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THE WHITE HOUSE
WASHINGTON

October 7, 1975

Don Rumsfeld -

The attached was returned
in the President's outbox.

Jim Connor

DR returned 10/8

THE WHITE HOUSE
WASHINGTON

Don R

thanks,

Calendar No. 360

94TH CONGRESS
1ST SESSION

S. 2330

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 10, 1975

MR. PEARSON (by request) introduced the following bill; which was read twice and ordered to be placed on the calendar

A BILL

To provide temporary authority for the President, the Federal Power Commission, and the Federal Energy Administration to institute emergency measures to minimize the adverse effects of natural gas shortages, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled;*

3 That this Act may be cited as the "Natural Gas Emergency
4 Standby Act of 1975".

5 TITLE I

6 SEC. 101. (a) The Congress hereby finds that—

7 (1) inadequate domestic production of natural gas
8 has resulted in serious natural gas shortages which
9 threaten severe economic dislocations and hardships, in-

1 cluding loss of jobs, closing of factories and businesses,
2 reduction of agricultural production, and curtailment of
3 vital public services;

4 (2) such shortages constitute a threat to the public
5 health, safety, and welfare and to national defense;

6 (3) such shortages have created an unreasonable
7 burden on certain areas of the country and on certain
8 sectors of the economy;

9 (4) such shortages affect interstate and foreign
10 commerce by jeopardizing the normal flow of commerce;

11 (5) while deregulation of wellhead prices of new
12 natural gas is urgently needed to minimize such shortages
13 in the future, serious shortages during the next two
14 winters cannot be averted; and

15 (6) the adverse effects of such shortages can be
16 minimized most efficiently and effectively by providing
17 emergency authority to permit prompt further action
18 by the Federal Government to supplement existing Fed-
19 eral, State, and local government efforts to deal with
20 such shortages.

21 (b) The purpose of this Act is to authorize the Presi-
22 dent or his delegate, the Federal Power Commission, and the
23 Federal Energy Administration to deal with existing and
24 imminent shortages and dislocations of natural gas in the
25 national distribution system which jeopardize the public

1 health, safety, and welfare; and to provide protection of
2 natural gas service to customers who use natural gas for high
3 priority end uses during periods of curtailed deliveries by
4 natural gas companies. The authority granted under this Act
5 shall be exercised for the purpose of minimizing the adverse
6 impacts of shortages or dislocations on the American people
7 and the domestic economy.

8 SEC. 102. This Act shall expire at midnight June 30,
9 1977.

10 TITLE II

11 SEC. 201. This title may be cited as the "Interstate
12 Pipeline Emergency Natural Gas Purchases Act of 1975".

13 SEC. 202. The purpose of this title is to grant the Fed-
14 eral Power Commission authority to allow interstate pipe-
15 line companies with insufficient natural gas for their high
16 priority consumers of natural gas to acquire natural gas
17 from intrastate sources and other interstate pipeline com-
18 panies on an emergency basis free from the provisions of the
19 Natural Gas Act.

20 SEC. 203. Section 2 of the Natural Gas Act (15 U.S.C.
21 717a) is amended by inserting immediately after subsection
22 (9) thereof the following new subsections:

23 "(10) 'Gas distributing company' means a person
24 involved in the distribution or transportation of natural
25 gas for ultimate public consumption for domestic, com-

1 commercial, industrial, or any other use but does not include
2 a natural gas company as defined in subsection (6) of
3 this section.

4 “(11) ‘High priority consumer of natural gas’
5 means a person so defined by the Commission by rules
6 and regulations.”.

7 SEC. 204. Section 7(c) of the Natural Gas Act (15
8 U.S.C. 717f(c)) is amended by designating the two unnum-
9 bered paragraphs thereof as paragraphs (1) and (2) and by
10 adding at the end of paragraph (2) as designated hereby
11 the following: “*Provided further*, That within fifteen days
12 after the enactment of this amendment, the Commission may
13 by regulation exempt from the provisions of this Act the
14 transportation, sale, transfer or exchange of natural gas from
15 any source, other than any land or subsurface area within
16 the Outer Continental Shelf as defined in section 2(a) of
17 the Outer Continental Shelf Lands Act (43 U.S.C. 1331
18 (a)), by a producer, an interstate pipeline company, an
19 intrastate pipeline company or gas distributing company, to
20 or with an interstate pipeline company which does not have
21 a sufficient supply of natural gas to fulfill the requirements
22 of its high priority consumers of natural gas, and which is
23 curtailing deliveries pursuant to a curtailment plan on file
24 with the Commission. No exemption granted under this

1 proviso shall exceed one hundred and eighty days in dura-
2 tion.”.

3 TITLE III

4 SEC. 301. This title may be cited as the “Curtailed Con-
5 sumers Emergency Natural Gas Purchasers Act of 1975”.

6 SEC. 302. The purpose of this title is to allow curtailed
7 high priority consumers of natural gas to purchase natural
8 gas from the intrastate market by enabling them to arrange
9 for the transportation of such gas by regulated interstate pipe-
10 line companies.

11 SEC. 303. Section 2 of the Natural Gas Act (15 U.S.C.
12 717a), as amended by section 203 of this Act, is amended
13 further by inserting immediately after subsection (11)
14 thereof, the following new subsection:

15 “(12) ‘Independent producer’ means a person, as
16 determined by the Commission, who is engaged in the
17 production of natural gas and who is not (i) an interstate
18 pipeline company or (ii) affiliated with an interstate
19 pipeline company.”.

20 SEC. 304. (a) Section 1 of the Natural Gas Act (15
21 U.S.C. 717) is amended by adding at the end thereof the
22 following new subsection:

23 “(d) The provisions of this Act shall not apply to the
24 use of the facilities of a gas distributing company for the

1 transportation of natural gas produced by an independent
 2 producer from lands, other than any land or subsurface area
 3 within the Outer Continental Shelf as defined in section
 4 2 (a) of the Outer Continental Shelf Lands Act (43 U.S.C.
 5 1331 (a)), and sold by such a producer directly to a high
 6 priority consumer of natural gas: *Provided*, That the rates
 7 applicable to the use of such facilities for the transportation
 8 of natural gas described in this subsection are subject to regu-
 9 lation by a State commission. The transportation of natural
 10 gas exempted from the provisions of this Act by this sub-
 11 section is hereby declared to be a matter primarily of local
 12 concern and subject to regulation by the several States. A
 13 certification from such State commission to the Federal
 14 Power Commission that such State commission has regu-
 15 latory jurisdiction over rates and service of such person and
 16 facilities and is exercising such jurisdiction shall constitute
 17 conclusive evidence of such regulatory power or jurisdiction.”.

18 (b) Subsection (c) of section 7 of the Natural Gas
 19 Act (15 U.S.C. 717f (c)), as amended by section 204 of
 20 this Act, is amended further by inserting therein the follow-
 21 ing new paragraph:

22 “(3) Pursuant to the substantive and procedural pro-
 23 visions of this section the Commission may in its discretion
 24 issue a certificate of public convenience and necessity upon
 25 filing of an application by a natural gas company to transport

1 natural gas produced by independent producers from lands,
 2 other than any land or subsurface area within the Outer
 3 Continental Shelf as defined in section 2 (a) of the Outer
 4 Continental Shelf Lands Act (43 U.S.C. 1331 (a)), and
 5 sold by such producers directly to existing high priority
 6 consumers of natural gas whose current supply of natural
 7 gas is curtailed due to natural gas company curtailment plans
 8 on file with the Commission: *Provided, however*, That in
 9 issuing a certificate pursuant to this paragraph, the Com-
 10 mission need not review or approve the price paid by a
 11 high priority consumer of natural gas directly to an inde-
 12 pendent producer.”.

13 TITLE IV

14 SEC. 401. This title may be cited as the “Emergency
 15 Energy Supply and Environmental Coordination Act Amend-
 16 ments of 1975”.

17 SEC. 402. The purpose of this title is to continue the con-
 18 servation of natural gas and petroleum products by fostering
 19 the use of coal by powerplants and major fuel burning in-
 20 stallations, and if coal cannot be utilized, to provide authority
 21 to prohibit the use of natural gas when petroleum products
 22 can be substituted.

23 SEC. 403. Section 2 of the Energy Supply and Environ-
 24 mental Coordination Act of 1974 is amended by:

1 (a) redesignating subsections (e) and (f) as sub-
2 sections (f) and (g), respectively;

3 (b) amending redesignated subsection (g) (1) to
4 read as follows:

5 “(g) (1) Authority to issue orders or rules under sub-
6 sections (a), (b), (d), and (e) of this section shall expire
7 at midnight, June 30, 1977. Authority to issue orders under
8 subsection (c) shall expire at midnight, June 30, 1975. Any
9 rule or order issued under subsections (a) through (e) may
10 take effect at any time before January 1, 1979.”

11 (c) inserting after subsection (d) the following new
12 subsection (e):

13 “(e) (1) The Federal Energy Administrator may, by
14 order, prohibit any powerplant or major fuel burning in-
15 stallation from burning natural gas if—

16 “(A) the Administrator determines that—

17 “(i) such powerplant or installation had on
18 June 30, 1975 (or at any time thereafter) the ca-
19 pability and necessary plant equipment to burn
20 petroleum products,

21 “(ii) an order under subsection (a) may not
22 be issued with respect to such powerplant or in-
23 stallation,

24 “(iii) the burning of petroleum products by

1 such powerplant or installation in lieu of natural gas
2 is practicable,

3 “(iv) petroleum products will be available dur-
4 ing the period the order is in effect,

5 “(v) with respect to powerplants, the prohibi-
6 tion under this subsection will not impair the relia-
7 bility of service in the area served by the plant, and

8 “(B) the Administrator of the Environmental Pro-
9 tection Agency has certified that such powerplant or
10 installation will be able to burn the petroleum products
11 which the Federal Energy Administrator has determined
12 under subparagraph (A) (iv) will be available to it and
13 will be able to comply with the Clean Air Act (includ-
14 ing applicable implementation plans).

15 “(2) An order under this subsection shall not take
16 effect until the earliest date the Administrator of the En-
17 vironmental Protection Agency has certified that the power-
18 plant or installation can burn petroleum products and can
19 comply with the Clean Air Act (including applicable im-
20 plementation plans).

21 “(3) The Federal Energy Administrator may specify
22 in any order issued under this subsection the periods of
23 time during which the order will be in effect and the quantity
24 (or rate of use) of natural gas that may be burned by a

1 powerplant or major fuel burning installation during such
2 periods, including the burning of natural gas by a power-
3 plant to meet peaking load requirements.”.

4 SEC. 404. Section 11 (g) (2) of the Energy Supply
5 and Environmental Coordination Act of 1974 is amended
6 by striking out “June 30, 1975” wherever it appears and
7 inserting in lieu thereof “June 30, 1977”.

8 TITLE V

9 SEC. 501. This title may be cited as the “Propane
10 Standby Allocation Act of 1975”.

11 SEC. 502. The purpose of this title is to provide standby
12 authority for the President to allocate propane during periods
13 of actual or threatened severe shortages of natural gas.

14 SEC. 503. For purposes of this title, the following terms
15 shall have the following meanings:

16 (a) “Propane” means propane derived from natural gas
17 streams or crude oil, and mixtures containing propane.

18 (b) “United States” means the States, the District of
19 Columbia, Puerto Rico, and the territories and possessions
20 of the United States.

21 SEC. 504. Upon finding that shortages of natural gas
22 exist or are imminent and upon finding that such shortages
23 or potential shortages constitute a threat to the public
24 health, safety or welfare, the President is authorized to

1 issue orders and regulations as he deems appropriate to
2 provide, consistent with section 507 of this title, for the
3 establishment of priorities of use and for systematic alloca-
4 tion and pricing of propane in order to meet the essential
5 needs of various sections of the United States and to lessen
6 anticompetitive effects resulting from shortages of natural
7 gas.

8 SEC. 505. (a) Whoever willfully violates any order
9 or regulation under this title shall be fined not more than
10 \$5,000 for each violation.

11 (b) Whoever violates any order or regulation under
12 this title shall be subject to a civil penalty of not more than
13 \$2,500 for each violation.

14 (c) Any person or agency to whom the President has
15 delegated his authority pursuant to section 513 of this title
16 may issue such orders and notices as are deemed necessary
17 to insure compliance with any order or regulation issued
18 pursuant to section 504 of this title, or to remedy the effects
19 of violations of any such orders or regulations.

20 SEC. 506. There shall be available as a defense to any
21 action brought under the antitrust laws, or for breach of con-
22 tract in any Federal or State court arising out of delay or
23 failure to provide, sell, or offer for sale or exchange any
24 product covered by this title that such delay or failure was

1 caused solely by compliance with the provisions of this title
2 or with any regulations or any orders issued pursuant to this
3 title.

4 SEC. 507. (a) Subject to subsections (b), (c), and (d)
5 of this section, which shall apply to any rule or regulation,
6 or any order having the applicability and effect of a rule as
7 defined in section 551 (4) of title 5, United States Code, and
8 issued pursuant to this title the functions exercised under this
9 title are excluded from the operation of subchapter II of chap-
10 ter 5, and chapter 7 of title 5, United States Code, except as
11 to the requirements of sections 552, 553, and 555 (e) of
12 title 5, United States Code.

13 (b) Notice of any proposed rule, regulation, or order
14 described in subsection (a) shall be given by publication of
15 such proposed rule, regulation, or order in the Federal Reg-
16 ister. In each case, a minimum of ten days following such
17 publication shall be provided for opportunity to comment;
18 except that the requirements of this paragraph as to time of
19 notice and opportunity to comment may be waived where
20 strict compliance is found to cause serious harm or injury to
21 the public health, safety, or welfare, and such finding is set
22 out in detail in such rule, regulation, or order.

23 (c) In addition to the requirements of subsection (b),
24 if any rule, regulation, or order described in subsection
25 (a) is likely to have a substantial impact on the Nation's

1 economy or large numbers of individuals or businesses, an
2 opportunity for oral presentation of views, data, and argu-
3 ments shall be afforded. To the maximum extent practicable,
4 such opportunity shall be afforded prior to the issuance of
5 such rule, regulation, or order, but in all cases such oppor-
6 tunity shall be afforded no later than forty-five days after
7 the issuance of any such rule, regulation, or order. A tran-
8 script shall be kept of any oral presentation.

9 (d) The President or any officer or agency authorized
10 to issue the rules, regulations, or orders described in subsec-
11 tion (a) shall provide for the making of such adjustments,
12 consistent with the other purposes of this title, as may be
13 necessary to prevent special hardship, inequity, or unfair dis-
14 tribution of burdens and shall, by rule, establish procedures
15 which are available to any person for the purpose of seek-
16 ing an interpretation, modification, rescission of, exception
17 to, or exemption from such rules, regulations, and orders. If
18 such person is aggrieved or adversely affected by the denial
19 of a request for such action under the preceding sentence, he
20 may request a review of such denial by the President or
21 the officer or agency to whom he has delegated his authority
22 pursuant to section 513 of this title and may obtain judicial
23 review in accordance with section 508 of this title when
24 such denial becomes final. The President or the officer or
25 agency shall, by rule, establish appropriate procedures, in-

1 cluding a hearing where deemed advisable, for considering
2 such requests for action under this paragraph.

3 SEC. 508. (a) The district courts of the United States
4 shall have exclusive original jurisdiction of cases or contro-
5 versies arising under this title or under regulations or orders
6 issued thereunder, notwithstanding the amount in contro-
7 versy; except that nothing in this subsection or in subsection
8 (h) of this section affects the power of any court of com-
9 petent jurisdiction to consider, hear, and determine any
10 issue by way of defense (other than a defense based on the
11 constitutionality of this title or the validity of action taken
12 by any agency under this title) raised in any proceeding be-
13 fore such court. If in any such proceeding an issue by way
14 of defense is raised based on the constitutionality of this title
15 or the validity of actions under this title, the case shall be
16 subject to removal by either party to a district court of the
17 United States in accordance with the applicable provisions
18 of chapter 89 of title 28, United States Code.

19 (b) Except as otherwise provided in this section,
20 exclusive appellate jurisdiction is vested in the temporary
21 emergency court of appeals, a court which is currently in
22 existence, but which is independently authorized by this
23 section. The court, a court of the United States, shall con-
24 sist of three or more judges to be designated by the Chief
25 Justice of the United States from judges of the United

1 States district courts and circuit courts of appeals. The
2 Chief Justice of the United States shall designate one of
3 such judges as chief of the temporary emergency court of
4 appeals, and may, from time to time, designate additional
5 judges for such court and revoke previous designations. The
6 chief judge may, from time to time, divide the court into
7 divisions of three or more members, and any such division
8 may render judgment as the judgment of the court. Except
9 as provided in subsection (e) (2) of this section, the court
10 shall not have power to issue any interlocutory decree
11 staying or restraining in whole or in part any provision of
12 this title, or the effectiveness of any regulation or order
13 issued thereunder. In all other respects, the court shall have
14 the powers of a circuit court of appeals with respect to the
15 jurisdiction conferred on it by this title. The court shall
16 exercise its powers and prescribe rules governing its proce-
17 dure in such manner as to expedite the determination of cases
18 over which it has jurisdiction under this title. The court shall
19 have a seal, hold sessions at such places as it may specify,
20 and appoint a clerk and such other employees as it deems
21 necessary or proper.

22 (c) Appeals from the district courts of the United
23 States in cases and controversies arising under regulations or
24 orders issued under this title shall be taken by the filing of a
25 notice of appeal with the temporary emergency court of ap-

1 peals within thirty days of the entry of judgment by the
2 district court.

3 (d) In any action commenced under this title in any
4 district court of the United States in which the court deter-
5 mines that a substantial constitutional issue exists, the court
6 shall certify such issue to the temporary emergency court of
7 appeals. Upon such certification, the temporary emergency
8 court of appeals shall determine the appropriate manner of
9 disposition which may include a determination that the entire
10 action be sent to it for consideration or it may, on the issues
11 certified, give binding instructions and remand the action to
12 the certifying court for further disposition.

13 (e) (1) Subject to paragraph (2) no regulation of any
14 agency exercising authority under this title shall be enjoined
15 or set aside, in whole or in part, unless a final judgment
16 determines that the issuance of such regulation was in excess
17 of the agency's authority, was arbitrary or capricious, or was
18 otherwise unlawful under the criteria set forth in section
19 706 (2) of title 5, United States Code, and no order of such
20 agency shall be enjoined or set aside, in whole or in part,
21 unless a final judgment determines that such order is in ex-
22 cess of the agency's authority, or is based upon findings
23 which are not supported by substantial evidence.

24 (2) A district court of the United States or the
25 temporary emergency court of appeals may enjoin tem-

1 porarily or permanently the application of a particular
2 regulation or order issued under this title to a person who
3 is a party to litigation before it. Except as provided in this
4 subsection, no interlocutory or permanent injunction restrain-
5 ing the enforcement, operation, or execution of this title, or
6 any regulation or order issued thereunder, shall be granted
7 by any district court of the United States or judge thereof.
8 Any such court shall have jurisdiction to declare (i) that a
9 regulation of an agency exercising authority under this title
10 is in excess of the agency's authority, is arbitrary or capri-
11 cious, or is otherwise unlawful under the criteria set forth in
12 section 706 (2) of title 5, United States Code, or (ii) that
13 an order or such agency is invalid upon a determination that
14 the order is in excess of the agency's authority, or is based
15 upon findings which are not supported by substantial evi-
16 dence. Appeals from interlocutory decisions by a district
17 court of the United States under this paragraph may be
18 taken in accordance with the provisions of section 1292 of
19 title 28, United States Code; except that reference in such
20 section to the courts of appeals shall be deemed to refer
21 to the temporary emergency court of appeals.

22 (f) The effectiveness of a final judgment of the tem-
23 porary emergency court of appeals enjoining or setting aside
24 in whole or in part any provision of this title, or any regula-
25 tion or order issued thereunder shall be postponed until the

1 expiration of time for filing a writ of certiorari with the
 2 Supreme Court under subsection (g). If such petition is filed,
 3 the effectiveness of such judgment shall be postponed until
 4 an order of the Supreme Court denying such petition becomes
 5 final, or until other final disposition of the action by the
 6 Supreme Court.

7 (g) Within thirty days after entry of any judgment or
 8 order by the temporary emergency court of appeals, a peti-
 9 tion for a writ of certiorari may be filed in the Supreme Court
 10 of the United States, and thereupon the judgment or order
 11 shall be subject to review by the Supreme Court in the same
 12 manner as a judgment of a United States court of appeals
 13 as provided in section 1254 of title 28, United States Code.
 14 The temporary emergency court of appeals, and the Supreme
 15 Court upon review of judgments and orders of the temporary
 16 emergency court of appeals, shall have exclusive jurisdiction
 17 to determine the constitutional validity of any provision of
 18 this title or of any regulation or order issued under this title.
 19 Except as provided in this section, no court, Federal or State,
 20 shall have jurisdiction or power to consider the constitutional
 21 validity of any provision of this title or of any such regulation
 22 or order, or to stay, restrain, enjoin, or set aside, in whole or
 23 in part, any provision of this title authorizing the issuance of
 24 such regulations or orders, or any provision of any such reg-

1 ulation or order, or to restrain or enjoin the enforcement of
 2 any such provision.

3 SEC. 509. Whenever it appears to any person or agency
 4 authorized by the President pursuant to section 513 of this
 5 title that any individual or organization has engaged, is en-
 6 gaged, or is about to engage in any acts or practices con-
 7 stituting a violation of any order or regulation under this
 8 title, such person or agency may request the Attorney Gen-
 9 eral to bring an action in the appropriate district court of the
 10 United States to enjoin such acts or practices, and upon a
 11 proper showing, a temporary restraining order or a prelimi-
 12 nary or permanent injunction shall be granted without bond.
 13 Any such court may also issue mandatory injunctions com-
 14 manding any person to comply with any such order or reg-
 15 ulation. In addition to such injunctive relief, the court may
 16 also order restitution of moneys received in violation of any
 17 such order or regulation.

18 SEC. 510. (a) An agency or person exercising author-
 19 ity pursuant to section 513 of this title shall have authority,
 20 for any purpose related to this title, to sign and issue
 21 subpoenas for the attendance and testimony of witnesses and
 22 the production of relevant books, papers, and other docu-
 23 ments, and to administer oaths.

24 (b) Upon presenting appropriate credentials and a

1 written notice to the owner, operator, or agency in charge,
 2 any agency or person exercising authority pursuant to sec-
 3 tion 513 of this title may enter, at reasonable times, any
 4 business premise or facility and inspect, at reasonable times
 5 and in a reasonable manner, any such premise or facility,
 6 inventory and sample any stock of energy resources therein,
 7 and examine and copy books, records, papers, or other docu-
 8 ments, in order to obtain information as necessary or appro-
 9 priate for the proper exercise of functions under this title
 10 and to verify the accuracy of any such information.

11 (c) Witnesses summoned under the provisions of this
 12 section shall be paid the same fees and mileage as are paid
 13 to witnesses in the courts of the United States. In case of
 14 refusal to obey a subpoena served upon any person under
 15 the provisions of this section, the agency or person authoriz-
 16 ing such subpoena may request the Attorney General to seek
 17 the aid of the district court of the United States for any
 18 district in which such person is found to compel such person,
 19 after notice, to appear and give testimony, or to appear and
 20 produce documents before the agency or person.

21 SEC. 511. Any person suffering legal wrong because of
 22 any act or practice arising out of this title, or any order
 23 or regulation issued pursuant thereto, may bring an action
 24 in a district court of the United States, without regard to the
 25 amount in controversy, for appropriate relief, including an

1 action for a declaratory judgment, writ of injunction (sub-
 2 ject to the limitations in section 508 of this title), and/or
 3 damages.

4 SEC. 512. Section 5 of the Federal Energy Adminis-
 5 tration Act of 1974 (15 U.S.C. 761) is amended in sub-
 6 section (b) by adding the word "and" after the semicolon in
 7 paragraph 10; by deleting paragraph 11; and by redesignat-
 8 ing paragraph 12 as paragraph 11.

9 SEC. 513. The President may delegate the performance
 10 of any function under this title to such offices, departments,
 11 and agencies of the United States as he deems appropriate.

12 SEC. 514. (a) No law, rule, regulation, order or ordi-
 13 nance of any State or municipality in effect on the date of
 14 enactment of this title, or which may become effective there-
 15 after, shall be superseded by any provision of this title or any
 16 rule, regulation or order issued pursuant to this title except
 17 insofar as such law, rule, regulation, order or ordinance is
 18 inconsistent with the provisions of this title or any rule,
 19 regulation or order issued thereunder.

20 TITLE VI

21 SEC. 601. Termination of this Act or the authorities
 22 granted under this Act shall not affect any action or pend-
 23 ing proceedings, civil or criminal, not finally determined on
 24 such date, nor any action or proceeding based upon any act
 25 committed prior to such date.

1 SEC. 602. If any provision of this Act, or the applica-
2 tion of any such provision to any person or circumstance,
3 shall be held invalid, the remainder of this Act, or the ap-
4 plication of such provision to persons or circumstances other
5 than those as to which it is held invalid, shall not be affected
6 thereby.

Calendar No. 360

94TH CONGRESS
1ST SESSION

S. 2330

A BILL

To provide temporary authority for the President, the Federal Power Commission, and the Federal Energy Administration to institute emergency measures to minimize the adverse effects of natural gas shortages, and for other purposes.

By Mr. PEARSON

SEPTEMBER 10, 1975

Read twice and ordered to be placed on the calendar