

The original documents are located in Box 61, folder “1976/10/11 HR7108 Environmental Research Development and Demonstration Authorization Act of 1976” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

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APPROVED
OCT 11 1976

THE WHITE HOUSE
WASHINGTON

ACTION

October 8, 1976

LAST DAY: October 13

MEMORANDUM FOR THE PRESIDENT

FROM:

JIM CANNON *Pat Quinn*

SUBJECT:

H.R. 7108 - Environmental Research, Development
and Demonstration Authorization Act of 1976

Attached for your consideration is H.R. 7108, sponsored by
Representatives Teague, Brown and Esch.

The enrolled bill would authorize FY 76 and transition quarter
appropriations for the Environmental Protection Agency's
Office of Research and Development for environmental
research, development and demonstration activities. In
addition, the legislation makes certain future EPA
appropriations contingent upon an authorization and
requires annual reports on EPA's research and development
program plan.

A detailed discussion of the provisions of the enrolled
bill is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Kilberg) and I
recommend approval of the enrolled bill.

RECOMMENDATION

That you sign H.R. 7108 at Tab B.





EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

OCT 6 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 7108 - Environmental
Research, Development and Demonstration
Authorization Act of 1976
Sponsors - Rep. Teague (D) Texas, Rep.
Brown (D) California and Rep. Esch (R)
Michigan

Last Day for Action

October 13, 1976 - Wednesday

Purpose

Authorizes fiscal year 1976 and transition quarter appropriations for the Environmental Protection Agency; makes certain future EPA appropriations contingent upon an authorization; and requires annual reports on EPA's R&D program plan.

Agency Recommendations

Office of Management and Budget	Approval
Environmental Protection Agency	No objection
Department of Justice	No objection (Informally)

Discussion

The environmental research, development and demonstration (R&D) activities of the Office of Research and Development, Environmental Protection Agency (EPA) produce the scientific information and technical tools on which to base national policy and effective control strategies in the regulation, prevention and abatement of environmental pollution.

Legislative authority for EPA's research and development program derives from seven separate

Congressional Acts -- the Clean Air Act, the Federal Water Pollution Control Act, the Safe Drinking Water Act, the Solid Waste Disposal Act, the Federal Insecticide, Fungicide, and Rodenticide Act, the Public Health Service Act and the Noise Control Act.

H.R. 7108 would authorize appropriations to EPA for the aforementioned programs for fiscal year 1976 and the transition quarter. The enrolled bill also contains a provision that would limit reprogramming by EPA of funds authorized by the bill, in the categories listed above, to 10 percent of any category listed unless 30 legislative days have passed after EPA submits a report to the Congress on the reasons for the fund transfer or, before the 30 days expires, each congressional committee with jurisdiction over this matter has informed EPA it has no objection to the proposed action. In addition, section 4 of H.R. 7108 would stipulate that no appropriations may be made for EPA research and development activities after September 30, 1976, unless previously authorized by Congress. Finally, section 5 would require EPA to submit to the Congress, within 6 months of enactment, a comprehensive 5-year plan for environmental research, development and demonstration to be revised annually.

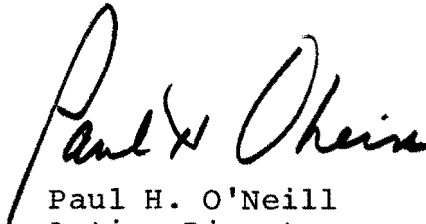
As EPA notes in its attached enrolled bill letter, except for sections 4 and 5, H.R. 7108 has no effect since fiscal year 1976 and the transition quarter have already passed. EPA has obligated most of the funds for these periods, and moreover, the Congress has already appropriated funds for fiscal year 1977 for all of the various authorities listed in the bill. Concerning the section 5 planning requirement, EPA expresses no objection to this provision, and indicates that it sees some merit in this type of comprehensive planning. Finally, although EPA believes the authorization provision could present some problems

in administering its R&D programs, the Administrator concludes that:

"Should the President sign this bill, the Agency will follow past practices and do what it can to make certain that Congress enacts the appropriation authorizations on a timely basis, or suggest to the Congress that it include appropriate language in the Appropriation Act to override the effect of section 4 of the enrolled bill."

Conclusion

We concur with EPA's analysis and recommend approval of the enrolled bill. As noted above, the prior year authorization sections would have no effect. While the section 4 authorization feature may be inconvenient at times, we do not believe that it is so objectionable as to warrant disapproval of the bill.

A handwritten signature in black ink, reading "Paul H. O'Neill". The signature is written in a cursive, flowing style with a large initial "P".

Paul H. O'Neill
Acting Director

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT 5 1976

OFFICE OF THE
ADMINISTRATOR

Dear Mr. Lynn:

This is in response to your request of October 1, 1976, for our views on the enrolled bill, H.R. 7108, the "Environmental Research, Development, and Demonstration Authorization Act of 1976".

We have no objection to this omnibus R&D bill being signed by the President, although the 1976 fiscal year and the fiscal transitional period have expired. An omnibus R and D authorization for EPA may be a useful approach. There is a possibility, however, that one of its provisions could cause some problems with regard to research and development appropriations to EPA in the future.

The Act authorizes appropriations to EPA for environmental research, development, and demonstration for fiscal year 1976 and the fiscal transitional period ending September 30, 1976. Provisions are also made for the transfer of such authorized funds between categories and for such funds to be available for obligation until expended or as specified in the Appropriation Act.

Another provision in the enrolled bill, section 5, requires the EPA Administrator to transmit to Congress within 6 months after enactment of the Act (and annual revisions thereafter) a comprehensive 5-year plan for environmental research, development, and demonstration. We have no objection to this particular provision. In fact we see some merit in the provision for the Congress, particularly those Committees responsible for authorizing and appropriating EPA research and development funds.

Section 4 of the enrolled bill could, however, present some problems to EPA. It provides:

"No appropriation may be made to the Environmental Protection Agency for environmental research, development, or demonstration, for any period beginning after September 30, 1976, unless previously authorized by legislation hereafter enacted by the Congress." (emphasis added).

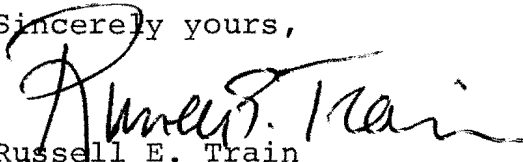
In almost all of the EPA legislation Congress has placed limitations on both the dollar amount that may be appropriated and the number of years for which appropriations are authorized. It is well known that Congress frequently does not extend (or increase when necessary) agencies' appropriation authorizations on a timely basis. A number of EPA appropriation authorizations, for instance, those in the Clean Air Act and the Federal Water Pollution Control Act were not extended for the 1976 or 1977 fiscal years. Appropriations are made, however, by the Congress to the Agency in the Appropriation Acts, despite the fact that the authorizing legislation has not been extended. With the prohibition set out in section 4 of the enrolled bill, the Congress may not be able to provide for research and development to EPA unless the Congress gives some special attention to this provision. For example, a subsequent Appropriation Act could include language specifically authorizing such appropriations notwithstanding section 4 of the enrolled bill.

In the event that the Congress should make appropriations for R and D available to EPA in a subsequent Appropriation Act where an authorization had not been previously made, we would not consider that section 4 would limit our ability to expend such funds.

Should the President sign this bill, the Agency will follow past practices and do what it can to make certain that Congress enacts the appropriation authorizations on a timely basis, or suggest to the Congress that it include appropriate language in the Appropriation Act to override the effect of section 4 of the enrolled bill.

We appreciate the opportunity provided us to make known our views on the enrolled bill, H.R. 7108.

Sincerely yours,



Russell E. Train
Administrator

Honorable James T. Lynn
Director, Office of
Management and Budget
Washington, D.C. 20503



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

OCT 6 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 7108 - Environmental
Research, Development and Demonstration
Authorization Act of 1976
Sponsors - Rep. Teague (D) Texas, Rep.
Brown (D) California and Rep. Esch (R)
Michigan

Last Day for Action

October 13, 1976 - Wednesday

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Office of Management and Budget	Approval
Environmental Protection Agency	No objection
Department of Justice	No objection (Informally)

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Legislative authority for EPA's research and development program derives from seven separate

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 13

Date: October 7

Time: noon

FOR ACTION: George Humphreys *GH*
Max Friedersdorf *MF*
Bobbie Kilberg *BK*
Bill Seidman *BS*
Glenn Schleede *GS*

cc (for information): Jack Marsh
Jim Connor
Ed Schmults
Steve McConahey *SM*

FROM THE STAFF SECRETARY

DUE: Date:

Time:

October 8

500pm

SUBJECT:

H.R.7108-Environmental Research, Development and Demonstration
Authorization Act of 1976

ACTION REQUESTED:

☐ For Necessary Action

☐ For Your Recommendations

☐ Prepare Agenda and Brief

☐ Draft Reply

☒ For Your Comments

☐ Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

K. R. COLE, JR.
For the President

EPA RESEARCH AUTHORIZATION FOR APPROPRIATIONS FOR FISCAL YEAR 1976

SEPTEMBER 22, 1976.—Ordered to be printed

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

CONFERENCE REPORT

[To accompany H.R. 7108]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7108) to authorize appropriations for environmental research, development, and demonstration, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments which added new sections 6 and 7 to the bill.

That the House agree to remove all references in the bill to the Safe Drinking Water Act.

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

That this Act may be cited as the "Environmental Research, Development, and Demonstration Authorization Act of 1976".

SEC. 2. (a) There is authorized to be appropriated to the Environmental Protection Agency for the following categories, as follows:

(1) Research, development, and demonstration under the Noise Control Act of 1972 (42 U.S.C. 4901 et seq.), not to exceed \$2,110,000 for the fiscal year ending June 30, 1976, and not to exceed \$527,500 for the fiscal transitional period ending September 30, 1976.

(2) Research, development and demonstration under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), not to exceed \$14,047,000 for the fiscal year ending June 30, 1976, and not to exceed \$3,511,975 for the fiscal transitional period ending September 30, 1976.

(3) Research, development, and demonstration under section 301 of the Public Health Service Act (42 U.S.C. 241), not to exceed \$2,115,000 for the fiscal year ending June 30, 1976, and

not to exceed \$528,750 for the fiscal transitional period ending September 30, 1976.

(4) Research, development, and demonstration under the Clean Air Act (42 U.S.C. 1857 et seq.), not to exceed \$148,194,700 for the fiscal year ending June 30, 1976, and not to exceed \$37,048,675 for the fiscal transitional period ending September 30, 1976.

(5) Research, development, and demonstration under the Solid Waste Disposal Act (42 U.S.C. 3251 et seq.), not to exceed \$13,534,300 for the fiscal year ending June 30, 1976, and not to exceed \$3,383,575 for the fiscal transitional period ending September 30, 1976.

(6) Research, development, and demonstration under the Federal Water Pollution Control Act Amendments of 1972, not to exceed \$148,800,000 for the fiscal year ending June 30, 1976, of which—

(A) \$89,900,000 shall be for programs authorized by section 104(u)(1) thereof (33 U.S.C. 1254(u)(1)),

(B) \$5,600,000 shall be for programs authorized by section 104(u)(4) thereof (33 U.S.C. 1254(u)(4)),

(C) \$2,000,000 shall be for programs authorized by section 104(u)(5) thereof (33 U.S.C. 1254(u)(5)),

(D) \$20,000,000 shall be for programs authorized by section 104(u)(6) thereof (33 U.S.C. 1254(u)(6)),

(E) \$24,700,000 shall be for programs authorized by section 105(h) thereof (33 U.S.C. 1255(h));

(F) \$4,600,000 shall be for programs authorized by section 107 thereof (33 U.S.C. 1257), and

(G) \$2,000,000 shall be for programs authorized by section 113 thereof (33 U.S.C. 1263) and not to exceed \$37,200,000 for the fiscal transitional period ending September 30, 1976.

(b) No funds may be transferred from any particular category listed in subsection (a) of this section to any other category or categories listed in such subsection if the total of the funds so transferred from that particular category would exceed 10 percent thereof, and no funds may be transferred to any particular category listed in subsection (a) of this section from any other category or categories listed in such subsection if the total of the funds so transferred from that particular category would exceed 10 percent thereof, unless—

(1) a period of 30 legislative days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate a written report containing a full and complete statement concerning the nature of the transfer and the reason therefor, or

(2) each committee of the House of Representatives and the Senate having jurisdiction over the subject matter involved, before the expiration of such period, has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

(c) In addition to any transfers among the categories listed in subsection (a) of this section which are authorized by subsection (b) of this section, not to exceed 10 percent of the total amount appropriated

pursuant to such subsection (a) may be transferred to other authorized activities of the Environmental Protection Agency (except construction grants for waste treatment works and scientific activities overseas), and not to exceed 10 percent of the total amount appropriated for such other authorized activities may be transferred to any category or categories listed in such subsection (a).

SEC. 3. Appropriations made pursuant to the authority provided in section 2 of this Act shall remain available for obligation for expenditure, or for obligation and expenditure, for such period or periods as may be specified in the Acts making such appropriations.

SEC. 4. No appropriation may be made to the Environmental Protection Agency for environmental research, development, or demonstration, for any period beginning after September 30, 1976, unless previously authorized by legislation hereafter enacted by the Congress.

SEC. 5. The Administrator of the Environmental Protection Agency shall transmit to the Congress, within 6 months after the date of enactment of this Act, a comprehensive 5-year plan for environmental research, development, and demonstration. This plan shall be appropriately revised annually, and such revisions shall be transmitted to the Congress no later than two weeks after the President submits his annual budget to the Congress in such year.

OLIN E. TEAGUE,
GEORGE E. BROWN, Jr.,
JEROME A. AMBRO,
LARRY WINN, Jr.,

Managers on the Part of the House.

JENNINGS RANDOLPH,
EDMUND S. MUSKIE,
HOWARD BAKER,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The Managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 7108) to authorize appropriations to the Environmental Protection Agency for FY 1976 for Research, Development and Demonstration, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the Managers and recommended in the accompanying conference report.

The points in disagreement and the conference resolution of them are as follows:

(1) On the recommendation of the Committee on Labor and Public Welfare, the Senate voted to add the following new sections to the bill:

SEC. 6. Whenever in any fiscal year funds appropriated for the purposes of administering laws through the Administrator of the Environmental Protection Agency exceed \$718,192,000, such excess amounts up to \$3,000,000 and if such excess is greater than such amount, any of such greater excess which the Administrator finds necessary shall be used solely for the purposes of monitoring and assuring the adequacy, reliability and quality of the testing of chemicals under any provision of law administered by him.

SEC. 7. Chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371) is amended by adding at the end thereof the following new section:

"RELIABILITY AND QUALITY TESTING

"SEC. 708. Whenever in any fiscal year funds appropriated for the purposes of this Act exceed \$223,000,000, such excess amounts up to \$25,280,000 and if such excess is greater than such amount, any of such greater excess which the Secretary finds necessary shall be used solely for the purposes of monitoring and assuring the adequacy, reliability, and quality of preclinical and clinical testing of drugs, food additives, devices and cosmetics which are tested under the provisions of the Federal Food, Drug, and Cosmetic Act."

The Conferees agree that these two new sections 6 and 7 are not appropriate to the bill, and have agreed to delete these sections.

(2) The House authorized not to exceed \$12,789,200 for the fiscal year ending June 30, 1976, and not to exceed \$3,197,300 for the fiscal transitional period ending September 30, 1976 for research, development, and demonstration under The Safe Drinking Water Act (42 U.S.C. 300f, *et seq.*)

Authorization of appropriations for research, development, and demonstration under The Safe Drinking Water Act has already been approved under existing legislation, which authority extends beyond

fiscal year 1976 and the fiscal transitional period. Accordingly, on recommendation of the Senate Committee on Commerce, the Conferees agree to delete all references to The Safe Drinking Water Act in this bill.

(3) The Conferees agree that Section 5 of the bill which requires the Administrator of the Environmental Protection Agency to revise annually a comprehensive 5-year plan for environmental research, development and demonstration and to transmit such revisions to the Congress no later than November 10 of each year should be modified to require transmittal of such revisions no later than two weeks after the President submits his annual budget to the Congress each year.

OLIN E. TEAGUE,
GEORGE E. BROWN, Jr.,
JEROME A. AMBRO,
LARRY WINN, Jr.,

Managers on the Part of the House.

JENNINGS RANDOLPH,
EDMUND S. MUSKIE,
HOWARD BAKER,

Managers on the Part of the Senate.



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 7

Time: noon

FOR ACTION: George Humphreys
Max Friedersdorf
Bobbie Kilberg
Bill Seidman
Glenn Schleede

cc (for information): Jack Marsh
Jim Connor
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date:

Time:

October 8

500pm

SUBJECT:

H.R. 7108-Environmental Research, Development and Demonstration
Authorization Act of 1976

ACTION REQUESTED:

___ For Necessary Action

___ For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

☒ For Your Comments

___ Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

*I recommended approval
Guth*

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delay in submitting the required material, please

James M. Cannon
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

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Date: October 7

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James M. Cannon
For the President

THE WHITE HOUSE

WASHINGTON

October 8, 1976

MEMORANDUM FOR: JIM CAVANAUGH

FROM: MAX L. FRIEDERSDORF *M.L.*

SUBJECT: H.R. 7108 - Environmental Research,
Development and Demonstration Authorization
Act of 1976

The Office of Legislative Affairs concurs with the agencies
that the Enrolled Bill, H.R. 7108 should be signed.

Attachments

THE WHITE HOUSE

ACT N MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 7

Time: 415pm

FOR ACTION: Glenn Schleede cc (for information): Jack Marsh
Max Friedersdorf Jim Connor
Dick Parsons Lynn May
NSC/S Bobbie Kilberg
David Lissy

FROM THE STAFF SECRETARY

DUE: Date: October 9

Time: noon

SUBJECT: HR. 12566-National Science Foundation Authorization Act, 1977

*George,
Please review
& give me
your recommendations.*

ACTION REQUESTED:

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

REMARKS:

please return to judy johnston, ground floor west wing

Recommend approval.

*George All
for Lynn May*

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K. R. COLE, JR.
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 7

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FOR ACTION: George Humphreys
Max Friedersdorf
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Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date:

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ACTION REQUESTED:

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☐ For Your Recommendations

☐ Prepare Agenda and Brief

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☐ Draft Remarks

REMARKS:

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m. Lyndon Kilberg 10/8/76

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James M. Cannon
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

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☐ Draft Remarks

REMARKS:

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APPROVE

Logan B. Porter

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a
delay in submitting the required material, please

James M. Cannon
For the President

ENVIRONMENTAL RESEARCH, DEVELOPMENT, AND DEMONSTRATION AUTHORIZATION ACT OF 1976

JANUARY 30, 1976—Ordered to be printed

Mr. PHILIP A. HART, from the Committee on Commerce,
submitted the following

REPORT

[To accompany H.R. 7108]

The Committee on Commerce, to which was referred the Act (H.R. 7108) to authorize appropriations for environmental research, development, and demonstration, having considered the same, reports favorably thereon with amendments and recommends that the Act as amended do pass.

PURPOSE

The purpose of this bill is to extend until September 30, 1976, the monetary authorizations for various research, development, and demonstration programs of the Environmental Protection Agency (EPA). The legislation is necessary to conform the environmental research authorizations to the committee jurisdiction in the House of Representatives and to synchronize their expiration.

DESCRIPTION

The bill provides a separate authorization of appropriations (for the fiscal year ending June 30, 1976, and for the fiscal transitional period ending September 30, 1976) with respect to the research programs of EPA, in order to reflect the existing division of jurisdictional responsibility in the House of Representatives as to matters relating to environmental protection. The Committee on Science and Technology of the House of Representatives, rather than the authorizing committees responsible for environmental legislation, has jurisdiction, in that body, over environmental research.

The Committee on Commerce of the Senate does not favor separating research needs as to environmental matters from implementation, planning, enforcement, and other needs as to the same matters, but the committee ordered this legislation reported in the interest of expediting the authorization of fiscal year 1976 appropriations which have already been enacted.

LEGISLATIVE HISTORY

The House Committee on Science and Technology reported H.R. 7108 on June 6, 1975. The House of Representatives passed the bill on July 1, 1975.

The Senate Committee on Public Works reported the bill with amendments on November 20, 1975.

On January 29, 1976, the Senate Committee on Commerce met in executive session and ordered the bill reported unanimously.

SECTION-BY-SECTION ANALYSIS

Section 1

This section sets forth the short title of the bill—"Environmental Research, Development, and Demonstration Authorization Act of 1976."

Section 2

Subsection (a) authorizes to be appropriated for fiscal year 1976 and the transition quarter for research under the Noise Control Act of 1972, section 301 of the Public Health Service Act, the Safe Drinking Water Act, the Clean Air Act, the Solid Waste Disposal Act, and the Federal Water Pollution Control Act Amendments of 1972.

In order to avoid re-referral, the committee recognizes that research under the Federal Insecticide, Fungicide, and Rodenticide Act falls primarily within the jurisdiction of the Senate Committee on Agriculture. Nonetheless, in order to expedite Senate action, the authorization for research under that act has been included with the approval of the Senate Committee on Agriculture.

Subsection (b) limits the amount of funds that can be transferred either to or from the particular categories listed in subsection (a) to 10 percent, unless a period of 30 legislative days has passed after the Administrator has appropriately notified the Speaker of the House of Representatives and the President of the Senate, or before the 30-day period has expired, each committee of the House of Representatives and of the Senate having jurisdiction gives written notice to the Administrator that they have no objection to the proposed action.

Subsection (c) limits the funds that may be transferred to or from other activities of the Environmental Protection Agency, to 10 percent of the total funds authorized in subsection (a).

Section 3

This section provides that appropriations made pursuant to the authority provided in section 2 of this act shall remain available for obligation and expenditure, for such period or periods as may be specified in the act making such appropriations.

Section 4

This section specifies that no appropriation may be made to the Environmental Protection Agency for environmental research, development, or demonstration, for any period beginning after September 30, 1976, unless previously authorized by legislation hereafter enacted by the Congress.

Section 5

This section directs the Administrator of the Environmental Protection Agency to submit to Congress a 5-year plan for environmental research. This plan is to be appropriately revised each year.

ESTIMATED COSTS

Pursuant to the requirements of section 252 of the Legislative Reorganization Act of 1970, the committee estimates that the cost of the proposed legislation will be as follows:

Act	Fiscal year 1976	Transitional quarter
Noise Control Act.....	\$2,110,000	\$527,505
Federal Insecticide, Fungicide, and Rodenticide Act.....	14,047,000	3,511,970
Public Health Service Act, sec. 301.....	2,115,000	528,750
Safe Drinking Water Act.....	12,789,200	3,197,300
Clean Air Act.....	148,194,700	37,048,675
Solid Waste Disposal Act.....	13,534,300	3,383,575
Federal Water Pollution Control Act Amendment of 1972.....		37,200,000
Sec. 104(u)(1).....	89,900,000	
Sec. 104(u)(4).....	5,600,000	
Sec. 104(u)(5).....	2,000,000	
Sec. 104(u)(6).....	20,000,000	
Sec. 105(h).....	24,700,000	
Sec. 107.....	4,600,000	
Sec. 113.....	2,000,000	

CHANGES IN EXISTING LAW

There are no changes in existing law.

TEXT OF H.R. 7108, AS REPORTED

AN ACT To authorize appropriations for environmental research, development, and demonstration

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Environmental Research, Development, and Demonstration Authorization Act".

SEC. 2. (a) There is authorized to be appropriated to the Environmental Protection Agency for the following categories, as follows:

(1) Research, development, and demonstration under the Noise Control Act of 1972 (42 U.S.C. 4901 et seq.), not to exceed \$2,110,000 for the fiscal year ending June 30, 1976, and not to exceed \$527,500 for the fiscal transitional period ending September 30, 1976.

(2) Research, development, and demonstration under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), not to exceed \$14,047,000 for the fiscal year ending June 30, 1976, and not to exceed \$3,511,975 for the fiscal transitional period ending September 30, 1976.

(3) Research, development, and demonstration under section 301 of the Public Health Service Act (42 U.S.C. 241), not to exceed \$2,115,000 for the fiscal year ending June 30, 1975, and not to exceed \$528,750 for the fiscal transitional period ending September 30, 1976.

(4) Research, development, and demonstration under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), not to exceed \$12,789,200 for the fiscal year ending June 30, 1976, and not to exceed \$3,197,300 for the fiscal transitional period ending September 30, 1976.

(5) Research, development, and demonstration under the Clean Air Act (42 U.S.C. 1857 et seq.), not to exceed \$148,194,700 for the fiscal year ending June 30, 1976, and not to exceed \$37,048,675 for the fiscal transitional period ending September 30, 1976.

(6) Research, development, and demonstration under the Solid Waste Disposal Act (42 U.S.C. 3251 et seq.), not to exceed \$13,534,300 for the fiscal year ending June 30, 1976, and not to exceed \$3,383,575 for the fiscal transitional period ending September 30, 1976.

(7) Research, development, and demonstration under the Federal Water Pollution Control Act Amendments of 1972, not to exceed \$148,800,000 for the fiscal year ending June 30, 1976, of which—

(A) \$89,900,000 shall be for programs authorized by section 104-(u)(1) thereof (33 U.S.C. 1254 (u)(1)),

(B) \$5,600,000 shall be for programs authorized by section 104(u)(4) thereof (33 U.S.C. 1254(u)(4)),

(C) \$2,000,000 shall be for programs authorized by section 104(u)(5) thereof (33 U.S.C. 1254(u)(5)),

(D) \$20,000,000 shall be for programs authorized by section 104(u)(6) thereof (33 U.S.C. 1254(u)(6)),

(E) \$24,700,000 shall be for programs authorized by section 105(h) thereof (33 U.S.C. 1255(h));

(F) \$4,600,000 shall be for programs authorized by section 107 thereof (33 U.S.C. 1257), and

(G) \$2,000,000 shall be for programs authorized by section 113 thereof (33 U.S.C. 1263), and not to exceed \$37,200,000 for the fiscal transitional period ending September 30, 1976.

(b) No funds may be transferred from any particular category listed in subsection (a) of this section to any other category or categories listed in such subsection if the total of the funds so transferred from that particular category would exceed 10 per centum thereof, and no funds may be transferred to any particular category listed in subsection (a) of this section from any other category or categories listed in such subsection if the total of the funds so transferred from that particular category would exceed 10 per centum thereof, unless—

(1) a period of 30 legislative days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate a written report containing a full and complete statement concerning the nature of the transfer and the reason therefor, or

(2) each committee of the House of Representatives and the Senate having jurisdiction over the subject matter involved, before the expiration of such period, has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

(c) In addition to any transfers among the categories listed in subsection (a) of this section which are authorized by subsection (b) of this section, not to exceed 10 percent of the total amount appropriated pursuant to such subsection (a) may be transferred to other authorized activities of the Environmental Protection Agency (except construction grants for waste treatment works and scientific activities overseas), and not to exceed 10 percent of the total amount appropriated for such other authorized activities may be transferred to any category or categories listed in such subsection (a).

SEC. 3. Appropriations made pursuant to the authority provided in section 2 or 3 of this Act shall remain available for obligation for expenditure, or for obligation and expenditure, for such period or periods as may be specified in the Acts making such appropriations.

SEC. 4. No appropriation may be made to the Environmental Protection Agency for environmental research, development, or demonstration, for any period beginning after September 30, 1976, unless previously authorized by legislation hereafter enacted by the Congress.

SEC. 5. The Administrator of the Environmental Protection Agency shall transmit to the Congress, within 6 months after the date of enactment of this Act, a comprehensive 5-year plan for environmental research, development, and demonstration. This plan shall be appropriately revised annually, and such revisions shall be transmitted to the Congress no later than November 10 of each year.

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AUTHORIZATIONS FOR ENVIRONMENTAL RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAMS

NOVEMBER 20 (legislative day NOVEMBER 18), 1975.—Ordered to be printed

Mr. RANDOLPH, from the Committee on Public Works,
submitted the following

REPORT

[To accompany H.R. 7108]

The Committee on Public Works, to which was referred the Act (H.R. 7108) an Act to authorize appropriations for environmental research, development, and demonstration, having considered the same, reports favorably thereon with amendments and recommends that the Act as amended do pass.

GENERAL STATEMENT

The purpose of this bill is to extend until September 30, 1976, the monetary authorizations for various research, development, and demonstration programs of the Environmental Protection Agency. Previous authorizations for most of these programs expired June 30, 1975. The Environmental Protection Agency's research activities were continued under the Continuing Resolution (Public Law 94-41) until the enactment of the Agency's regular appropriations bill (Public Law 94-116). Now it is necessary to provide authorizations for the appropriated funds.

H.R. 7108 separately authorizes the research programs of the Agency. This reflects the division of jurisdiction in the House of Representatives where the responsibility for environmental research is in the Committee on Science and Technology and not with the substantive authorizing committees responsible for the environmental statutes. The Senate Committee on Public Works would prefer to consider research needs as part of an overall service of each statute. In the interests of expediting authorizations for the already-enacted fiscal year 1976 appropriations, however, the Committee reports the House-passed bill dealing separately with research.

The reported bill includes authorization for fiscal year 1976 and the transition quarter for research, development, and demonstration under the Noise Control Act of 1972, section 301 of the Public Health Service Act, the Safe Drinking Water Act, the Clean Air Act, the Solid Waste Disposal Act, and the Federal Water Pollution Control Act Amend-

ments of 1972. An authorization for research under the Federal Insecticide, Fungicide, and Rodenticide Act was deleted by the Committee at the request of the Committee on Agriculture under whose jurisdiction that Act falls.

A further amendment recommended by the Committee breaks down the total authorization for water pollution control research into specific authorizations for each of the programs under Federal Water Pollution Control Act. Of the \$148,800,000 total authorization for fiscal year 1976, \$89,900,000 is for the general research program under section 104(u) (1); \$5,600,000 for agricultural pollution research under section 104(u) (4); \$2,000,000 for fresh water aquatic ecosystem research under section 104(a) (5); \$20,000,000 for research on controlling thermal discharges under section 14(u) (6); \$24,700,000 for grants for demonstration grants under section 105; \$4,600,000 for the mine water pollution control demonstration program under section 107; and \$2,000,000 for Alaska village demonstration projects under section 113. Proportional amounts for these programs would be available from the \$37,200,000 authorized for the transition quarter.

ROLLCALL VOTES

There were no rollcall votes during the Committee's consideration of this bill. The Committee ordered the bill reported by a unanimous voice vote.

ESTIMATES OF COSTS

Section 252(a) (1) of the Legislative Reorganization Act of 1970 requires publication in this report of the Committee's estimate of the costs of reported legislation together with a comparison of that estimate with any prepared by a Federal agency.

Enactment of this legislation will result in the authorization of the following sums: For the period July 1, 1975, to June 30, 1976:

Noise Control Act—\$2,110,000;
 Section 301 of the Public Health Service Act—\$2,115,000;
 Safe Drinking Water Act—\$12,789,200;
 Clean Air Act—\$148,194,700;
 Solid Waste Disposal Act—\$13,534,300; and
 Federal Water Pollution Control Act Amendments of 1972—\$148,800,000.

For the period July 1, 1976, to September 30, 1976:

Noise Control Act—\$527,500;
 Section 301 of the Public Health Service Act—\$528,750;
 Safe Drinking Water Act—\$3,197,300;
 Clean Air Act—\$37,048,675;
 Solid Waste Disposal Act—\$3,383,575; and
 Federal Water Pollution Control Act Amendments of 1972—\$37,200,000.

CHANGES IN EXISTING LAW

In the opinion of the Committee, it is necessary to dispense with the requirements of subsection (4) of rule XXIX of the Standing Rules of the Senate in order to expedite the business of the Senate.

Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

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

An Act

To authorize appropriations for environmental research, development, and demonstration.

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(2) Research, development and demonstration under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), not to exceed \$14,047,000 for the fiscal year ending June 30, 1976, and not to exceed \$3,511,975 for the fiscal transitional period ending September 30, 1976.

(3) Research, development, and demonstration under section 301 of the Public Health Service Act (42 U.S.C. 241), not to exceed \$2,115,000 for the fiscal year ending June 30, 1976, and not to exceed \$528,750 for the fiscal transitional period ending September 30, 1976.

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(6) Research, development, and demonstration under the Federal Water Pollution Control Act Amendments of 1972, not to exceed \$148,800,000 for the fiscal year ending June 30, 1976, of which—

(A) \$89,900,000 shall be for programs authorized by section 104(u)(1) thereof (33 U.S.C. 1254(u)(1)),

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(F) \$4,600,000 shall be for programs authorized by section 107 thereof (33 U.S.C. 1257), and

(G) \$2,000,000 shall be for programs authorized by section 113 thereof (33 U.S.C. 1263) and not to exceed \$37,200,000 for the fiscal transitional period ending September 30, 1976.

(b) No funds may be transferred from any particular category listed in subsection (a) of this section to any other category or categories listed in such subsection if the total of the funds so transferred from that particular category would exceed 10 percent thereof, and no funds may be transferred to any particular category listed in subsection (a) of this section from any other category or categories listed in such subsection if the total of the funds so transferred from that particular category would exceed 10 percent thereof, unless—

(1) a period of 30 legislative days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate a written report containing a full and complete statement concerning the nature of the transfer and the reason therefor, or

(2) each committee of the House of Representatives and the Senate having jurisdiction over the subject matter involved, before the expiration of such period, has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

(c) In addition to any transfers among the categories listed in subsection (a) of this section which are authorized by subsection (b) of this section, not to exceed 10 percent of the total amount appropriated pursuant to such subsection (a) may be transferred to other authorized activities of the Environmental Protection Agency (except construction grants for waste treatment works and scientific activities overseas), and not to exceed 10 percent of the total amount appropriated for such other authorized activities may be transferred to any category or categories listed in such subsection (a).

Sec. 3. Appropriations made pursuant to the authority provided in section 2 of this Act shall remain available for obligation for expenditure, or for obligation and expenditure, for such period or periods as may be specified in the Acts making such appropriations.

Sec. 4. No appropriation may be made to the Environmental Protection Agency for environmental research, development, or demonstration, for any period beginning after September 30, 1976, unless previously authorized by legislation hereafter enacted by the Congress.

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SEC. 5. The Administrator of the Environmental Protection Agency shall transmit to the Congress, within 6 months after the date of enactment of this Act, a comprehensive 5-year plan for environmental research, development, and demonstration. This plan shall be appropriately revised annually, and such revisions shall be transmitted to the Congress no later than two weeks after the President submits his annual budget to the Congress in such year.

Speaker of the House of Representatives.

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