

as otherwise provided in this Act. "Official purposes" shall not apply to the Commissioners of the District of Columbia or in cases of officers and employees the character of whose duties makes such transportation necessary, but only as to such latter cases when the same is approved by the Commissioners.

SEC. 11. Appropriations contained in this Act for Highways and Traffic, and Sanitary Engineering shall be available for snow and ice control work when ordered by the Commissioners in writing.

SEC. 12. Appropriations in this Act shall be available, when authorized by the Commissioners, for the rental of quarters without reference to section 6 of the District of Columbia Appropriation Act, 1945.

SEC. 13. Appropriations in this Act shall be available for the furnishing of uniforms when authorized by the Commissioners.

SEC. 14. There are hereby appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments which have been entered against the government of the District of Columbia, including refunds authorized by section 10 of the Act approved April 23, 1924 (43 Stat. 108): *Provided*, That nothing contained in this section shall be construed as modifying or affecting the provisions of paragraph 3, subsection (c) of section 11 of title XII of the District of Columbia Income and Franchise Tax Act of 1947, as amended.

SEC. 15. Except as otherwise provided herein, limitations and legislative provisions contained in the District of Columbia Appropriation Act, 1961, shall be continued for the fiscal year 1968: *Provided*, That the limitation for "Construction Services, Department of Buildings and Grounds" contained in the District of Columbia Appropriation Act, 1961, shall be increased from 6 to 8 per centum of appropriations for construction projects in excess of \$500,000 and to 10 per centum of appropriations for construction projects under \$500,000.

SEC. 16. Appropriations in this Act shall not be used for the assignment or transportation of students to public schools in the District of Columbia in order to overcome racial imbalance.

SEC. 17. The cost of living allowance annualized in the appropriation for the Department of Welfare shall be limited to the "net payment" in computing the assistance payments for recipients in the five regular categories of public assistance.

SEC. 18. The joint resolution of October 5, 1967 (Public Law 90-102) is hereby amended by striking out "October 23, 1967" and inserting in lieu thereof "November 9, 1967".

This Act may be cited as the "District of Columbia Appropriation Act, 1968."

Approved November 13, 1967.

Snow and ice control.

Rental of quarters.

58 Stat. 532, D.C. Code 1-243.

Uniforms, Judgment payments.

D.C. Code 47-1910.

70 Stat. 78, D.C. Code 47-1856j.

74 Stat. 23.

Restrictions.

Continuing appropriations, 1968.

Ante, p. 256. Short title.

Public Law 90-135

AN ACT

To authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes.

November 14, 1967
[S. 223]

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 "Alaska Communications Disposal Act".

Alaska Communications Disposal Act.

TITLE I—DEFINITIONS

SEC. 101. In this Act—

(1) "Transfer" means the conveyance by the United States of any element of ownership, including but not restricted to any estate or

interest in property, and franchise rights, by sale, exchange, lease, easement, or permit, for cash, credit, or other property, with or without warranty.

(2) "Long-lines communication facilities" means the transmission systems connecting points inside the State with each other and with points outside the State by radio or wire, and includes all kinds of property and rights-of-way necessary to accomplish this interconnection.

(3) "Agency concerned" means any department, agency, wholly owned corporation, or instrumentality of the United States.

TITLE II—TRANSFER OF UNITED STATES GOVERNMENT-OWNED LONG-LINES COMMUNICATION FACILITIES IN AND TO ALASKA

SEC. 201. (1) Subject to the provisions of section 202, and notwithstanding provisions of any other law, the Secretary of Defense or his designee, with the advice, assistance, and, in the case of any agency not under the jurisdiction of the Secretary of Defense, the consent of the agency concerned, and after approval of the President, is authorized to and shall transfer for adequate consideration any or all long-lines communication facilities in or to Alaska under the jurisdiction of the Federal Government to any person qualifying under the provisions of section 202, and may take such action and exercise such powers as may be necessary or appropriate to effectuate the purposes of this Act.

(2) Transfers under this title shall be made in accordance with the procedures and methods required by sections 203(e), (1), (2), and (3) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(e)), except that "the Secretary of Defense or his designee" shall be substituted for all references therein to "the Administrator".

72 Stat. 288.

(3) The requirements of section 207 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 488), shall apply to transfers under this title.

72 Stat. 631.

(4) The head of the agency concerned or his designee shall execute such documents for the transfer of title or other interest in property, except any mineral rights therein, and take such other action as the Secretary of Defense deems necessary or proper to transfer such property under the provisions of this title. A copy of any deed, lease, or other instrument executed by or on behalf of the head of the agency concerned purporting to transfer title or any other interest in public land shall be furnished to the Secretary of the Interior.

(5) No interest in public lands, withdrawn or otherwise appropriated, may be transferred under this title, without the prior consent of the Secretary of the Interior, or, with respect to lands within a national forest, of the Secretary of Agriculture.

(6) In connection with soliciting offers to purchase such long-lines facilities of the Alaska Communication System the Secretary of Defense or his designee shall:

(a) Provide any prospective purchaser who requests it data on (i) the facilities available for purchase, (ii) the amounts deemed to be the current fair and reasonable value of those facilities, and (iii) the initial rates which will be charged to the purchaser for capacity in facilities retained by the Government and available for commercial use;

(b) Provide, in the request for offers to purchase, that offerors must specify the rates they propose to charge for service and the

improvements in service which they propose to initiate;

(c) Provide an opportunity for prospective purchasers to meet as a group with Department of Defense representatives to assure that the data and the public interest requirements described in (a) and (b), above, are fully understood; and

(d) Seek the advice and assistance of the Federal Communications Commission, the Federal Field Committee for Development Planning in Alaska, and the Governor of Alaska or his designees, to assure consideration of all public interest factors associated with the transfer.

SEC. 202. No transfer under this title may be made unless the Secretary of Defense or his designee determines that—

(1) the United States does not need to retain the property involved in the transfer for national defense purposes;

(2) the transfer is in the public interest;

(3) the person to whom the transfer is made is prepared and qualified to provide, without interruption, the communication service involved in the transfer; and

(4) the long-lines communication facilities will not directly or indirectly be owned, operated, or controlled by a person who would legally be disqualified by subsection 310(a) of the Communications Act of 1934, as amended, from holding a radio station license.

48 Stat. 1086.
47 USC 310.

SEC. 203. The agreements by which a transfer is made under this title shall include a provision that—

(1) the person to whom the transfer is made shall, subject to the rules and regulations of any body or commission established by the State of Alaska to govern and regulate communication services to the public and of the Federal Communications Commission and all applicable statutes, treaties, and conventions, provide without interruption, the communication services involved in the transfer, except those services reserved by the United States in the transfer;

(2) the rates and charges for such services applicable at the time of transfer shall not be changed for a period of one year from the date of such transfer unless approved by a governmental body or commission having jurisdiction; and

(3) the transfer will not be final unless and until the transferee shall receive any requisite licenses and certificates of convenience and necessity to operate interstate and intrastate commercial communications in Alaska from the appropriate governmental regulatory bodies.

SEC. 204. Transfers under this title do not require the approval of the Federal Communications Commission except to the extent that the approval of the Federal Communications Commission is necessary under section 203(3) above.

SEC. 205. Notwithstanding the provisions of any other law, the gross proceeds of each transfer shall be covered into the Treasury of the United States as miscellaneous receipts.

SEC. 206. The Secretary of Defense or his designee shall report to the Congress and the President—

Reports to
President and
Congress.

(1) in January of each year, the actions taken under this title during the preceding twelve months; and

(2) not later than ninety days after completion of each transfer under this title, a full account of that transfer.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. This Act does not modify in any manner the provisions of the Communications Act of 1934, as amended.

SEC. 302. There are authorized to be appropriated to the Secretary of Defense such sums as may be necessary to carry out the provisions of this Act.

Approved November 14, 1967.

Public Law 90-136

AN ACT

To authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska Mid-State division, Missouri River Basin project, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to construct, operate, and maintain in accordance with the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto) the Nebraska Mid-State division, Missouri River Basin project, Nebraska, for the principal purposes of furnishing a surface irrigation water supply for approximately one hundred and forty thousand acres of land, aiding in the replenishment of the ground water supply of the area for domestic and agricultural use, controlling floods, conserving and developing fish and wildlife, enhancing recreation opportunities, and producing hydroelectric power. The principal works of the project shall consist of a diversion dam on the Platte River, a main supply canal, an interconnected reservoir system, hydroelectric power facilities, wasteways, pumps, drains, canals, laterals, distribution facilities, and related works.

SEC. 2. The Nebraska Mid-State division shall be integrated, physically and financially, with the other Federal works in the Missouri River Basin constructed or authorized to be constructed under the comprehensive plans approved by section 9 of the Act of December 22, 1944 (58 Stat. 891), as amended and supplemented, and shall be a division of the Missouri River Basin project therein approved and authorized.

SEC. 3. The interest rate used for computing interest during construction and interest on the unpaid balance of the capital costs allocated to interest-bearing features of the Nebraska Mid-State division shall be determined by the Secretary of the Treasury as of the beginning of the fiscal year in which construction is initiated, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue.

SEC. 4. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

48 Stat. 1064.
47 USC 609.

November 14, 1967
[H. R. 845]

Missouri River
Basin project.

43 USC 391 note.

63 Stat. 1051.
7 USC 1421
note.

52 Stat. 41.
7 USC 1301.