

SEC. 204. For the purpose of carrying out the provisions of this title II, there is included in subsection 101(a) of this Act authorization of appropriations in the amount of \$5,000,000.

Appropriation.

TITLE III

SEC. 301. Section 161 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsection:

68 Stat. 948;
78 Stat. 606.
42 USC 2201.
Nuclear power
reactors, licensing
fees.

“w. prescribe and collect from any other Government agency, which applies for or is issued a license for a utilization facility designed to produce electrical or heat energy pursuant to section 103 or 104b, any fee, charge, or price which it may require, in accordance with the provisions of section 483a of title 31 of the United States Code or any other law, of applicants for, or holders of, such licenses.”

42 USC 2133,
2134.

65 Stat. 290.

Approved June 16, 1972.

Public Law 92-315

AN ACT

To amend chapter 19 of title 38 of the United States Code, to extend coverage under servicemen's group life insurance to cadets and midshipmen at the service academies of the Armed Forces.

June 20, 1972
[H. R. 9096]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 765 of title 38, United States Code, is amended by—

Servicemen's
group life insur-
ance.
Cadets and mid-
shipmen.
84 Stat. 326;
85 Stat. 642.

- (1) striking from paragraph (B) of clause (1) “and”;
- (2) striking the period at the end of paragraph (C) of clause (1) and inserting “; and” in place thereof;
- (3) adding the following new paragraph to clause (1):

“(D) full-time duty as a cadet or midshipman at the United States Military Academy, United States Naval Academy, United States Air Force Academy, or the United States Coast Guard Academy.”; and

- (4) adding immediately after “grade” and before the semicolon in paragraph (A) of clause (5) the following: “, or as a cadet or midshipman at the United States Military Academy, United States Naval Academy, United States Air Force Academy, or the United States Coast Guard Academy”.

Approved June 20, 1972.

Public Law 92-316

AN ACT

To amend the Rail Passenger Service Act of 1970 in order to provide financial assistance to the National Railroad Passenger Corporation, and for other purposes.

June 22, 1972
[H. R. 11417]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 303(d) of the Rail Passenger Service Act of 1970 (45 U.S.C. 543(d)) is amended by inserting immediately after the second sentence thereof the following new sentence: “No officer of the Corporation shall receive compensation at a rate in excess of that prescribed for level I of the Executive Schedule under section 5312 of title 5, United States Code.”.

Amtrak.
Financial as-
sistance.
84 Stat. 1330.

83 Stat. 864.

- (b) No individual serving as an officer of the National Railroad

83 Stat. 864.
5 USC 5312
note.

84 Stat. 1332.

24 Stat. 387.
49 USC 22.

Freedom of
information.
81 Stat. 54.

Passenger Corporation on the date of enactment of this Act shall have his rate of compensation as such officer reduced solely by reason of the enactment of the amendment made by subsection (a) of this section: *Provided, however,* That compensation to any officer of the Corporation in excess of level I of the Executive Schedule, shall be paid only from net profits of the Corporation.

SEC. 2. Section 305 of the Rail Passenger Service Act of 1970 (45 U.S.C. 545) is amended—

(1) by inserting “(a)” immediately before the first sentence thereof;

(2) by inserting immediately after the second sentence thereof the following: “Insofar as practicable, the Corporation shall directly operate and control all aspects of its rail passenger service.”; and

(3) by adding at the end thereof the following new subsection:

“(b) The Corporation shall take such actions as may be necessary to increase its revenues from the carriage of mail and express. The Corporation is authorized and directed to acquire the equipment or modify existing equipment for the efficient carriage of mail and express. Upon request by the Corporation, Federal departments and agencies shall, consistent with the provisions of existing law, provide such assistance as may be necessary in carrying out the purposes of this subsection.”.

SEC. 3. (a) Section 306(a) of the Rail Passenger Service Act of 1970 (45 U.S.C. 546(a)) is amended by striking out “all provisions of the Interstate Commerce Act” and inserting in lieu thereof “all provisions, including the provisions of section 22(1), of the Interstate Commerce Act”.

(b) Section 306 of the Rail Passenger Service Act of 1970 (45 U.S.C. 546) is amended by adding at the end thereof the following new subsections:

“(f) All departments, agencies, and instrumentalities of the Federal Government shall, in authorizing travel in the continental United States for their employees or for members of the Armed Forces or commissioned services, treat travel by train (whether or not extra fare trains) on the same basis as travel by other authorized modes.

“(g) The Corporation shall be subject to the provisions of section 552 of title 5, United States Code.”.

SEC. 4. Section 308 of the Rail Passenger Service Act of 1970 (45 U.S.C. 548) is amended to read as follows:

“SEC. 308. REPORTS TO THE CONGRESS.

“(a) (1) Not later than the eightieth day following the end of each calendar month, the Corporation shall transmit to the Congress and release to the public the following information applicable to its operations for such calendar month:

“(A) Total itemized revenues and expenses.

“(B) Revenues and expenses of each train operated.

“(C) Revenues and total expenses attributable to each railroad over which service is provided.

“(2) Not later than the fifteenth day following the end of each calendar month, the Corporation shall transmit to the Congress and release to the public the following information applicable to its operations for

such calendar month:

“(A) The average number of passengers per day on board each train operated.

“(B) The on-time performance at the final destination of each train operated, by route and by railroad.

“(b) The Corporation shall transmit to the President and to the Congress by January 15 of each year (beginning with 1973), and at such other times as it deems desirable, a comprehensive and detailed report of its operations, activities, and accomplishments under this Act, including a statement of receipts and expenditures for the preceding year. At the time of its annual report, the Corporation shall submit such legislative recommendations as it deems desirable, including the amount of financial assistance needed for operations and for capital improvements, the manner and form in which the amount of such assistance should be computed, and the sources from which such assistance should be derived.

Report to
President and
Congress.

“(c) The Secretary and the Commission shall transmit to the President and to the Congress by March 15 of each year (beginning with 1974) reports (or, in their discretion, a joint report) on the effectiveness of this Act in meeting the requirements for a balanced national transportation system, together with any legislative recommendations.”.

SEC. 5. Section 402 of the Rail Passenger Service Act of 1970 (45 U.S.C. 562) is amended—

84 Stat. 1335.

(1) by inserting “within ninety days after application by the Corporation,” immediately after “Interstate Commerce Commission shall,” in the second sentence of subsection (a); and

(2) by adding at the end thereof the following new subsection:

“(c) To facilitate such operations by the Corporation as may be deemed by it to be necessary in an emergency, the Commission shall, upon application by the Corporation, require a railroad to make immediately available tracks and other facilities for the duration of such emergency. The Commission shall thereafter promptly proceed to fix such terms and conditions as are just and reasonable including indemnification of the railroad by the Corporation against any casualty risk to which it may be exposed.”.

Emergency
measures.

SEC. 6. Section 403(a) of the Rail Passenger Service Act of 1970 (45 U.S.C. 563(a)) is amended to read as follows:

Experimental
service.

“(a) The Corporation may provide intercity rail passenger service in excess of that prescribed for the basic system, either within or outside the basic system, where the Corporation, based on its own or available marketing studies or other similar reports or information, determines that experimental or expanded service would be justified, if consistent with prudent management. In determining the establishment of the additional routes, the Corporation shall take into account the current and the estimated future population and economic conditions of the points to be served, the adequacy of alternative modes of transportation available to those points, and the cost of adding the service. The Corporation shall cooperate with State, regional, and local agencies to encourage the use of trains established under this subsection and shall make reasonable efforts to assure high quality of customer services. Any intercity rail passenger service provided under this subsection for a continuous period of two years shall be designated by the Secretary as a part of the basic system.”.

Employee protection.
84 Stat. 1337.

"Discontinuance of intercity rail passenger service."

Free or reduced-rate privileges.

SEC. 7. (a) Section 405(a) of the Rail Passenger Service Act of 1970 (45 U.S.C. 565(a)) is amended to read as follows:

"(a) A railroad shall provide fair and equitable arrangements to protect the interests of employees, including employees of terminal companies, affected by a discontinuance of intercity rail passenger service whether occurring before, on, or after January 1, 1975. A 'discontinuance of intercity rail passenger service' shall include any discontinuance of service performed by railroad under any facility or service agreement under sections 305 and 402 of this Act pursuant to any modification or termination thereof or an assumption of operations by the Corporation."

(b) Section 405(b) of the Rail Passenger Service Act of 1970 (45 U.S.C. 565(b)) is amended by inserting the following words after the words "affected employees" in the last sentence thereof: ", including affected terminal employees,".

(c) Section 405(c) of the Rail Passenger Service Act of 1970 (45 U.S.C. 565(c)) is amended to read as follows:

"(c) Upon commencement of operations in the basic system, the substantive requirements of subsections (a) and (b) of this section shall apply to the Corporation and its employees in order to insure the maintenance of the protective arrangements specified in such subsections, except that nothing in this subsection shall be construed to impose upon the Corporation any obligation of a railroad with respect to any right, privilege, or benefit earned by any employee as a result of prior service performed for such railroad. The Secretary of Labor shall certify that affected employees of the Corporation have been provided fair and equitable protection as required by this section within one hundred and eighty days after assumption of operations by the Corporation."

SEC. 8. Section 405 of the Rail Passenger Service Act of 1970 (45 U.S.C. 565) is further amended by adding at the end thereof the following new subsection:

"(f) The Corporation shall take such action as may be necessary to assure that, to the maximum extent practicable, any railroad employee eligible to receive free or reduced-rate transportation by railroad on April 30, 1971, under the terms of any policy or agreement in effect on such date will be eligible to receive, provided space is available, free or reduced-rate transportation on any intercity rail passenger service provided by the Corporation under this Act, on terms similar to those available on such date to such railroad employee under such policy or agreement. However, the Corporation may apply to all railroad employees eligible to receive free or reduced-rate transportation under such policies or agreements, a single systemwide schedule of terms determined by the Corporation to reflect terms applicable to the majority of such employees under those policies or agreements in effect on April 30, 1971. The Corporation shall be reimbursed by the railroads by way of payment or offset for such costs as may be incurred in providing transportation services to railroad employees under any policy or agreement referred to in the first sentence of this subsection, including the costs of implementing and administering this section. Within ninety days after the enactment of this sentence, each railroad shall enter into an agreement with the Corporation for the payment

of such expenses. If the Corporation and a railroad are unable to agree as to the amount of any payment owed by the railroad under this subsection, the matter shall be referred to the Commission for decision. The Commission, upon investigation, shall decide the issue within ninety days following the date of referral, and its decision shall be binding on both parties. If any railroad company which operates intercity passenger service not under contract with the Corporation notifies the Corporation and railroads which have entered into the agreement specified above that it will accept the terms of the system-wide schedule of terms and the compensation specified in the agreements, such railroad company shall be reimbursed for services to railroad employees in accordance with the agreements. As used in this subsection, the term 'railroad employee' means (1) an active full-time employee, including any such employee during a period of furlough or while on leave of absence, of a railroad or terminal company, (2) a retired employee of a railroad or terminal company, and (3) the dependents of any employee referred to in clause (1) or (2) of this sentence."

SEC. 9. Section 601 of the Rail Passenger Service Act of 1970 (45 U.S.C. 601) is amended to read as follows:

"SEC. 601. FEDERAL GRANTS.

"(a) There is authorized to be appropriated to the Secretary in fiscal year 1971, \$40,000,000, and in subsequent fiscal years a total of \$225,000,000, these amounts to remain available until expended, for payment, pursuant to terms and conditions prescribed by the Secretary, to the Corporation for the purpose of assisting in—

- "(1) the initial organization and operation of the Corporation;
- "(2) the establishment of improved reservations systems and advertising;
- "(3) servicing, maintenance, repair, and rehabilitation of railroad passenger equipment;
- "(4) the conduct of research and development and demonstration programs respecting new rail passenger services;
- "(5) the development and demonstration of improved rolling stock;
- "(6) essential fixed facilities for the operation of passenger trains on lines and routes included in the basic system over which no through passenger trains are being operated at the time of enactment of this Act, including necessary track connections between lines of the same or different railroads;
- "(7) the purchase or lease by the Corporation of railroad rolling stock; and
- "(8) other corporate purposes.

"(b) There is authorized to be appropriated to the Secretary \$2,000,000 annually, for payment, pursuant to terms and conditions prescribed by the Secretary, to the Corporation for the purpose of assisting in the development and operation of international rail passenger services between the United States and Canada and between the United States and Mexico. Such international rail passenger services shall include intercity rail passenger service between points within the United States and—

- "(1) Montreal, Canada;
- "(2) Vancouver, Canada; and
- "(3) Nuevo Laredo, Mexico.

For the purposes of section 404(b) of this Act, international rail passenger services provided under this subsection shall be deemed to be included within the basic system."

SEC. 10. (a) Section 602 of the Rail Passenger Service Act of 1970 (45 U.S.C. 602) is amended to read as follows:

84 Stat. 1338.

Appropriation.

Appropriation.

45 USC 564.

"SEC. 602. GUARANTEE OF LOANS.

"(a) The Secretary is authorized, on such terms and conditions as he may prescribe, to guarantee any lender against loss of principal and interest on securities, obligations, or loans (including refinancings thereof) issued to finance the upgrading of roadbeds and the purchase by the Corporation or an agency of new rolling stock, rehabilitation of existing rolling stock, reservation systems, switch and signal systems, and other capital equipment and facilities necessary for the improvement of rail passenger service. The maturity date of such securities, obligations, or loans, including all extensions and renewals thereof, shall not be later than twenty years from their date of issuance.

"(b) All guarantees entered into by the Secretary under this section shall constitute general obligations of the United States of America backed by the full faith and credit of the Government of the United States of America.

"(c) Any guarantee made by the Secretary under this section shall not be terminated, canceled or otherwise revoked; shall be conclusive evidence that such guarantee complies fully with the provisions of this Act and of the approval and legality of the principal amount, interest rate, and all other terms of the securities, obligations, or loans and of the guarantee; and shall be valid and incontestable in the hands of a holder of a guaranteed security, obligation, or loan, except for fraud or material misrepresentation on the part of such holder.

"(d) The aggregate unpaid principal amount of securities, obligations, or loans outstanding at any one time which are guaranteed by the Secretary under this section—

"(1) may not exceed \$150,000,000 before July 1, 1973, and

"(2) may not exceed \$200,000,000 after June 30, 1973.

The Secretary shall prescribe and collect a reasonable annual guaranty fee.

Appropriation.

"(e) There are authorized to be appropriated to the Secretary such amounts, to remain available until expended, as are necessary to discharge all his responsibilities under this section.

"(f) If at any time the moneys available to the Secretary are insufficient to enable him to discharge his responsibilities under guarantees issued by him under subsection (a) of this section, he shall issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities and subject to such terms and conditions, as may be prescribed by the Secretary of the Treasury. Redemption of such notes or obligations shall be made by the Secretary from appropriations available under subsection (e) of this section. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of such notes or other obligations. The Secretary of the Treasury shall purchase any notes or other obligations issued hereunder and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act, as amended, are extended to include any purchase of such notes or obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations as acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States."

(b) Section 602 (b), (c), (d), (e), and (f) of the Rail Passenger Service Act of 1970, as amended by subsection (a) of this section shall also apply to guarantees made by the Secretary prior to the enactment of this Act. The amendment of section 602(a) shall not affect the legality of guarantees made by the Secretary prior to the enactment of this Act, but such guarantees shall continue in effect until discharged by payment of the loan guaranteed, together with interest, after such date.

Ante, p. 232.

SEC. 11. Section 805 of the Rail Passenger Service Act of 1970 (45 U.S.C. 644) is amended—

84 Stat. 1340.

(1) by inserting “AND CERTAIN RAILROADS” immediately before the period at the end of the section heading; and

(2) by redesignating paragraph (B) of subsection (2) as paragraph (C) and inserting immediately after paragraph (A) the following new paragraph:

“(B) To the extent the Comptroller General deems necessary in connection with audits as he may make of the financial transactions of the Corporation pursuant to paragraph (A) of this subsection, his representatives shall have access to all books, accounts, records, reports, files, and other papers, things, or property belonging to or in use by any railroad with which the Corporation has entered into a contract for the performance of intercity rail passenger service, pertaining to such railroad’s financial transactions and necessary to facilitate the audit, and such representatives shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians. All such books, accounts, records, reports, files, papers, and property of such railroad shall remain in the possession and custody of the railroad.”

GAO audit.

SEC. 12. Title VIII of the Rail Passenger Service Act of 1970 (45 U.S.C. 641–644) is amended by adding at the end thereof the following new section:

“SEC. 806. REPORT BY SECRETARY OF TRANSPORTATION.

“(a) The Secretary shall, on or before March 15, 1973, transmit to the Congress a comprehensive report on the effectiveness of this Act in achieving and promoting intercity rail passenger service and on the effectiveness of the Corporation in implementing the purposes of this Act. Such report shall include an evaluation by the Secretary of the intercity rail passenger service operations assumed by the Corporation including, but not limited to, adequacy and effectiveness of services, on-time performance, reservations and ticketing, scheduling, equipment, fare structures, routes, and immediate and long-term financial needs.

“(b) In addition to the general evaluation and assessment required under subsection (a) of this section, the report by the Secretary shall include—

“(1) recommendations for the orderly assumption by the Corporation of the operation and control of all aspects of its intercity rail passenger service, including the performance by the Corporation of all full-time functions solely related to the intercity rail passenger service provided by it under this Act;

“(2) an assessment of whether the board of directors of the Corporation adequately and fairly represents the members of the public who utilize intercity rail passenger services and, if necessary, recommendations for appropriate changes in the composition of such board of directors;

“(3) estimates of potential revenues for the Corporation from the transportation of mail and express on intercity passenger trains;

"(4) a detailed analysis of the on-time performance of intercity rail passenger service operations assumed by the Corporation, together with such recommendations as the Secretary may deem advisable to eliminate delays in such intercity rail passenger service operations caused by freight train operations;

"(5) recommendations with respect to the establishment of the optimum intercity rail passenger service system as soon as possible after July 1, 1973, taking into account economic feasibility, requirements as to public convenience and necessity, and the ability of the Corporation to provide adequate service over the total system, which optimum system shall include recommended routes and discontinuances; and

"(6) recommendations with respect to the improvement of tracks and roadbeds on routes over which the Corporation operates intercity passenger trains.

"(c) Such report shall contain such additional recommendations as the Secretary may deem advisable to assist the Corporation in carrying out the purposes of this Act, including recommendations for legislative enactments or administrative actions which would enable the Corporation, after July 1, 1973, to discontinue more rapidly and efficiently those routes which do not meet the criteria recommended by the Secretary for the establishment of the optimum intercity rail passenger service system.

"(d) In carrying out the provisions of this section, the Secretary may use available services and facilities of other departments, agencies, and instrumentalities of the Federal Government with their consent and on a reimbursable basis.

"(e) Departments, agencies, and instrumentalities of the Federal Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the provisions of this section."

Effective date.

SEC. 13. The amendments made by this Act shall be effective upon enactment.

Approved June 22, 1972.

Public Law 92-317

AN ACT

June 22, 1972
[H. R. 13034]

To authorize appropriations to carry out the Fire Research and Safety Act of 1968 and the Standard Reference Data Act, and to amend the Act of March 3, 1901 (31 Stat. 1449), to make improvements in fiscal and administrative practices for more effective conduct of certain functions of the National Bureau of Standards.

National Bureau of Standards.
Certain programs.
Appropriation authorization.

15 USC 278f
note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated to the Department of Commerce not to exceed \$5,000,000 for fiscal year 1973, not to exceed \$9,000,000 for fiscal year 1974, and not to exceed \$10,500,000 for fiscal year 1975 to carry out the purposes of the Fire Research and Safety Act of 1968 (Public Law 90-259; 82 Stat. 34).

SEC. 2. There is authorized to be appropriated to the Department of Commerce not to exceed \$3,000,000 for fiscal year 1973, not to exceed \$4,500,000 for fiscal year 1974, and not to exceed \$5,500,000 for fiscal year 1975 to carry out the purposes of the Standard Reference Data Act (15 U.S.C. 290-290f; 82 Stat. 339).