

**The original documents are located in Box 11, folder “1974/10/26 HR13631 Temporary Suspension of Duty on Certain Horses” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.**

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THE WHITE HOUSE

ACTION

WASHINGTON

Last Day - October 29

October 25, 1974

MEMORANDUM FOR: THE PRESIDENT  
FROM: KEN COLE  
SUBJECT: Enrolled Bill H.R. 13631  
Temporary Suspension of  
Duty on Certain Horses

Attached for your consideration is House bill, H.R. 13631, sponsored by Representative Kemp, which provides for a suspension of the import duty on certain horses and includes two amendments relating to judicial review of Medicare reimbursement decisions and Supplemental Security Income (SSI) payments to institutionalized beneficiaries.

Roy Ash recommends approval and provides you with additional background information in his enrolled bill report (Tab A).

The NSC, the Counsel's office (Chapman), Bill Timmons, and Domestic Council all recommend approval.

RECOMMENDATION

That you sign House bill, H.R. 13631 (Tab B).

APPROVED  
OCT 26 1974

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

OCT 23 1974

*Post  
10/28  
Jo Achina  
10/29*

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 13631 - Temporary Suspension  
of Duty on Certain Horses  
Sponsor - Rep. Kemp (R) New York

Last Day for Action

October 29, 1974 - Tuesday

Purpose

Provides for a suspension of the import duty on certain horses and includes two amendments relating to judicial review of Medicare reimbursement decisions and Supplemental Security Income (SSI) payments to institutionalized beneficiaries.

Agency Recommendations

Office of Management and Budget	Approval
Department of Health, Education, and Welfare	Approval
Department of Agriculture	Approval (informal)
Department of the Treasury	Approval; defer to other agencies on Sections 3 and 4
Department of State	No objection
Department of Justice	No objection
Office of the Special Representative for Trade Negotiations	No objection
Department of Commerce	No objection (informal)
Department of Labor	No objection (informal)

Discussion

Suspension of duty on horses. At the present time, certain types of horses enter the United States duty free, while other types are subject to a duty of 3 percent ad valorem. For example, horses imported for breeding which meet



specified registration criteria of the Department of Agriculture are not dutiable while duty must be paid on other types of horses imported for breeding. Sections 1 and 2 of H.R. 13631 would provide, until June 30, 1976, that all horses (except those imported for immediate slaughter) will receive duty-free treatment if imported from countries entitled to most-favored-nation status. The report of the Senate Finance Committee notes that this temporary authority will provide an opportunity to assess how well this duty treatment has worked and whether it should be further extended or made permanent. Treasury and the other agencies concerned with this provision recommend its approval.

Medicare judicial review. P.L. 92-603 provided for the establishment of a Provider Reimbursement Review Board to consider appeals by health providers of Medicare cost reimbursement determinations. Decisions of the Board are final unless the Secretary of HEW on his own motion reverses or modifies the Board's decision adversely to the provider. In such instances, the provider has a right to judicial review of the Secretary's decision in the U.S. District Courts.

Section 3 of H.R. 13631 would broaden the opportunity for Medicare providers to obtain judicial review by permitting them to appeal to the U.S. District Court any final decision of the Board as well as an adverse modification or reversal by the HEW Secretary of a Board decision. In addition, any amount in controversy would be subject to annual interest, to be awarded by the Court in favor of the prevailing party. HEW and Justice do not object to this provision.

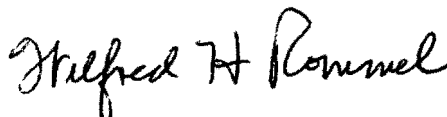
SSI payments to institutionalized beneficiaries. Under the SSI program, an individual's benefit is reduced by the amount of his countable income, including support and maintenance furnished in cash or in kind, when provided in institutions. This has created a problem for certain beneficiaries of SSI--estimated to number about 4,500 to 5,000--who live in nonprofit retirement homes or similar institutions. If a non-profit home subsidizes an SSI beneficiary by charging less than full cost, the amount of the subsidy is considered income, and serves to reduce the individual's SSI benefit. This then requires a larger subsidy by the institution which in turn causes a larger reduction in SSI payments. The process is repeated month by month until the SSI benefit is reduced to zero. The effect of the present system is to discourage these

institutions from providing unreimbursed support and maintenance to SSI recipients.

Section 4 of H.R. 13631 would, effective January 1, 1974, revise the definition of income in the SSI program to exclude unreimbursed support and maintenance furnished in kind by an institution or non-profit organization to a resident individual or eligible spouse. Thus, if the cost of the subsidized support and maintenance is borne by the institution, the individual's SSI benefit would not be reduced.

An exception to the new definition would be made in those instances in which an institution has undertaken an express obligation to provide full support and maintenance without current or future payment--e.g., retirement homes of fraternal organizations or labor unions which provide free care as a benefit of membership, or institutions which have entered into "lifetime care" contracts with individuals who make a lump-sum payment and are guaranteed no further charge. In such cases, subsidized support and maintenance would continue to be considered as income to the individual.

HEW supports enactment of section 4 because it would resolve a serious problem in the SSI program.



Assistant Director for  
Legislative Reference

Enclosure



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET

DATE: 11-11-74

TO: Bob Linder

FROM: Wilf Rommel

Attached is the Agriculture views letter on H.R. 13631 for inclusion in the enrolled bill file.



DEPARTMENT OF AGRICULTURE  
OFFICE OF THE SECRETARY  
WASHINGTON, D. C. 20250

November 4, 1974

Honorable Roy L. Ash  
Director  
Office of Management and Budget

Dear Mr. Ash:

In reply to your request of October 17, the following report is submitted on the enrolled enactment of HR 13631, a bill "To suspend for a temporary period the import duty on certain horses, and for other purposes."

The Department recommends that the President approve sections 1 and 2 of the bill relating to horses. We defer to the agency concerned regarding the acceptability of sections 3 and 4 amending the Social Security Act.

The bill would add items 903.50 and 903.51 to subpart B of Part 1 of the Appendix to the Tariff Schedules of the United States (TSUS) by making temporary changes in the duty applicable to horses entered other than for immediate slaughter. A duty free TSUS Column 1 rate would be provided for such horses entered on or before June 30, 1976. These horses are currently dutiable at \$2.75 per head if valued at \$150 per head or less and 3 percent ad valorem if valued over \$150 per head.

In 1973, the United States imported almost entirely from Canada \$31,000 of non-slaughter horses valued at less than \$150 per head; U.S. exports of horses to Canada are duty free. Imports of horses valued over \$150 per head totaled \$5.8 million in 1973 with Canada and New Zealand supplying 62 percent of this total. A temporary suspension of the tariff on U.S. imports of non-slaughter horses would not adversely affect the U.S. horse industry.

Sincerely,

A handwritten signature in cursive script that reads "Richard A. Ashworth".

RICHARD A. ASHWORTH  
Deputy Under Secretary



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OCT 22 1974

Honorable Roy L. Ash  
Director, Office of Management  
and Budget  
Washington, D. C. 20503

Dear Mr. Ash:

This is in response to Mr. Rommel's request of October 17, 1974, for a report on H.R. 13631, an enrolled bill "To suspend for a temporary period the import duty on certain horses, and for other purposes."

Only sections 3 and 4 of the bill are of concern to this Department. Section 3 would amend section 1878 of the Social Security Act, which deals with the review of determinations as to the amount of reimbursement a provider is entitled to receive under the Medicare program. Under current law any provider is entitled to a hearing before the Provider Reimbursement Review Board if it has failed to receive a timely determination by its fiscal intermediary of the amount of reimbursement it is entitled to receive or is dissatisfied with such a determination, and the amount in controversy is \$10,000 or more. A decision of the Board is final unless reversed or modified by the Secretary on his own motion. Any reversal or modification is subject to judicial review. Section 3 of the bill would amend section 1878 to permit a provider to obtain judicial review of any final decision of the Board or any affirmance, modification or reversal of a determination of the Board by the Secretary. The Department has no objection to this expansion of judicial review of provider reimbursement determinations and therefore does not oppose section 3 of the enrolled bill.

Section 4 of the bill would amend section 1612 of the Social Security Act which defines income for the purpose of determining eligibility for and the amount of benefits under the Supplemental Security Income program. The amount of SSI



benefits an individual is entitled to receive is, in general, determined by reducing the SSI benefit rate by the amount of his countable income, including support and maintenance furnished in cash or kind. However, section 1612 provides for treating support and maintenance furnished in kind to an individual living in the household of another differently. The value of the support and maintenance is not included in the individual's income, and the benefit rate used to determine his SSI benefits is reduced by one-third. There is no parallel provision applicable to support and maintenance furnished in kind to individuals in other living arrangements and under current regulations the value of this support and maintenance is considered income.

This has produced a serious problem in the case of individuals living in nonprofit retirement homes and similar institutions which charge residents of limited means less than the value of the support and maintenance furnished to them. The unreimbursed value of the support and maintenance furnished an individual in such an institution is treated as income to him and his SSI benefits are accordingly reduced. His ability to pay the institution therefore declines and even more of the value of the support and maintenance he receives becomes income and the cycle repeats itself; the level of SSI benefits received by the individual spirals downward until the reduction in benefits equals the full value of the support and maintenance he is receiving or, more likely, until the individual becomes ineligible for benefits. The undesirable consequence of this is to discourage these institutions from assisting SSI recipients through the provision of unreimbursed support and maintenance because every dollar of assistance results in the withdrawal of a dollar of federal support.

Section 4 of the enrolled bill would correct this problem by providing that support and maintenance furnished in kind to an SSI recipient by a nonprofit retirement home or similar institution in which the individual is living shall not be counted as income to the extent that payment is not made for the support and maintenance or payment is made by

Honorable Roy L. Ash

3

another nonprofit organization. The exclusion would not apply to support and maintenance furnished by an institution which has expressly undertaken an obligation to furnish full support and maintenance to an individual without current or future payment for doing so. Because section 4 would resolve a serious problem in the SSI program, the Department supports its enactment.

The Department therefore supports enactment of H.R. 13631, subject to consideration of the views of affected agencies on the desirability of enactment of the first two sections of the bill.

Sincerely,

  
Secretary



THE GENERAL COUNSEL OF THE TREASURY  
WASHINGTON, D.C. 20220

OCT 21 1974

Director, Office of Management and Budget  
Executive Office of the President  
Washington, D. C. 20503

Attention: Assistant Director for Legislative  
Reference

Sir:

Your office has requested the views of this Department on the enrolled enactment of H.R. 13631, "To suspend for a temporary period the import duty on certain horses, and for other purposes."

The first section of the enrolled enactment would amend the Appendix to the Tariff Schedules of the United States by adding two new items, 903.50 and 903.51, suspending the column 1 rates of duty on horses, other than for immediate slaughter, as found in items 100.73 and 100.75 (this latter item is incorrectly referred to in the enrolled enactment as item 100.74, a nonexisting item number). The new items would apply to articles entered, or withdrawn from warehouse, for consumption on or after the date of enactment through June 30, 1976. The Department anticipates no unusual administrative difficulties under this section and recommends its approval by the President.

Sections three and four of the enrolled enactment concern, respectively, judicial review of Provider Reimbursement Review Boards and the administration of the provisions for supplemental security income payments. With respect to these provisions, we would defer to the comments of other interested agencies and departments.

Sincerely yours,

General Counsel

U. S. DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

WASHINGTON

OCT 25 1974

Honorable Roy Ash  
Director, Office of  
Management and Budget  
Executive Office of the President  
Washington, D.C. 20503

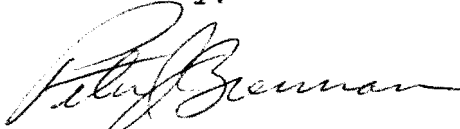
Dear Mr. Ash:

This is in response to the request of your Office, by Mr. W. H. Rommel for our views on the enrolled enactment of H.R. 13631, "To suspend for a temporary period the import duty on certain horses, and for other purposes." The bill permits the duty-free entry of horses other than for immediate slaughter until July 1976.

The Department defers to the views of other agencies more directly concerned with the matter of allowing the duty-free entry of such horses.

The Department also defers to the Department of Health, Education and Welfare regarding views on Section 3 which would amend Section 1878(f) of the Social Security Act (concerning judicial review of decisions of the Provider Reimbursement Review Board) and Section 4 which would amend Section 1612(a)(2)(A) of the Social Security Act.

Sincerely,



Secretary of Labor



DEPARTMENT OF STATE

Washington, D.C. 20520

OCT 18 1974

Honorable Roy L. Ash  
Director, Office of  
Management and Budget  
Washington, D. C. 20503

Dear Mr. Ash:

The Secretary has asked me to reply to your communication (Office of Management and Budget Memorandum, dated October 17, signed by Mr. Rommel) requesting our views on H.R. 13631, an enrolled bill temporarily suspending the import duty on certain horses.

The Department of State has no objection from the standpoint of United States foreign economic relations to the enactment of the proposed legislation. In so concluding, we note that the text of the bill also includes provisions amending the Social Security Act and defer to other executive agencies on the effects of the proposed amendments on our social security policy.

Cordially,

A handwritten signature in black ink, reading "Linwood Holton".

Linwood Holton  
Assistant Secretary for  
Congressional Relations

**Department of Justice**  
**Washington, D.C. 20530**

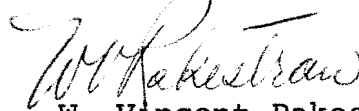
Honorable Roy L. Ash  
Director  
Office of Management and Budget  
Washington, D.C. 20503

Dear Mr. Ash:

In compliance with your request, I have examined a facsimile of the enrolled bill H.R. 13631, "To suspend for a temporary period the import duty on certain horses, and for other purposes."

After such review, I am authorized to relate to you that the Department of Justice has no objection to Executive approval of this bill.

Sincerely,



W. Vincent Rakestraw  
Assistant Attorney General



OFFICE OF THE SPECIAL REPRESENTATIVE  
FOR TRADE NEGOTIATIONS

EXECUTIVE OFFICE OF THE PRESIDENT

WASHINGTON

20506

October 21, 1974

W. L. Rommel, Esquire  
Assistant Director for  
Legislative Reference  
Office of Management and Budget  
Washington, D. C. 20503

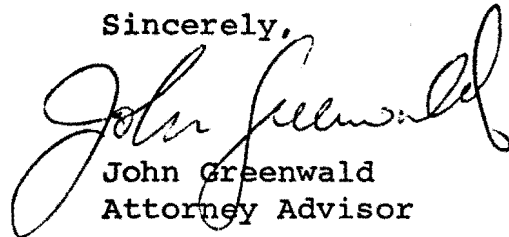
Attention: Mrs. Garziglia

Dear Mr. Rommel:

Reference is made to your request of October 17, concerning enrolled bills, H.R. 11452, H.R. 11251, H.R. 13631, H.R. 12035, H.R. 7780, H.R. 6191, H.R. 6642, H.R. 11830, and your request of October 21 concerning H.R. 12281.

This Office considers that the import duty suspensions provided by these bills provide no reason for withholding Presidential signature. We would, however, yield to the Treasury Department as to the advisability of the Administration's concurrence with the tax riders to each of these duty suspension bills.

Sincerely,



John Greenwald  
Attorney Advisor



**GENERAL COUNSEL OF THE  
DEPARTMENT OF COMMERCE**  
Washington, D.C. 20230

OCT 23 1974

Honorable Roy L. Ash  
Director, Office of Management  
and Budget  
Washington, D. C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Ash:

This is in reply to your request for the views of this Department concerning H.R. 13631, an enrolled enactment

"To suspend for a temporary period the import duty on certain horses, and for other purposes."

H.R. 13631 would provide for duty free entry until June 30, 1976 of horses other than those destined for immediate slaughter. The bill would also amend provisions of law relating to judicial review of decisions regarding reimbursement under the Medicare Program.

The Department of Commerce would have no objection to approval by the President of H.R. 13631.

Enactment of this legislation would involve no increase in appropriations for this Department.

Sincerely,

*Karl E. Bahke*

General Counsel



Last Day - October 29

October 25, 1974

MEMORANDUM FOR: THE PRESIDENT  
FROM: KEN COLE  
SUBJECT: Enrolled Bill H.R. 13631  
Temporary Suspension of  
Duty on Certain Horses

Attached for your consideration is House bill, H.R. 13631, sponsored by Representative Kemp, which provides for a suspension of the import duty on certain horses and includes two amendments relating to judicial review of Medicare reimbursement decisions and Supplemental Security Income (SSI) payments to institutionalized beneficiaries.

Roy Ash recommends approval and provides you with additional background information in his enrolled bill report (Tab A).

The NSC, the Counsel's office (Chapman), Bill Timmons, and Domestic Council all recommend approval.

RECOMMENDATION

That you sign House bill, H.R. 13631 (Tab B).

Last Day - October 29

October 25, 1974

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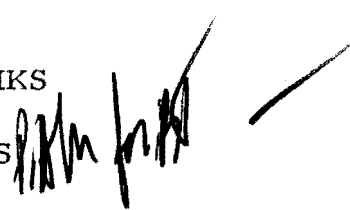
The NSC, the Counsel's office (Chapman), Bill Timmons, and Domestic Council all recommend approval.

RECOMMENDATION

That you sign House bill, H.R. 13631 (Tab B).

THE WHITE HOUSE  
WASHINGTON

October 24, 1974

MEMORANDUM FOR: MR. WARREN HENDRIKS  
FROM: WILLIAM E. TIMMONS   
SUBJECT: Action Memorandum - Log No. 701  
Enrolled Bill H. R. 13631 - Temporary  
Suspension of Duty on Certain Horses

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 701

Date: October 23, 1974

Time: 6:00 p.m.

FOR ACTION: James Cavanaugh  
Michael Duval  
NSC/S  
Phil Buchen  
Bill Timmons

cc (for information): Warren K. Hendriks  
Jerry Jones  
Paul Theis

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 25, 1974

Time: 2:00 p.m.

SUBJECT: Enrolled Bill H.R. 13631 - Temporary Suspension  
of Duty on Certain Horses

ACTION REQUESTED:

- |   |  |
|---|--|
| <input type="checkbox"/> For Necessary Action     | <input checked="" type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply                         |
| <input type="checkbox"/> For Your Comments        | <input type="checkbox"/> Draft Remarks                       |

REMARKS:

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks  
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 701

Date: October 23, 1974

Time: 6:00 p.m.

FOR ACTION: James Cavanaugh  
Michael Duval  
NSC/S  
Phil Buchen  
Bill Timmons

cc (for information): Warren K. Hendriks  
Jerry Jones  
Paul Theis

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 25, 1974

Time: 2:00 p.m.

SUBJECT: Enrolled Bill H.R. 13631 - Temporary Suspension  
of Duty on Certain Horses

ACTION REQUESTED:

\_\_\_\_\_ For Necessary Action

\_\_\_\_\_ <sup>XX</sup> For Your Recommendations

\_\_\_\_\_ Prepare Agenda and Brief

\_\_\_\_\_ Draft Reply

\_\_\_\_\_ For Your Comments

\_\_\_\_\_ Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

*Refer to Cavanaugh  
Mike Duval  
10/24*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks  
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 701

Date: October 23, 1974

Time: 6:00 p.m.

FOR ACTION: ✓ James Cavanaugh  
Michael Duval  
NSC/S  
Phil Buchen  
Bill Timmons

cc (for information): Warren K. Hendriks  
Jerry Jones  
Paul Theis

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 25, 1974

Time: 2:00 p.m.

SUBJECT: Enrolled Bill H.R. 13631 - Temporary Suspension  
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ACTION REQUESTED:

- |   |  |
|---|--|
| <input type="checkbox"/> For Necessary Action     | <input checked="" type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply                         |
| <input type="checkbox"/> For Your Comments        | <input type="checkbox"/> Draft Remarks                       |

REMARKS:

Please return to Kathy Tindle - West Wing

*Approved*

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If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks  
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 701

Date: October 23, 1974

Time: 6:00 p.m.

FOR ACTION: James Cavanaugh  
Michael Duval  
NSC/S  
✓ Phil Buchen  
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cc (for information): Warren K. Hendriks  
Jerry Jones  
Paul Theis

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 25, 1974

Time: 2:00 p.m.

SUBJECT: Enrolled Bill H.R. 13631 - Temporary Suspension  
of Duty on Certain Horses

ACTION REQUESTED:

\_\_\_\_\_ For Necessary Action

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\_\_\_\_\_ Prepare Agenda and Brief

\_\_\_\_\_ Draft Reply

\_\_\_\_\_ For Your Comments

\_\_\_\_\_ Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

*No objection  
R.C.*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks  
For the President



THE WHITE HOUSE  
WASHINGTON

10/23/74

TO: WARREN HENDRIKS

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*RDL*

Robert D. Linder

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 701

Date: October 23, 1974

Time: 6:00 p.m.

FOR ACTION: James Cavanaugh  
✓ Michael Duval  
✓ EC/S  
✓ Phil Buchen  
✓ Bill Timmons

cc (for information): Warren K. Hendriks  
Jerry Jones  
Paul Theis

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 25, 1974

Time: 2:00 p.m.

SUBJECT: Enrolled Bill H.R. 13631 - Temporary Suspension  
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ACTION REQUESTED:

\_\_\_ For Necessary Action

\_\_\_<sup>XX</sup> For Your Recommendations

\_\_\_ Prepare Agenda and Brief

\_\_\_ Draft Reply

\_\_\_ For Your Comments

\_\_\_ Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

\_\_\_\_\_  
K. R. COLE, JR.  
For the President

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

Q  
ACTION

Last Day - October 29

MEMORANDUM FOR: THE PRESIDENT  
FROM: KEN COLE  
SUBJECT: ~~Enrolled Bill H.R. 13631~~  
Temporary Suspension of  
Duty on Certain Horses

Attached for your consideration is House bill, H.R. 13631, sponsored by Representative Kemp, which provides for a suspension of the import duty on certain horses and includes two amendments relating to judicial review of Medicare reimbursement decisions and Supplemental Security Income (SSI) payments to institutionalized beneficiaries.

Roy Ash etc.

The NSC, ~~the~~ Counsel's office (Chapman) \* Bill Timmons & *David Conrad*  
all recommend approval.

RECOMMENDATION

That you sign House bill, H.R. 13631 (Tab B).

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

OCT 23 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 13631 - Temporary Suspension  
of Duty on Certain Horses  
Sponsor - Rep. Kemp (R) New York

Last Day for Action

October 29, 1974 - Tuesday

Purpose

Provides for a suspension of the import duty on certain horses and includes two amendments relating to judicial review of Medicare reimbursement decisions and Supplemental Security Income (SSI) payments to institutionalized beneficiaries.

Agency Recommendations

Office of Management and Budget	Approval
Department of Health, Education, and Welfare	Approval
Department of Agriculture	Approval (informal)
Department of the Treasury	Approval; defer to other agencies on Sections 3 and 4
Department of State	No objection
Department of Justice	No objection
Office of the Special Representative for Trade Negotiations	No objection
Department of Commerce	No objection (informal)
Department of Labor	No objection (informal)

Discussion

Suspension of duty on horses. At the present time, certain types of horses enter the United States duty free, while other types are subject to a duty of 3 percent ad valorem. For example, horses imported for breeding which meet

10  
Harris Hendricks  
10-23-74  
5:15 p.m.

## TEMPORARY SUSPENSION OF DUTY ON CERTAIN HORSES

APRIL 4, 1974.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. MILLS, from the Committee on Ways and Means, submitted the following

### REPORT

[To accompany H.R. 13631]

The Committee on Ways and Means, to whom was referred the bill (H.R. 13631) to suspend for a temporary period the import duty on certain horses, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page 1, line 6, strike out "item" and insert "items".

Page 1, strike out the matter appearing immediately after line 6 and insert the following:

903. 50	Horses, other than for immediate slaughter (provided for in part 1, schedule 1): Valued not over \$150 per head (item 100.73)	Free.....	No change....	On or before 6/30/76.
903. 51	Valued over \$150 per head (item 100.74).	Free.....	No change....	On or before 6/30/76.

SEC. 2. 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.

### PURPOSE

The purpose of H.R. 13631, as reported, is to suspend for a temporary period, until the close of June 30, 1976, the duty on certain horses.

### GENERAL STATEMENT

At the present time, horses for immediate slaughter, thoroughbreds for breeding purposes, and race horses returned to the United States

after being used abroad solely for racing purposes may be imported into the United States duty free under items 100.70, 100.01, and 802.40, respectively, of the Tariff Schedules of the United States (TSUS). Other horses, however, are presently dutiable under item 100.73 (relating to horses valued not over \$150 per head) at \$2.75 per head, or item 100.75 (relating to horses valued over \$150 per head) at 3 percent ad valorem. These are the rates applicable under rate column numbered 1 of the TSUS which apply to countries accorded most-favored-nation treatment.

H.R. 13631 would add new provisions in the Appendix to the TSUS to suspend these duties for a temporary period, until the close of June 30, 1976, thus providing a uniform duty free rule under column numbered 1 for horses imported for any purpose. The bill, however, would not affect the present rates of duty under rate column numbered 2 of the TSUS (applicable to communist countries, except Poland and Yugoslavia).

The present tariff structure for horses operates discriminatorily among different breeds. For example, as indicated above, horses may be imported duty free for breeding purposes under item 100.01. This rule applies, however, only if they are certified by the Department of Agriculture as being of a recognized breed and duly registered on a book of record recognized by the Secretary of Agriculture for that breed. Since the American Quarter Horse does not qualify under these criteria, importers of such horses for breeding purposes are required to pay duty, usually under item 100.75 at 3 percent ad valorem, while other breeds may be entered duty free. Enactment of H.R. 13631 would suspend this discriminatory treatment for a temporary period, during which the new rule's operation may be studied to determine if it should be made permanent, allowed to expire, or continued for an additional temporary period.

Your committee believes that H.R. 13631 would also eliminate problems at the borders associated with valuation. The valuation of foals, horses yet to have been raced, and similar cases is always difficult for customs officials. Moreover, valuation and bonding problems arise particularly with respect to race horses entering the United States for participation in claiming races. Claiming races are designed to assure that horses of as nearly equal caliber as possible are matched in any given race; hence, the rule in such races is that any horse in the race may be claimed, that is, purchased, for the claiming price. The Department of Commerce, which favors enactment of this bill, has provided the following information respecting the cumbersome and often penalizing operation of present bonding procedures in the case of horses entering the United States and participating in claiming races:

The elimination of the import duty on horses would serve several useful purposes. Horses entering the United States for racing must obtain either a single-entry or term bond for temporary importation. The procedures for the single-entry bond require the importer to establish a surety bond at the time of entry for an amount twice the *ad valorem* duty. The bond is valid for one year with two one-year extensions permissible. If the horse is not returned within this period, the bond is breached. Similarly, under the term-bond procedures, a surety bond with a minimum value of \$10,000 (after January 16, 1974) is required to

be made by the importer. The term bond is honored at all ports of entry, for any number of crossings, and for a one-year period, although two one-year extensions are allowable. Consonant with the procedures under the single entry bond, the term bond is forfeited if the horse is not returned within the one-year period or any extension thereof.

The bonding procedures outlined above are particularly burdensome to the horsemen who import horses for claiming races in the United States. The majority of races in the United States are claiming races. Claiming races are designed to ensure that the horses in any specific race are of comparable ability by requiring that all horses in the race may be purchased at a price established for the particular race. For example, horses running in \$5,000 claiming races may be purchased for \$5,000. Of course, the importer of a horse sold in a claiming race which is not returned to the country of origin within the prescribed time limits would have his bond forfeited. Removal of the duty would eliminate the bonding requirements for the importer.

The above problems of customs valuation and their attendant administrative expenses and difficulties loom particularly large when compared with the minimal revenues derived from the duty on horses, i.e., a total of approximately \$176,000 in 1973.

Your committee believes that enactment of H.R. 13631 is necessary to alleviate these problems and eliminate the current disparate and inequitable rules relating to imports of horses. The temporary suspension of duty, as indicated above, will afford an opportunity for study respecting the desirability of continuing or making permanent the treatment that would be provided under the bill's provisions.

Your committee has received favorable reports on this legislation from the Departments of State, Treasury, Commerce, Agriculture, and Interior. Your committee is unanimous in recommending its passage by the House.

#### EFFECT OF THE BILL ON THE REVENUES AND VOTE OF THE COMMITTEE IN REPORTING THE BILL

In compliance with clause 7 of rule XIII of the Rules of the House of Representatives, the following statement is made relative to the effect on the revenues of this bill. Your committee estimates that the revenue loss resulting from enactment of H.R. 13631 in the first full year of its effectiveness would not exceed \$200,000.

In compliance with clause 27(b) of rule XI of the Rules of the House of Representatives, the following statement is made relative to the vote by your committee on reporting the bill. This bill was unanimously ordered favorably reported by your committee.

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics, existing law in which no change is proposed is shown in roman):

## TARIFF SCHEDULES OF THE UNITED STATES

## APPENDIX TO THE TARIFF SCHEDULES

## PART 1.—TEMPORARY LEGISLATION

Item	Articles	Rates of Duty		Effective Period
		1	2	
*	*	*	*	*
Subpart B.—Temporary Provisions Amending the Tariff Schedules				
*	*	*	*	*
	<i>Horses, other than for immediate slaughter (provided for in part 1, schedule 1):</i>			
903.50	<i>Valued not over \$150 per head (item 100.73)</i>	<i>Free</i>	<i>No change</i>	<i>On or before 6/30/76.</i>
903.51	<i>Valued over \$150 per head (item 100.74)</i>	<i>Free</i>	<i>No change</i>	<i>On or before 6/30/76.</i>
*	*	*	*	*



TEMPORARY SUSPENSION OF DUTY ON CERTAIN  
HORSES

AUGUST 1, 1974.—Ordered to be printed

Mr. LONG, from the Committee on Finance,  
submitted the following

## REPORT

[To accompany H.R. 13631]

The Committee on Finance, to which was referred the bill (H.R. 13631) to suspend for a temporary period the import duty on certain horses, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

## I. SUMMARY

*House bill.*—The House bill would suspend until July 1976 the duty on horses other than for immediate slaughter. The committee bill does not modify the House bill, but includes an amendment unrelated to the subject matter of the House bill.

*Committee amendment.*—The committee amendment relates to Medicare; it extends to providers the right of judicial review of a decision by the Provider Reimbursement Review Board to include any Board decision and any subsequent affirmation, modification or reversal of that decision by the Secretary, and provides that the amount in controversy shall be subject to annual interest beginning six months after the determination.

## II. GENERAL STATEMENT

## A. DUTY SUPERVISION ON HORSES OTHER THAN FOR SLAUGHTER

At the present time, horses for immediate slaughter, thoroughbreds for breeding purposes, and race horses returned to the United States after being used abroad solely for racing purposes may be imported into the United States duty free under items 100.70, 100.01, and 802.40, respectively, of the Tariff Schedules of the United States



(TSUS). Other horses, however, are presently dutiable under item 100.73 (relating to horses valued not over \$150 per head) at \$2.75 per head, or item 100.75 (relating to horses valued over \$150 per head) at 3 percent ad valorem. These are the rates applicable under rate column numbered 1 of the TSUS which apply to countries accorded most-favored-nation treatment.

H.R. 13631 would add new provisions in the Appendix to the TSUS to suspend these duties for a temporary period, until the close of June 30, 1976, thus providing a uniform duty free rule under column numbered 1 for horses imported for any purpose. The bill, however, would not affect the present rates of duty under rate column numbered 2 of the TSUS (applicable to communist countries, except Poland and Yugoslavia).

The present tariff structure for horses operates discriminatorily among different breeds. For example, as indicated above, horses may be imported duty free for breeding purposes under item 100.01. This rule applies, however, only if they are certified by the Department of Agriculture as being of a recognized breed and duly registered on a book of record recognized by the Secretary of Agriculture for that breed. Since the American Quarter Horse does not qualify under these criteria, importers of such horses for breeding purposes are required to pay duty, usually under item 100.75 at 3 percent ad valorem, while other breeds may be entered duty free. Enactment of H.R. 13631 would suspend this discriminatory treatment for a temporary period, during which the new rule's operation may be studied to determine if it should be made permanent, allowed to expire, or continue for an additional temporary period.

The committee believes that H.R. 13631 would also eliminate problems at the borders associated with valuation. The valuation of foals; horses yet to have been raced, and similar cases is always difficult for customs officials. Moreover, valuation and bonding problems arise particularly with respect to race horses entering the United States for participation in claiming races. Claiming races are designed to assure that horses of as nearly equal caliber as possible are matched in any given race; hence, the rule in such races is that any horse in the race may be claimed, that is, purchased, for the claiming price. The Department of Commerce, which favors enactment of this bill, has provided the following information respecting the cumbersome and often penalizing operation of present bonding procedures in the case of horses entering the United States and participating in claiming races:

The suspension of the import duty on horses would serve several useful purposes. Horses entering the United States for racing must obtain either a single-entry or term bond for temporary importation. The procedures for the single-entry bond require the importer to establish a surety bond at the time of entry for an amount twice the *ad valorem* duty. The bond is valid for one year with two one-year extensions permissible. If the horse is not returned within this period, the bond is breached. Similarly, under the term-bond procedures, a surety bond with a minimum value of \$10,000 (after January 16, 1974) is required to be made by the importer. The term bond is honored at all ports of entry, for any number of crossings, and for a one-year period, although two one-

year extensions are allowable. Consonant with the procedures under the single entry bond, the term bond is forfeited if the horse is not returned within the one-year period or any extension thereof.

The bonding procedures outlined above are particularly burdensome to the horsemen who import horses for claiming races in the United States. The majority of races in the United States are claiming races. Claiming races are designed to ensure that the horses in any specific race are of comparable ability by requiring that all horses in the race may be purchased at a price established for the particular race. For example, horses running in \$5,000 claiming races may be purchased for \$5,000. Of course, the importer of a horse sold in a claiming race which is not returned to the country of origin within the prescribed time limits would have his bond forfeited. Suspension of the duty would eliminate the bonding requirements for the importer.

The above problems of customs valuation and their attendant administrative expenses and difficulties loom particularly large when compared with the minimal revenues derived from the duty on horses, i.e., a total of approximately \$176,000 in 1973.

The committee believes that enactment of H.R. 13631 is necessary to alleviate these problems and eliminate the current disparate and inequitable rules relating to imports of horses. The temporary suspension of duty, as indicated above, will afford an opportunity for study respecting the desirability of continuing or making permanent the treatment that would be provided under the bill's provisions.

The committee has received favorable reports on this legislation from the Departments of State, and Commerce.

#### B. JUDICIAL REVIEW OF DECISIONS OF THE PROVIDER REIMBURSEMENT REVIEW BOARD

Under present law, a fiscal intermediary under medicare determines the amount of reasonable cost to be paid to a provider of services. P.L. 92-603 provided for the establishment of a Provider Reimbursement Review Board, composed of five members knowledgeable in the field of health care reimbursement who are appointed by the Secretary of Health, Education, and Welfare; a provider can appeal reimbursement determinations before this Board under certain conditions.

A provider of services which has filed a timely cost report may appeal to the Board an adverse final decision of the fiscal intermediary where the amount at issue is \$10,000 or more. Groups of providers may appeal adverse final decisions of the fiscal intermediary where the amount at issue aggregates to \$50,000 or more. Any provider that believes its fiscal intermediary has failed to make a timely cost determination on its annual cost report or a timely determination on an acceptable supplementary filing may appeal to the Board where the amount involved is \$10,000 or more. A decision of the Provider Reimbursement Review Board is final unless the Secretary on his own motion reverses or modifies the Board's decision adversely to the provider. Under present law, the provider has a right to judicial review

of the decision *only* where the Secretary has caused such reversal or modification.

The committee provision would give to providers of services the right to judicial review of any Provider Reimbursement Review Board decision, as well as of any subsequent affirmations, modifications or reversals by the Secretary. In addition, when a provider seeks judicial review, the amount in controversy shall be subject to annual interest beginning 6 months after the intermediary has made a final determination, or within 6 months after final determination would have been made had it been done on a timely basis.

### III. COSTS OF CARRYING OUT THE BILL AND EFFECT ON THE REVENUES OF THE BILL

In compliance with section 252(a) of the Legislative Reorganization Act of 1970, the following statement is made relative to the costs to be incurred in carrying out this bill and the effect on the revenues of the bill. The committee estimates that the suspension of duties on certain horses provided by the bill will result in revenue loss not exceeding \$200,000. The committee estimates that the provision for judicial review of decisions by the Provider Reimbursement Review Board will result in only nominal costs, if any.

### IV. VOTE OF COMMITTEE ON REPORTING THE BILL

In compliance with section 133 of the Legislative Reorganization Act, as amended, the following statement is made relative to the vote of the committee on reporting the bill. This bill was ordered favorably reported by the committee without a roll call vote and without objection.

### V. CHANGES IN EXISTING LAW

In the opinion of the committee, it is necessary, in order to expedite the business of the Senate, to dispense with the requirements of subsection 4 of rule XXIX of the Standing Rules of the Senate (relating to the showing of changes in existing law made by the bill, as reported).



## TEMPORARY SUSPENSION OF DUTY ON CERTAIN HORSES

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OCTOBER 1, 1974.—Ordered to be printed

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Mr. MILLS, from the committee of conference,  
submitted the following

### CONFERENCE REPORT

[To accompany H.R. 13631]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13631) to suspend for a temporary period the import duty on certain horses, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

The committee of conference report in disagreement the amendments of the Senate numbered 1 and 2, and the amendment of the Senate to the title of the bill.

W. D. MILLS,  
AL ULLMAN,  
JAMES A. BURKE,  
H. T. SCHNEEBELI,  
HAROLD R. COLLIER.

*Managers on the Part of the House.*

RUSSELL LONG,  
HERMAN E. TALMADGE,  
WALLACE F. BENNETT.

*Managers on the Part of the Senate.*

## JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13631) to suspend for a temporary period the import duty on certain horses, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

Amendment No. 1: The Senate amendment added a new section 3 to the bill relating to judicial review of decisions regarding reimbursement under the Medicare program. Public Law 92-603 (enacted in October 1972) established a Provider Reimbursement Review Board to review and decide upon substantial reimbursement issues raised by providers of services. Providers could appeal to the Federal courts any modification or reversal of a Board decision made by the Secretary which was adverse to the provider. The amendment would permit judicial review of the Board's unmodified findings as well. In addition, interest would be paid to the party who won—the government or provider. The amendment would specifically not apply to other judicial review avenues existing with respect to cost reports for periods prior to June 30, 1973.

This amendment is reported in technical disagreement.

The managers on the part of the House will offer the following motion:

That the House recede from its disagreement to Senate amendment numbered 1, and agree to the same with amendments as follows:

On page 2, line 12, of the Senate engrossed amendments, strike out "of" and insert "on".

On page 2 of the Senate engrossed amendments, strike out lines 20 through 25, and insert the following:

"(b) The amendment made by subsection (a) shall be applicable to cost reports of providers of services for accounting periods ending on or after June 30, 1973."

The House amendments to the Senate amendment change the effective date provision to conform to the text of the original provider reimbursement review board provision in Public Law 92-603.

The managers on the part of the Senate will move to agree to the amendments of the House to Senate amendment numbered 1.

Amendment No. 2: The Senate amendment added a new section 4 to the bill under which an individual in a non-profit retirement home or institution will not have his Supplemental Security Income (SSI) benefits reduced because his support and maintenance in that home or institution is partially subsidized by the home itself or by some other non-profit organization. Under the SSI program for the aged, blind, and disabled, all forms of income—including room and board furnished for less than cost—are used to reduce the amount of benefits payable. Thus, if a non-profit home for the aged subsidizes an aged resident by charging less than full cost, the amount of the

subsidy is considered income and serves to reduce the individual's SSI payment. This then requires a larger subsidy which in turn causes a larger reduction in SSI and so on until the SSI payment is reduced to zero. The Senate amendment would eliminate such reductions if the cost of the subsidized support and maintenance is borne by the non-profit home or institution or by another non-profit organization. This would not include those cases where an individual has turned over his assets to the institution in prepayment for all or a portion of lifetime care.

This amendment is reported in technical disagreement.

The managers on the part of the House will offer the following motion:

That the House recede from its disagreement to Senate amendment numbered 2, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

*SEC. 4. Effective January 1, 1974, section 1612(a)(2)(A) of the Social Security Act is amended—*

- “(1) by inserting ‘(i)’ immediately after ‘except that’; and  
 “(2) by inserting immediately before the semicolon at the end of the subparagraph the following: ‘and (ii) in the case of any individual or his eligible spouse who resides in a nonprofit retirement home or similar nonprofit institution, support and maintenance shall not be included to the extent that it is furnished to such individual or such spouse without such institution receiving payment therefor (unless such institution has expressly undertaken an obligation to furnish full support and maintenance to such individual or spouse without any current or future payment therefor) or payment therefor is made by another nonprofit organization’.*

The House substitute for the Senate amendment specifies that the amendment will be effective January 1, 1974, and adds words to assure that institutions which have traditionally provided lifetime care without cost to retired members of a fraternal order or union would not be relieved from this responsibility and that the SSI beneficiaries in them would not automatically become eligible for full SSI benefits.

The managers on the part of the Senate will move to agree to the amendment of the House to Senate amendment numbered 2.

Amendment to title:

The managers on the part of the House will offer a motion that the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same.

W. D. MILLS,  
 AL ULLMAN,  
 JAMES A. BURKE,  
 H. T. SCHNEEBELI,  
 HAROLD R. COLLIER,

*Managers on the Part of the House.*

RUSSELL LONG,  
 HERMAN E. TALMADGE,  
 WALLACE F. BENNETT,

*Managers on the Part of the Senate.*

# Ninety-third Congress of the United States of America

## AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January, one thousand nine hundred and seventy-four*

### An Act

To suspend for a temporary period the import duty on certain horses, and for other purposes.

*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 to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately before item 903.90 the following new items:

“	903.50	Horses, other than for immediate slaughter (provided for in part 1, schedule 1): Valued not over \$150 per head (item 100.73).....	Free	No change	On or before 6/30/76	”
	903.51	Valued over \$150 per head (item 100.74)...	Free	No change	On or before 6/30/76	

SEC. 2. 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.

SEC. 3. (a) Section 1878(f) of the Social Security Act is amended to read as follows:

“(f) (1) A decision of the Board shall be final unless the Secretary, on his own motion, and within 60 days after the provider of services is notified of the Board’s decision, reverses, affirms, or modifies the Board’s decision. Providers shall have the right to obtain judicial review of any final decision of the Board, or of any reversal, affirmance, or modification by the Secretary, by a civil action commenced within 60 days of the date on which notice of any final decision by the Board or of any reversal, affirmance, or modification by the Secretary is received. Such action shall be brought in the district court of the United States for the judicial district in which the provider is located or in the District Court for the District of Columbia and shall be tried pursuant to the applicable provisions under chapter 7 of title 5, United States Code, notwithstanding any other provisions in section 205.

“(2) Where a provider seeks judicial review pursuant to paragraph (1), the amount in controversy shall be subject to annual interest beginning on the first day of the first month beginning after the 180-day period as determined pursuant to subsection (a) (3) and equal to the rate of return on equity capital established by regulation pursuant to section 1861(v) (1) (B) and in effect at the time the civil action authorized under paragraph (1) is commenced, to be awarded by the reviewing court in favor of the prevailing party.

“(3) No interest awarded pursuant to paragraph (2) shall be deemed income or cost for the purposes of determining reimbursement due providers under this Act.”

(b) The amendment made by subsection (a) shall be applicable to cost reports of providers of services for accounting periods ending on or after June 30, 1973.

SEC. 4. Effective January 1, 1974, section 1612(a) (2) (A) of the Social Security Act is amended—

- (1) by inserting “(i)” immediately after “except that”; and
- (2) by inserting immediately before the semicolon at the end of the subparagraph the following: “and (ii) in the case of any individual or his eligible spouse who resides in a nonprofit retirement home or similar nonprofit institution, support and maintenance shall not be included to the extent that it is furnished to

H.R. 13631—2

such individual or such spouse without such institution receiving payment therefor (unless such institution has expressly undertaken an obligation to furnish full support and maintenance to such individual or spouse without any current or future payment therefor) or payment therefor is made by another nonprofit organization”.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*

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HH  
HHH  
HHH  
HHH

October 17, 1974.

Dear Mr. Director:

The following bills were received at the White House on October 17th:

S.J. Res. 236 ✓	S. 2840 ✓	H.R. 7768	H.R. 14225
S.J. Res. 250 ✓	S. 3007 ✓	H.R. 7780	H.R. 14597
S.J. Res. 251 ✓	S. 3234 ✓	H.R. 11221	H.R. 15148 ✓
S. 355 ✓	S. 3473 ✓	H.R. 11251 ✓	H.R. 15427
S. 605 ✓	S. 3698 ✓	H.R. 11452 ✓	H.R. 15540 ✓
S. 628 ✓	S. 3792	H.R. 11830 ✓	H.R. 15643 ✓
S. 1411 ✓	S. 3838 ✓	H.R. 12035 ✓	H.R. 16857 ✓
S. 1412 ✓	S. 3979 ✓	H.R. 12281	H.R. 17027 ✓
S. 1769 ✓	H.R. 6624	H.R. 13561 ✓	
S. 2348 ✓	H.R. 6642 ✓	H.R. 13631 ✓	

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder  
Chief Executive Clerk

The Honorable Roy L. Ash  
Director  
Office of Management and Budget  
Washington, D. C.