

**An Overview of Proposed Legislation
in the 93d Congress which involves
the Office of Technology Assessment**

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Since the passage of the Technology Assessment Act in 1972 (P.L. 92-484), the resources of the Office of Technology Assessment have been looked to several times for assistance in other legislative areas. This report provides a brief listing and overview of legislation introduced thus far in the 93d Congress which either directs the OTA to perform a study, or includes the staff of OTA in a project of the proposed legislation. One piece of legislation (S. 2806) does not mention the OTA by name, but title IV of that bill is patterned extensively upon the OTA's enabling legislation and is included here as specifically relevant to OTA's interests.

This listing of bills is divided into the following areas:

- I. Bills which request that the OTA perform a specific study;
- II. Bills which require the participation of the OTA Director or other staff members, or other administrative services of OTA;
- III. Bills which amend the Technology Assessment Act;
- IV. Bills patterned upon OTA's enabling legislation.

Since there does not exist at present any indexing mechanism which comprehensively scans all bills introduced in Congress which mention the OTA, this listing may be incomplete. However, every attempt has been made to insure that those bills have been included which specifically request the services of OTA by name.

Obviously there have been other bills introduced, and legislation passed, which will impact the activities or interests of OTA, along with other Federal agencies and departments. This study does not purport to include these bills.

I. Bills which request that the OTA perform a specific study

1. H.R. 5750 -- Introduced by Rep. Udall on March 15, 1973.
Referred to the House Committee on Interior and Insular Affairs.
No further action.

"A bill to authorize the construction of transmission facilities for delivery to the continental United States of petroleum reserves located on the North Slope of Alaska, and for other purposes."

Section 2 (all) authorizes and directs the Director of the OTA "to conduct a thorough study of all practical methods of recovering and delivering to the continental United States the petroleum reserves located on the North Slope of Alaska". (See Appendix A-1 for complete text.)

Funds authorized for such study: "such funds as may be necessary" (Sec. 7).

2. S. 2858 -- "The Outer Continental Shelf Safety Act of 1974"

Introduced by Senator Tunney on December 21, 1973.
Referred to the Senate Committee on Interior and Insular Affairs.
No further action.

"A bill to amend the Outer Continental Shelf Lands Act for the purpose of increasing the safety of off-shore drilling and production."

Section 10 (b)(2) directs the OTA to "conduct a study of the adequacy of existing safety regulations and technology, equipment, and techniques for operations in the Outer Continental Shelf..." (See Appendix A-2 for complete text).

Funds authorized for such study: none.

3. H.R. 13716 -- "The Nuclear Energy Reappraisal Act"

Introduced by Rep. Waldie (for himself and Rep. Aspin) on March 25, 1974.
Referred to the Joint Committee on Atomic Energy.
No further action.

"A bill to terminate the granting of construction licenses of nuclear fission powerplants in the United States pending action by the Congress following a comprehensive five-year study of the nuclear fuel cycle, with particular reference to its safety and environmental hazards, to be conducted by the Office of Technological [sic] Assessment."

Sections 3 and 4 (all) direct the OTA to immediately "undertake a comprehensive study and investigation of the entire nuclear fuel cycle from mining through fuel reprocessing and waste management..." (See Appendix A-3 for complete text.)

Funds authorized for such study: \$ 100 million for each of the first five fiscal years beginning after the date of enactment.

4. H.R. 15439 -- Identical to H.R. 13716

Introduced by Rep. Fish on June 18, 1974.
No further action.

5. H.R. 15987 -- Identical to H.R. 13716

Introduced by Rep. King on July 18, 1974.
No further action.

6. H.R. 16582 -- Identical to H.R. 13716

Introduced by Rep. Waldie (for himself and 11 other members) on August 22, 1974.
No further action.

7. Amendment to H.R. 15405 -- Conference report submitted on August 8 by Rep. McFall. House receded and concurred with amendment in certain Senate amendments on August 13.

"An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1975, and for other purposes."

Amendment No. 23 of the conference report indicates that the conference agreement contains no funds for the crash recorder program proposed by the National Highway Traffic Safety Administration. "The Committee intends to request an evaluation of this program by the Office of Technology Assessment." (See Appendix A-4 for complete text.)

Funds authorized for such study: none.

II. Bills which require the participation of the OTA Director or other staff members, or other administrative services of OTA

1. S. 3050 -- "The Balanced National Growth and Development Act of 1974"

Introduced by Senator Humphrey on February 25, 1974.
Referred to the Senate Committee on Government Operations.

No further action.

"A bill to promote the general welfare by establishing a balanced national growth and development policy and establishing an Office of Balanced National Growth and Development and certain programs to carry out such policy."

Section 1001 (e) * / appoints the Director of the OTA, as well as other government officials, as a member of the Board of Trustees of the Foundation on the American Future, an independent agency of the Federal Government. (See Appendix A-5 for complete text.)

2. H.R. 15680 -- "The International Science and Technology Act of 1974"

Introduced by Rep. Hanna on June 27, 1974.
Referred to the House Committee on Science and Astronautics.
No further action.

"A bill to facilitate the transfer of science and technology and increase cooperation between the United States and other nations through the full utilization of global telecommunication services."

Section 202 (a)(5) states that the Deputy Director of OTA (or his delegate) shall be appointed a member of the Advisory Council for the International Science and Technology Transfer Institute. (See Appendix A-6 for complete text.)

* / S. 3050 also is discussed on p. 7 of this report.

3. S. 3716 -- Identical to H.R. 15680

Introduced by Senator Abourezk on June 27, 1974.
Referred to the Senate Committee on Government Operations.
No further action.

4. P.L. 93-344 -- "The Congressional Budget Act"
(H.R. 7130)

Approved July 12, 1974.

"An Act to establish a new congressional budget process; to establish Committees on the Budget in each House; to establish a Congressional Budget Office; to establish a procedure providing congressional control over the impoundment of funds by the executive branch; and for other purposes."

Sec. 201 (e) authorizes the Director of the Congressional Budget Office "to obtain information, data, estimates, and statistics developed by the... Office of Technology Assessment", and authorizes the Technology Assessment Board to provide the Office with the information, data, etc. (See Appendix A-7 for the complete text.)

Funds authorized; such information, etc. may be provided with or without reimbursement.

5. S. 3221 -- "The Energy Supply Act of 1974"

Introduced by Senator Jackson (for himself and Senator Metcalf) on March 22, 1974.

Referred to the Senate Committee on Interior and Insular Affairs.

Reported to the Senate, amended, on September 5, 1974.

"A bill to increase the supply of energy in the United States from the Outer Continental Shelf; to amend the Outer Continental Shelf Lands Act; and for other purposes."

Section 303 (a) in the amended version authorizes and directs the Attorney General, "in consultation with the Administrative Conference of the United States and the Office of Technology Assessment", to "study methods and procedures for implementing a uniform

law providing absolute liability for damage from oil spills from Outer Continental Shelf operations, tankers, deepwater ports, and other sources." (See Appendix A-8 for complete text.)

Funds authorized for such study: none.

III. Bills which amend the Technology Assessment Act

1. S. 3050 -- "The Balanced National Growth and Development Act of 1974"

Introduced by Senator Humphrey on February 25, 1974.
Referred to the Senate Committee on Government Operations.

No further action.

"A bill to promote the general welfare by establishing a balanced national growth and development policy and establishing an Office of Balanced National Growth and Development and certain programs to carry out such policy."

Section 807 (all) * / states that the Congressional Office on Policy and Planning shall maintain a continuing and close liaison with the OTA, and amends the Technology Assessment Act to authorize the Director of the Congressional Office to request assessments from OTA. (See Appendix A-5 for complete text).

* / S. 3050 is also discussed on p. 4 of this report.

IV. Bills patterned upon OTA's enabling legislation

1. S. 2806 -- "The Energy Revenue and Development Act of 1973"

Introduced by Senator Gravel on December 13, 1973.
Referred to the Senate Committee on Finance.
No further action.

"A bill to establish an Energy Trust Fund funded by a tax on energy sources, to establish a Federal Energy Administration, to provide for the development of domestic sources of energy and for the more efficient utilization of energy, and for other purposes."

Title IV (all) establishes a Commission on Energy Technology Assessment which shall "identify existing or probable impacts of technology or technological programs relating to energy; where possible, as certain cause-and-effect relationships, etc." (See Appendix A-9 for complete text.)

2. Amendment to H.R. 11510 -- Amendment to the Energy Reorganization Act of 1973.

Introduced on the floor of the House by Rep. Udall on December 19, 1973. Supported in statement by Rep. Owens.

Rejected on that same date.

An amendment to create an additional office for the Assistant Administrator for Technology Assessment, which would be responsible for "analyzing and evaluating the immediate and long-range direct and indirect social, environmental and economic effects of existing and proposed research and development programs". (See Appendix A-10 for complete text.)

In his statement opposing Rep. Udall's amendment, Rep. Holifield pointed out that "Congress has already set up a congressional agency by the name of Technological Assessment Board, and we gave it \$2 million to do exactly what the gentleman from Arizona is talking about. I suggest that we let it do the work in this Technological Assessment Board..." (Congressional Record, December 19, 1973, H11744.)

APPENDICES

1 and diplomatic problems arising from the adoption of
2 any alternative should be identified and clarified;

3 (c) the study of alternative methods of recovery
4 and delivery should thoroughly consider and examine
5 the environmental effects, economic costs, and national
6 security aspects of such recovery and delivery method;
7 and

8 (d) no decision generally affecting the siting of
9 transmission facilities on public land in Alaska for the
10 purposes of recovering petroleum from the North Slope
11 should be made by any Federal agency until the Con-
12 gress has had an opportunity to review plans for
13 recovering and delivering such petroleum reserves.

14 SEC. 2. (a) The Director of the Office of Technology
15 Assessment (hereafter in this Act referred to as the "Di-
16 rector") is authorized and directed to conduct a thorough
17 study of all practical methods of recovering and delivering
18 to the continental United States the petroleum reserves
19 located on the North Slope of Alaska. The Director shall
20 report his findings and conclusions, based on the study
21 authorized by this section, to the Congress, and shall file
22 a final report, based on such study, with the Congress
23 within the one-year period beginning on the date of en-
24 actment of this Act. In conducting the study authorized
25 by this section, giving equal consideration to the environ-

1 mental impact, economic cost, and national security aspects
2 of all such alternative recovery and delivery methods, the
3 Director shall—

4 (1) identify and define those market areas in the
5 continental United States that are expected to experi-
6 ence the greatest immediate and long-range demand for
7 petroleum, as well as the available geographical routes
8 that will, considering all factors, best meet the demand;
9 and

10 (2) determine which of the methods of and routes
11 for the recovery and delivery of such North Slope
12 petroleum, of all alternatives available, including but
13 not limited to rail, pipeline, ocean tanker, or any com-
14 bination thereof, all factors considered, is the best re-
15 covery and delivery method and route for such North
16 Slope petroleum.

17 (b) In conducting the study authorized by this section
18 the Director is authorized to enter into such contracts with
19 such persons, institutions, or agencies as may be necessary
20 and appropriate to carry out the purposes of this Act.

21 (c) The Director is authorized to secure from any de-
22 partment, agency, or instrumentality of the Federal Gov-
23 ernment any information he deems necessary to carry out
24 his functions under this Act. Upon request of the Director,
25 the head of any Federal department, agency, or instru-

1 mentality is authorized (1) to furnish the Director such
2 information as may be necessary for carrying out his func-
3 tions to the extent it is available to or procurable by such
4 department, agency, or instrumentality and (2) to detail to
5 temporary duty with the Director, on a reimbursable basis,
6 such personnel, within his administrative jurisdiction as the
7 Director requests, each such detail to be without loss of
8 seniority, pay, or other employee status.

9 **SEC. 3. The Secretary of the Interior is authorized and**
10 **directed to enter into negotiations with the Government of**
11 **Canada to determine the feasibility and availability of a right-**
12 **of-way across Canadian territory for the construction and**
13 **operation of transmission facilities for the petroleum reserves**
14 **on the North Slope of Alaska. The Secretary shall report**
15 **the results of his negotiations to the Congress within the one-**
16 **year period beginning on the date of enactment of this**
17 **Act.**

18 **SEC. 4. All reports required by this Act to be filed**
19 **with the Congress shall be filed with the Clerk of the House**
20 **of Representatives and the Secretary of the Senate.**

21 **SEC. 5. Notwithstanding any other law, rule of law, or**
22 **any order or decision of any court, no order or rule of the**
23 **Secretary of the Interior, or of any other Federal agency or**
24 **officer of the United States, granting a right-of-way, ease-**
25 **ment, or use of any Federal land for the development and**

S. 2858

6

1 ever occurs earlier, the Secretary shall not call for nomina-
2 tions or take any other steps to begin leasing of any area in
3 the Outer Continental Shelf unless all areas contained on the
4 Secretary's leasing schedule which have a lesser hazard to
5 the environment or commercial or recreational uses have al-
6 ready been leased, or the leasing process for such areas has
7 already begun.

8 " (c) The Secretary shall issue a new five-year leasing
9 schedule and assessment of environmental hazard at intervals
10 of no more than five years, and whenever the leasing process
11 for all areas in the previous effective leasing schedule has
12 been commenced.

13 " (d) Nothing contained in this Act shall be construed
14 to amend, repeal, modify, or change in any way the require-
15 ments of section 102 (2) (c) or any other provision of the
16 National Environmental Policy Act of 1969.

17 "Policy

18 "SAFETY REGULATIONS FOR OIL AND GAS OPERATIONS

19 "SEC. 10. (a) It is the policy of this section to insure,
20 through improved techniques, maximum precautions, and
21 constant use of the best available technology by well-
22 trained personnel, the safest possible operations in the Outer
23 Continental Shelf. Safe operations are those which minimize
24 the likelihood of blowouts, loss of well control, fires, spillages,
25 or other occurrences which may cause damage to the en-

1 vironment, or to property, or endanger human life or health.
2 Without limitation to these items, safe operations require the
3 following:

4 “(1) new permits for drilling or other operations
5 should be based on use of the best available equipment
6 and technology, and previously existing operations
7 should be upgraded to use the best available equipment
8 and technology to the maximum extent practicable;

9 “(2) equipment used in offshore operations should
10 be developed to conform to prescribed performance
11 standards, which should provide for the greatest possible
12 safety of operations;

13 “(3) to the maximum extent practicable, including
14 before exploratory drilling is performed, regulations or
15 field orders concerning equipment and techniques to be
16 used in drilling operations should be based on specific
17 knowledge of geological conditions in the area of
18 drilling;

19 “(4) safety equipment, designed to prevent or
20 ameliorate blowouts, loss of well control, or spillages,
21 should be made as reliable as possible, including the use
22 of fail-safe and redundancy devices, and should be regu-
23 larly tested for reliability;

24 “(5) blowout prevention equipment should contain
25 features, including remote controls, which make such

1 equipment usable and effective after well control has
2 been lost;

3 “(6) techniques and technology should be devel-
4 oped and implemented to provide complete monitoring
5 of drilling operations, including downhole conditions,
6 with remote recording of such data in a survivable unit;

7 “(7) mandatory minimum training standards should
8 be developed and enforced for all personnel in super-
9 visory and control duties involving hazardous drilling
10 and production operations;

11 “(8) increasingly automated equipment, and equip-
12 ment designed to minimize the risk of human error,
13 should be developed and deployed;

14 “(9) development of subsea production technology
15 should be accelerated for safety and environmental
16 reasons;

17 “(10) in cooperation with the Coast Guard, safety
18 factors on multiwell platforms should be improved to
19 lessen the risk of subsequent damage if one well loses
20 control, and safety design and inspection of platforms,
21 rigs, and artificial islands in the Outer Continental Shelf
22 should be improved;

23 “(11) in cooperation with the Office of Pipeline
24 Safety, improved safety standards for pipelines should
25 be developed and made applicable to all pipelines in the

1 Outer Continental Shelf, with the goal of having reliable
2 pipeline lifetimes equal to the projected production life-
3 times of oil or gas fields, and having pipelines with re-
4 mote monitoring features to detect leakages;

5 “(12) techniques, equipment, and personnel train-
6 ing for regaining control of blowouts, spillages, and fires,
7 and removing pollutants, should be improved; and

8 “(13) unreliable or inadequate safety equipment on
9 existing wells should be replaced by the best presently
10 available equipment, and new equipment and technology
11 should be applied to old wells and other facilities to the
12 maximum degree practicable.

13 “Regulations; Study

14 “(b) (1) (A) The Secretary shall develop, from time
15 to time revise, and promulgate safety regulations for opera-
16 tions in the Outer Continental Shelf, to implement as fully
17 as possible the policy of subsection (a) of this section.
18 Within one year after the enactment of this section, the
19 Secretary shall complete a review of existing safety regula-
20 tions, consider the results and recommendations of the study
21 authorized in paragraph (3) of this subsection, and promul-
22 gate a complete set of safety regulations (which may in-
23 clude Outer Continental Shelf orders) applicable to opera-
24 tions in the Outer Continental Shelf or any region thereof.

1 Any safety regulations in effect on the date of enactment of
2 this section which the Secretary finds should be retained
3 shall be repromulgated according to the terms of this section,
4 but shall remain in effect until so repromulgated.

5 “(B) (i) The Secretary shall promulgate safety regula-
6 tions (other than field orders) pursuant to section 553 of
7 title 5, and shall as part of such proceedings conduct a hear-
8 ing pursuant to section 556 of title 5. Interested parties shall
9 have a period of not less than sixty days in which to present
10 oral or written comments or data on any proposed safety reg-
11 ulations.

12 “(ii) Safety regulations promulgated pursuant to this
13 subsection shall become effective not less than thirty days
14 following final publication of such safety regulations in the
15 Federal Register.

16 “(iii) The Administrator shall submit written or oral
17 comments on any proposed safety regulation proposed to be
18 promulgated pursuant to this subsection within the time
19 allotted therefor. Prior to final publication of such safety reg-
20 ulations, the Secretary shall publish in the Federal Register
21 the comments of the Administrator, and an answer to all
22 such comments or which are not accepted by the Secretary.

23 “(iv) Any aggrieved party may seek judicial review
24 of safety regulations promulgated pursuant to this subsection
25 in the United States Court of Appeals for the District of

1 Columbia, in proceedings pursuant to chapter 7 of title 5.
2 All court proceedings concerning such safety regulations
3 shall be expedited.

4 “(C) No safety regulations (other than field orders)
5 promulgated pursuant to this subsection shall reduce the
6 degree of safety or protection to the environment afforded
7 by safety regulations previously in effect.

8 “(D) (i) All field rules must be published in the Fed-
9 eral Register not less than thirty days before the effective
10 date thereof. Any modification of a field rule pursuant to a
11 petition for review shall be published in the Federal Register
12 not later than the effective date thereof.

13 “(ii) Any person who objects to a field rule may peti-
14 tion the Secretary for review of such field rule not later than
15 thirty days after the effective date thereof.

16 “(iii) The Secretary shall promptly consider such peti-
17 tion, and take written or oral testimony, in his discretion.
18 Not less than sixty days after receiving such petition, unless
19 for good cause stated in the response, the Secretary shall
20 respond to the petitioner stating whether or not and in what
21 manner the field rule in question shall have been modified,
22 and giving his reasons therefor.

23 “(2) Upon the enactment of this section, the Office of
24 Technology Assessment of the Congress shall conduct a study
25 of the adequacy of existing safety regulations and technol-

1 ogy, equipment, and techniques for operations in the Outer
 2 Continental Shelf, including but not limited to the subjects
 3 listed in subsection (a) of this section. Not later than nine
 4 months after the enactment of this section, the results of the
 5 study and recommendations for improved safety regulations
 6 shall be submitted to the Congress and to the Secretary.

7 “(3) The Secretary shall publish in the Federal Regis-
 8 ter a notice and description of every major variance, excep-
 9 tion, or exemption given from any safety regulation, not less
 10 than thirty days before the effective date thereof: *Provided*,
 11 That such period may be waived upon the certification
 12 of the Secretary, as part of such notice, of the existence and
 13 nature of an emergency justifying such waiver.

14 “ENFORCEMENT OF SAFETY REGULATIONS; PENALTIES

15 “Enforcement of Safety Regulations; Inspections

16 “SEC. 11. (a) (1) The Administrator shall have respon-
 17 sibility for rigorous inspection of all operations and enforce-
 18 ment of safety regulations promulgated pursuant to section 10
 19 of this Act. All holders of leases under this Act shall allow
 20 access at the site of any operations subject to safety regula-
 21 tions to any inspector, and provide such documents and
 22 records as the Administrator may request.

23 “(2) The Administrator shall promulgate regulations
 24 within sixty days of the enactment of this section to provide
 25 for—

H.R. 13716

2

1 by section 3d. of the Atomic Energy Act of 1954; and the
2 Atomic Energy Commission is herewith directed under the
3 authority of section 187 of that Act to enforce an immediate
4 moratorium on the granting of construction licenses and
5 export of all civilian nuclear fission powerplants.

6 (b) This termination shall continue until the Congress,
7 after having adequate time to study the results of the investi-
8 gation described in section 8, shall provide by law—

9 (1) for resumption of the licensing of nuclear fission
10 powerplants and the development of criteria and stand-
11 ards for the licensing of such plants; or

12 (2) that resumption of such licensing be permitted
13 but only under conditions specified in the law; or

14 (3) that resumption of such licensing be prohibited
15 because of unacceptable safety, health, or environmental
16 effects.

17 SEC. (a) The Office of Technology Assessment is
18 hereby directed immediately to undertake a comprehensive
19 study and investigation of the entire nuclear fuel cycle from
20 mining through fuel reprocessing and waste management
21 and, as described in section 4, to determine the safety and
22 environmental hazards of this cycle.

23 (b) The Office of Technology Assessment shall conduct
24 this study independently. The Office may, however, call
25 upon the National Academy of Sciences to conduct certain

1 aspects of the study. The Office shall also call upon scientists,
2 engineers, and consumer and environmental representatives
3 in conducting the study. The Office shall have the power to
4 enter into contracts with individuals or corporations for the
5 purposes of conducting the study, but shall not enter into
6 contracts with any industry which provides materials for
7 nuclear fission powerplants or which otherwise in the judg-
8 ment of the Office might have an interest in perpetuating the
9 nuclear industry.

10 (c) All Government agencies shall cooperate to the
11 fullest extent with the Office and shall provide access to their
12 personnel and data. At the request of the Office, any Gov-
13 ernment agency shall furnish any information which the
14 Office deems appropriate for the purpose of conducting the
15 study under this section. The Office is further empowered
16 to compel the delivery of any information in the possession
17 of the National Laboratories which the Office deems neces-
18 sary for conducting the study.

19 (d) Within five years after the enactment of this Act,
20 the Office of Technology Assessment shall submit a final
21 report to the Congress concerning the safety and environ-
22 mental hazards of nuclear fission powerplants and the nuclear
23 fuel cycle. It is the intent of Congress that all nonproprietary
24 information compiled in preparation of this report be open
25 for public review. The Office will provide a yearly report

1 to the Congress and the public on the progress of the study,
2 and provide the opportunity for a yearly public hearing con-
3 cerning the progress of the study.

4 (e) The final report shall include recommendations as
5 to whether a resumption of the licensing of nuclear fission
6 powerplants should be allowed, and, if so, the conditions
7 under which licenses should be granted. Such recommenda-
8 tions shall employ a cost-benefit analysis discussing—

9 (1) the safety and environmental hazards associated
10 with the entire nuclear fuel cycle compared with any
11 benefits;

12 (2) the economic effect of a commitment to nuclear
13 fission powerplants, particularly in relation to long-term
14 cost and availability of raw materials, and the costs of all
15 necessary safeguards; and

16 (3) the central question of proliferation of nuclear
17 fission powerplants in relation to the possible alternatives.

18 SEC. 4. The comprehensive study to be undertaken by
19 the Office of Technology Assessment under section 3 shall
20 include (in addition to those topics cited in section 3)—

21 (1) the safety of existing nuclear fission power-
22 plants, including a discussion of the adequacy of de-
23 sign features and criteria;

24 (2) the safety and environmental hazards posed

1 by the mining, milling, transportation, reprocessing,
2 and waste management of nuclear materials;

3 (3) the safety of routine emissions from nuclear
4 fission powerplants and nuclear fuel reprocessing fa-
5 cilities with projections of future health effects if pro-
6 liferation of these plants were allowed to occur;

7 (4) the indefinite storage of high level radio-
8 active waste and potential dangers of such storage;

9 (5) the transportation of nuclear materials from
10 civilian nuclear fission powerplants and the safety
11 hazards inherent in such transportation, and the possi-
12 bilities for diversion or sabotage present in such
13 transportation;

14 (6) the possibilities for diversion of nuclear mate-
15 rials and sabotage throughout the entire nuclear fuel
16 cycle; and

17 (7) an evaluative assessment of the prospects and
18 problems, and the ultimate net energy yield, in the pro-
19 duction of electric power through the use of nuclear
20 energy, compared with alternative sources.

21 SEC. 5. There is authorized to be appropriated for the
22 study under section 3 the sum of \$100,000,000 for each of
23 the first five fiscal years beginning after the date of the enact-
24 ment of this Act.

Amendment No. 17: Provides \$11,000,000 for railroad-highway crossings demonstration projects instead of \$8,000,000 as proposed by the House and \$15,500,000 as proposed by the Senate.

Amendment No. 18: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to insert the words "by transfer".

Amendment No. 19: Appropriates \$5,000,000 for Alaska Highway as proposed by the Senate.

Amendment No. 20: Appropriates \$4,575,840,000 for Federal-aid highways (liquidation of contract authorization) instead of \$4,573,840,000 as proposed by the House and \$4,577,840,000 as proposed by the Senate.

Amendments No. 21 and 22: Appropriate \$1,000,000 for the Baltimore-Washington Parkway as proposed by the Senate instead of \$4,000,000 as proposed by the House.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Amendment No. 23: Appropriates \$72,445,000 for traffic and highway safety instead of \$71,350,000 as proposed by the House and \$80,040,000 as proposed by the Senate.

The conference agreement contains no funds for the crash recorder program. The Committee intends to request an evaluation of this program by the Office of Technology Assessment.

Amendment No. 24: Provides that \$22,120,000 of the appropriation for traffic and highway safety shall be derived from the Highway Trust Fund instead of \$27,280,000 as proposed by the House and \$22,870,000 as proposed by the Senate.

Amendment No. 25: Provides that \$24,200,000 of the appropriation for traffic and highway safety shall remain available until expended instead of \$22,705,000 as proposed by the House and \$22,605,000 as proposed by the Senate.

FEDERAL RAILROAD ADMINISTRATION

Amendment No. 26: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to appropriate \$135,000,000 for grants to the National Railroad Passenger Corporation instead of \$143,000,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 27: Appropriates \$6,250,000 for payment to the Alaska Railroad Revolving Fund instead of \$4,000,000 as proposed by the House and \$6,500,000 as proposed by the Senate.

URBAN MASS TRANSPORTATION ADMINISTRATION

Amendment No. 28: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to appropriate \$6,000,000 for administrative expenses and to exempt the appropriations for Coast Guard, operating expenses; Coast Guard, retired pay; Federal Aviation Administration, operations; National Transportation Safety Board, salaries and expenses; Civil Aeronautics Board, salaries and expenses; Civil Aeronautics Board, payments to air car-

1 COORDINATION WITH THE OFFICE OF TECHNOLOGY

2 ASSESSMENT

3 SEC. 807. (a) The Congressional Office shall maintain a
4 continuing and close liaison with the Office of Technology
5 Assessment with respect to—

6 (1) activities, studies, policies, grants, and con-
7 tracts formulated or initiated by the Office of Technology
8 Assessment which are for the purpose of assessing the
9 impact of technology on the future growth and develop-
10 ment of the United States and on the future quality of
11 life of its citizens; and

12 (2) the promotion of coordination in areas affect-
13 ing the formulation of a balanced national growth and
14 development policy for the United States and the avoid-
15 ance of unnecessary duplication or overlapping of re-
16 search activities in the development of such a policy or
17 program or activities designed to implement such a
18 policy.

19 (b) Section 3 (d) of the Technology Assessment Act of
20 1972 (Public Law 92-484) is amended by striking items
21 (2) and (3) under that subsection and inserting in lieu
22 thereof the following:

23 “(2) the Director of the Congressional Office of
24 Policy and Planning; (3) the Board; or (4) the Di-
25 rector, in consultation with the Board.”

1 criteria for determining all considerations for the purpose of
2 this section. In applying the provisions of this section to the
3 award of research and development contracts and in apply-
4 ing cooperative agreements, due considerations shall be given
5 to the balanced national growth purpose to be served.

6 (b) Regulations pursuant to this section shall not be
7 promulgated until proposals therefor have been submitted
8 to the Joint Committee on Balanced National Growth and
9 Development through the Congressional Office with an ade-
10 quate time, not to exceed 90 days, for such committee to
11 consider such proposals prior to promulgation.

12 TITLE X—FOUNDATION ON THE AMERICAN 13 FUTURE

14 ESTABLISHMENT OF FOUNDATION

15 SEC. 1001. (a) There is established an independent
16 agency of the Federal Government to be known as the Foun-
17 dation on the American Future (hereinafter in this title
18 referred to as the Foundation).

19 (b) The Foundation shall be subject to the supervision
20 and direction of a Board of Trustees. The Board shall be com-
21 posed of nineteen members, nine of whom shall be appointed
22 by the President by and with the advice and consent of the
23 Senate, two of whom shall be appointed by the President pro
24 tempore of the Senate, two of whom shall be appointed by
25 the Speaker of the House. The nine members appointed by

1 the President shall be appointed from among individuals who
2 are engaged in educational, research, or other scholarly or
3 scientific activity relating to developments (economic, en-
4 vironmental, demographic, or social) affecting the quality
5 of life in the United States, and the two members appointed
6 by the President pro tempore of the Senate and the two
7 members appointed by the Speaker of the House shall be
8 appointed from among individuals from the general public
9 and who by virtue of their residence, interest, or vocation,
10 are specially qualified to serve on the Board. In making
11 these appointments, the President, the President pro tempore
12 of the Senate, and the Speaker of the House are requested
13 to give due consideration to the appointment of individuals
14 who, collectively, will provide appropriate regional, interest,
15 organization, age, sex, and political balance on the Board.

16 (c) The term of office of each appointed trustee of the
17 Foundation shall be six years; except that (1) the members
18 first taking office appointed by the President shall serve as
19 designated by him, five for terms of two years and four for
20 terms of four years, and (2) any member appointed to fill a
21 vacancy shall serve for the remainder of the term for which
22 his predecessor was appointed. No member may serve for a
23 period in excess of eight years.

24 (d) Members of the Board who are not regular full-time
25 employees of the United States shall, while serving on busi-

1 ncess of the Foundation, be entitled to receive compensation
2 at rates fixed by the President, but not exceeding the rate
3 prescribed for GS-18 of the General Schedule under title 5
4 of the United States Code, including traveltime; and while so
5 serving away from their homes or regular places of busi-
6 ness, they may be allowed travel expenses, including per
7 diem in lieu of subsistence, as authorized by section 5703 of
8 title 5, United States Code, for persons in Government serv-
9 ice employed intermittently.

10 (e) The Director of the Office, the Director of the Con-
11 gressional Office, the Director of the Office of Technology
12 Assessment, the Director of the National Science Foundation,
13 the Chairman of the National Citizens Council and the
14 Chairman of the Advisory Commission in Intergovernmental
15 Relations shall serve as regular members of the Board, but
16 none of whom shall be permitted to serve as Chairman or
17 Vice Chairman of the Board.

18 (f) The Vice President shall call the first meeting of
19 the Board, at which the first order of business shall be the
20 election of a Chairman and a Vice Chairman, who shall serve
21 one year after the date of their appointment. Thereafter each
22 Chairman and Vice Chairman shall be elected for a term
23 of two years. The Vice Chairman shall perform the duties
24 of the Chairman in his absence. In case a vacancy occurs in
25 the chairmanship or vice chairmanship, the Board shall elect

1 an individual from among the members of the Board to fill
2 such vacancy.

3 (g) (1) A majority of the trustees of the Foundation
4 shall constitute a quorum.

5 (2) The Board shall meet at least four times a year.

6 OFFICERS

7 ~~SEC. 1002. There shall be a Director and a Deputy Di-~~
8 ~~rector of the Foundation who shall be appointed by the~~
9 ~~Board. Under the direction of the Board, the Director shall~~
10 ~~be responsible for carrying out the functions of the Founde-~~
11 ~~tion, and shall have authority and control over all personnel~~
12 ~~and activities thereof. The Deputy Director shall perform~~
13 ~~such functions as the Director, with the approval of the Foun-~~
14 ~~dation, may prescribe, and be Acting Director during the~~
15 ~~absence or disability of the Director or in the event of a~~
16 ~~vacancy in the Office of the Director. The Director and the~~
17 ~~Deputy Director shall each serve for a term of six years unless~~
18 ~~previously removed by the Board. The Director shall be~~
19 ~~compensated at a rate equal to the rate prescribed for level~~
20 ~~IV of the Executive Schedule under section 5315 of title 5,~~
21 ~~United States Code. The Deputy Director shall be compen-~~
22 ~~sated at a rate equal to the rate prescribed for level V of the~~
23 ~~Executive Schedule.~~

24 PURPOSE OF FOUNDATION

25 SEC. 1003. (a) The purpose of the Foundation shall be
26 to conduct projects, studies, investigations, and forecasts to

1 retrieval, interactive television, and cathode ray de-
2 vices; and

3 (7) the term "telecommunication management
4 centers" refers to the national centers which are associ-
5 ated with the United States in an international com-
6 munications network to facilitate the transfer of tech-
7 nology and culture between nations.

8 **TITLE II—FEDERAL COORDINATION PLANNING**
9 **AND REGULATION**

10 **IMPLEMENTATION OF POLICY**

11 **SEC. 201.** (a) In order to achieve the objectives and
12 carry out the purposes of this Act, there is hereby established
13 an institute to be known as the International Science and
14 Technology Transfer Institute (hereinafter in this Act re-
15 ferred to as the "Institute").

16 (b) The Institute shall operate as a semiautonomous
17 United States activity, utilizing an Advisory Council as de-
18 scribed in section 202 for policy and technical guidance.

19 **ADVISORY COUNCIL**

20 **SEC. 202.** (a) The Council shall be composed of—

21 (1) the Director of the National Science Founda-
22 tion (or his delegate),

23 (2) the Deputy Director for International Pro-

grams of the National Aeronautics and Space Administration

1 tration (or, as alternate, the Director of the Office of
2 Technology Utilization in such Administration),

3 (3) the Assistant Secretary of State for Scientific
4 Affairs (or, as alternate, the Director of Science and
5 Technology in the Agency for International Develop-
6 ment),

7 (4) the Director of the Office of Telecommunica-
8 tions in the Department of Health, Education, and
9 Welfare (or his delegate),

10 (5) the Deputy Director of the Office of Technol-
11 ogy Assessment (or his delegate),

12 (6) the Director of the National Bureau of Stand-
13 ards (or his delegate),

14 (7) the Secretary of the Interior (or his delegate),

15 (8) the Secretary of Commerce (or his delegate),

16 (9) the Secretary of Agriculture (or his delegate),

17 (10) the Secretary of the Smithsonian Institution,

18 (11) the Director of the Office of Telecommunica-
19 tions Policy (or his delegate),

20 (12) the Chairman of the Atomic Energy Commis-
21 sion (or his delegate),

22 (13) the Administrator of the Environmental Pro-
23 tection Agency (or his delegate), and

24 (14) the Director of Defense Research and En-

1 gineering in the Department of Defense (or his dele-
2 gate),

3 and such additional members as the Council determines by
4 majority vote, but not to exceed a total of twenty-one.

5 (b) Members of the Council need not be full-time
6 officers or employees of the United States. Members of the
7 Council shall be reimbursed for expenses incurred in their
8 service on the Council, but shall receive no pay (or addi-
9 tional pay) on account of such service.

10 (c) Eleven members of the Council shall constitute
11 a quorum, but a lesser number may hold hearings.

12 (d) The Chairman of the Council shall be the Director
13 of the National Science Foundation or his delegate.

14 (e) The Council shall meet regularly, or more fre-
15 quently at the call of the Chairman or a majority of its
16 members.

17 (f) The Council may invite the participation as advisors
18 of the International Bank for Reconstruction and Develop-
19 ment, the Ford Foundation, the Rockefeller Foundation, or
20 any other entity or individual involved in international eco-
21 nomic or technical development concerning any matter
22 within the scope of the Institute's work.

23 DIRECTOR

24 ~~SEC. 203. (a) The Institute shall have a director who~~
25 ~~shall be appointed by the Chairman of the Council, and~~

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of pay (other than pay of the Director and Deputy Director) and employment benefits, rights, and privileges, all personnel of the Office shall be treated as if they were employees of the House of Representatives.

(c) ~~Experts and Consultants.~~—Is carrying out the duties and functions of the Office, the Director may procure the temporary (not to exceed one year) or intermittent services of experts or consultants or organizations thereof by contract as independent contractors, or, in the case of individual experts or consultants, by employment at rates of pay not in excess of the daily equivalent of the highest rate of basic pay payable under the General Schedule of section 5302 of title 5, United States Code.

(d) ~~Relationship to Research Branch.~~—The Director is authorized to secure information, data, estimation, and statistics directly from the various departments, agencies, and establishments of the executive branch of Government and the regulatory agencies and commissions of the Government. All such departments, agencies, establishments, and regulatory agencies and commissions shall furnish the Director any available material which he determines to be necessary in the performance of his duties and functions (other than material the disclosure of which would be a violation of law). The Director is also authorized, upon agreement with the head of any such department, agency, establishment, or regulatory agency or commission, to utilize its services, facilities, and personnel with or without reimbursement; and the head of such such department, agency, establishment, or regulatory agency or commission is authorized to provide the Office such services, facilities, and personnel.

(e) ~~Relationship to Other Agencies of Congress.~~—In carrying out the duties and functions of the Office, and for the purpose of coordinating the operations of the Office with those of other congressional agencies with a view to utilizing most effectively the information, services, and capabilities of all such agencies in carrying out the various responsibilities assigned to each, the Director is authorized to obtain information, data, estimates, and statistics developed by the General Accounting Office, the Library of Congress, and the Office of Technology Assessment, and (upon agreement with them) to utilize their services, facilities, and personnel with or without reimbursement. The Comptroller General, the Librarian of Congress, and the Technology Assessment Board are authorized to provide the Office with the information, data, estimates, and statistics, and the services, facilities, and personnel, referred to in the preceding sentence.

(f) ~~Appropriations.~~—There are authorized to be appropriated to the Office for each fiscal year such sums as may be necessary to enable it to carry out its duties and functions. Until sums are first appropriated pursuant to the preceding sentence, but for a period not exceeding 12 months following the effective date of this subsection, the expenses of the Office shall be paid from the contingent fund of

S. 3221
(as reported).

S. 3221**OIL SPILL LIABILITY STUDY**

1
2 **SEC. 303. (a)** *The Attorney General, in consultation*
3 *with the Administrative Conference of the United States and*
4 *the Office of Technology Assessment, is authorized and di-*
5 *rected to study methods and procedures for implementing*
6 *a uniform law providing absolute liability for damage from*
7 *oil spills from Outer Continental Shelf operations, tankers,*
8 *deepwater ports, and other sources. The study shall give par-*
9 *ticular attention to methods of adjudicating and settling claims*
10 *as rapidly, economically, and equitably as possible.*

11 **(b)** *The Attorney General shall report the results of his*
12 *study to the Congress within one year after the date of enact-*
13 *ment of this Act.*

SEVERABILITY

14
15 **SEC. 304.** *If any provision of this Act, or the application*
16 *of any such provision to any person or circumstance, shall be*
17 *held invalid, the remainder of this Act, or the application of*
18 *such provision to persons or circumstances other than those as*
19 *to which it is held invalid, shall not be affected thereby.*

D

1 the President, for a period of thirty-six calendar months fol-
2 lowing the effective date of this section, may transfer to the
3 Administration any functions (including powers, duties,
4 activities, facilities, and parts of functions) of any other
5 department or agency of the United States, or of any officer
6 or organizational entity thereof, which relate primarily to the
7 functions, powers, and duties of the Administration as pre-
8 scribed by this Act. In connection with any such transfer,
9 the President may, under this section or other applicable au-
10 thority, provide for appropriate transfers of records, prop-
11 erty, personnel, and funds.

12 (b) No transfer shall be made under this section or any
13 other law until (1) a full and complete report concerning
14 the nature and effect of such proposed transfer has been
15 transmitted by the President to the Congress, and (2) the
16 first period of sixty calendar days of regular session of the
17 Congress following the date of receipt of such report by the
18 Congress has expired without the adoption by the Congress
19 of a concurrent resolution stating that the Congress does not
20 favor such transfer.

21 TITLE IV—COMMISSION ON ENERGY

22 TECHNOLOGY ASSESSMENT

23 ESTABLISHMENT OF COMMISSION

24 SEC. 401. (a) There is hereby established the Com-
25 mission on Energy Technology Assessment (hereinafter re-

1 ferred to in this section as the "Commission"), which shall be
2 independent of the executive departments.

3 (b) The Commission shall consist of an Energy Tech-
4 nology Assessment Board (hereinafter referred to in this
5 section as the "Board") which shall formulate and promul-
6 gate the policies of the Commission, and a Commissioner
7 who shall carry out such policies and administer the opera-
8 tions of the Commission. The Commissioner shall be ap-
9 pointed by the President of the United States, with the ad-
10 vice and consent of the Senate.

11 (c) The Board shall consist of twenty-two members as
12 follows:

13 (1) seven members appointed by the President of
14 the United States, with the advice and consent of the
15 Senate, who shall be persons eminent in one or more
16 fields of the physical, biological, or social sciences;

17 (2) seven members appointed by the President of
18 the United States, with the advice and consent of the
19 Senate, who shall be persons eminent in the field of
20 engineering;

21 (3) seven members appointed by the President of
22 the United States, with the advice and consent of the
23 Senate, who shall be persons eminent in the field of
24 economics; and

1 (4) the Commissioner, who shall not be a voting
2 member.

3 (d) Members of the Board, including the Commis-
4 sioner, shall receive basic pay at the rate provided for
5 level II of the Executive Schedule under section 5314 of
6 title 5, United States Code.

7 (e) The Commissioner shall be appointed for a term
8 of ten years. Members of the Board shall be appointed for
9 terms of ten years, except that, of the members first ap-
10 pointed (other than the Commissioner), seven shall be
11 appointed for terms of four years, seven for terms of seven
12 years, and seven for terms of ten years. Vacancies in the
13 membership of the Board shall not affect the power of the
14 remaining members to execute the functions of the Board
15 and shall be filled in the same manner as in the case of
16 the original appointment.

17 (f) The Commissioner shall serve as Chairman of the
18 Board. The Deputy Commissioner shall act in the place and
19 stead of the Chairman in the absence of the Chairman.

20 (g) (1) The basic functions of the Commission shall
21 be—

22 (A) to advise, consult with, and make recommen-
23 dations to, the Administration;

24 (B) to provide early indications of the probable
25 beneficial and adverse impacts of the applications of
26 technology related to energy;

1 (C) to analyze the quality of research, develop-
2 ment, and demonstration contracted for by the Admin-
3 tration in carrying out the purposes of this Act, and
4 the Commission is authorized to enter into contracts
5 with individuals, private agencies and entities, educa-
6 tional institutions, and other nongovernmental sources
7 in making such analysis;

8 (D) to establish standards and goals for research,
9 development, and demonstration on a priority basis in
10 accordance with the present and future energy needs
11 of the United States;

12 (E) to engage in studies to evaluate the relative
13 benefits and costs of alternative forms of energy; and

14 (F) to construct and maintain economic models of
15 the energy needs of the United States economy and the
16 alternative means and costs of satisfying such needs cur-
17 rently and during the subsequent five years.

18 (2) In carrying out such functions, the Commission
19 shall—

20 (A) identify existing or probable impacts of tech-
21 nology or technological programs relating to energy;

22 (B) where possible, ascertain cause-and-effect rela-
23 tionships;

24 (C) identify alternative technological methods of
25 implementing specific programs relating to energy;

1 (D) identify alternative programs for achieving requisite goals;
2

3 (E) make estimates and comparisons of the impacts
4 of alternative methods and programs relating to energy;

5 (F) estimate the economic costs of alternative
6 energy sources and programs when technological development has been completed;
7

8 (G) identify the availability of various forms of
9 energy from domestic and foreign sources and their prospects as reliable continuous sources of supply in the
10 future;
11

12 (H) present findings of completed analyses to the
13 Administration, to the appropriate committees of the
14 Congress, and to the public;

15 (I) identify areas where additional research or data
16 collection is required to provide adequate support for
17 the assessments and estimates described in subparagraphs
18 (A) through (H) of this paragraph;

19 (J) from time to time, take such action as may be
20 necessary to keep the public fully informed as to its
21 findings and recommendations in connection with the
22 carrying out of such functions; and

23 (K) undertake such additional associated activities
24 as the Commission may determine necessary, or that the
25 Administration may request.

1 (h) The Board is authorized to sit and act at such places
2 and times as it may determine, and upon a vote of a majority
3 of its members, to require by subpoena or otherwise the at-
4 tendance of such witnesses and the production of such books,
5 papers, and documents, to administer such oaths and affirma-
6 tions, to take such testimony, to procure such printing and
7 binding, and to make such expenditures, as it deems advis-
8 able. The Board may make such rules respecting its organiza-
9 tion and procedures as it deems necessary, except that no
10 recommendation shall be reported from the Board unless a
11 majority of the Board assent. Subpenas may be issued over
12 the signature of the Chairman of the Board or of any voting
13 member designated by him or by the Board, and may be
14 served by such person or persons as may be designated by
15 such Chairman or member. The Chairman of the Board or
16 any voting member thereof may administer oaths or affirma-
17 tions to witnesses.

18 (i) In addition to the powers and duties vested in him
19 by this section, the Commissioner shall exercise such powers
20 and duties as may be delegated to him by the Board.

21 (j) The Commissioner may appoint, with the approval
22 of the Board, a Deputy Commissioner who shall perform
23 such functions as the Commissioner may prescribe and who
24 shall be Acting Commissioner during the absence or in-
25 capacity of the Commissioner or in the event of a vacancy in

1 the office of Commissioner. The Deputy Commissioner shall
2 receive basic pay at the rate provided for level IV of the
3 Executive Schedule under section 5315 of title 5.

4 (k) The Commission shall have the authority, within
5 the limits of available appropriations, to do all things nec-
6 essary to carry out the provisions of this section, including,
7 but without being limited to, the authority to—

8 (1) make full use of competent personnel and or-
9 ganizations outside the Commission, public or private,
10 and form special ad hoc task forces or make other
11 arrangements when appropriate;

12 (2) enter into contracts or other arrangements as
13 may be necessary for the conduct of the work of the
14 Commission with any agency or instrumentality of the
15 United States, with any State, territory, or possession or
16 any political subdivision thereof, or with any person,
17 firm, association, corporation, or educational institution,
18 with or without reimbursement, without performance or
19 other bonds, and without regard to section 5 of title 41;

20 (3) make advance, progress, and other payments
21 which relate to technology assessment in the energy field
22 without regard to the provisions of section 529 of title 31;

23 (4) accept and utilize the services of voluntary and
24 uncompensated personnel necessary for the conduct of
25 the work of the Commission and provide transportation

1 and subsistence as authorized by section 5703 of title
2 5 for persons serving without compensation;

3 (5) acquire by purchase, lease, loan, or gift, and
4 hold and dispose of by sale, lease, or loan, real and per-
5 sonal property of all kinds necessary for or resulting from
6 the exercise of authority granted by this section; and

7 (6) prescribe such rules and regulations as it deems
8 necessary governing the operation and organization of
9 the Commission.

10 (l) Contractors and other parties entering into con-
11 tracts and other arrangements under this section which
12 involve costs to the Government shall maintain such books
13 and related records as will facilitate an effective audit in such
14 detail and in such manner as shall be prescribed by the
15 Office, and such books and records (and related documents
16 and papers) shall be available to the Office and the Comp-
17 troller General of the United States, or any of their duly
18 authorized representatives, for the purpose of audit and
19 examination.

20 (m) The Commission, in carrying out the provisions of
21 this chapter, shall not, itself, operate any laboratories, pilot
22 plants, or test facilities.

23 (n) The Commission is authorized to secure directly
24 from any executive department or agency information, sug-

1 gestions, estimates, statistics, and technical assistance for the
2 purpose of carrying out its functions under this section.
3 Each such executive department or agency shall furnish
4 the information, suggestions, estimates, statistics, and tech-
5 nical assistance directly to the Commission upon its request.

6 (o) On request of the Commission, the head of any
7 executive department or agency may detail, with or without
8 reimbursement, any of its personnel to assist the Commission
9 in carrying out its functions under this section.

10 (p) The Commissioner shall, in accordance with such
11 policies as the Board shall prescribe, appoint and fix the
12 compensation of such personnel as may be necessary to carry
13 out the provisions of this section, and obtain services of
14 experts and consultants in accordance with section 3109 of
15 title 5, United States Code.

16 (q) The Commission shall submit to the Congress an
17 annual report setting forth actions taken by it during the
18 calendar year preceding such report in carrying out its func-
19 tions under this section, including its expenses with respect
20 thereto. Such report shall be submitted not later than March
21 15 of each year and shall be available to the public.

22 (r) For the fiscal year ending June 30, 1975, there is
23 authorized to be appropriated such sum, not to exceed
24 \$, as may be necessary to enable the Commis-
25 sion to carry out its functions under this section. To enable

1 the Commission to carry out its functions each fiscal year
2 thereafter, there is authorized to be appropriated out of
3 moneys in the trust fund established pursuant to title II of
4 this Act an amount equal to 1 per centum of moneys re-
5 ceived by such fund during the preceding fiscal year.

6 **TITLE V—TERMINATION OF PRICE CONTROLS**
7 **PETROLEUM PRODUCTS, CRUDE OIL, NATURAL GAS, COAL,**
8 **AND DRILLING AND MINING EQUIPMENT**

9 **SEC. 501.** Section 203 of the Economic Stabilization Act
10 is amended by adding at the end thereof the following new
11 subsections:

12 “(k) Upon the expiration of one year following the date
13 of enactment of this subsection, or on the date provided in
14 section 218, whichever is earlier, the authority conferred by
15 this section to stabilize the prices of petroleum products,
16 crude oil, natural gas, and coal shall terminate, but such
17 termination of authority shall not affect any action or pend-
18 ing proceedings, civil or criminal, not finally determined on
19 the date of such termination of authority, nor any action or
20 proceeding based upon any act committed prior to such date.
21 Immediately upon the enactment of this subsection, the Pres-
22 ident or his delegate shall begin to make such periodic ad-
23 justments in ceiling prices of commodities referred to in the
24 preceding sentence as may be appropriate to insure that such
25 termination of authority may be accomplished in a manner

The scope of possible energy sources and utilization techniques that ERDA may or might include will be virtually unbounded. It will include, but not be limited to, solar, tidal, wind, hydrogen, geothermal (using natural steam hot dry rock, water injection and other techniques), and nuclear fusion. It will cover new directions as yet unimagined. The vigorous pursuit of all promising energy sources and technologies will be a major ERDA mission under this bill.

I submit, Mr. Chairman, that the language of the bill is very broad and the language of the gentleman from Arizona, with all due respect to what his position is, is much more limited.

Mr. Chairman, I think we should vote down the amendment.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. HORTON. I yield to the gentleman from Arizona.

Mr. UDALL. Mr. Chairman, I am going to vote for the bill because I believe we need an Energy Research Agency. But if the gentleman is willing to mention those things in the report and if the gentleman is willing to let all of these exotic sources of energy be in the report, why does he not say so in the bill?

That is all I am saying. I am saying that we square the language of the bill with the language of the report which the gentleman has read from.

Mr. HORTON. Mr. Chairman, we cannot put the entire report in the bill. What I am saying is that the bill does not need it. It has been brought out by the report exactly what we mean, and we are indicating that all the things which the gentleman is talking about will be covered.

The bill itself provides a much broader mandate to ERDA than what the gentleman's language is in his amendment.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. HORTON. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, the gentleman has pointed out the provision in paragraph (3) on page 33 of the bill. I would also like to point out the provisions in paragraph (2) on that same page, on page 33, which reads as follows: encouraging and conducting research and development to demonstrate the commercial feasibility and practical applications of energy sources and utilization technologies;

Mr. Chairman, the gentleman has pointed out that everything the gentleman from Arizona has covered in his amendment is covered in the language of paragraph (2) and paragraph (3) on page 33 of the bill.

I would like to put to rest just for 1 minute the assertion that this is a nuclear-oriented research and development organization. We have deliberately put on the same level fossil fuel and all these other things, as far as the organizational structure is concerned.

We cannot authorize in this bill and we cannot fully fund, we cannot partially fund, we cannot fund at all any of these exotic sources of energy. Some of them are exotic, such as the wind.

We have had windmills in this country ever since it started.

As far as tidal power is concerned, I have voted for every tidal power legislation that came before me, including the geosyncretically operating up in Maine. As far as fuel cells are concerned, we are financing fuel cell research and development in the Atomic Energy Commission.

As far as magnetohydrodynamics is concerned, where have they gotten their money for the past? They have gotten it out of the Atomic Energy Commission, and it came out of the committee that authorized it.

There are the things that have been supported in the past.

Where has the gentleman's committee been in all these years on all these exotic energy sources? Where has the gentleman been?

Why is it that our bill and an adequate amount of support as it should have had, the support that we are now asking to get in the report, we are giving to an organizational agency, the same as nuclear energy, and if the gentleman's Committee on Nuclear and Nuclear Applications will fund it and will authorize it, it will be there.

If the committee does not authorize it, who else can?

That is the statutory responsibility, and he has not fulfilled it, and his committee has not fulfilled it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona. (Mr. Udall.)

The amendment was rejected.

AMENDMENT OFFERED BY MR. UDALL.

Mr. UDALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Udall: Page 30, line 3 through 10, delete subsection (5) and insert in lieu thereof a new subsection (5) as follows:

(5) encouraging and conducting research and development in energy conservation, which shall be directed toward the goals of reducing total energy consumption to the maximum extent practicable, and toward maximum feasible improvement in the efficiency of energy use. Development of new and improved conservation measures shall be conducted with the goal of the most expeditious possible application of these measures.

Mr. UDALL. Mr. Chairman, the scenario is pretty well written here on this bill.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. UDALL. Yes; of course.

Mr. HOLIFIELD. As I understand it, the gentleman is just trying to use more words to do the same thing we do in section 8. I see nothing wrong in the purpose of this amendment, and, as far as I am concerned, I will accept the amendment.

Mr. UDALL. I thank the chairman for that statement.

Mr. HOSMER. Will the gentleman yield?

Mr. UDALL. I yield to the gentleman. Mr. HOSMER. I should add that if the amendment is going to be accepted, for the purposes of the Record I would like to state that all it does is add a lot of redundant adjectives to what the se-

tion already says and it should be interpreted as doing absolutely nothing further or different than that.

Mr. UDALL. This is an attempt to make the same and consistent—and I am grateful the chairman on the flexibility on this that was expressed by the gentleman from New York. (Mr. HOSMER.)

For the last few years conservation is going to get on. We have to have conservation of energy. I voted for the amendment for a general assistant administrator. I just say ought to have the "The" and amendment does it in a more specific way on energy conservation.

Mr. HOSMER. Will the gentleman yield?

Mr. UDALL. I yield to the gentleman. The amendment of the gentleman is something that we are now asking to get in the report, we are giving to an organizational agency, the same as nuclear energy, and if the gentleman's Committee on Nuclear and Nuclear Applications will fund it and will authorize it, it will be there.

If the committee does not authorize it, who else can?

That is the statutory responsibility, and he has not fulfilled it, and his committee has not fulfilled it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona.

The amendment was rejected.

AMENDMENT OFFERED BY MR. UDALL.

Mr. UDALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Udall: Page 30, line 24, after the word "The" and substitute in lieu thereof the word "and".

Page 30, line 24, after the word "and" insert the word "and" between "security" and the period, the following provision: "and another for estimating assessment".

Page 34, line 11, insert a new subsection (5) to read as follows:

(5) through the Assistant Administrator for Technology Assessment, analyzing and evaluating the immediate and long-range direct and indirect social, environmental and economic effects of existing and proposed research and development programs.

Mr. UDALL. Mr. Chairman, I have some doubts about whether we really need special assistant administrators for solar and geothermal energy on the same level as the administrators for nuclear and fossil fuels. I do think we need one other additional administrator, and that is an administrator for technology assessment.

With so many of these new developments in our scientific age we have found we did not look down the road far enough and did not assess the impact of a new invention on society and did not look far enough ahead to see what it was going to do with the local situation and how it would interact with other things.

For example, we simply went down the road with the automobile without looking into this new technology and assessing what it would do to our land, our cities and our lives.

So we are starting down a new, uncharted path here and are trying out all kinds of new energy sources. The amendment says that in addition to the other

assistant administrators we will have one assistant administrator for technology assessment, who will be charged with the mission of analyzing and evaluating the long-range direct and indirect impacts and the immediate impacts of the road we are following.

This amendment has very strong support in the scientific community. A number of Members have expressed interest in it. I am offering it on behalf of myself and those Members. I hope the committee will see fit to accept it.

Mr. ROSENBERG, Mr. Chairman, will the gentleman yield?

Mr. UDALL, I yield to the gentleman from California.

Mr. ROSENBERG, Mr. Chairman, may I say that I rather disagree with the statement of the gentleman claiming that this has wide support in the scientific community.

What the gentleman wants to do is to set up an assessment of research and development. But, research and development is in and of itself a hypothesis. It is a time of experimentation, of finding a way, and it always seems to me that a very, very wide range of hypotheses cannot be technically carried and advanced with any accuracy. It can only be evaluated in a very, very wide and uncertain manner. This kind of an office would simply be a redundancy, and an attempt to do the impossible at a time too early for the forwarding of the process that the gentleman from Arizona seeks to accomplish.

Mr. UDALL, The gentleman from California was with me in our committee yesterday when we heard Mr. David Freeman, who had been on the White House scientific staff, and he has been quite a student of these kinds of programs. And the one piece of advice he left with us was to take 1 or 2 percent of our energy research and development budget and have somebody in-house to conduct an ongoing technological assessment.

Mr. ROSENBERG, If the gentleman will yield further, that might be all right, but not inside this agency that is to be set up here. This is a function that is going to be done anyway or I should say, if at all, by the authorizing and appropriations process.

It has to be done on the outside of the Agency. If it is, done or tried to be done at all, to get a feel for whether in general, things are fitting into the Nation's overall need for energy.

Mr. UDALL, I disagree with the gentleman.

Mr. ROSENBERG, Mr. Chairman, if the gentleman will yield, the gentleman from Arizona is aware that Congress has already set up a congressional agency by the name of Technological Assessment Board, and we gave it \$2 million to do exactly what the gentleman from Arizona is talking about. I suggest that we let it do the work in this Technological Assessment Board, and make its recommendations to this Administrator.

Mr. UDALL, I have the honor of serving on the Board of the Office of Technology Assessment, and I hope that that Board will be looking into this. I think we also need this function handled in the Agency itself.

Mr. ROSENBERG, But when they get around to making some recommendations there is plenty of room in the bill for them to say, in making the recommendation to the Federal Administrator, "The CHAIRMAN, The position is on the standards established by the gentleman from Arizona (Mr. Udall)."

The amendment was rejected.

A motion to recommit was rejected.

Mr. ROSENBERG, Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROSENBERG:

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Mr. ROSENBERG, Mr. Chairman, I rise in opposition to the amendment. We have tried to show not only during this debate but in the report and in the congressional report on equal status of energy for each one of these divisions. The gentleman from California would like to put that program I think would be a good idea.

Amendment offered by Mr. ROSENBERG:

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