

VETOING H.R. 15323, AN ACT TO AMEND THE  
ATOMIC ENERGY ACT OF 1954, AS AMENDED,  
TO REVISE THE METHOD OF PROVIDING FOR  
PUBLIC REMUNERATION IN THE EVENT OF A  
NUCLEAR INCIDENT, AND FOR  
OTHER PURPOSES

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MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

VETOING H.R. 15323, AN ACT TO AMEND THE ATOMIC  
ENERGY ACT OF 1954, AS AMENDED, TO REVISE THE  
METHOD OF PROVIDING FOR PUBLIC REMUNERATION IN  
THE EVENT OF A NUCLEAR INCIDENT, AND FOR  
OTHER PURPOSES



OCTOBER 15, 1974.—Message and accompanying act referred to the  
Joint Committee on Atomic Energy and ordered to be printed

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U.S. GOVERNMENT PRINTING OFFICE

*To the House of Representatives:*

I am returning without my approval H.R. 15323, "To amend the Atomic Energy Act, as amended, to revise the method of providing public remuneration in the event of a nuclear incident, and for other purposes."

The first eleven sections of the bill basically carry out recommendations of the Atomic Energy Commission, and I would be glad to approve them if they stood alone.

Section 12, however, would provide that "the provisions of this Act shall become effective thirty (30) days after the date on which the Joint Committee on Atomic Energy submits to the Congress an evaluation of the Reactor Study, entitled 'An Assessment of Accident Risks in the U.S. Commercial Nuclear Power Plants,' AEC Report Number WASH-1400, except that it shall not become effective if within the thirty (30) day period after the Joint Committee submits its evaluation, the Congress adopts a concurrent resolution disapproving the extension of the Price-Anderson Act." The import of this section is that after I have approved the bill, the Joint Committee and the Congress would further consider whether it should ever become effective.

I cannot approve legislation under these circumstances—if, indeed, the bill can properly be called legislation rather than merely the expression of an intent to legislate. The presentation of a bill to me pursuant to Article I, section 7 of the Constitution amounts to a representation by Congress that, as far as it is concerned, the legislation is ready to become effective, subject perhaps to some extrinsic condition precedent, but not to further congressional deliberation. Here, however, Congress in effect requests my approval before it has given its own.

In this instance, the clear constitutional infirmity of the bill not only affects my powers and duties but directly endangers substantial and important private rights. If the bill is unconstitutional, it will remain unconstitutional despite my signing it. As a result, a sure source of funds for prompt payment of public liability claims, a primary objective of the Price-Anderson Act, would be in doubt. The uncertainty over nuclear liability protection would also adversely affect that private investment which will be necessary as nuclear power assumes its vital role in meeting the nation's energy requirements. The public interest would not be served by approving legislation which creates these uncertainties.

I urge the Congress to reenact the bill promptly so as to remove the problems which Section 12 now raises.

GERALD R. FORD.

THE WHITE HOUSE, *October 12, 1974.*

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