

113 Congress, 1/10/74 to 1/1/75

UNITED STATES



OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 93rd CONGRESS
SECOND SESSION

VOLUME 120--PART 27

OCTOBER 16, 1974 TO NOVEMBER 21, 1974

(PAGES 35707 TO 37038)

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the county legislature of Suffolk County, N.Y., requesting congressional reform of the SSI program. Referred to the Committee on Labor and Public Welfare.

A resolution by the medical staff of the Memorial Hospital of Glendale, Glendale, Calif., reaffirming its position that PSRO should be repealed in the best interests of their patients. Referred to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under the authority of the order of October 11, 1974, the following reports of committees were submitted on November 12, 1974, during the adjournment of the Senate:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3638. A bill to implement the Federal responsibility for the care and education of the Indian people by improving the services and facilities of Federal Indian health programs and encouraging maximum participation of Indians in such programs, and for other purposes (together with additional views) (Rept. No. 93-1283).

By Mr. MONDALE, from the Committee on Labor and Public Welfare, with amendments:

S. 3639. A bill to provide for the development and implementation of programs for youth camp safety (Rept. No. 93-1284).

By Mr. KENNEDY, from the Committee on Labor and Public Welfare, with amendments:

S. 2994. A bill to amend the Public Health Service Act to assure the development of a national health policy and of effective State health regulatory programs and area health planning programs, and for other purposes (Rept. No. 93-1265).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ERVIN, from the Committee on the Judiciary, with amendments:

S. 2830. A bill to help preserve the separation of powers and to further the constitutional prerogatives of Congress by providing for congressional review of executive agreements (Rept. No. 93-1286).

By Mr. HASKELL, from the Committee on Interior and Insular Affairs, with amendments:

S. 600. A bill to designate certain lands as wilderness (Rept. No. 93-1287).

URBAN MASS TRANSPORTATION ASSISTANCE ACT OF 1974—CONFERENCE REPORT (REPT. NO. 93-1288)

Mr. SPARKMAN, Mr. President, on behalf of the Senator from New Jersey (Mr. WILLIAMS), I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 386) to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes, which I ask unanimous

consent to have printed in the RECORD at this point.

There being no objection, the conference report was ordered to be printed in the RECORD, as follows:

CONFERENCE REPORT (S. REPT. NO. 93-1288)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 386) to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes, 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 disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "National Mass Transportation Assistance Act of 1974".

FINDINGS

SEC. 2. The Congress finds that—

(1) over 70 per centum of the Nation's population lives in urban areas;

(2) transportation is the lifeblood of an urbanized society and the health and welfare of that society depends upon the provision of efficient economical and convenient transportation within and between its urban area;

(3) for many years the mass transportation industry satisfied the transportation needs of the urban areas of the country capably and profitably;

(4) in recent years the maintenance of even minimal mass transportation service in urban areas has become so financially burdensome as to threaten the continuation of this essential public service;

(5) the termination of such service or the continued increase in its cost to the user is undesirable, and may have a particularly serious adverse effect upon the welfare of a substantial number of lower income persons;

(6) some urban areas are now engaged in developing preliminary plans for, or are actually carrying out, comprehensive projects to revitalize their mass transportation operations; and

(7) immediate substantial Federal assistance is needed to enable many mass transportation systems to continue to provide vital service.

TITLE I—INCREASED MASS TRANSPORTATION ASSISTANCE

AUTHORIZATION

SEC. 101. (a) The first sentence of section 4(c) of the Urban Mass Transportation Act of 1964 is amended by striking out "\$6,100,000,000" and inserting in lieu thereof "\$10,925,000,000".

(b) Section 4(c) of such Act is further amended by adding at the end thereof the following new sentence: "Of the total amount available to finance activities under this Act (other than under section 5) on and after the date of the enactment of the National Mass Transportation Assistance Act of 1974, not to exceed \$500,000,000 shall be available exclusively for assistance in areas other than urbanized areas (as defined in section 5(a)(3))."

TRANSPORTATION PLANNING

SEC. 102. Section 3(a) of the Urban Mass Transportation Act of 1964 is amended—

(1) by inserting "(1)" after "SEC. 3. (a)";

(2) by redesignating clauses (1) and (2) of the third sentence as clauses (A) and (B) respectively;

"(2) It is declared to be in the national interest to encourage and promote the following:

(3) by striking out the sixth and seventh sentences; and

(4) by adding at the end thereof the following: "The development of transportation systems, embracing various modes of transport in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective the Secretary shall cooperate with the States in the development of long-range plans and programs which are properly coordinated with plans for improvements in other affected forms of transportation and which are formulated with due consideration to their probable effect on the future development of urban areas of more than fifty thousand population. The development of projects in urbanized areas under this section shall be based upon a continuing, cooperative, and comprehensive planning process covering all modes of surface transportation and carried on by the States and the governing bodies of local communities in accordance with this paragraph. The Secretary shall not approve any project in an urbanized area after July 1, 1976, under this section unless he finds that such project is based on a continuing comprehensive transportation planning process carried on in conformance with the objectives stated in this paragraph."

FORMULA GRANT PROGRAM

SEC. 103. (a) The Urban Mass Transportation Act of 1964 is amended by striking out section 5 and inserting in lieu thereof the following new section:

"URBAN MASS TRANSIT PROGRAM

"SEC. 5. (a) As used in this section—

"(1) the term 'construction' means the supervising, inspecting, actual building, and all expenses incidental to the acquisition, construction, or reconstruction of facilities and equipment for use in mass transportation, including designing, engineering, locating, surveying, mapping, acquisition of rights-of-way, relocation assistance, and acquisition and replacement of housing sites;

"(2) the term 'Governor' means the Governor, or his designate, of any one of the fifty States or of Puerto Rico, and the Mayor of the District of Columbia; and

"(3) the term 'urbanized area' means an area so designated by the Bureau of the Census, within boundaries which shall be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary, and which shall at a minimum, in the case of any such area, encompass the entire urbanized area within the State as designated by the Bureau of the Census.

"(b) The Secretary shall apportion for expenditure in fiscal years 1975 through 1980 the sums authorized by subsection (c). Such sums shall be made available for expenditure in urbanized areas or parts thereof on the basis of a formula under which urbanized areas or parts thereof will be entitled to receive an amount equal to the sum of—

"(A) one-half of the total amount so apportioned multiplied by the ratio which the population of such urbanized area or part thereof, as designated by the Bureau of the Census, bears to the total population of all the urbanized areas in all the States as shown by the latest available Federal census; and

"(B) one-half of the total amount so apportioned multiplied by a ratio for that urbanized area determined on the basis of population weighted by a factor of density, as determined by the Secretary.

As used in the preceding sentence, the term 'density' means the number of inhabitants per square mile.

"(2) The Governor, responsible local officials and publicly-owned operators of mass transportation services, in accordance with the procedures required under section (g) (1), with the concurrence of the Secretary, shall designate a recipient to receive and disburse the funds apportioned under paragraph