(a)	Do.
	26	79:552	89–136	302	96	93–46	3(b)	Do.
	26	79:552	89–136	403(g)	96	93–46	4	Do.
	26	79:552	89–136	509(d)	97	93–46	5	Do.
	31	79:588	89–155	4	456	93–128	----------	Revision.
Sept.	16	79:793	89–188	607(b)	683	93–166	610(b)	Amendment.
	29	79:845	89–209	2(7)	462, 465	93–133	2(a)(1),(b)	Do.
	29	79:845	89–209	3(d)	462, 465	93–133	2(a)(2),(b)	Do.
	29	79:845	89–209	5(c)	462, 465	93–133	2(a)(3)(A), (E), (b)	Do.
	29	79:845	89–209	5(c)(1)	462, 465	93–133	2(a)(3)(B), (b)	Do.
	29	79:845	89–209	5(c)(2)	462, 465	93–133	2(a)(3)(B), (C), (b)	Do.
	29	79:845	89–209	5(c)(3)	462, 465	93–133	2(a)(3)(B), (b)	Do.
	29	79:845	89–209	5(c)(5)	462, 465	93–133	2(a)(3)(D), (b)	Do.
	29	79:845	89–209	5(g)(1)	462, 465	93–133	2(a)(4)(A), (b)	Do.
	29	79:845	89–209	5(g)(2)	462, 465	93–133	2(a)(4)(B) (i),(ii), (b)	Do.
	29	79:845	89–209	5(g)(2)(B)	463, 465	93–133	2(a)(4)(C), (b)	Do.
	29	79:845	89–209	5(g)(3)	463, 465	93–133	2(a)(4)(D), (b)	Deletion; new par. (3) added.
	29	79:845	89–209	5(g)(4)	463, 465	93–133	2(a)(4)(D), (b)	Deletion; new par. (4) added.
	29	79:845	89–209	5(g)(5)	463, 465	93–133	2(a)(4)(E), (b)	Amendment.
	29	79:845	89–209	6(f)	463, 465	93–133	2(a)(5)(A), (B), (b)	Do.

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1965							
Sept. 29	79:845	89–209	7(c)	464, 465	93–133	2(a)(6)(A), (E), (b)	Amendment.
29	79:845	89–209	7(c)(2)	464, 465	93–133	2(a)(6)(B), (b)	Do.
29	79:845	89–209	7(c)(6)	464, 465	93–133	2(a)(6)(C), (b)	Do.
29	79:845	89–209	7(c)(7)	464, 465	93–133	2(a)(6)(D), (b)	Addition.
29	79:845	89–209	7(d)	465	93–133	3	Amendment.
29	79:845	89–209	8(f)	464, 465	93–133	2(a)(7)(A), (B), (b)	Do.
29	79:845	89–209	9(b)	464, 465	93–133	2(a)(8), (b)	Revision.
29	79:845	89–209	10(a)(2)	465	93–133	2(a)(9), (b)	Amendment.
29	79:845	89–209	10(a)(4)	465	93–133	2(a)(10), (b)	Do.
29	79:845	89–209	11(a)	465	93–133	2(a)(11), (b)	Deletion; new subsec. (a) added.
29	79:845	89–209	11(b)	465	93–133	2(a)(11), (b)	Deletion; new subsec. (b) added.
29	79:845	89–209	13	465	93–133	2(a)(12), (b)	Repeal.
29	79:845	89–209	14	465	93–133	2(a)(12), (b)	Do.
Oct. 20	79:992	89–272	216(a)(2)	11	93–14	1(a)	Revision.
20	79:992	89–272	216(a)(3)	11	93–14	1(b)	Do.
20	79:992	89–272	216(b)	11	93–14	1(c)	Amendment.
22	79:1034	89–286	2(a)(3)	855	93–203	208(a)(5)	Applicability.
22	79:1034	89–286	8(d)	140	93–57	1, 2	Amendment.
28	79:1096	89–299	----------	86, 81, 88	93–43	7(a)(53), 6(c), 10(c)	Partial repeal; savings provision.
Nov. 3	79:1187	89–321	706	229	93–86	1(12)(a)	Termination date of 1970 amendment, extension.
3	79:1187	89–321	706	229	93–86	1(12)(a)	Partial repeal.
3	79:1187	89–321	706	235	93–86	1(22)	Termination date of 1970 amendment, extension.
3	79:1187	89–321	708	229	93–86	1(12)(a)	Amendment.
8	79.1219	89–329	110–113	59	93–29	803	Secs. 110–112 redesignated as 111–113; new 110 added.
1966							
Mar. 15	80:36	89–367	401(a)(1)	611	93–155	801	Revision.
16	80:71	89–369	17	732	93–189	28	Amendment.
Apr. 13	80:107	89–387	3(a)	708	93–182	3(a)	Exception.
13	80:107	89–387	3(b)	708	93–182	3(d)	Applicability.
13	80:107	89–387	3(c)	708	93–182	3(d)	Do.
13	80.107	89–387	7	708	93–182	3(d)	Do.
June 17	80:203	89–454	202	170	93–73	1(5)	Amendment.
17	80:203	89–454	203	170	93–73	1(5)	Do.
17	80:203	89–454	203(b)(1)	170	93–73	1(1)	Do.
17	80:203	89–454	204(a)–(f)	170	93–73	1(5)	Do.
17	80:203	89–454	204(a)(1), (2)	170	93–73	1(2)	Designation "(1)" deleted; cl. (2) deleted.
17	80:203	89–454	204(d)(1)	170	93–73	1(3)	Amendment.
17	80:203	89–454	204(d)(1)	171	93–73	1(8)	Exception.
17	80:203	89–454	204(d)(2)	170	93–73	1(4)	Amendment.
17	80:203	89–454	204(d)(3)	171	93–73	1(8)	Exception.
17	80:203	89–454	204(g)	170	93–73	1(6)	Revision.
17	80:203	89–454	204(h)	170	93–73	1(5)	Amendment.
17	80:203	89–454	204(i)	170	93–73	1(5)	Do.
17	80:203	89–454	204(i)(3)	170	93–73	1(7)	Do.
17	80:203	89–454	205	170	93–73	1(8)	Revision.
21	80:212	89–460	2	913	93–220	2	Repeal.

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1966								
July	4	80:259	89–491	----------	704, 703	93–179	14, 12, 16	Repeal; Commission abolished; transfer of funds.
	4	80:259	89–491	7(a)	9	93–11	----------	Amendment.
Sept.	9	80:731	89–564	202(a)	292	93–87	224	Do.
	13	80:766	89–574	7(b)	266	93–87	130	Do.
	19	80:808	89–584	2(2)	452	93–126	7(a)	Do.
	21	80:823	89–597	7	147	93–63	----------	Amendment. (See also 1913, P.L. 43, sec. 19(j); 1932, P L. 304, sec. 5B; 1950, P.L. 797, sec. 2, "Sec. 18 (g).")
	21	80:823	89–597	7	342, 348	93–100	1, 8	Do.
Oct.	11	80:885	89–642	3	563	93–150	7	Amendment.
	11	80:885	89–642	4(b)	562	93–150	4(c)	Do.
	11	80:885	89–642	4(c)	562	93–150	4(a), (b)	Do.
	11	80:885	89–642	17(a)	563	93–150	6(a)	Amendments.
	11	80:885	89–642	17(b)	563	93–150	6(b)	Amendment.
	11	80:885	89–642	17(e)	563	93–150	6(c)	Do.
	15	80:915	89–665	101(b)(1)	139	93–54	1(d)	Do.
	15	80:915	89–665	108	139	93–54	1(a)	Do.
	15	80:915	89–665	201(g)	139	93–54	1(c)	Addition.
	15	80:915	89–665	206(c)	139	93–54	1(b)	Deletion; new subsec. (c) added.
	15	80:926	89–669	1–3	903	93–205	14, 16	Repeal.
	15	80:926	89–669	4(c)	902,903	93–205	13(a), 16	Amendment.
	15	80:1002	89–689	----------	87, 81, 88	93–43	7(a)(54), 6(c), 10(c)	Partial repeal; savings provision.
Nov.	3	80:1191	89–750	310–313	59	93–29	804(a)	Secs. 310–312 redesignated as 311–313; new 310 added.
	3	80:1191	89–750	313(a)	60	93–29	804(b)	Amendment.
	3	80:1255	89–754	111(c)	422	93–117	6	Do.
	3	80:1255	89–754	1013(m)	679	93–166	513(b)	Addition.
1967								
July	28	81:127	90–57	105(d)(1)	532	93–145	----------	Table revised.
	28	81:127	90–57	105(d)(1)	533	93–145	----------	Revision.
	28	81:127	90–57	105(d)(2)(i)–(iv)	532	93–145	----------	Cls. (i), (ii) deleted; (iii) redesignated as (ii) and amended; (iv) redesignated as (ii).
	28	81:127	90–57	105(e)(1)	1078	93–245	----------	Amendment.
	28	81:127	90–57	105(e)(2)(A)	1078	93–245	----------	Do.
	28	81:127	90–57	105(e)(2)(B)	532	93–145	----------	Do.
	28	81:127	90–57	105(e)(2)(B)	1078	93–245	----------	Do.
Oct.	21	81:279	90–110	101	664	93–166	107(a)	Do.
	21	81:279	90–110	610(a)	675	93–166	506(a)	Revision.
	21	81:279	90–110	802(1)	664	93–166	107(b)	Amendment.
Nov.	20	81:471	90–147	----------	87, 81,88	93–43	7(a)(55), 6(c),10(c)	Partial repeal; savings provision.

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1967								
Nov.	21	81:485	90–148	2, "Sec. 104(c)"	11	93–15	1(a)	Amendment.
	21	81:485	90–148	2, "Sec. 212(i)"	11	93–15	1(b)	Do.
	21	81:485	90–148	2, "Sec. 316"	11	93–15	1(c)	Do.
Dec.	1	81:521	90–168	6	615	93–155	803(b)(1)	Repeal. (See also 1959, P.L. 86–149, sec. 412.)
1968								
Mar.	12	82:43	90–264	102(c)	146	93–62	1	Addition.
	12	82:43	90–264	104	146	93–62	2	Revision.
May	7	82:113	90–301	3(a)	220	93–85	2	Amendment.
	7	82:113	90–301	3(a)	422	93–117	3	Do.
	7	82:113	90–301	3(a)	984	93–234	208	Do.
June	19	82:197	90–351	101–670	197–218	93–83	2, 3	Revision.
July	21	82:367	90–408	201	669	93–166	205(a)	Amendment.
	21	82:367	90–408	802(2)	669	93–166	205(b)	Do.
Aug.	1	82:476	90–448	1301–1377	978	93–234	103	Exception.
	1	82:476	90–448	1301–1377	980	93–234	108(b)	Applicability.
	1	82:476	90–448	1302(g)	979	93–234	108(a)	Addition.
	1	82:476	90–448	1306(b)(1)(A)	977	93–234	101(a)	Revision.
	1	82:476	90–448	1306(b)(1)(B)	978	93–234	101(b)	Amendment.
	1	82:476	90–448	1306(b)(1)(C)	978	93–234	101(c)	Revision.
	1	82:476	90–448	1307(d)	980	93–234	109	Addition.
	1	82:476	90–448	1308(c)	978	93–234	103	Deletion; new subsec. (c) added.
	1	82:476	90–448	1309(a)	979	93–234	104	Amendment.
	1	82:476	90–448	1314	982	93–234	203	Repeal.
	1	82:476	90–448	1319	4	93–4	----------	Amendment.
	1	82:476	90–448	1319	73	93–38	----------	Do.
	1	82:476	90–448	1319	979	93–234	105	Revision.
	1	82:476	90–448	1334(b), (c)	981	93–234	111	Subsec. (b) deleted; (c) redesignated as (b).
	1	82:476	90–448	1336(a)	979	93–234	106	Amendment.
	1	82:476	90–448	1360(a)–(c)	983	93–234	204(a)	Existing text designated as subsec. (a); new (b), (c) added.
	1	82:476	90–448	1363	980	93–234	110	Addition.
	1	82:476	90–448	1370(b)	979	93–234	107	Amendment.
	1	82:476	90–448	1370(c)	980	93–234	108(b)	Addition.
	3	82:628	90–455	1	305	93–89	501	Amendment.
	12	82:705	90–479	----------	87, 81, 88	93–43	7(a)(56), 6(c), 10(c)	Partial repeal; savings provision.
	13	82:750	90–484	1	223	93–86	1(5)(B)	Revision.
	13	82:750	90–484	3	223	93–86	1(5)(A)	Amendment.
Oct.	8	82:958	90–553	6	74	93–40	----------	Do.
	22	82:1320	90–629	----------	730	93–189	25(2)(D)	Limitation.
	22	82:1320	90–629	----------	837	93–199	3	Exception.
	22	82:1320	90–629	1	729	93–189	25(1)	Amendment.
	22	82:1320	90–629	3(a)	729	93–189	25(2)(C)	Do.
	22	82:1320	90–629	3(a)(2)	729	93–189	25(2)(A)	Do.
	22	82:1320	90–629	3(a)(3), (4)	729	93–189	25(2)(A), (B)	Par. (3) redesignated as (4); new (3) added
	22	82:1320	90–629	3(c)	729	93–189	25(2)(D)	Addition.

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1968								
Oct.	22	82:1320	90-629	3(d)	729	93-189	25(2)(D)	Addition.
	22	82:1320	90-629	22	730	93-189	25(3)	Revision.
	22	82:1320	90-629	24(c)	730	93-189	25(4)(A), (B)	Amendment.
	22	82:1302	90-629	31(a)	730	93-189	25(5)	Do.
	22	82:1320	90-629	31(b)	730	93-189	25(6)	Do.
	22	82:1320	90-629	33(a)	731	93-189	25(7)(A)-(C)	Do.
	22	82:1320	90-629	33(b)	731	93-189	25(8)(A), (B)	Do.
	22	82:1320	90-629	33(c)	731	93-189	25(9)	Repeal.
	22	82:1320	90-629	36(a)	731	93-189	25(10)	Deletion.
	22	82:1320	90-629	36(b)	731	93-189	25(10)	Do.
	22	82:1320	90-629	37(b)	731	93-189	25(11)	Amendment.
	22	82:1320	90-629	47	731	93-189	25(12)	Addition.
1969								
Nov.	19	83:204	91-121	405	615	93-155	803(b)(1)	Repeal. (See also 1959, P.L. 86-149, sec. 412.)
Dec.	5	83:275	91-135	1-6	903	93-205	14, 16	Repeal.
	11	83:323	91-144	----------	87, 81, 88	93-43	7(a)(57), 6(c), 10(c)	Partial repeal; savings provision.
	12	83:338	91-145	----------	531	93-145	----------	Amendment.
	30	83:841	91-184	----------	582	93-153	101	Applicability.
1970								
Jan.	1	83:852	91-190	102(2)(C)	1021	93-236	601(c)	Nonapplicability.
Apr.	3	84:91	91-224	205	72	93-36	----------	Revision.
May	21	84:219	91-258	11(2)	88	93-44	2	Amendment.
	21	84:219	91-258	12(a)	90	93-44	6	Do.
	21	84:219	91-258	14(a)(1)	89	93-44	3(a)(1)	Do.
	21	84:219	91-258	14(a)(2)	89	93-44	3(a)(2)	Do.
	21	84:219	91-258	14(b)	89	93-44	3(b)(1)-(3)	Do.
	21	84:219	91-258	16(c)(1)	89	93-44	4	Do.
	21	84:219	91-258	17(a)	89	93-44	5(1)	Deletion; new subsec. (a) added.
	21	84:219	91-258	17(e)	89	93-44	5(2)	Addition.
June	2	84:299	91-273	----------	145	93-60	106(a)	Project rescission.
	2	84:299	91-273	101(b)(1)	145	93-60	105(a)(1), (2)	Amendment.
	2	84:299	91-273	101(b)(9)	145	93-60	105(a)(3)	Do.
	2	84:299	91-273	106(a)	145	93-60	105(b)	Amendment; exception.
	30	84:336	91-296	601	95	93-45	401(a)	Amendment.
July	6	84:375	91-304	2	97	93-46	6(a), (b)	Amendment; effective date.
	20	84:440	91-345	5(a)(2)	59	93-29	802(a)	Amendment.
	20	84:440	91-345	6(a)	59	93-29	802(b)	Do.
	24	84:468	91-354	1(c)	140	93-56	1	Revision.
Aug.	10	84:695	91-373	203(e)(2)	137	93-53	5	Amendment.
	10	84:695	91-373	203(e)(2)	974	93-233	20	Do.
	12	84:791	91-377	6	163, 166	93-69	103(a), 109(c)	Amendment. (See also 1935, P.L. 399; 1937, P.L. 162, sec. 1, "Secs. 2, 2(e), (i), 3(a)(1)-(3), (e), 5, 5(a)-(m), (n), 6.")
	15	84:796	91-379	202	27	93-28	2(a)	Amendment.
	15	84:796	91-379	203(a)(3)	27	93-28	2(b)(1)-(3)	Addition.

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1970								
Aug.	15	84:796	91–379	203(d)	28	93–28	3	Amendment.
	15	84:796	91–379	203(g)	28	93–28	5	Revision.
	15	84:796	91–379	203(j)	28	93–28	4	Addition.
	15	84:796	91–379	205–211	633	93–159	5(a)(1)(A)	Applicability.
	15	84:796	91–379	205(a), (b)	28	93–28	6(1), (2)	Existing text designated as (a) and amended; subsec. (b) added.
	15	84:796	91–379	207(b)	29	93–28	7	Amendment.
	15	84:796	91–379	212(a)	633	93–159	5(a)(1)(B)	Applicability.
	15	84:796	91–379	212(c)–(g)	633	93–159	5(a)(1)(B)	Do.
	15	84:796	91–379	213	633	93–159	5(a)(1)(B)	Do.
	15	84:796	91–379	218	29	93–28	8	Amendment.
	18	84:807	91–382	----------	531	93–145	----------	Do.
Oct.	7	84:890	91–439	----------	87, 81, 88	93–43	7(a)(58), 6(c), 10(c)	Partial repeal; savings provision.
	7	84:905	91–441	501	621	93–155	816	Expiration date, extension.
	7	84:905	91–441	505	615	93–155	803(b)(1)	Repeal. (See also 1959, P.L. 86–149, sec. 412.)
	7	84:905	91–441	509	615	93–155	803(b)(1)	Do.
	16	84:971	91–458	212	305	93–90	2	Revision.
	16	84:971	91–458	303	305	93–90	3	Do.
	26	84:1204	91–511	101	664	93–166	106(a)	Amendment.
	26	84:1204	91–511	201	669	93–166	206(a)	Do.
	26	84:1204	91–511	602(1)	664	93–166	106(b)	Do.
	26	84:1204	91–511	602(2)	669	93–166	206(b)	Do.
	30	84:1327	91–518	----------	554	93–146	13(3)	Exception.
	30	84:1327	91–518	102(5)	548	93–146	2(1)	Deletion; new par. (5) added.
	30	84:1327	91–518	102(9)	548	93–146	2(2)	Addition.
	30	84:1327	91–518	303(a)	548	93–146	3(a)	Revision.
	30	84:1327	91–518	303(a)(1)(B)	549	93–146	3(b)(2)	Exception.
	30	84:1327	91–518	305(a)	549	93–146	4(a)	Amendment.
	30	84:1327	91–518	305(b)	549	93–146	5	Do.
	30	84:1327	91–518	305(c)–(e)	550	93–146	6	Addition.
	30	84:1327	91–518	306(h)	551	93–146	7	Do.
	30	84:1327	91–518	308(b)	551	93–146	8	Amendment.
	30	84:1327	91–518	401(c)	551	93–146	9	Do.
	30	84:1327	91–518	402(a)	552	93–146	10(1)	Do.
	30	84:1327	91–518	402(d)–(f)	552	93–146	10(2)	Addition.
	30	84:1327	91–518	403(d)	553	93–146	11(a)	Do.
	30	84:1327	91–518	404(b)(1)	553	93–146	11(b)(1)	Amendment.
	30	84:1327	91–518	404(b)(2)	553	93–146	11(b)(2)	Revision.
	30	84:1327	91–518	404(b)(3)	553	93–146	11(b)(3)	Amendment.
	30	84:1327	91–518	601	553	93–146	12	Revision.
	30	84:1327	91–518	602(a)	553	93–146	13(1)	Amendment.
	30	84:1327	91–518	602(d)	554	93–146	13(2)	Do.
	30	84:1327	91–518	602(g)	554	93–146	13(3)	Addition.
	30	84:1327	91–518	801	554	93–146	14	Revision.
Nov.	30	84:1358	91–524	----------	221	93–86	1(1)	Nonapplicability.
	30	84:1358	91–524	101	221	93–86	1(1)	Revision (title I).
	30	84:1358	91–524	201(e)	222	93–86	1(2)(A)	Amendment. (See also 1933, P.L. 10, sec. 8c(5)(B)(d)–(f).)
	30	84:1358	91–524	201(f)	222	93–86	1(2)(B)	Addition. (See also 1933, P.L. 10, sec. 8c(17), (18).)
	30	84:1358	91–524	202	222	93–86	1(3)(A)	Amendment. (See also 1949, P.L. 439, secs. 201, 201(c).)

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1970							
Nov. 30	84:1358	91-524	202(b)	222	93-86	1(3)(B), (C)	Amendment. (See also 1949, P.L. 439, sec. 201(c).)
30	84:1358	91-524	203	223	93-86	1(4)	Amendment. (See also 1949, P.L. 439, sec. 202.)
30	84:1358	91-524	204(a)	223	93-86	1(5)(A)	Amendment. (See also 1968, P.L. 90-484, sec. 3.)
30	84:1358	91-524	204(b)	223	93-86	1(5)(B)	Deletion; new subsec. (b) added. (See also 1968, P.L. 90-484, sec. 1.)
30	84:1358	91-524	205	223	93-86	1(6)	Addition.
30	84:1358	91-524	205	450	93-125	1(a)(i), (ii)	Amendment.
30	84:1358	91-524	206	223	93-86	1(6)	Addition. (See also 1933, P.L. 10.)
30	84:1358	91-524	206	450	93-125	1(a)(iii)	Amendment.
30	84:1358	91-524	301(1)-(3)	224	93-86	1(7)(A)	Amendment. (See also 1954, P.L. 690, sec. 703(a)-(c).)
30	84:1358	91-524	301(6)	224	93-86	1(7)(B)	Addition. (See also 1954, P.L. 690, sec. 708.)
30	84:1358	91-524	401	224, 225	93-86	1(8)(A)-(D)	Amendment. (See also 1949, P.L. 439, sec. 107.)
30	84:1358	91-524	401	450	93-125	1(b)	Amendment. (See also 1949, P.L. 439, sec. 107(c).)
30	84:1358	91-524	402(a), (b)	225	93-86	1(9)	Existing text designated as (a); subsec. (b) added. (See also 1938, P.L. 430, secs. 379b, 379c.)
30	84:1358	91-524	403(a), (b)	228	93-86	1(10)	Existing text designated as (a); subsec. (b) added. (See also 1938, P.L. 430, secs. 379d-379j.)
30	84:1358	91-524	404	229	93-86	1(11)	Amendment. (See also 1938, P.L. 430, secs. 331-336, 338, 339, 378(e), 379, 385.)
30	84:1358	91-524	405	229	93-86	1(12)(a)	Amendment. (See also 1965, P.L. 89-321, sec. 706.)
30	84:1358	91-524	405(2)	229	93-86	1(12)(a)	Repeal. (See also 1965, P.L. 89-321, sec. 706.)
30	84:1358	91-524	405(a)	229	93-86	1(12)(a)	Existing text designated as subsec. (a).
30	84:1358	91-524	405(b)	229	93-86	1(12)(a)	Addition. (See also 1938, P.L. 430, sec. 301(b)(13)(K); 1965, P.L. 89-321, sec. 708.)

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1970							
Nov. 30	84:1358	91-524	406	229	93-86	1(13)	Amendment. (See also 1941, P.L. 74.)
30	84:1358	91-524	407	229	93-86	1(14)	Amendment.
30	84:1358	91-524	408	229	93-86	1(15)	Amendment. (See also, 1949, P.L. 439, sec. 408(k).)
30	84:1358	91-524	409	230	93-86	1(16)	Amendment. (See also 1949, P.L. 439, sec. 407.)
30	84:1358	91-524	410	230	93-86	1(17)	Amendment.
30	84:1358	91-524	501(a)	230	93-86	1(18)(A)	Part of existing text designated as subsec. (a) and amended. (See also 1949, P.L. 439, sec. 105(a), (c)-(f), (h), (i).)
30	84:1358	91-524	501(b)	230	93-86	1(18)(B)	Addition. (See also 1949, P.L. 439, sec. 105(b).)
30	84:1358	91-524	601	233	93-86	1(19)(A)	Amendment. (See also 1938, P.L. 430, secs. 342, 342a, 343, 344, 345, 346, 377, 344a(a), (b)(ii), (iv)-(vi), (b), (e), (h), 350.)
30	84:1358	91-524	601(2)	233	93-86	1(19)(B)	Amendment. (See also 1938, P.L. 430, sec. 342a.)
30	84:1358	91-524	601(3)(1)	233	93-86	1(19)(C), (D)	Amendment. (See also 1938, P.L. 430, sec. 344a(a).)
30	84:1358	91-524	601(3)(1)	233	93-86	1(19)(D)	Amendment. (See also 1938, P.L. 430, sec. 350.)
30	84:1358	91-524	601(3)(4)	233	93-86	1(19)(D), (E)	Amendment. (See also 1938, P.L. 430, sec. 350(a).)
30	84:1358	91-524	601(4)	233	93-86	1(19)(F)	Amendment. (See also 1938, P.L. 430, sec. 350(e)(2).)
30	84:1358	91-524	601(4)	233	93-86	1(19)(G)	Amendment. (See also 1938, P.L. 430, sec. 350(h).)
30	84:1358	91-524	602	233	93-86	1(20)(A)	Amendment. (See also 1949, P.L. 439, sec. 103(e)(2).)
30	84:1358	91-524	602	233	93-86	1(20)(A), (B)	Amendment. (See also 1949, P.L. 439, sec. 103 (e)(1).)
30	84:1358	91-524	602	450	93-125	1(b)	Amendment. (See also 1949, P.L. 439, sec. 103(e)(2).)
30	84:1358	91-524	603	235	93-86	1(21)	Amendment. (See also 1949, P.L. 439, sec. 407.)

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1970							
Nov. 30	84:1358	91–524	604	235	93–86	1(22)	Amendment. (See also 1949, P.L. 439, sec. 408(b).)
30	84:1358	91–524	605	235	93–86	1(22)	Amendment. (See also, 1938, P.L. 430, secs. 378(d), 379, 385.)
30	84:1358	91–524	606	235	93–86	1(22)	Amendment. (See also 1965, P.L. 89–321, sec. 706.)
30	84:1358	91–524	607	235	93–86	1(22)	Amendment. (See also 1949, P.L. 439, sec. 408(l).)
30	84:1358	91–524	608	235	93–86	1(22)	Amendment. (See also 1949, P.L. 439, sec. 203.)
30	84:1358	91–524	610	235	93–86	1(23)	Amendment.
30	84:1358	91–524	611	235	93–86	1(24)	Addition. (See also 1949, P.L. 439, sec. 104(d).)
30	84:1358	91–524	612	236	93–86	1(25)	Addition. (See also 1938, P.L. 430, sec. 374(a).)
30	84–1358	91–524	701	237	93–86	1(26)	Amendment (See also 1954, P.L. 480, sec. 409.)
30	84:1358	91–524 (title VII)	701, 702	237	93–86	1(26)	Amendment. (See also 1954, P.L. 480, sec. 103(o).)
30	84:1358	91–524	703	450	93–125	1(e)(ii), (iii)	Do.
30	84:1358	91–524	704	237	93–86	1(26)	Addition. (See also 1954, P.L. 480, sec. 411.)
30	84:1358	91–524	804(f)	237	93–86	1(27)(A)	Amendment.
30	84:1358	91–524	807	237	93–86	1(27)(B)	Addition. (See also 1961, P.L. 87–128, sec. 305(a)–(c).)
30	84:1358	91–524	808–815	237	93–86	1(27)(B)	Addition.
30	84:1358	91–524	812	450	93–125	1(f)	Technical amendment.
30	84:1358	91–524	816	240	93–86	1(27)(B)	Addition. (See also 1972, P.L. 92–419, secs. 401, 404; 1961, P.L. 87–128, sec. 306(a)(13).)
30	84:1358	91–524	817	241	93–86	1(27)(B)	Addition. (See also 1961, P.L. 87–128, sec. 310B(d)(4)–(6).)
30	84:1358	91–524	818	241	93–86	1(27)(B)	Addition.
30	84:1358	91–524	1001–1010	241	93–86	1(28)	Do.
30	84:1358	91–524	1001–1010	243	93–86	1(28)	Exception.
30	84:1358	91–524	1001(1)–(4)	450	93–125	1(g)(i)	Pars.(1)–(4) redesignated as pars. (1)–(4) of sec. 1003.
30	84:1358	91–524	1003(1)–(4)	450	93–125	1(g)(i)	Pars. (1)–(4) of sec. 1001 redesignated as pars. (1)–(4) of sec. 1003.
30	84:1358	91–524	1007(a)	450	93–125	1(g)(ii)	Technical amendment.

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1970								
Dec.	19	84:1479	91-564	----------	679	93-166	512(e)	Repeal.
	28	84:1587	91-590	2	838	93-201	2	Repeal. (See also 1887, ch. 104, sec. 303(b).)
	28	84:1587	91-590	3	838	93-201	2	Repeal.
	29	84:1590	91-596	28(d)	1024	93-237	2(c)	Amendment.
	31	84:1713	91-605	108(b)	276	93-87	153	Do.
	31	84:1713	91-605	123(i)	6	93-6	1(a)	Do.
	31	84:1713	91-605	123(n)	6	93-6	1(b)	Revision.
	31	84:1744	91-606	232	25	93-24	7	Repeal.
	31	84:1770	91-609	713(e)	423	93-117	12	Amendment.
1971								
Jan.	12	84:2053	91-672	8(a)	731	93-189	26(l)	Do.
	12	84:2053	91-672	8(b)	731	93-189	26(2)(A), (B)	Do.
	12	84:2053	91-672	8(c)	731	93-189	26(3)	Revision.
	12	84:2053	91-672	9	731	93-189	26(4)	Repeal.
	12	84:2053	91-672	10	132	93-52	101(b)	Exception.
	13	84:2078	91-695	----------	567	93-151	7(e)	Do.
	13	84:2078	91-695	101(a)	565	93-151	1(a)	Amendment.
	13	84:2078	91-695	101(b)	565	93-151	1(b)	Do.
	13	84:2078	91-695	101(e)	565	93-151	1(c)	Addition.
	13	84:2078	91-695	101(f)	565	93-151	1(d)	Do.
	13	84:2078	91-695	201	565	93-151	2(a)	Amendment.
	13	84:2078	91-695	201(a)(2)	565	93-151	2(b)	Revision.
	13	84:2078	91-695	201(c)	565	93-151	2(c)	Addition.
	13	84:2078	91-695	301	566	93-151	3	Revision.
	13	84:2078	91-695	301, 302	566	93-151	4(a)(2)	Title III caption amended.
	13	84:2078	91-695	302	566	93-151	4(a)(1), (b)	Addition.
	13	84:2078	91-695	401	566	93-151	5	Revision.
	13	84:2078	91-695	501(3)	567	93-151	6	Do.
	13	84:2078	91-695	503(a)	567	93-151	7(a)(1), (2)	Amendment.
	13	84:2078	91-695	503(b)	567	93-151	7(b)(1), (2)	Do.
	13	84:2078	91-695	503(c)	567	93-151	7(c)(1), (2)	Do.
	13	84:2078	91-695	503(d)	567	93-151	7(d)	Do.
	13	84:2078	91-695	504-506	567	93-151	7(e)	Addition.
May	14	85:38	92-14	2	453	93-126	8	Amendment. (See also 1920, P.L. 238, sec. 1.)
June	23	85:77	92-28	1, "Sec. 6"	176	93-76	----------	Amendment.
July	1	85:92	92-39	101(b)	460	93-131	1	Revision.
	1	85:92	92-39	104(a)	461	93-131	2	Amendment.
	2	85:101	92-46	8(b)	163, 166	93-69	103(b), 109(c)	Amendment. (See also 1935, P.L. 399; 1937, P.L. 162, sec. 1, "Secs. 2, 2(e), (i), (j), 3(a)(1)-(4), (e), 5(a)-(o), 6.)
	9	85:125	92-51	----------	532	93-145	----------	Amendment.
	12	85:146	92-54	----------	839	93-203	3(a)	Savings provision.
Aug.	10	85:271	92-78	----------	495	93-137	----------	Exception.
Sept.	28	85:348	92-129	701	615	93-155	803(b)(1)	Repeal. (See also 1959, P.L. 86-149, sec. 412.)
Oct.	5	85:365	92-134	----------	87, 81, 88	93-43	7(a)(59) 6(c), 10(c)	Partial repeal; savings provision.
	27	85:394	92-145	101	664	93-166	105(a)	Amendment.
	27	85:394	92-145	101	681	93-166	605(4)(A), (B)	Exception.

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1971								
Oct.	27	85:394	92–145	201	669	93–166	207(a)	Amendments.
	27	85:394	92–145	201	681	93–166	605(4)(C)	Exception.
	27	85:394	92–145	301	672	93–166	304(a)	Amendment.
	27	85:394	92–145	702(1)	664	93–166	105(b)	Do.
	27	85:394	92–145	702(2)	669	93–166	207(b)	Do.
	27	85:394	92–145	702(3)	672	93–166	304(b)	Do.
	27	85:394	92–145	709	682	93–166	607	Revision.
Nov.	17	85:423	92–156	506	615	93–155	803(b)(2)	Repeal.
Dec.	18	85:688	92–203	7(j)	432	93–120	----------	Nonapplicability.
	18	85:688	92–203	7(j)	1073	93–245	----------	Do.
	18	85:688	92–203	9(g)	591	93–153	407(b)	Revision.
	22	85:743	92–210	4(f)	72	93–34	----------	Amendment.
	22	85:775	92–213	3	221	93–85	3	Do.
	22	85:775	92–213	3	422	93–117	4	Do.
1972								
Feb.	15	86:37	92–228	1	704	93–179	15(a), 16	Do.
	15	86:37	92–228	3	704	93–179	15(b)(1), (2), 16	Do.
Mar.	31	86:116	92–268	2	352	93–110	1	Do.
	31	86:116	92–268	5	352	93–110	2	Addition.
June	16	86:222	92–314	----------	145	93–60	106(b)	Project rescission.
	16	86:222	92–314	101(b)(1)	145	93–60	105(c)(1)	Amendment.
	16	86:222	92–314	101(b)(5)	145	93–60	105(c)(2)	Do.
	23	86:235	92–318	140(b)(1), (d), (h)	72	93–35	1(a)–(c), 3	Do.
	30	86:393	92–328	101–108	133	93–52	101(d)	Supplemental provision.
July	1	86:402	92–334	----------	7	93–9	2	Exception.
	1	86:402	92–334	----------	133	93–52	101(e)	Supplemental provision.
	1	86:402	92–334	102(c)	7, 8	93–9	1, 4	Amendment.
	1	86:402	92–334	108	7, 8	93–9	1, 4	Do.
	1	86:402	92–334	110	7, 8	93–9	2, 4	Addition.
	1	86:402	92–334	111	7, 8	93–9	2, 4	Addition. (See also 1972, P.L. 92–351, sec. 102.)
	1	86:406	92–336	202(a)(3)(A)–(C)	952	93–233	2(d)	Amendment. (See also 1935, P.L. 271, sec. 215(a)(1)(A), (b)(4), (c).)
	1	86:406	92–336	202(a)(4)	952	93–233	2(b)(2), (c)	Repeal. (See also 1935, P.L. 271, secs. 227, 228.)
	1	86:406	92–336	203(b)(2)(C)	153	93–66	203(d), (e)	Amendment.
	1	86:406	92–336	203(b)(2)(C)	954	93–233	5(d), (e)	Do.
	1	86:406	92–336	203(b)(3)(C)	153	93–66	203(d), (e)	Do.
	1	86:406	92–336	203(b)(3)(C)	954	93–233	5(d), (e)	Do.
	1	86:406	92–336	203(b)(4)(C)	153	93–66	203(d), (e)	Do.
	1	86:406	92–336	203(b)(4)(C)	954	93–233	5(d), (e)	Do.
	1	86:406	92–336	203(b)(7)(C)	153	93–66	203(d), (e)	Do.
	1	86:406	92–336	203(b)(7)(C)	954	93–233	5(d), (e)	Do.
	13	86:471	92–351	----------	132	93–52	101(b)	Supplemental provision.
	13	86:471	92–351	102	7, 8	93–9	2, 4	Repeal.
	13	86:489	92–352	502	455	93–126	17	Amendment.
	13	86:489	92–352	603(b)	452	93–126	4	Do.

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1972							
Aug. 10	86:526	92-372	2(a)	317	93-96	8	Exception.
14	86:540	92-383	----------	495	93-137	----------	Do.
16	86:554	92-385	5	25	93-24	8	Savings provision. (See also 1961, P.L. 87-128, sec. 328(a)-(f), relating to disaster loans, fiscal years 1972, 1973.)
16	86:554	92-385	5	1024	93-237	4	Savings provision. (See also 1961, P.L. 87-128, sec. 328.)
29	86:644	92-412	205	447	93-121	1(4)	Amendment.
29	86:644	92-412	205(1)-(7)	447	93-121	1(1)-(3)	Cl. (1) deleted; (2)-(7) redesignated as (1)-(6); new (7) added.
29	86:644	92-412	207(a)(4)-(6)	448	93-121	4	Par. (4) redesignated as (6); new (4), (5) added.
29	86:644	92-412	208(a)	448	93-121	5	Exception.
29	86:644	92-412	209	132	93-52	101(b)	Do.
29	86:644	92-412	209	447	93-121	2	Amendment.
29	86:644	92-412	210	448	93-121	3	Do.
30	86:657	92-419	116-119	480	93-135	----------	Applicability. (See also 1961, P.L. 87-128, secs. 309A, 310A-310C.)
30	86:657	92-419	401	240	93-86	1(27)(B)	Amendment.
30	86:657	92-419	404	240	93-86	1(27)(B)	Revision.
Sept. 21	86:706	92-425	3(b)	615	93-155	804(1), (2)	Amendment.
26	86:734	92-436	302	615	93-155	803(b)(1)	Repeal. (See also 1959, P.L. 86-149, sec. 412.)
26	86:734	92-436	604	615	93-155	803(b)(1)	Do.
Oct. 4	86:765	92-460	5(b)	163, 166	93-69	103(c), 109(c)	Amendment. (See also 1935, P.L. 399; 1937, P.L. 162, sec. 1, "Secs. 2, 2(e), (i), 3(a)(1)-(5), 5(a)-(p), 6.")
18	86:816	92-500	----------	1069	93-243	3	Exception.
18	86:816	92-500	2, "Sec. 104(u)(2)"	906	93-207	1(1)	Amendment.
18	86:816	92-500	2, "Sec. 203(d)"	1069	93-243	2	Addition.
18	86:816	92-500	2, "Sec. 205(a)"	1069	93-243	1(a), (b)	Amendment.
18	86:816	92-500	2, "Sec. 206(c)"	906	93-207	2	Exception.
18	86:816	92-500	2, "Sec. 206(d)"	906	93-207	3	Do.
18	86:816	92-500	2, "Sec. 206(e)"	906	93-207	1(2)	Amendment.
18	86:816	92-500	2, "Sec. 207"	906	93-207	1(3)	Do.
18	86:816	92-500	2, "Sec. 311(f)(1)-(3)"	906	93-207	1(4)(A)	Do.
18	86:816	92-500	2, "Sec. 311(f)(2)"	906	93-207	1(4)(B)	Do.
18	86:816	92-500	2, "Sec. 311(g), (i)"	906	93-207	1(4)(C)	Do.

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1972							
Oct. 18	86:816	92-500	2, "Sec. 315(g)"	906	93-207	1(5)	Subsec. (g) redesignated as (h); new (g) added.
18	86:816	92-500	2, "Sec. 315(h)"	906	93-500	1(5)	Former subsec. (g) redesignated as (h).
18	86:816	92-500	2, "Sec. 509(b)(1)(C)"	906	93-207	1(6)	Amendment.
18	86:816	92-500	2, "Sec. 511(d)"	1069	93-243	3	Addition.
18	86:816	92-500	2, "Sec. 516(b)(1)(A)-(D)"	1069	93-243	4	Existing text designated as par. (1); cls. (1)-(4) redesignated as cls. (A)-(D).
18	86:816	92-500	2, "Sec. 516(b)(2)"	1069	93-243	4	Addition.
20	86:919	92-512	141(c)	823, 836	93-198	735, 771(d)	Revision.
21	86:973	92-516	2	903	93-205	13(f), 16	Amendment. (See also 1972, P.L. 92-516, 2, "Sec. 2(l)".)
21	86:973	92-516	2, "Sec. 2(l)"	903	93-205	13(f), 16	Amendment.
21	86:1019	92-520	11	911	93-215	3	Repeal.
21	86:1019	92-520	25	911	93-215	2	Amendment.
21	86:1027	92-522	3(1)(B)	903	93-205	13(e)(1), 16	Do.
21	86:1027	92-522	101(a)(3)(B)	903	93-205	13(e)(2), 16	Do.
21	86:1027	92-522	102(b)(3)	903	93-205	13(e)(3), 16	Do.
21	86:1027	92-522	202(a)(6)	903	93-205	13(e)(4), 16	Do.
25	86:1109	92-544	----------	1080	93-245	----------	Partial exception.
25	86:1135	92-545	----------	132	93-52	101(b)	Supplemental provision.
25	86:1135	92-545	101-509	681	93-166	605	Partial repeal, with exception.
25	86:1135	92-545	101	664	93-166	104(a), (b)	Amendment.
25	86:1135	92-545	201	669	93-166	208(a)	Amendments.
25	86:1135	92-545	301	672	93-166	305(a), (b)	Amendment.
25	86:1135	92-545	702(1)	664	93-166	104(c)	Do.
25	86:1135	92-545	702(2)	669	93-166	208(b)	Do.
25	86:1135	92-545	702(3)	672	93-166	305(c)	Do.
25	86:1135	92-545	705(a)	681	93-166	605(4)	Exception.
25	86:1135	92-545	705(b)	681	93-166	605(3)	Do.
26	86:1184	92-570	----------	132	93-52	101(b)	Supplemental provision.
26	86:1184	92-570	735	122	93-50	----------	Transfer of funds.
26	86:1204	92-571	108	132	93-52	101(b)	Supplemental provision.
27	86:1290	92-585	3	623	93-155	818(c)	Repeal.
27	86:1324	92-599	101	134	93-53	1	Amendment. (See also 1917, P.L. 43, sec. 21.)
27	86:1324	92-599	101	691	93-173	2	Repeal. (See also 1917, P.L. 43, sec. 21.)
30	86:1329	92-603	233(f)	967	93-233	16	Supplemental provision. (See also 1935, P.L. 271, secs. 1814(b), 1833(a)(2), 1903(i)(3), 506(f)(3), 509(a)(2)(B), (C).)

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1972								
Oct.	30	86:1329	92–603	249E	160	93–66	233	Amendment.
	30	86:1329	92–603	[1] 251(d)(3)	967	93–233	17(a)	Supplemental provision. (See also 1935, P.L. 271, sec. 1861(v)(5)(A).)
	30	86:1329	92–603	301	973	93–233	18(z–2)(1)(A)(ii)	Exception. (See also 1935, P.L. 271, secs. 1601–1634.)
	30	86:1329	92–603	301	974	93–233	19(b)	Do.
	30	86:1329	92–603	303(c)	974	93–233	19(a)	Revision. (See also 1950, P.L. 474, sec. 9.)
	30	86:1329	92–603	401(a)(1)	969, 974	93–233	18(h)(1)(A), (B), (z–3)(1)	Amendment.
	30	86:1329	92–603	401(b)(1)	957	93–233	8(d), (e)	Amendment; effective date.
	30	86:1329	92–603	401(c)(1)	969, 974	93–233	18(h)(2), (z-3)(1)	Amendment.
	30	86:1329	92–603	402	970	93–233	18(i)(1)–(3)	Do.
	31	86:1498	92–607	----------	132	93–52	101(b)	Supplemental provisions.
	31	86:1498	92–607	----------	133	93–52	101(e)	Supplemental provision.
	31	86:1498	92–607	506(a)(7), (h)(4)	532	93–145	----------	Amendment.
1973								
Jan.	19	87:3	93–1	----------	6	93–7	----------	Do.
Apr.	20	87:24	93–24	----------	1024	93–237	4	Exception.
	20	87:24	93–24	3	1025	93–237	10(a), (b)	Amendment; effective date. (See also 1961, P.L. 87–128, sec. 321(b).)
	26	87:25	93–25	----------	106	93–50	----------	Amendment.
May	3	87:30	93–29	908	417	93–113	604(b)	Do.
July	1	87:99	93–50	----------	133	93–52	101(d)	Supplemental provision.
	1	87:99	93–50	301	329	93–97	502	Exception.
	1	87:130	93–52	101(a)(4)	449	93–124	2	Amendment.
	1	87:130	93–52	101(b)	449	93–124	4	Do.
	1	87:130	93–52	102(c)	424	93–118	----------	Do.
	1	87:130	93–52	102(c)	449	93–124	1	Do.
	1	87:130	93–52	103	1077	93–245	502	Applicability.
	6	87:143	93–60	101(a)	627	93–158	1	Amendment.
	6	87:143	93–60	101(b)(1)	627	93–158	2	Do.
	9	87:152	93–66	201(a)(1)	947	92–333	1(a)	Do.
	9	87:152	93–66	201(a)(2)	947	93–233	1(b)(1), (2)	Amendment. (See also 1935, P.L. 271, secs. 201–231.)
	9	87:152	93–66	201(b)	947	93–233	1(c)	Revision.
	9	87:152	93–66	201(c)(2)	947	93–233	1(d)	Amendment.
	9	87:152	93–66	201(d)	947	93–233	1(e)	Do.
	9	87:152	93–66	210(c)	953	93–233	4(a)(1)	Amendment. (See also 1935, P.L. 271, sec 1611(a)(1)(A), (a)(2)(A), (b)(1), (b)(2).)
	9	87:152	93–66	211(a)(1)(A)	953	93–233	4(a)(2), (b)(3)	Do.

[1] Referred to as 151(d)(3) in text.

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1973								
July	9	87:15	93–66	212(a)(3)(A)	957	93–233	10(a)	Amendment.
	9	87:152	93–66	212(a)(3)(A)(ii)	965	93–233	13(c)(1)(B)	Exception.
	9	87:152	93–66	212(a)(3)(E)	958	93–233	10(b)	Addition.
	9	87:152	93–66	231(2)(A)	964	93–233	13(b)(1)(A)(i), (ii)	Amendment.
	9	87:152	93–66	231(2)(B)	964	93–233	13(b)(1)(B)(i), (ii)	Do.
	9	87:152	93–66	232	964	93–233	13(b)(2)(A)–(C)	Do.
	23	87:171	93–74	----------	174	93–74	4(a)	Exception.
Aug.	10	87:221	93–86	1(6)	450	93–125	1(a)(i), (ii)	Amendment. (See also 1970, P.L. 91–524, sec. 205.)
	10	87:221	93–86	1(6)	450	93–125	1(a)(iii)	Amendment. (See also 1970, P.L. 91–524, sec. 206.)
	10	87:221	93–86	1(8)	450	93–125	1(b)	Amendment. (See also 1970, P.L. 91–524, sec. 401.)
	10	87:221	93–86	1(12)(a)	450	93–125	1(c)	Designation "(a)" deleted.
	10	87:221	93–86	1(18)(C)–(G)	450	93–125	1(d)(ii)–(iv)	2d par. (C) and pars. (D)–(F) redesignated as (D)–(G).
	10	87:221	93–86	1(18)(C)	450	93–125	1(d)(i)	Technical amendment.
	10	87:221	93–86	1(20)	450	93–125	1(b)	Amendment. (See also 1970, P.L. 91–524, sec. 602.)
	10	87:221	93–86	1(26)	450	93–125	1(e)(i)	Part of existing text designated as sec. 703 of P.L. 91–524.
	10	87:221	93–86	1(26)	450	93–125	1(e)(ii), (iii)	Amendment. (See also 1970, P.L. 91–524, sec. 703.)
	10	87:221	93–86	1(27)(B)	450	93–125	1(f)	Amendment. (See also 1970, P.L. 91–524, sec. 812.)
	10	87:221	98–86	1(28)	450	93–125	1(g)(i), (ii)	Amendment. (See also 1970, P.L. 91–524, secs. 1001(1)–(4), 1003(1)–(4), 1007(a).)
	10	87:221	93–86	3(b)	450	93–125	1(h)	Amendment. (See also 1964, P.L. 88–525, sec. 3(e).)
	10	87:221	93–86	3(b)	956	93–233	8(a)(2)	Effective date, temporary suspension. (See also 1964, P.L. 88–525, sec. 3(e).)
	10	87:221	93–86	3(i)(1)	450	93–125	1(i)	Part of existing text designated as cl. (1).
	10	87:221	93–86	3(k)	450	93–125	1(j)	Amendment. (See also 1964, P.L. 88–525. sec. 10(h).)
	10	87:221	93–86	3(m)	450	93–125	1(k)	Amendment. (See also 1964, P.L. 88–525, sec. 7(a).)
	10	87:221	93–86	4(c)	956	93–233	8(b)(1)	Effective date, temporary suspension.

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1973								
Aug.	14	87:306	93–91	----------	130	93–52	101(a)(1)	Supplemental provision.
	16	87:315	93–96	----------	315, 317	93–96	2(b), 9	Exception.
	16	87:318	93–97	----------	131	93–52	101(a)(1)	Supplemental provision.
	16	87:329	93–98	----------	131	93–52	101(a)(1)	Do.
Sept.	26	87:355	93–112	306	376, 379, 381–383	93–112	202(c), 303(c), 304(b), (c), 305(b)	Applicability.
Oct.	1	87:394	93–113	111–114	400	93–113	114(a)	Exception.
	1	87:394	93–113	401	416	93–113	601(b)	Supplemental provision.
	1	87:418	93–115	----------	418	93–115	4(a), (b)	Applicability.
	4	87:429	93–120	----------	131	93–52	101(a)(1)	Supplemental provision.
	24	87:468	93–135	----------	130	93–52	101(a)(1)	Do.
	26	87:491	93–137	----------	130	93–52	101(a)(1)	Do.
	26	87:491	93–137	----------	501–503	93–137	----------	Exception.
	30	87:510	93–143	----------	514	93–143	----------	Do.
Nov.	1	87:527	93–145	----------	131	93–52	101(a)(1)	Supplemental provision.
	27	87:636	93–162	----------	131	93–52	101(a)(1)	Do.
	27	87:636	93–162	----------	649	93–162	----------	Exception.
	27	87:636	93–162	----------	1082	93–245	----------	Supplemental provision.
	29	87:661	93–166	502	675	93–166	504, 505	Applicability.
	29	87:661	93–166	606	682	93–166	606(2)	Do.
Dec.	18	87:747	93–192	----------	131	93–52	101(a)(1)	Supplemental provision.
	24	87:774	93–198	----------	800, 801, 813, 836	93–198	445, 446, 601, 752	Exception.
	24	87:774	93–198	462	804	93–198	461(a)	Applicability.
	24	87:774	93–198	603	801	93–198	448	Do.
	24	87:774	93–198	603(b)	804	93–198	461(a)	Do.
	24	87:774	93–198	604	814	93–198	602(c)(1), (2)	Do.
	24	87:774	93–198	751	817	93–198	702(b)	Do.
	24	87:774	93–198	752	817	93–198	702(b)	Do.
	24	87:774	93–198	752	820	93–198	717(b)	Exception.
	28	87:839	93–203	----------	839	93–203	3(c)	Do.
	28	87:839	93–203	208	854	93–203	207(c)	Applicability.
	28	87:839	93–203	603	874	93–203	419(b)	Do.
	28	87:884	93–205	----------	892	93–205	6(g)(2)(B)(ii)	Exception.
	28	87:884	93–205	----------	897	93–205	10(e)	Nonapplicability.
	28	87:884	93–205	4(d)	891	93–205	6(g)(2)	Do.
	28	87:884	93–205	9(a)(1)(B)	891	93–205	6(g)(2)	Do.
	29	87:937	93–224	----------	941	93–224	16(a)	Exception.
1974								
Jan.	2	87:985	93–236	----------	996, 1006	93–236	206(d)(3), 303(b)(3), (4)	Do.
	2	87:985	93–236	----------	1002, 1004, 1006	93–236	211(a), 301(b), 303(b)(3)	Applicability.
	2	87:985	93–236	210(b)	1004	93–236	215	Exception.
	2	87:985	93–236	508	1014	93–236	503	Applicability.

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