

subsection (a) and redesignating the present subsection (b) as subsection (c):

Local contributions, required proportion.

“(b) In no event shall the required proportion of the local contribution (including in-kind contributions) for a grant or contract made under this section be more than 10 per centum in the first year of assistance under this section, 20 per centum in the second such year, 30 per centum in the third such year, 40 per centum in the fourth such year, and 50 per centum in any subsequent such years: *Provided, however,* That the Director may make exceptions in cases of demonstrated need, determined (in accordance with regulations which the Director shall prescribe) on the basis of the financial capability of a particular recipient of assistance under this section, to permit a lesser local contribution proportion than any required contribution proportion established by the Director in generally applicable regulations.”

42 USC 3045f.

SEC. 5. Section 707 of the Older Americans Act of 1965 is amended by adding at the end thereof the following new subsections:

Level of assistance.

“(d) In donating commodities pursuant to this section, the Secretary of Agriculture shall maintain an annually programed level of assistance of not less than 10 cents per meal: *Provided,* That this amount shall be adjusted on an annual basis each fiscal year after June 30, 1975, to reflect changes in the series for food away from home of the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor. Such adjustment shall be computed to the nearest one-fourth cent. Among the commodities delivered under this section, the Secretary shall give special emphasis to high protein foods, meat, and meat alternates. The Secretary of Agriculture, in consultation with the Commissioner, is authorized to prescribe the terms and conditions respecting the donating of commodities pursuant to this section, and, within ninety days after the date of enactment of this subsection (d), the Secretary of Agriculture shall issue regulations governing the donation of such commodities.

Food stamps, regulations.

“(e) The Secretary of Agriculture in consultation with the Commissioner shall, within ninety days after the date of enactment of this subsection, issue regulations clarifying the use of food stamps under this title.”

Approved July 12, 1974.

Public Law 93-352

AN ACT

July 23, 1974
[S. 2893]

To amend the Public Health Service Act to improve the national cancer program and to authorize appropriations for such program for the next three fiscal years.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

National cancer program, improvement.

National Cancer Act Amendments of 1974.

TITLE I—EXTENSION OF CANCER PROGRAM

SEC. 101. This title may be cited as the “National Cancer Act Amendments of 1974”.

42 USC 282 note.
42 USC 282.

SEC. 102. Section 402(b) of the Public Health Service Act is amended—

(1) by striking out “in amounts not to exceed \$35,000” in paragraph (1) and inserting in lieu thereof “if the direct costs of such research and training do not exceed \$35,000, but only”; and

(2) by striking out “in amounts exceeding \$35,000” in para-

graph (2) and inserting in lieu thereof "if the direct costs of such research and training exceed \$35,000, but only".

SEC. 103. Section 407(b)(4) of the Public Health Service Act is amended by striking out "all data" and inserting in lieu thereof "information (including information respecting nutrition programs for cancer patients and the relationship between nutrition and cancer)".

42 USC 286a.

SEC. 104. Section 407(b)(7) of the Public Health Service Act is amended by striking out "where appropriate".

SEC. 105. Section 407(b)(9)(A) of the Public Health Service Act is amended by inserting "(including an estimate of the number and type of personnel needed for the National Cancer Program)" after "budget estimate".

SEC. 106. Section 408(a) of the Public Health Service Act is amended by striking out "fifteen".

42 USC 286b.

SEC. 107. (a) Subsection (a) of section 409 of the Public Health Service Act is amended by inserting before the period at the end thereof a comma and the following: "including programs to provide appropriate trials of programs of routine exfoliative cytology tests conducted for the diagnosis of uterine cancer".

42 USC 286c.

(b) Subsection (b) of such section is amended by striking out "and" before "\$40,000,000" and by inserting before the period at the end thereof a comma and the following: "\$53,500,000 for the fiscal year ending June 30, 1975, \$68,500,000 for the fiscal year ending June 30, 1976, and \$88,500,000 for the fiscal year ending June 30, 1977".

SEC. 108. Section 410 of the Public Health Service Act is amended—

42 USC 286d.

(1) by striking out "fifty" in paragraph (1) and inserting in lieu thereof "one hundred";

(2) by striking out "and" at the end of paragraph (7);

(3) by striking out the period at the end of paragraph (8) and inserting in lieu thereof "; and";

(4) by adding after paragraph (8) the following new paragraph:

"(9) to award grants for new construction as well as alterations and renovations for improvement of basic research laboratory facilities, including those related to biohazard control, as deemed necessary for the National Cancer Program."; and

(5) by inserting "(a)" after "410." and by adding after paragraph (9) the following new subsection:

"(b)(1) The Director of the National Cancer Institute shall provide and contract for a program to disseminate and interpret, on a current basis, for practitioners and other health professionals, scientists, and the general public scientific and other information respecting the cause, prevention, diagnosis, and treatment of cancer.

Information dissemination program.

"(2) The Director of the National Cancer Institute shall include in the annual report required by section 410A(b) a report on the progress, activities, and accomplishments of, and expenditures for, the information services of the National Cancer Program."

Report.

42 USC 286e.

SEC. 109. Section 410C of the Public Health Service Act is amended by striking out "and" before "\$600,000,000" and by inserting before the period at the end thereof a semicolon and the following: "\$750,000,000 for the fiscal year ending June 30, 1975; \$830,000,000 for the fiscal year ending June 30, 1976; and \$985,000,000 for the fiscal year ending June 30, 1977".

42 USC 286g.

Ante, p. 135,
342.

SEC. 110. The part H of the Public Health Service Act relating to the appointment of the Directors of the National Institutes of Health and the National Cancer Institute is redesignated as part I, section 461 of such part is redesignated as section 471, and such part is amended by adding at the end the following new section:

“PEER REVIEW OF GRANT APPLICATIONS AND CONTRACT PROJECTS

42 USC 289f-4.

“SEC. 472. (a) The Secretary, after consultation with the Director of the National Institutes of Health, and, where appropriate, the Directors of the National Institute of Mental Health, the National Institute on Alcohol Abuse and Alcoholism, and the National Institute on Drug Abuse, shall by regulation require appropriate scientific peer review of—

“(1) applications made after the effective date of such regulations for grants under this Act for biomedical and behavioral research; and

“(2) biomedical and behavioral research and development contract projects to be administered after such effective date through an institute established under this title, the National Institute on Alcohol Abuse and Alcoholism, or the National Institute on Drug Abuse.

“(b) Regulations promulgated under subsection (a) shall, to the extent practical, require that the review of grant applications required by the regulations be conducted—

“(1) in a manner consistent with the system for scientific peer review applicable on the date of the enactment of this section to applications for grants under this Act for biomedical and behavioral research, and

“(2) by peer review groups performing such review on or before such date.

“(c) The members of any peer review group established under such regulations shall be individuals who by virtue of their training or experience are eminently qualified to perform the review functions of the group and not more than one-fourth of the members of any peer review group established under such regulations shall be officers or employees of the United States.”

42 USC 241.

SEC. 111. Section 301(h) of the Public Health Service Act is amended by striking out “during the fiscal year ending June 30, 1966, and each of the eight succeeding fiscal years”.

SEC. 112. (a) The first sentence of section 471 of the Public Health Service Act (as so redesignated by section 110) is amended to read as follows: “The Director of the National Institutes of Health shall be appointed by the President by and with the advice and consent of the Senate; and the Director of the National Cancer Institute shall be appointed by the President.”

(b) The amendment made by subsection (a) shall apply with respect to appointments to the office of Director of the National Institutes of Health made after the date of the enactment of this Act.

SEC. 113. Section 601 of the Medical Facilities Construction and Modernization Amendments of 1970 is amended by striking out “ending prior to July 1, 1974.”

Effective date.
42 USC 289f
note.

42 USC 201
note.

TITLE II—BIOMEDICAL RESEARCH

SEC. 201. (a) (1) There is established the President's Biomedical Research Panel (hereinafter in this section referred to as the "Panel") which shall be composed of (A) the Chairman of the President's Cancer Panel (established under section 407(c) of the Public Health Service Act); and (B) six members appointed by the President who by virtue of their training, experience, and background are exceptionally qualified to carry out the duties of the Panel. At least five of the members of the Panel shall be distinguished scientists or physicians. The appointed members of the Panel shall be appointed for the life of the Panel.

President's
Biomedical Re-
search Panel.
Establishment.
42 USC 2891-1
note.
42 USC 286a.

(2) The President shall designate one of the appointed members to serve as Chairman of the Panel.

(3) Appointed members of the Panel shall each be entitled to receive the daily equivalent of the annual rate of basic pay in effect for grade GS-18 of the General Schedule for each day (including traveltime) during which they are engaged in the actual performance of duties vested in the Panel; and while away from their homes or regular places of business in the performance of services for the Panel, all members of the Panel shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5 of the United States Code.

Compensation.

5 USC 5332
note.

(4) The Panel may appoint and fix the pay of such personnel as it deems necessary to carry out its duties.

Duties.

(b) The Panel shall—

(1) review and assess,

(2) identify and make recommendations with respect to policy issues concerning the subject and content of, and

(3) identify and make recommendations with respect to policy issues concerning the organization and operation of,

biomedical and behavioral research conducted and supported under programs of the National Institutes of Health and the National Institute of Mental Health.

(c) (1) Not later than the expiration of the 15-month period beginning on the first day of the first month that follows the date on which all of the appointed members of the Panel have taken office, the Panel shall submit simultaneously to the President and to the Congress a comprehensive report of (A) its findings made on the basis of the review and assessment conducted under clause (1) of subsection (b), and (B) the policy issues identified under clauses (2) and (3) of such subsection and the Panel's recommendations with respect to such issues.

Report to Pres-
ident and Con-
gress.

(2) The Panel shall terminate upon the expiration of the 18-month period beginning on the first day of the first month that follows the date on which all of the appointed members of the Panel have taken office.

Termination.

Approved July 23, 1974.