

President Nixon vetoed forty-three bills, of which twenty-six were regular vetoes and seventeen were pocket vetoes. Seven were overridden (Item Nos. 2255, 2257, 2262, 2267, 2270, 2292, and 2293). There were no vetoes in the first session of the Ninety-first Congress.

Ninety-first Congress, Second Session

Regular Vetoes

2253 S. 3637.

To revise the provisions of the Communications Act of 1934 which relate to political broadcasting.

Vetoed October 12, 1970. The veto message was laid before the Senate and printed as S. Doc. No. 91-109. (116 Cong. Rec. 36320, 36321).

The Senate sustained the veto on November 23, 1970 by a vote of 58 yeas to 34 nays. (116 Cong. Rec. 38495-38536).

Veto sustained.

2254 S. 3867.

To assure opportunities for employment and training to unemployed and underdeveloped persons, to assist states and local communities in providing needed public services.

Vetoed December 16, 1970. The veto message was laid before the Senate and printed as S. Doc. No. 91-118. (116 Cong. Rec. 41855, 41856).

The Senate sustained the veto on December 21, 1970 by a vote of 48 yeas to 35 nays. (116 Cong. Rec. 43005-43030).

Veto sustained.

2255 H.R. 11102.

To amend the provisions of the Public Health Service Act relating to the construction and modernization of hospitals and other medical facilities.

Vetoed June 22, 1970. The veto message was laid before the House and printed as H.R. Doc. No. 91-353. (116 Cong. Rec. 20876, 20877).

The House overrode the veto on June 25, 1970 by a vote of 279 yeas to 98 nays. (116 Cong. Rec. 21532, 21533).

The Senate overrode the veto on June 30, 1970 by a vote of 76 yeas to 19 nays. (116 Cong. Rec. 22266-22278).

Veto overridden. (84 Stat. 336; Public Law 91-296).

2256 H.R. 13111.

Making appropriations for Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes.

Vetoed January 26, 1970. The veto message was laid before the House and printed as H.R. Doc. No. 91-216. (116 Cong. Rec. 1365-1367).

The House sustained the veto on January 28, 1970 by a vote of 226 yeas to 191 nays. (116 Cong. Rec. 1483-1553).

Veto sustained.

2257 H.R. 16916.

Making appropriations for the Office of Education for the fiscal year ending June 30, 1971.

Vetoed August 11, 1970. The veto message was laid before the House and printed as H.R. Doc. No. 91-376. (116 Cong. Rec. 28170, 28171).

The House overrode the veto on August 13, 1970 by a vote of 289 yeas to 114 nays. (116 Cong. Rec. 28758-28779).

The Senate overrode the veto on August 18, 1970 by a vote of 77 yeas to 16 nays. (116 Cong. Rec. 29318-29391).

Veto overridden. (84 Stat. 800; Public Law 91-380).

2258 H.R. 17548.

Making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971.

Vetoed August 11, 1970. The veto message was laid before the House and printed as H.R. Doc. No. 91-377. (116 Cong. Rec. 28171).

The House sustained the veto on August 13, 1970 by a vote of 203 yeas to 195 nays. (116 Cong. Rec. 28780-28797).

Veto sustained.

2259 H.R. 17809.

To provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government.

Vetoed January 1, 1971. The veto message was laid before the House, referred to the Committee on Post Office and Civil Service, and printed as H.R. Doc. No. 91-437. (116 Cong. Rec. 44599).

Veto unchallenged.

Pocket Vetoes

2260 S. 578.

To include firefighters within the provisions of section 8336(c) of Title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations.

Pocket veto occurred after the 2d session of the 91st Congress had adjourned sine die on January 2, 1971. The Presidential message was received on January 4, 1971. (January 2, 1971 S. Jour., 1390, 1391; 7 Weekly Comp. of Pres. Doc. 32, January 9, 1971).

2261 S. 2755.

For the relief of Donal N. O'Callaghan.

Pocket veto occurred in the 2d session of the 91st Congress during a recess from October 14, 1970 until November 16, 1970. The bill was presented to the President on October 21, 1970. (116 Cong. Rec. 37263).

2262 S. 3418.¹

To amend the Public Health Service Act to provide for the making of grants to medical schools and hospitals to assist them in establishing special departments and programs in the field of family practice.

The bill was presented to the President on December 14, 1970 (116 Cong. Rec. 41289). The pocket veto was attempted in the 2d session of the 91st Congress during a recess from December 22, 1970 to December 28, 1970.

Note—This veto was the subject of *Kennedy v. Sampson* (511 F.2d 430 (D.C.Cir. 1974)). The Court of Appeals concluded that the President is not prevented from returning a bill if Congress has made appropriate arrangements for the receipt of presidential messages during the adjournment. An appeal was not taken to the Supreme Court. The bill S. 3418 became Public Law 91-696 (84 Stat. 2080-1; printed at 89 Stat. Prec. 2-1). This decision expanded *Wright v. U.S.* (Item No. 1275) by suggesting that a pocket veto

¹ Although listed here among pocket vetoes, the bill is counted in Table 1, p. ix, *supra*, as a regular veto and as an override because of the unique circumstances of its history.

would be unconstitutional during any intrasession adjournment, provided arrangements had been made by the Congress for the receipt of messages.

2263 H.R. 3571.

For the relief of Miloye M. Sokitch.

Pocket veto occurred in the 2d session of the 91st Congress during a recess from December 22, 1970 until December 28, 1970. The bill was presented to the President on December 14, 1970. (116 Cong. Rec. 41429). The Presidential message was received on December 24, 1970. (December 24, 1970 H. Jour., p. 1785; 6 Weekly Comp. of Pres. Doc. 1726, December 24, 1970).

Ninety-second Congress, First Session

Regular Vetoes

2264 S. 575.

To authorize funds to carry out the purposes of the Appalachian Development Act of 1965, as amended.

Vetoed June 29, 1971. The veto message was laid before the Senate and printed as S. Doc. No. 92-28. (117 Cong. Rec. 22817, 22818).

The Senate sustained the veto on July 14, 1971 by a vote of 57 yeas to 36 nays. (117 Cong. Rec. 25094-25110).

Veto sustained.

2265 S. 2007.

To provide for the continuation of programs authorized under the Economic Opportunity Act of 1964.

Vetoed December 9, 1971. The veto message was laid before the Senate and printed as S. Doc. No. 92-48. (117 Cong. Rec. 46057-46059).

The Senate sustained the veto on December 10, 1971 by a vote of 51 yeas to 36 nays. (117 Cong. Rec. 46222).

Veto sustained.

Pocket Veto

2266 H.R. 2600.

To equalize the retirement benefits for officers and members of the metropolitan Police force and the Fire Department of the District of Columbia who are retired for permanent total disability.

Pocket veto occurred in the 1st session of the 92d congress during a recess from August 6, 1971 until September 8, 1971. The bill was presented to the President on August 6, 1971. (117 Cong. Rec. 30882, 30883). The Presidential message dated August 17,

1971 was received by the Congress. (7 Weekly Comp. of Pres. Doc. 1177, August 17, 1971).

Ninety-second Congress, Second Session

Regular Vetoes

2267 S 2770.

To amend the Federal Water Pollution Control Act. *Vetoed October 17, 1972.* The veto message was laid before the Senate and printed as S. Doc. No. 92-93. (118 Cong. Rec. 36859, 36860).

The Senate overrode the veto on October 17, 1972 by a vote of 52 yeas to 12 nays. (118 Cong. Rec. 36871-36879).

The House overrode the veto on October 18, 1972 by a vote of 247 yeas to 23 nays. (118 Cong. Rec. 37054-37061).

Veto overridden. (86 Stat. 816; Public Law 92-500).

2268 H.R. 13918.

To provide for improved financing for the Corporation for Public Broadcasting.

Vetoed June 30, 1972. The veto message was laid before the House, referred to the Committee on Interstate and Foreign Commerce, and printed as H.R. Doc. No. 92-320. (118 Cong. Rec. 23671).

Veto unchallenged.

2269 H.R. 15417.

Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1973.

Vetoed August 16, 1972. The veto message was laid before the House and printed as H.R. Doc. No. 92-343. (118 Cong. Rec. 28415, 28416).

The House sustained the veto on August 16, 1972 by a vote of 203 yeas to 171 nays. (118 Cong. Rec. 28416).

Veto sustained.

2270 H.R. 15927.

To amend the Railroad Retirement Act of 1937 to provide a temporary twenty per centum increase in annuities and to simplify administration of the Act.

Vetoed October 4, 1972. The veto message was laid before the House and printed as H.R. Doc. No. 92-372. (118 Cong. Rec. 33734).

The House overrode the veto on October 4, 1972 by a vote of 353 yeas to 29 nays. (118 Cong. Rec. 33734-33743).

The Senate overrode the veto on October 4, 1972 by a vote of 76 yeas to 5 nays. (118 Cong. Rec. 33684-33688).

Veto overridden. (86 Stat. 765; Public Law 92-460).

Pocket Vetoes

2271 S. 635.

To amend the Mining and Mineral Policy Act of 1970.

Pocket veto occurred after the 2d session of the 92d Congress had adjourned sine die on October 18, 1972. The bill was presented to the President on October 13, 1972. (118 Cong. Rec. 35894). A Presidential message dated October 27, 1972 was received by the Congress. (118 Cong. Rec. 37203).

2272 S. 889.

To restore the postal service seniority of Elmer Erickson.

Pocket veto occurred in the 2d session of the 92d Congress during a recess from August 18, 1972 until September 5, 1972. The bill was presented to the President on August 16, 1972. (118 Cong. Rec. 28601). A Presidential message dated August 29, 1972 was received by the Congress. (8 Weekly Comp. Pres. Doc. 1305, September 4, 1972).

2273 S. 3755.

To provide for a moratorium on State taxation of the carriage of persons in air transportation.

Pocket veto occurred after the 2d session of the 92d Congress adjourned sine die on October 18, 1972. The bill was presented to the President on October 13, 1972. A Presidential message dated October 27, 1972 was received by the Congress. (118 Cong. Rec. 37203; 8 Weekly Comp. Pres. Doc. 1578, October 30, 1972).

2274 S. 4018.

Authorizing the construction, repair and preservation of certain public works on rivers and harbors for navigation and flood control.

Pocket veto occurred after the 2d session of the 92d Congress adjourned sine die on October 18, 1972. The bill was presented to the President on October 16, 1972. (118 Cong. Rec. 36627). A Presidential message dated October 27, 1972 was received by the Congress. (118 Cong. Rec. 37203; 8 Weekly Comp. Pres. Doc. 1578, 1579, October 30, 1972).

2275 H.R. 56.

To amend the National Environmental Policy Act of 1969, to provide for a National Environmental Data System.

Pocket veto occurred after the 2d session of the 92d Congress adjourned sine die on October 18, 1972. The bill was presented to the President on October 10, 1972. (118 Cong. Rec. 35165). A Presidential message dated October 21, 1972 was received by the Congress. (118 Cong. Rec. 37202; 8 Weekly Comp. Pres. Doc. 1549, 1550, October 30, 1972).

2276 H.R. 8395.

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.

Pocket veto occurred after the 2d session of the 92d Congress had adjourned sine die on October 18, 1972. The bill was presented to the President on October 17, 1972. (118 Cong. Rec. 37198). A Presidential message dated October 27, 1972 was received by the Congress. (118 Cong. Rec. 37203; 8 Weekly Comp. Pres. Doc. 1579, October 30, 1972).

2277 H.R. 10880.

To amend Title 38 of the United States Code, to provide improved medical care to veterans; to provide hospital and medical care to certain dependents and survivors of veterans; to improve recruitment and retention of career personnel in the Department of Medicine and Surgery.

Pocket veto occurred after the 2d session of the 92d Congress had adjourned sine die on October 18, 1972. The bill was presented to the President on October 17, 1972. (118 Cong. Rec. 37198). A Presidential message dated October 27, 1972 was received by the Congress. (118 Cong. Rec. 37203; 8 Weekly Comp. Pres. Doc. 1579, October 30, 1972).

2278 H.R. 12674.

To amend Title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration.

Pocket veto occurred after the 2d session of the 92d Congress had adjourned sine die on October 18, 1972. The bill was presented to the President on October 17, 1972. (118 Cong. Rec. 37198). A Presidential message dated October 27, 1972 was received by the Congress. (118 Cong. Rec. 37203; 8 Weekly Comp. Pres. Doc. 1579, October 30, 1972).

2279 H.R. 13895.

To amend Title 5 of the United States Code to revise the pay structure of non-supervisory positions of deputy U.S. marshals.

Pocket veto occurred after the 2d session of the 92d Congress had adjourned sine die on October 18, 1972. The bill was presented to the President on October 17, 1972. (118 Cong. Rec. 37199). A Presidential message dated October 27, 1972 was received by the Congress. (118 Cong. Rec. 37203; 8 Weekly Comp. Pres. Doc. 1579, October 30, 1972).

2280 H.R. 14424.

To amend the Public Health Service Act to provide for the establishment of a National Institute of Aging.

Pocket veto occurred after the 2d session of the 92d Congress had adjourned sine die on October 18, 1972. The bill was presented to the President on October 14, 1972. (118 Cong. Rec. 37026). A Presidential message dated October 30, 1972 was received by the Congress. (118 Cong. Rec. 37204; 8 Weekly Comp. Pres. Doc. 1605, November 6, 1972).

2281 H.R. 15657.

To strengthen and improve the Older Americans Act of 1965.

Pocket veto occurred after the 2d session of the 92d Congress had adjourned sine die on October 18, 1972. The bill was presented to the President on October 17, 1972. (118 Cong. Rec. 37199). A Presidential message dated October 30, 1972 was received by the Congress. (118 Cong. Rec. 37204; 8 Weekly Comp. Pres. Doc. 1604, 1605, November 6, 1972).

2282 H.R. 16071.

To amend the Public Works and Economic Development Act of 1965.

Pocket veto occurred after the 2d session of the 92d Congress had adjourned sine die on October 18, 1972. The bill was presented to the President on October 20, 1972. (118 Cong. Rec. 37200). A Presidential message dated October 27, 1972 was received by the Congress. (118 Cong. Rec. 37203; 8 Weekly Comp. Pres. Doc. 1578, October 30, 1972).

2283 H.R. 16654.

Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973.

Pocket veto occurred after the 2d session of the 92d Congress had adjourned sine die on October 18, 1972. The bill was presented to the President on October 20, 1972. (118 Cong. Rec. 37200). A Presidential message dated October 27, 1972 was received by the Con-

gress. (118 Cong. Rec. 37203; 8 Weekly Comp. Pres. Doc. 1578, October 30, 1972).

Ninety-third Congress, First Session

Regular Vetoes

2284 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.

Vetoed March 27, 1973. The veto message was laid before the Senate and printed as S. Doc. 93-10. (119 Cong. Rec. 9597, 9598).

The Senate sustained the veto on April 3, 1973 by a vote of 60 yeas to 36 nays. (119 Cong. Rec. 10794, 10823).

Veto sustained.

2285 S. 504.

To amend the Public Health Service Act to provide assistance and encouragement for the development of comprehensive emergency medical service system.

Vetoed August 1, 1973. The veto message was laid before the Senate and printed as S. Doc. 93-31. (119 Cong. Rec. 27240).

The Senate overrode the veto on August 2, 1973 by a vote of 77 yeas to 16 nays. (119 Cong. Rec. 27585-27598).

The House sustained the veto on September 12, 1973 by a vote of 273 yeas to 144 nays. (119 Cong. Rec. 29352).

Veto sustained.

2286 S. 518.

To abolish the offices of Director and Deputy Director of the Office of Management and Budget, to establish the Office of Director, Office of Management and Budget and transfer certain functions thereto.

Vetoed May 18, 1973. The veto message was laid before the Senate May 21, 1973 and printed as S. Doc. 93-16. (119 Cong. Rec. 16194).

The Senate overrode the veto on May 22, 1973 by a vote of 62 yeas to 22 nays. (119 Cong. Rec. 16507).

The House sustained the veto on May 23, 1973 by a vote of 236 yeas to 178 nays. (119 Cong. Rec. 16773).

Veto sustained.

2287 S. 1317.

To authorize appropriations for the United States Information Agency.

Vetoed October 23, 1973. The veto message was laid before the Senate and printed as S. Doc. 93-41. (119 Cong. Rec. 35071, 35072).

The Senate sustained the veto on October 30, 1973 by a vote of 54 yeas to 42 nays. (119 Cong. Rec. 35428-35433).

Veto sustained.

2288 S. 1672.

To amend the Small Business Act.

Vetoed September 22, 1973. The veto message was laid before the Senate and printed as S. Doc. 93-39. (119 Cong. Rec. 30995, 30996).

The Senate sustained the veto on September 25, 1973 by a vote of 59 yeas to 36 nays. (119 Cong. Rec. 31310).

Veto sustained.

2289 H.R. 3298.

To restore the rural water and sewer grant program under the Consolidated Farm and Rural Development Act.

Vetoed April 5, 1973. The veto message was laid before the House and printed as H. Doc. 93-77. (119 Cong. Rec. 11262).

The House sustained the veto on April 10, 1973 by a vote of 225 yeas to 189 nays. (119 Cong. Rec. 11690, 11691).

Veto sustained.

2290 H.R. 7447.

Making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes.

Vetoed June 27, 1973. The veto message was laid before the House and printed as H. Doc. 93-125. (119 Cong. Rec. 21777).

The House sustained the veto on June 27, 1973 by a vote of 241 yeas to 173 nays. (119 Cong. Rec. 21788).

Veto sustained.

2291 H.R. 7935.

To amend the Fair Labor Standards Act of 1938 to increase the minimum wage rates under that Act, to expand the coverage of that Act.

Vetoed September 6, 1973. The veto message was laid before the House and printed as H. Doc. 93-147. (119 Cong. Rec. 28742, 28743).

The House sustained the veto on September 19, 1973 by a vote of 259 yeas to 164 nays. (119 Cong. Rec. 30292).

Veto sustained.

2292 H.J. Res. 542.

Concerning the war powers of Congress.

Vetoed October 24, 1973. The veto message was laid before the House on October 25, 1973 and printed as H. Doc. 93-171. (119 Cong. Rec. 34990, 34991).

The House overrode the veto on November 7, 1973 by a vote of 284 yeas to 135 nays. (119 Cong. Rec. 36202, 36222).

The Senate overrode the veto on November 7, 1973 by a vote of 75 yeas to 18 nays. (119 Cong. Rec. 36198).

Veto overridden. (87 Stat. 555; Public Law 93-148).

2293 H.R. 10511.

To amend the Urban Mass Transportation Act of 1964 to permit financial assistance to be furnished under that Act for the acquisition of certain equipment which may be used for charter service in a manner which does not foreclose private operators from furnishing such service.

A pocket veto was attempted after the 1st session of the 93d Congress had adjourned sine die on December 22, 1973. The bill was presented to the President on December 22, 1973. (119 Cong. Rec. 43327). A Presidential message dated January 3, 1974 was received by the 2d session of the 93d Congress. (119 Cong. Rec. 43328).

Note—This veto was the subject of *Kennedy v. Jones* (412 F. Supp. 353 (D.D.C. 1976)). The District Court for the District of Columbia held that the pocket veto was unconstitutional because Congress had appointed officials to receive Presidential messages during the intersession adjournment. Accordingly, H.R. 10511 was promulgated as Public Law 93-650 (89 Stat. 2-1); its provisions are essentially identical to (a) and (c) of Section 813 of Public Law 93-383 (88 Stat. 737). Despite the attempted pocket veto, the bill is listed here as a regular veto and is counted as such, and as an override, in Table 1, p. ix *supra*, because of the unique circumstances of its history.

Ninety-third Congress, Second Session ¹**Regular Vetoes****2294 S. 2589.**

To authorize and direct the President and State and local governments to develop contingency plans for reducing petroleum consumption, and assuring the continuation of vital public services in the event of emergency fuel shortages or severe dislocations in

¹President Nixon vetoed two bills in the Ninety-third Congress, Second Session, S. 2589 (Item No. 2294) and H.R. 15472 (Item No. 2295). All other vetoes in this Congress were by President Ford.

the Nation's fuel distribution system, and for other purposes.

Vetoed March 6, 1974. The veto message was laid before the Senate and printed as S. Doc. 93-61 (120 Cong. Rec. 5491, 5492).

The Senate sustained the veto on March 6, 1974 by a vote of 58 yeas to 40 nays. (120 Cong. Rec. 5534).

Veto sustained.

2295 H.R. 15472.

Making appropriations for Agriculture-Environmental and Consumer Protection programs for the fiscal year ending June 30, 1975.

Vetoed August 8, 1974. The veto message was laid before the House and printed as H. Doc. 93-331. (120 Cong. Rec. 27534, 27535).

Veto unchallenged.