

INDEX

ABORTIONS. See Constitutional Law, II; IV, 1, 2; V; Jurisdiction; Social Security Act.

ACCESS OF PRESS AND PUBLIC TO CRIMINAL TRIALS. See Constitutional Law, VI.

AFFIRMATIVE-ACTION PROGRAMS. See Constitutional Law, IV, 3.

AID TO FAMILIES WITH DEPENDENT CHILDREN. See Civil Rights Attorney's Fees Awards Act of 1976.

AIRBORNE CONCENTRATIONS OF BENZENE. See Occupational Safety and Health Act of 1970.

AIRPORT SEARCHES AND SEIZURES. See Constitutional Law, X, 1.

ALABAMA. See Stays, 6.

ALIENS. See Stays, 1.

APPORTIONMENT. See Stays, 9.

ARIZONA. See Federal-State Relations.

ARKANSAS. See Habeas Corpus.

ARMED FORCES. See Stays, 7.

AT-LARGE ELECTIONS. See Stays, 6.

ATTORNEY'S FEES. See Civil Rights Act of 1871; Civil Rights Attorney's Fees Awards Act of 1976.

"AUTOMATIC" STANDING TO CHALLENGE LEGALITY OF SEARCH. See Constitutional Law, X, 3.

BANKRUPTCY. See Stays, 8.

BENZENE. See Occupational Safety and Health Act of 1970.

BLACK HILLS. See Constitutional Law, III; XI.

BUREAU OF INDIAN AFFAIRS. See Federal-State Relations, 1.

BUSING OF STUDENTS. See Stays, 2, 3.

CALIFORNIA. See Stays, 2.

CAPITAL PUNISHMENT. See *Certiorari*; *Constitutional Law*, IX.

CARCINOGENS. See *Occupational Safety and Health Act of 1970*.

CASE OR CONTROVERSY. See *Jurisdiction*.

CERTIORARI.

Withdrawal of petition.—Petitioner's unopposed motion to withdraw a petition for certiorari filed by his attorney seeking review of petitioner's murder conviction and death sentence was granted under this Court's Rule 60, where there was no issue as to petitioner's competence. *Hammett v. Texas*, p. 725.

CIVIL CONTEMPT. See *Stays*, 4.

CIVIL PENALTIES. See *Constitutional Law*, VIII.

CIVIL RIGHTS ACT OF 1971. See also *Civil Rights Attorney's Fees Awards Act of 1976*.

Statutory violations of federal law—Act's applicability—Attorney's fees.—Act's provisions imposing liability for deprivation of rights "secured by the Constitution and laws" encompass claims based on purely statutory violations of federal law, such as a claim of deprivation of right to welfare benefits under federal Social Security Act, and attorney's fees may be awarded to prevailing party in such a statutory action, pursuant to Civil Rights Attorney's Fees Awards Act of 1976, whether action is brought in federal or state court. *Maine v. Thiboutot*, p. 1.

CIVIL RIGHTS ATTORNEY'S FEES AWARDS ACT OF 1976. See also *Civil Rights Act of 1971*.

Action for violation of Social Security Act—Consent decree—Attorney's fees.—Where respondent's federal-court action under 42 U. S. C. § 1983 alleging that certain Connecticut Aid to Families With Dependent Children regulations violated both Social Security Act and Constitution was settled by a consent decree in her favor, award of attorney's fees to respondent under Civil Rights Attorney's Fees Awards Act was proper, since (1) Act applies even when § 1983 action is based solely on Social Security Act violations, (2) fact that respondent prevailed through a settlement did not preclude her from claiming attorney's fees as "prevailing party," and (3) Eleventh Amendment did not preclude award of attorney's fees against State. *Maher v. Gagne*, p. 122.

CLOSING CRIMINAL TRIALS TO PRESS AND PUBLIC. See *Constitutional Law*, VI.

CONFRONTATION CLAUSE. See *Constitutional Law*, I.

CONGRESS' SPENDING POWER. See *Constitutional Law*, IV, 3.

CONNECTICUT. See *Civil Rights Attorney's Fees Awards Act of 1976*.

CONSENT DECREES. See **Civil Rights Attorney's Fees Awards Act of 1976.**

CONSTITUTIONAL LAW. See also **Civil Rights Act of 1871; Civil Rights Attorney's Fees Awards Act of 1976; Stays, 1-7.**

I. Confrontation of Witnesses.

Hearsay—Use of preliminary hearing testimony at trial.—Confrontation Clause of Sixth Amendment was not violated in respondent's trial for forgery of a check and possession of stolen credit cards where, after respondent testified that daughter of owner of checkbook and credit cards had given him her parents' checkbook and credit cards with understanding that he could use them, State introduced testimony of daughter (who was not available to appear at trial) at preliminary hearing during which she refused to admit, while testifying for respondent, that she had given him checks and credit cards without informing him that she did not have permission to use them. *Ohio v. Roberts*, p. 56.

II. Due Process.

Abortions—Constitutionality of Hyde Amendment.—Hyde Amendment, which limits use of federal funds for reimbursing cost of abortions for needy persons under Medicaid program, does not violate Fifth Amendment due process rights of indigent women to decide whether to terminate pregnancy. *Harris v. McRae*, p. 297.

III. Eminent Domain.

Abrogation of Indian treaty—Taking of tribal property.—Court of Claims' legal analysis and factual findings supported its decision that 1877 Act of Congress—abrogating earlier treaty with Sioux Nation and implementing "agreement" whereby Sioux purportedly relinquished their rights to Black Hills, which had been included in their reservation—effected a taking of tribal property that implied an obligation on Government to make just compensation to Sioux, including an award of interest. *United States v. Sioux Nation of Indians*, p. 371.

IV. Equal Protection of the Laws.

1. *Abortions—Constitutionality of Hyde Amendment.*—Hyde Amendment, which limits use of federal funds for reimbursing cost of abortions for needy persons under Medicaid program, does not violate equal protection component of Due Process Clause of Fifth Amendment, since it is not predicated on a constitutionally suspect classification and is rationally related to legitimate governmental objective of protecting potential life. *Harris v. McRae*, p. 297.

2. *Abortions—Constitutionality of state statute restricting financial assistance.*—Illinois statute prohibiting state medical assistance payments for all abortions except those necessary to save life of woman seeking abor-

CONSTITUTIONAL LAW—Continued.

tion does not violate Equal Protection Clause of Fourteenth Amendment. *Williams v. Zbaraz*, p. 358.

3. *Public Works Employment Act of 1977—Validity of "minority business enterprise" provision.*—District Court's judgment upholding constitutionality, against challenge under equal protection guarantees of Fifth and Fourteenth Amendments, of "minority business enterprise" provision of Public Works Employment Act of 1977 and implementing regulations—requiring that, absent an administrative waiver, at least 10% of federal funds granted for local public works projects must be used by state or local grantees to procure services or supplies from businesses owned by specified minority racial or ethnic groups—is affirmed. *Fullilove v. Klutznick*, p. 448.

V. Freedom of Religion.

Abortions—Constitutionality of Hyde Amendment.—Hyde Amendment, which limits use of federal funds for reimbursing cost of abortions for needy persons under Medicaid program, does not violate Establishment Clause of First Amendment, even though funding restrictions may coincide with religious tenets of Roman Catholic Church, and under facts of case named plaintiffs in class actions lacked standing to challenge Hyde Amendment under Free Exercise Clause. *Harris v. McRae*, p. 297.

VI. Freedom of the Press.

Right to attend criminal trial.—Virginia Supreme Court's judgment dismissing mandamus and prohibition petitions and petition for appeal from order of trial court excluding press and public from murder trial, is reversed. *Richmond Newspapers, Inc. v. Virginia*, p. 555.

VII. Full Faith and Credit.

Virginia workers' compensation award—District of Columbia supplemental award.—Court of Appeals' judgment reversing administrative order which upheld supplemental award under District of Columbia Workmen's Compensation Act to petitioner, a District of Columbia resident who was hired there by respondent (which was principally located there) but was injured while employed by respondent in Virginia and received an award of disability benefits under Virginia law which excluded any other recovery "at common law or otherwise"—Court of Appeals having held that supplemental award was precluded by Full Faith and Credit Clause—is reversed. *Thomas v. Washington Gas Light Co.*, p. 261.

VIII. Privilege Against Self-Incrimination.

Federal Water Pollution Control Act—Reporting oil spills—Civil penalty.—Penalty imposed by § 311 (b) (6) of Federal Water Pollution Control Act on owner or operator of an onshore facility from which oil was

CONSTITUTIONAL LAW—Continued.

discharged in violation of Act is civil and thus, even though Act requires owner or operator to report discharge of oil into navigable waters to Government and provides that information may not be used against reporting person in any criminal case, does not trigger Fifth Amendment's protection against compulsory self-incrimination; fact that § 13 of Rivers and Harbors Appropriation Act of 1899 makes criminal the conduct penalized here does not render penalty under § 311 (b) (6) criminal in nature. *United States v. Ward*, p. 242.

IX. Right to Jury Trial.

Capital offenses—Exclusion of prospective jurors.—Exclusion of prospective jurors, pursuant to a Texas statute, because they were unwilling or unable to take an oath that mandatory penalty of death or life imprisonment, which depended on jury's answers to certain question at sentencing phase of state trial for capital offense, would not "affect [their] deliberations on any issue of fact," violated Sixth and Fourteenth Amendments. *Adams v. Texas*, p. 38.

X. Searches and Seizures.

1. *Airplane passenger—Reasonable suspicion of criminal activity.*—Where (1) federal narcotics agent concluded that petitioner fit "drug courier profile" after he observed petitioner, upon arrival at airport on a commercial flight, looking occasionally backward at a second man who, like petitioner, carried a shoulder bag and apparently had no other luggage, (2) the two men were asked for identification after they left terminal together and consented to search, and (3) petitioner then tried to escape and abandoned his bag, which was subsequently found to contain cocaine, agent could not, as a matter of law, have reasonably suspected criminal activity on basis of observed circumstances. *Reid v. Georgia*, p. 438.

2. *Search of third person's purse—Search incident to arrest.*—Record in petitioner's state-court trial for possession of controlled substances supported conclusions that (1) he had not sustained burden of proving that he had a legitimate expectation of privacy in third person's purse so as to allow him to challenge validity of search of purse, which contained drugs as to which he had claimed ownership when they were discovered, (2) State had carried burden of showing that his admission of ownership to police was act of free will unaffected by any illegality in his detention, and (3) subsequent search of his person was valid as incident to his formal arrest which followed quickly after such search. *Rawlings v. Kentucky*, p. 98.

3. *Standing to challenge search of third person's property.*—Respondents charged with unlawful possession of stolen mail did not have automatic standing to challenge legality of search, with warrant, of apartment

CONSTITUTIONAL LAW—Continued.

rented by one respondent's mother, since defendants charged with crimes of possession may only claim benefits of exclusionary rule if their own Fourth Amendment rights have in fact been violated. *United States v. Salvucci*, p. 83.

XI. Separation of Powers.

Court of Claims decisions—*Waiver of res judicata effect by Act of Congress*.—Congress' enactment of 1978 Act, which waived res judicata effect of Court of Claims decisions holding that Government's acquisition of Black Hills in 1877 by abrogation of earlier treaty with Sioux Nation was not an unconstitutional taking in violation of Just Compensation Clause, did not violate doctrine of separation of powers either on ground that Congress rendered Court of Claims' earlier decisions mere advisory opinions or on ground that Congress prescribed rule of decision that left court no adjudicatory function to perform. *United States v. Sioux Nation of Indians*, p. 371.

CONTEMPT. See *Stays*, 4.

CONTRIBUTORY INFRINGEMENT. See *Patents*.

COUNTY COMMISSIONER PRECINCTS. See *Stays*, 9.

COUNTY SCHOOL BOARDS. See *Stays*, 6.

COURT OF CLAIMS. See *Constitutional Law*, III; XI.

CRIMINAL LAW. See *Certiorari*; *Constitutional Law*, I; VI; IX; X; *Habeas Corpus*; *Stays*, 5.

DEATH PENALTY. See *Certiorari*; *Constitutional Law*, IX.

DENIAL OF PUBLIC EDUCATION. See *Stays*, 1.

DERMAL CONTACT WITH BENZENE SOLUTIONS. See *Occupational Safety and Health Act of 1970*.

DESEGREGATION OF SCHOOLS. See *Stays*, 2, 3.

DISABILITY BENEFITS. See *Constitutional Law*, VII.

DISCLOSURE OF NEWS SOURCES. See *Stays*, 4.

DISCRIMINATION AGAINST BLACKS. See *Stays*, 6.

DISCRIMINATION AGAINST MALES. See *Stays*, 7.

DISCRIMINATION AS TO PUBLIC CONTRACTORS. See *Constitutional Law*, IV, 3.

DISTRICT COURTS. See *Jurisdiction*.

DISTRICT OF COLUMBIA. See *Constitutional Law*, VII.

- DOUBLE JEOPARDY.** See *Stays*, 5.
- DRAFT.** See *Stays*, 7.
- DRUG COURIER PROFILE.** See *Constitutional Law*, X, 1.
- DUE PROCESS.** See *Constitutional Law*, II; IV, 1, 3.
- EDUCATION.** See *Stays*, 1.
- ELECTIONS.** See *Stays*, 6, 9.
- ELEVENTH AMENDMENT.** See *Civil Rights Attorney's Fees Awards Act of 1976*.
- EMINENT DOMAIN.** See *Constitutional Law*, III; XI.
- EMPLOYER AND EMPLOYEES.** See *Constitutional Law*, VII; *Occupational Safety and Health Act of 1970*; *Stays*, 8.
- ENVIRONMENTAL LAW.** See *Constitutional Law*, VIII.
- EQUAL PROTECTION OF THE LAWS.** See *Constitutional Law*, IV; *Stays*, 1, 7.
- ESTABLISHMENT OF RELIGION CLAUSE.** See *Constitutional Law*, V.
- EXCLUDING PRESS AND PUBLIC FROM CRIMINAL TRIALS.** See *Constitutional Law*, VI.
- EXCLUSIONARY RULE.** See *Constitutional Law*, X, 2, 3.
- EXCLUSION OF PROSPECTIVE JURORS.** See *Constitutional Law*, IX.
- EXHAUSTION OF REMEDIES.** See *Habeas Corpus*.
- EXPOSURE TO BENZENE.** See *Occupational Safety and Health Act of 1970*.
- FAIR TRIALS.** See *Constitutional Law*, VI.
- FEDERAL FINANCIAL ASSISTANCE FOR ABORTIONS.** See *Constitutional Law*, II; IV, 1; V; *Jurisdiction*; *Social Security Act*.
- FEDERAL FINANCIAL ASSISTANCE FOR PUBLIC WORKS.** See *Constitutional Law*, IV, 3.
- FEDERAL-STATE RELATIONS.** See also *Habeas Corpus*; *Social Security Act*; *Stays*, 5.
1. *State taxation of logging activities on Indian reservation—Preemption by federal law.*—Arizona motor carrier license and use fuel taxes, sought to be imposed on non-Indian enterprise's logging activities conducted solely on Indian reservation in felling tribal timber and transporting it over Bureau of Indian Affairs and tribal roads to tribal organiza-

FEDERAL-STATE RELATIONS—Continued.

tion's sawmill, are pre-empted by federal law regulating roads involved and regulating management of tribal timber. *White Mountain Apache Tribe v. Bracker*, p. 136.

2. *State taxation of sales on reservation to Indian tribe—Pre-emption by federal law.*—Arizona had no jurisdiction to impose a tax on appellant Arizona corporation's sale of farm machinery to an Indian tribe occurring on reservation even though appellant did not have a permanent place of business on reservation and was not licensed to trade with Indians, since federal law governing licensing of Indian traders pre-empted asserted state tax. *Central Machinery Co. v. Arizona Tax Comm'n*, p. 160.

FEDERAL WATER POLLUTION CONTROL ACT. See **Constitutional Law**, VIII.

FIFTH AMENDMENT. See **Constitutional Law**, II; III; IV, 1, 3; VIII; XI; **Stays**, 5, 7.

FIRST AMENDMENT. See **Constitutional Law**, V; VI; **Stays**, 4.

FORT LARAMIE TREATY. See **Constitutional Law**, III; XI.

FOURTEENTH AMENDMENT. See **Civil Rights Attorney's Fees Awards Act of 1976**; **Constitutional Law**, IV, 2, 3; VI; IX; X, 2; **Stays**, 1, 6.

FOURTH AMENDMENT. See **Constitutional Law**, X.

FREEDOM OF RELIGION. See **Constitutional Law**, V.

FREEDOM OF THE PRESS. See **Constitutional Law**, VI.

FREE EXERCISE OF RELIGION CLAUSE. See **Constitutional Law**, V.

FUEL TAXES. See **Federal-State Relations**, 1.

FULL FAITH AND CREDIT CLAUSE. See **Constitutional Law**, VII.

GENDER-BASED DISCRIMINATION. See **Stays**, 7.

GOVERNMENT CONTRACTS. See **Constitutional Law**, IV, 3.

HABEAS CORPUS.

State prisoner—Federal relief—Exhaustion of state remedies.—Absent reason to believe that state judicial remedies would be unavailable, federal court—in habeas corpus proceedings where state prisoner claimed he was entitled to be resentenced because of amendment of state recidivist statute after his trial, but such claim apparently had not been presented to state courts—is required to stay its hand to give State initial opportunity to pass upon and correct alleged violations of federal rights. *Mabry v. Klimas*, p. 444.

HEALTH STANDARDS. See *Occupational Safety and Health Act of 1970.*

HEARSAY EVIDENCE. See *Constitutional Law, I.*

HERBICIDES. See *Patents.*

HYDE AMENDMENT. See *Constitutional Law, II; IV, 1; V; Jurisdiction; Social Security Act.*

IDENTITY OF NEWS SOURCES. See *Stays, 4.*

ILLINOIS. See *Constitutional Law, IV, 2; Jurisdiction; Social Security Act.*

INCRIMINATING STATEMENTS. See *Constitutional Law, X, 2.*

INDIANS. See *Constitutional Law, III; XI; Federal-State Relations.*

INDIGENTS. See *Constitutional Law, II; IV, 1, 2; V; Jurisdiction; Social Security Act.*

INFRINGEMENT OF PATENTS. See *Patents.*

INJUNCTIONS. See *Stays, 1, 5, 6.*

INTEREST. See *Constitutional Law, III.*

JURISDICTION.

Abortions—Constitutionality of Hyde Amendment.—In an action challenging validity, on federal statutory and constitutional grounds, of Illinois statute prohibiting state medical assistance payments for all abortions except those necessary to save life of woman seeking abortion, District Court lacked jurisdiction to consider constitutionality of Hyde Amendment, prohibiting use of federal funds to reimburse cost of certain medically necessary abortions, since none of parties challenged validity of Hyde Amendment and thus there was no Art. III case or controversy; but this Court has jurisdiction under 28 U. S. C. § 1252 over “whole case,” and thus may review other issues preserved by appeals. *Williams v. Zbaraz*, p. 358.

JUROR'S BELIEF AS TO DEATH PENALTY. See *Constitutional Law, IX.*

JUST COMPENSATION CLAUSE. See *Constitutional Law, III; XI.*

KENTUCKY. See *Constitutional Law, X, 2.*

LEUKEMIA. See *Occupational Safety and Health Act of 1970.*

LIBERTY INTERESTS. See *Constitutional Law, II.*

LICENSING OF INDIAN TRADERS. See *Federal-State Relations, 2.*

LICENSING USE OF PATENTS. See *Patents.*

LOS ANGELES. See *Stays, 2.*

MAINE. See Civil Rights Act of 1871.

MANDATORY DEATH SENTENCE. See Constitutional Law, IX.

MASSACHUSETTS. See Stays, 4, 5.

MEDICAID BENEFITS. See Constitutional Law II; IV, 1; V; Social Security Act.

MEDICALLY NECESSARY ABORTIONS. See Constitutional Law, II; IV, 1, 2; V; Jurisdiction; Social Security Act.

METHOD FOR APPLYING HERBICIDE. See Patents.

MILITARY SELECTIVE SERVICE ACT. See Stays, 7.

MINORITY BUSINESS ENTERPRISES. See Constitutional Law, IV, 3.

MISUSE OF PATENTS. See Patents.

MOTOR CARRIER LICENSE TAXES. See Federal-State Relations, 1.

MULTIPLE OFFENDERS. See Habeas Corpus.

NEEDY PERSONS. See Constitutional Law, II; IV, 1, 2; V; Jurisdiction; Social Security Act.

NEWS MEDIA'S RIGHT TO ATTEND CRIMINAL TRIALS. See Constitutional Law, VI.

NEWS REPORTER'S PRIVILEGE. See Stays, 4.

OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970.

Exposure to benzene—Validity of OSHA standard.—Court of Appeals' judgment holding invalid, as based on findings unsupported by administrative record, Occupational Safety and Health Administration's standard which, because of causal connection between benzene and leukemia, reduced permissible exposure limits on airborne concentrations of benzene and prohibited dermal contact with benzene solutions, is affirmed. Industrial Union Dept. v. American Petroleum Institute, p. 607.

OHIO. See Constitutional Law, I.

OIL SPILLS. See Constitutional Law, VIII.

PATENTS.

Method for applying herbicide—Patent misuse—Contributory infringement.—Under 35 U. S. C. § 271, owner of patent on method for applying unpatentable chemical herbicide (propanil) to inhibit growth of undesirable plants in rice crops, propanil being a nonstaple commodity having no use except practice of patented method, did not engage in patent misuse either by tying sale of patent rights to purchase of propanil or by refusing to license petitioner manufacturers who sold propanil with directions

PATENTS—Continued.

to purchasers to apply propanil in accordance with patented method, and thus owner may maintain action against petitioners for contributory infringement of patent. *Dawson Chemical Co. v. Rohm & Haas Co.*, p. 176.

POLLUTION. See **Constitutional Law**, VIII.

PRECLEARANCE OF VOTING LAWS. See **Stays**, 9.

PRE-EMPTION. See **Federal-State Relations**.

PRELIMINARY HEARING TESTIMONY AS ADMISSIBLE AT TRIAL. See **Constitutional Law**, I.

PRELIMINARY INJUNCTIONS. See **Stays**, 6, 8.

PRESS AND PUBLIC'S RIGHT TO ATTEND CRIMINAL TRIALS.
See **Constitutional Law**, VI.

PRIVACY RIGHTS. See **Constitutional Law**, X, 2, 3.

PRIVILEGE AGAINST SELF-INCRIMINATION. See **Constitutional Law**, VIII.

PROBABLE CAUSE FOR ARREST. See **Constitutional Law**, X, 2.

PROCESS PATENTS. See **Patents**.

PROPANIL. See **Patents**.

PUBLIC CONTRACTS. See **Constitutional Law**, IV, 3.

PUBLIC TRIALS. See **Constitutional Law**, VI.

PUBLIC WORKS EMPLOYMENT ACT OF 1977. See **Constitutional Law**, IV, 3.

RACIAL DISCRIMINATION. See **Constitutional Law**, IV, 3; **Stays**, 6.

RAILROADS. See **Stays**, 8.

REAPPORTIONMENT. See **Stays**, 9.

RECIDIVIST STATUTES. See **Habeas Corpus**.

REGISTRATION FOR DRAFT. See **Stays**, 7.

RELIGIOUS FREEDOM. See **Constitutional Law**, V.

REPORTER'S PRIVILEGE. See **Stays**, 4.

REPORTING OIL SPILLS. See **Constitutional Law**, VIII.

RESERVATION LANDS. See **Constitutional Law**, III; XI; **Federal-State Relations**.

RES JUDICATA. See **Constitutional Law**, XI.

- RESTRAINING ORDERS.** See *Stays*, 5.
- RIGHT TO JURY TRIAL.** See *Constitutional Law*, IX.
- RIGHT TO PRIVACY.** See *Constitutional Law*, X, 2, 3.
- RIVERS AND HARBORS APPROPRIATION ACT OF 1899.** See *Constitutional Law*, VIII.
- ROCK ISLAND RAILROAD TRANSITION AND EMPLOYEE ASSISTANCE ACT.** See *Stays*, 8.
- SAFETY STANDARDS.** See *Occupational Safety and Health Act of 1970*.
- SALES TAXES.** See *Federal-State Relations*, 2.
- SCHOOL BOARD ELECTIONS.** See *Stays*, 6.
- SCHOOLS.** See *Stays*, 1-3.
- SEARCHES AND SEIZURES.** See *Constitutional Law*, X.
- SEARCH WARRANTS.** See *Constitutional Law*, X, 2.
- SECRETARY OF THE INTERIOR.** See *Federal-State Relations*, 1.
- SELF-INCRIMINATION.** See *Constitutional Law*, VIII.
- SEPARATION OF POWERS.** See *Constitutional Law*, XI.
- SETTLEMENT OF ACTIONS.** See *Civil Rights Attorney's Fees Awards Act of 1976*.
- SEX DISCRIMINATION.** See *Stays*, 7.
- SIXTH AMENDMENT.** See *Constitutional Law*, I; VI; IX.
- SOCIAL SECURITY ACT.** See also *Civil Rights Act of 1871*; *Civil Rights Attorney's Fees Awards Act of 1976*; *Constitutional Law*, II; IV, 1; V.
- Medicaid—Abortions—Hyde Amendment.*—Medicaid provisions of Act do not require a participating State to pay for those medically necessary abortions for which federal reimbursement is unavailable under Hyde Amendment. *Harris v. McRae*, p. 297; *Williams v. Zbaraz*, p. 358.
- STANDING TO CHALLENGE LEGALITY OF SEARCH.** See *Constitutional Law*, X, 2, 3.
- STANDING TO SUE.** See *Constitutional Law*, V.
- STATE FINANCIAL ASSISTANCE FOR ABORTIONS.** See *Constitutional Law*, IV, 2; *Jurisdiction*; *Social Security Act*.
- STATE FUEL TAXES.** See *Federal-State Relations*, 1.

STATE MOTOR CARRIER LICENSE TAXES. See **Federal-State Relations**, 1.

STATE SALES TAXES. See **Federal-State Relations**, 2.

STAYS.

1. *Alien children—Denial of public education.*—Application to vacate Court of Appeals' stay of District Court's injunction prohibiting Texas education officials from denying free education to alien children not "legally admitted" to United States, is granted. *Named and Unnamed Children v. Texas* (POWELL, J., in chambers), p. 1327.

2. *Busing of students.*—Application to stay California Supreme Court's order which left standing a lower court's order requiring mandatory re-assignment and busing of students in elementary and junior high schools in Los Angeles school system, is denied. *Board of Ed., Los Angeles v. Superior Court* (REHNQUIST, J., in chambers), p. 1343.

3. *Busing of students.*—Reapplication to stay District Court's decision ordering busing of students within applicant school district, is denied. *Gregory-Portland Independent School Dist. v. United States* (REHNQUIST, J., in chambers), p. 1342.

4. *Contempt order—Reporter's refusal to reveal news sources.*—Application to stay Massachusetts Supreme Judicial Court Justice's order adjudicating applicant television news reporter in civil contempt for refusal to disclose identities of news sources in connection with disciplinary proceedings against state judge, and Supreme Judicial Court's affirmance of such order, is granted. *In re Roche* (BRENNAN, J., in chambers), p. 1312.

5. *Double jeopardy—Enjoining state-court proceedings.*—Application for stay of District Court's order denying applicant's request for a temporary restraining order enjoining, on double jeopardy grounds, two separate state-court prosecutions against him, is denied. *Willhauck v. Flanagan* (BRENNAN, J., in chambers), p. 1323.

6. *Election of school board—Preliminary injunction.*—Application to stay District Court's preliminary injunction ordering Alabama election officials to conduct district rather than at-large election to fill vacancies on Mobile County School Board, is denied. *Moore v. Brown* (POWELL, J., in chambers), p. 1335.

7. *Military Selective Service Act—Sex discrimination.*—Application to stay District Court's order invalidating registration provisions of Military Selective Service Act on ground that exclusion of females from such provisions constitutes gender-based discrimination in violation of equal protection component of Fifth Amendment, is granted. *Rostker v. Goldberg* (BRENNAN, J., in chambers), p. 1306.

8. *Preliminary injunction—Bankruptcy of railroad.*—Application to stay District Court's preliminary injunction against implementation of labor

STAYS—Continued.

protection arrangement provisions of Rock Island Railroad Transition and Employee Assistance Act in connection with liquidation in bankruptcy of Chicago, Rock Island and Pacific Railroad, is denied. *Railway Labor Executives' Assn. v. Gibbons* (STEVENS, J., in chambers), p. 1301.

9. *Voting Rights Act of 1965—Preclearance of apportionment plan.*—Application to stay Court of Appeals' judgment requiring applicant Texas county officials to proceed with procedures for "preclearance," under § 5 of Voting Rights Act of 1965, of new apportionment plan for county commissioner precincts ordered by District Court and approved by county commissioners, is granted. *McDaniel v. Sanchez* (POWELL, J., in chambers), p. 1318.

SUPPLEMENTAL WORKERS' COMPENSATION AWARDS. See Constitutional Law, VII.

SUPPRESSION OF EVIDENCE. See Constitutional Law, X, 2, 3.

SUPREMACY CLAUSE. See Civil Rights Act of 1871.

SUPREME COURT. See also *Certiorari*; Jurisdiction.

Term statistics, p. 1350.

SUPREME COURT RULES. See *Certiorari*.

TAKING OF PROPERTY. See Constitutional Law, III; XI.

TAXES. See Federal-State Relations.

TELEVISION REPORTER'S PRIVILEGE. See *Stays*, 4.

TEXAS. See *Certiorari*; Constitutional Law, IX; *Stays*, 1, 3, 9.

TOXIC MATERIALS. See Occupational Safety and Health Act of 1970.

TREATIES WITH INDIANS. See Constitutional Law, III; XI.

TRIAL BY JURY. See Constitutional Law, IX.

TRIBAL ROADS. See Federal-State Relations, 1.

TRIBAL TIMBER. See Federal-State Relations, 1.

UNAVAILABILITY OF WITNESSES. See Constitutional Law, I.

VACATION OF STAY. See *Stays*, 1.

VIRGINIA. See Constitutional Law, VI; VII.

VOTING RIGHTS ACT OF 1965. See *Stays*, 9.

WARRANTS. See Constitutional Law, X, 3.

WATER POLLUTION. See Constitutional Law, VIII.

WELFARE BENEFITS. See Civil Rights Act of 1871; Civil Rights Attorney's Fees Awards Act of 1976; Constitutional Law, II; IV, 1, 2; V; Social Security Act.

WITHDRAWAL OF PETITION FOR CERTIORARI. See Certiorari.

WITNESSES. See Constitutional Law, I.

WORDS AND PHRASES.

1. "*Any action.*" Civil Rights Attorney's Fees Awards Act of 1976, 42 U. S. C. § 1988. *Maine v. Thiboutot*, p. 1.

2. "*Civil penalty.*" § 311 (b) (6), Federal Water Pollution Control Act, 33 U. S. C. § 1321 (b) (6). *United States v. Ward*, p. 242.

3. "*Prevailing party.*" Civil Rights Attorney's Fees Awards Act of 1976, 42 U. S. C. § 1988. *Maher v. Gagne*, p. 122.

4. "*Reasonably necessary or appropriate to provide safe or healthful employment.*" § 3 (8), Occupational Safety and Health Act of 1970, 29 U. S. C. § 652 (8). *Industrial Union Dept. v. American Petroleum Institute*, p. 607.

5. "*Secured by the Constitution and laws.*" Civil Rights Act of 1871, 42 U. S. C. § 1983. *Maine v. Thiboutot*, p. 1.

WORKERS' COMPENSATION. See Constitutional Law, VII.



















