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

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# Table of Contents

<table>
<thead>
<tr>
<th>Introduction</th>
<th>Page Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>i</td>
</tr>
</tbody>
</table>

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

1. H.R. 5750 (Rep. Udall) ........................................ 1
2. S. 2858 (Senator Tunney) "The Outer Continental Shelf Safety Act of 1974" ......................... 1
3. H.R. 13716 (Reps. Waldie and Aspin) "The Nuclear Energy Reappraisal Act" .......................... 1
4. H.R. 15439 (Rep. Fish) -- Identical to H.R. 13716........ 2
5. H.R. 15987 (Rep. King) -- Identical to H.R. 13716........ 2
6. H.R. 16582 (Rep. Waldie and others) -- Identical to H.R. 13716.................................... 2
7. H.R. 15405 -- amendment no. 23 of the conference report "Appropriations for the Department of Transportation, FY1975" ............................................. 2

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

1. S. 3050 (Senator Humphrey) "The Balanced National Growth and Development Act of 1974" ............ 4
3. S. 3716 (Senator Abourezk) -- Identical to H.R. 15680. . 5
4. P.L. 93-344 (H.R. 7130) "The Congressional Budget Act" ......................................................... 5
5. S. 3221 (Senators Jackson and Metcalf) "The Energy Supply Act of 1974" ................................. 5

## III. Bills which amend the Technology Assessment Act

1. S. 3050 (see above) ............................................. 7
IV. Bills patterned upon OTA's enabling legislation

1. S. 2806 (Senator Gravel) "The Energy Revenue and Development Act of 1973" ...................... 8


Appendices ............................................................. A-1 through A-10
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

   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"
   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 offshore 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"
   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

No further action.

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

No further action.


"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"


"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.


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).

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   * / 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"

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.)


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 $7 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
and diplomatic problems arising from the adoption of
any alternative should be identified and clarified;
(c) the study of alternative methods of recovery
and delivery should thoroughly consider and examine
the environmental effects, economic costs, and national
security aspects of such recovery and delivery method;
and
(d) no decision generally affecting the siting of
transmission facilities on public land in Alaska for the
purposes of recovering petroleum from the North Slope
should be made by any Federal agency until the Con-
gress has had an opportunity to review plans for
recovering and delivering such petroleum reserves.
Sec. 2. (a) The Director of the Office of Technology
Assessment (hereafter in this Act referred to as the "Di-
rector") is authorized and directed 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. The Director shall
report his findings and conclusions, based on the study
authorized by this section, to the Congress, and shall file
a final report, based on such study, with the Congress
within the one-year period beginning on the date of en-
actment of this Act. In conducting the study authorized
by this section, giving equal consideration to the environ-
mental impact, economic cost, and national security aspects of all such alternative recovery and delivery methods, the 
Director shall—

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

(2) determine which of the methods of and routes for the recovery and delivery of such North Slope petroleum, of all alternatives available, including but not limited to rail, pipeline, ocean tanker, or any combination thereof, all factors considered, is the best recovery and delivery method and route for such North Slope petroleum.

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

(c) The Director is authorized to secure from any department, agency, or instrumentality of the Federal Government any information he deems necessary to carry out his functions under this Act. Upon request of the Director, the head of any Federal department, agency, or instru-
mentality is authorized (1) to furnish the Director such
information as may be necessary for carrying out his func-
tions to the extent it is available to or procurable by such
department, agency, or instrumentality and (2) to detail to
temporary duty with the Director, on a reimbursable basis,
such personnel, within his administrative jurisdiction as the
Director requests, each such detail to be without loss of
seniority, pay, or other employee status.

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

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

SEC. 5. Notwithstanding any other law, rule of law, or
any order or decision of any court, no order or rule of the
Secretary of the Interior, or of any other Federal agency or
officer of the United States, granting a right-of-way, use,
rent, or use of any Federal land for the development and
I. ever occurs earlier, the Secretary shall not call for nominations or take any other steps to begin leasing of any area in the Outer Continental Shelf unless all areas contained on the Secretary’s leasing schedule which have a lesser hazard to the environment or commercial or recreational uses have already been leased, or the leasing process for such areas has already begun.

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

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

"Policy

"SAFETY REGULATIONS FOR OIL AND GAS OPERATIONS

"Sec. 10. (a) It is the policy of this section to insure, through improved techniques, maximum precautions, and constant use of the best available technology by well-trained personnel, the safest possible operations in the Outer Continental Shelf. Safe operations are those which minimize the likelihood of blowouts, loss of well control, fires, spillages, or other occurrences which may cause damage to the en-
environment, or to property, or endanger human life or health.

Without limitation to these items, safe operations require the following:

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

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

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

"(4) safety equipment, designed to prevent or ameliorate blowouts, loss of well control, or spillages, should be made as reliable as possible, including the use of fail-safe and redundancy devices, and should be regularly tested for reliability;

"(5) blowout prevention equipment should contain features, including remote controls, which make such
equipment usable and effective after well control has been lost;

"(6) techniques and technology should be developed and implemented to provide complete monitoring of drilling operations, including downhole conditions, with remote recording of such data in a survivable unit;

"(7) mandatory, minimum training standards should be developed and enforced for all personnel in supervisory and control duties involving hazardous drilling and production operations;

"(8) increasingly automated equipment, and equipment designed to minimize the risk of human error, should be developed and deployed;

"(9) development of subsea production technology should be accelerated for safety and environmental reasons;

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

"(11) in cooperation with the Office of Pipeline Safety, improved safety standards for pipelines should be developed and made applicable to all pipelines in the
Outer Continental Shelf, with the goal of having reliable pipeline lifetimes equal to the projected production lifetimes of oil or gas fields, and having pipelines with remote monitoring features to detect leakages;

"(12) techniques, equipment, and personnel training for regaining control of blowouts, spillages, and fires, and removing pollutants, should be improved; and

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

"Regulations; Study

"(b) (1) (A) The Secretary shall develop, from time to time revise, and promulgate safety regulations for operations in the Outer Continental Shelf, to implement as fully as possible the policy of subsection (a) of this section. Within one year after the enactment of this section, the Secretary shall complete a review of existing safety regulations, consider the results and recommendations of the study authorized in paragraph (3) of this subsection, and promulgate a complete set of safety regulations (which may include Outer Continental Shelf orders) applicable to operations 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
Columbia, in proceedings pursuant to chapter 7 of title 5.
All court proceedings concerning such safety regulations shall be expedited.

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

"(D) (i) All field rules must be published in the Federal Register not less than thirty days before the effective date thereof. Any modification of a field rule pursuant to a petition for review shall be published in the Federal Register not later than the effective date thereof.

(ii) Any person who objects to a field rule may petition the Secretary for review of such field rule not later than thirty days after the effective date thereof.

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

(2) Upon the enactment of this section, the Office of Technology Assessment of the Congress shall conduct a study of the adequacy of existing safety regulations and technol-
ogy, equipment, and techniques for operations in the Outer
Continental Shelf, including but not limited to the subjects
listed in subsection (a) of this section. Not later than nine
months after the enactment of this section, the results of the
study and recommendations for improved safety regulations
shall be submitted to the Congress and to the Secretary.

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

ENFORCEMENT OF SAFETY REGULATIONS; PENALTIES

Enforcement of Safety Regulations; Inspections

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

(2) The Administrator shall promulgate regulations
within sixty days of the enactment of this section to provide
for—
by section 3d. of the Atomic Energy Act of 1954; and the
Atomic Energy Commission is hereby directed under the
authority of section 187 of that Act to enforce an immediate
moratorium on the granting of construction licenses and
export of all civilian nuclear fission powerplants.

(b) This termination shall continue until the Congress,
after having adequate time to study the results of the investi-
gation described in section 3, shall provide by law—

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

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

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

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

(b) The Office of Technology Assessment shall conduct
this study independently. The Office may, however, call
upon the National Academy of Sciences to conduct certain
aspects of the study. The Office shall also call upon scientists, engineers, and consumer and environmental representatives in conducting the study. The Office shall have the power to enter into contracts with individuals or corporations for the purposes of conducting the study, but shall not enter into contracts with any industry which provides materials for nuclear fission powerplants or which otherwise in the judgment of the Office might have an interest in perpetuating the nuclear industry.

(c) All Government agencies shall cooperate to the fullest extent with the Office and shall provide access to their personnel and data. At the request of the Office, any Government agency shall furnish any information which the Office deems appropriate for the purpose of conducting the study under this section. The Office is further empowered to compel the delivery of any information in the possession of the National Laboratories which the Office deems necessary for conducting the study.

(d) Within five years after the enactment of this Act, the Office of Technology Assessment shall submit a final report to the Congress concerning the safety and environmental hazards of nuclear fission powerplants and the nuclear fuel cycle. It is the intent of Congress that all nonproprietary information compiled in preparation of this report be open for public review. The Office will provide a yearly report
to the Congress and the public on the progress of the study,
and provide the opportunity for a yearly public hearing con-
cerning the progress of the study.
(e) The final report shall include recommendations as
to whether a resumption of the licensing of nuclear fission
powerplants should be allowed, and, if so, the conditions
under which licenses should be granted. Such recommenda-
tions shall employ a cost-benefit analysis discussing—
(1) the safety and environmental hazards associated
with the entire nuclear fuel cycle compared with any
benefits;
(2) the economic effect of a commitment to nuclear
fission powerplants, particularly in relation to long-term
cost and availability of raw materials, and the costs of all
necessary safeguards; and
(3) the central question of proliferation of nuclear
fission powerplants in relation to the possible alternatives.
SEC. 4. The comprehensive study to be undertaken by
the Office of Technology Assessment under section 3 shall
include (in addition to those topics cited in section 3)—
(1) the safety of existing nuclear fission power-
plants, including a discussion of the adequacy of de-
sign features and criteria;
(2) the safety and environmental hazards posed
by the mining, milling, transportation, reprocessing, and waste management of nuclear materials;

(3) the safety of routine emissions from nuclear fission powerplants and nuclear fuel reprocessing facilities with projections of future health effects if proliferation of these plants were allowed to occur;

(4) the indefinite storage of high level radioactive waste and potential dangers of such storage;

(5) the transportation of nuclear materials from civilian nuclear fission powerplants and the safety hazards inherent in such transportation, and the possibilities for diversion or sabotage present in such transportation;

(6) the possibilities for diversion of nuclear materials and sabotage throughout the entire nuclear fuel cycle; and

(7) an evaluative assessment of the prospects and problems, and the ultimate net energy yield, in the production of electric power through the use of nuclear energy, compared with alternative sources.

Sec. 5. There is authorized to be appropriated for the study under section 3 the sum of $100,000,000 for each of the first five fiscal years beginning after the date of the enactment 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 $8,000,000 for Alaska Highway as proposed by the Senate.

Amendment No. 20: Appropriates $4.578,840,000 for Federal-aid highways (liquidation of contract authorizations) instead of $4,573,840,000 as proposed by the House and $4,577,840,000 as proposed by the Senate.

Amendment No. 21 and 22: Appropriates $1,800,000 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 $73,466,000 for traffic and highway safety instead of $73,260,000 as proposed by the House and $80,060,000 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 $28,130,000 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 $32,870,000 as proposed by the Senate.

Amendment No. 25: Provides that $24,800,000 of the appropriation for traffic and highway safety shall remain available until expended instead of $33,705,000 as proposed by the House and $36,800,000 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 $148,000,000 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-
COORDINATION WITH THE OFFICE OF TECHNOLOGY

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

(1) activities, studies, policies, grants, and contracts formulated or initiated by the Office of Technology Assessment which are for the purpose of assessing the impact of technology on the future growth and development of the United States and on the future quality of life of its citizens; and

(2) the promotion of coordination in areas affecting the formulation of a balanced national growth and development policy for the United States and the avoidance of unnecessary duplication or overlapping of research activities in the development of such a policy or program or activities designed to implement such a policy.

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

“(2) the Director of the Congressional Office of Policy and Planning; (3) the Board; or (4) the Director, in consultation with the Board.”
71

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 applying
4 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.

TITLE X—FOUNDATION ON THE AMERICAN
FUTURE

ESTABLISHMENT OF FOUNDATION

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

(b) The Foundation shall be subject to the supervision
and direction of a Board of Trustees. The Board shall be com-
posed of nineteen members, nine of whom shall be appointed
by the President by and with the advice and consent of the
Senate, two of whom shall be appointed by the President pro
tempore of the Senate, two of whom shall be appointed by
the Speaker of the House. The nine members appointed by
the President shall be appointed from among individuals who
are engaged in educational, research, or other scholarly or
scientific activity relating to developments (economic, en-
vironmental, demographic, or social) affecting the quality
of life in the United States, and the two members appointed
by the President pro tempore of the Senate and the two
members appointed by the Speaker of the House shall be
appointed from among individuals from the general public
and who by virtue of their residence, interest, or vacation,
are specially qualified to serve on the Board. In making
these appointments, the President, the President pro tempore
of the Senate, and the Speaker of the House are requested
to give due consideration to the appointment of individuals
who, collectively, will provide appropriate regional, interest,
organization, age, sex, and political balance on the Board.

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

(d) Members of the Board who are not regular full-time
employees of the United States shall, while serving on busi-
ness of the Foundation, be entitled to receive compensation at rates fixed by the President, but not exceeding the rate prescribed for GS-18 of the General Schedule under title 5 of the United States Code, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(e) The Director of the Office, the Director of the Congressional Office, the Director of the Office of Technology Assessment, the Director of the National Science Foundation, the Chairman of the National Citizens Council and the Chairman of the Advisory Commission in Intergovernmental Relations shall serve as regular members of the Board, but none of whom shall be permitted to serve as Chairman or Vice Chairman of the Board.

(f) The Vice President shall call the first meeting of the Board, at which the first order of business shall be the election of a Chairman and a Vice Chairman, who shall serve one year after the date of their appointment. Thereafter each Chairman and Vice Chairman shall be elected for a term of two years. The Vice Chairman shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the chairmanship or vice chairmanship, the Board shall elect
an individual from among the members of the Board to fill such vacancy.

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

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

OFFICERS

Sec. 1002. There shall be a Director and a Deputy Director of the Foundation who shall be appointed by the Board. Under the direction of the Board, the Director shall be responsible for carrying out the functions of the Foundation, and shall have authority and control over all personnel and activities thereof. The Deputy Director shall perform such functions as the Director, with the approval of the Foundation, may prescribe, and be Acting Director during the absence or disability of the Director or in the event of a vacancy in the Office of the Director. The Director and the Deputy Director shall each serve for a term of six years unless previously removed by the Board. The Director shall be compensated at a rate equal to the rate prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code. The Deputy Director shall be compensated at a rate equal to the rate prescribed for level V of the Executive Schedule.

PURPOSE OF FOUNDATION

Sec. 1003. (a) The purpose of the Foundation shall be to conduct projects, studies, investigations, and forecasts to
retrieval, interactive television, and cathode ray devices; and

(7) the term "telecommunication management centers" refers to the national centers which are associated with the United States in an international communications network to facilitate the transfer of technology and culture between nations.

TITLE II—FEDERAL COORDINATION PLANNING AND REGULATION

IMPLEMENTATION OF POLICY

Sec. 201. (a) In order to achieve the objectives and carry out the purposes of this Act, there is hereby established an institute to be known as the International Science and Technology Transfer Institute (hereinafter in this Act referred to as the "Institute").

(b) The Institute shall operate as a semiautonomous United States activity, utilizing an Advisory Council as described in section 202 for policy and technical guidance.

ADVISORY COUNCIL

Sec. 202. (a) The Council shall be composed of—

(1) the Director of the National Science Foundation (or his delegate),

(2) the Deputy Director for International Pro-
ation (or, as alternate, the Director of the Office of Technology Utilization in such Administration),

(3) the Assistant Secretary of State for Scientific Affairs (or, as alternate, the Director of Science and Technology in the Agency for International Development),

(4) the Director of the Office of Telecommunications in the Department of Health, Education, and Welfare (or his delegate),

(5) the Deputy Director of the Office of Technology Assessment (or his delegate),

(6) the Director of the National Bureau of Standards (or his delegate),

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

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

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

(10) the Secretary of the Smithsonian Institution,

(11) the Director of the Office of Telecommunications Policy (or his delegate),

(12) the Chairman of the Atomic Energy Commission (or his delegate),

(13) the Administrator of the Environmental Protection Agency (or his delegate), and

(14) the Director of Defense Research and En-
engineering in the Department of Defense (or his delegate),
and such additional members as the Council determines by
majority vote, but not to exceed a total of twenty-one.
(b) Members of the Council need not be full-time
officers or employees of the United States. Members of the
Council shall be reimbursed for expenses incurred in their
service on the Council, but shall receive no pay (or addi-
tional pay) on account of such service.
(c) Eleven members of the Council shall constitute
a quorum, but a lesser number may hold hearings.
(d) The Chairman of the Council shall be the Director
of the National Science Foundation or his delegate.
(e) The Council shall meet regularly, or more fre-
quently at the call of the Chairman or a majority of its
members.
(f) The Council may invite the participation as advisors
of the International Bank for Reconstruction and Develop-
ment, the Ford Foundation, the Rockefeller Foundation, or
any other entity or individual involved in international eco-
monic or technical development concerning any matter
within the scope of the Institute's work.

DIRECTOR

SEC. 203. (a) The Institute shall have a director who
shall be appointed by the Chairman of the Council, and
(b) To provide to the Director of the Office for any information, data, or other materials which the Director may request in order to carry out the functions of the Director. The Director shall provide any information, data, or other materials which the Director may request in order to carry out the functions of the Director in a timely manner.

(2) The Director shall provide any information, data, or other materials which the Director may request in order to carry out the functions of the Director in a timely manner.

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S. 3221

OIL SPILL LIABILITY STUDY

Sec. 303. (a) The Attorney General, in consultation
with the Administrative Conference of the United States and
the Office of Technology Assessment, is authorized and di-
rected to study methods and procedures for implementing
a uniform law providing absolute liability for damage from
oil spills from Outer Continental Shelf operations, tankers,
depository ports, and other sources. The study shall give par-
ticular attention to methods of adjudicating and arbitrating claims
as rapidly, economically, and equitably as possible.

(b) The Attorney General shall report the results of his
study to the Congress within one year after the date of enactment
of this Act.

INTERESTED

Sec. 304. If any provision of this Act, or the application
of any such provision to any person or circumstance, shall be
held invalid, the remainder of this Act, or the application of
such provision to persons or circumstances other than those as
to which it is held invalid, shall not be affected thereby.
the President, for a period of thirty-six calendar months following the effective date of this section, may transfer to the Administration any functions (including powers, duties, activities, facilities, and parts of functions) of any other department or agency of the United States, or of any officer or organizational entity thereof, which relate primarily to the functions, powers, and duties of the Administration as prescribed by this Act. In connection with any such transfer, the President may, under this section or other applicable authority, provide for appropriate transfers of records, property, personnel, and funds.

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

TITLE IV—COMMISSION ON ENERGY TECHNOLOGY ASSESSMENT

ESTABLISHMENT OF COMMISSION

SEC. 401. (a) There is hereby established the Commission on Energy Technology Assessment (hereinafter re-
ferred to in this section as the "Commission"), which shall be independent of the executive departments.

(b) The Commission shall consist of an Energy Technology Assessment Board (hereinafter referred to in this section as the "Board") which shall formulate and promulgate the policies of the Commission, and a Commissioner who shall carry out such policies and administer the operations of the Commission. The Commissioner shall be appointed by the President of the United States, with the advice and consent of the Senate.

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

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

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

(3) seven members appointed by the President of the United States, with the advice and consent of the Senate, who shall be persons eminent in the field of economics; and
(4) the Commissioner, who shall not be a voting
member.

d) Members of the Board, including the Commissioner, shall receive basic pay at the rate provided for
level II of the Executive Schedule under section 5314 of
title 5, United States Code.

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

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

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

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

(B) to provide early indications of the probable
beneficial and adverse impacts of the applications of
technology related to energy;
(C) to analyze the quality of research, development, and demonstration contracted for by the Administration in carrying out the purposes of this Act, and the Commission is authorized to enter into contracts with individuals, private agencies and entities, educational institutions, and other nongovernmental sources in making such analysis;

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

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

(F) to construct and maintain economic models of the energy needs of the United States economy and the alternative means and costs of satisfying such needs currently and during the subsequent five years.

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

(A) identify existing or probable impacts of technology or technological programs relating to energy;

(B) where possible, ascertain cause-and-effect relationships;

(C) identify alternative technological methods of implementing specific programs relating to energy;
(D) identify alternative programs for achieving requisite goals;

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

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

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

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

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

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

(K) undertake such additional associated activities as the Commission may determine necessary, or that the Administration may request.
(h) The Board is authorized to sit and act at such places and times as it may determine, and upon a vote of a majority of its members, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths and affirmations, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable. The Board may make such rules respecting its organization and procedures as it deems necessary, except that no recommendation shall be reported from the Board unless a majority of the Board assent. Subpoenas may be issued over the signature of the Chairman of the Board or of any voting member designated by him or by the Board, and may be served by such person or persons as may be designated by such Chairman or member. The Chairman of the Board or any voting member thereof may administer oaths or affirmations to witnesses.

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

(j) The Commissioner may appoint, with the approval of the Board, a Deputy Commissioner who shall perform such functions as the Commissioner may prescribe and who shall be Acting Commissioner during the absence or incapacity of the Commissioner or in the event of a vacancy in
the office of Commissioner. The Deputy Commissioner shall receive basic pay at the rate provided for level IV of the Executive Schedule under section 5315 of title 5.

(k) The Commission shall have the authority, within the limits of available appropriations, to do all things necessary to carry out the provisions of this section, including, but without being limited to, the authority to—

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

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

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

(4) accept and utilize the services of voluntary and uncompensated personnel necessary for the conduct of the work of the Commission and provide transportation
and subsistence as authorized by section 5703 of title
5 for persons serving without compensation;
(5) acquire by purchase, lease, loan, or gift, and
hold and dispose of by sale, lease, or loan, real and per-
sonal property of all kinds necessary for or resulting from
the exercise of authority granted by this section; and
(6) prescribe such rules and regulations as it deems
necessary governing the operation and organization of
the Commission.
(1) Contractors and other parties entering into con-
tracts and other arrangements under this section which
involve costs to the Government shall maintain such books
and related records as will facilitate an effective audit in such
detail and in such manner as shall be prescribed by the
Office, and such books and records (and related documents
and papers) shall be available to the Office and the Compt-
troller General of the United States, or any of their duly
authorized representatives, for the purpose of audit and
examination.
(11) The Commission, in carrying out the provisions of
this chapter, shall not, itself, operate any laboratories, pilot
plants, or test facilities.
(n) The Commission is authorized to secure directly
from any executive department or agency information, sug-
S. 2806—6
1. gcstions, 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
the Commission to carry out its functions each fiscal year
thereafter, there is authorized to be appropriated out of
moneys in the trust fund established pursuant to title II of
this Act an amount equal to 1 per centum of moneys re-
ceived by such fund during the preceding fiscal year.

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

Sec. 301. Section 203 of the Economic Stabilization Act
is amended by adding at the end thereof the following new
subsections:

"(k) Upon the expiration of one year following the date
of enactment of this subsection, or on the date provided in
section 218, whichever is earlier, the authority conferred by
this section to stabilize the prices of petroleum products,
crude oil, natural gas, and coal shall terminate, but such
termination of authority shall not affect any action or pend-
ing proceedings, civil or criminal, not finally determined on
the date of such termination of authority, nor any action or
proceeding based upon any act committed prior to such date.
Immediately upon the enactment of this subsection, the Pres-
ident or his delegate shall begin to make such periodic ad-
justments in ceiling prices of commodities referred to in the
preceding sentence as may be appropriate to insure that such
termination of authority may be accomplished in a manner
December 19, 1978

CONGRESSIONAL RECORD—H/R

[Page 11145]

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