

Public Law 91-168

AN ACT

December 26, 1969
[H. R. 14794]

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1970, and for other purposes.

Department of
Transportation
and Related
Agencies
Appropriation
Act, 1970.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending June 30, 1970, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

80 Stat. 508;
81 Stat. 206.

For necessary expenses of the Office of the Secretary of Transportation, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); hire of passenger motor vehicles; not to exceed \$27,000 for allocation within the Department for official reception and representation expenses as the Secretary may determine; \$11,600,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

82 Stat. 126.
49 USC 1653
note.

For necessary expenses for conducting transportation planning, research, and development activities, including the collection of national transportation statistics; \$11,000,000, of which \$400,000 shall be available only for the study of the existing motor vehicle accident compensation system authorized in Public Law 90-313, to remain available until expended.

CONSOLIDATION OF DEPARTMENTAL HEADQUARTERS

For necessary expenses in connection with the consolidation of departmental activities into the Southwest Area of Washington, District of Columbia, \$4,520,000.

COAST GUARD

OPERATING EXPENSES

80 Stat. 416.

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for, including hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; purchase of not to exceed sixteen passenger motor vehicles for replacement only; maintenance, operation, and repair of aircraft; recreation and welfare; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); \$386,000,000, of which \$131,370 shall be applied to Capehart Housing debt reduction: *Provided*, That the number of aircraft on hand at any one time shall not exceed one hundred and seventy-three exclusive of planes and parts stored to meet future attrition: *Provided further*, That, without regard to any provisions of law or Executive order prescribing minimum flight requirements, Coast Guard regulations which establish proficiency standards and maximum and minimum flying hours for this purpose may provide for the payment of flight pay at the rates prescribed in section 301 of title 37, United States Code, to certain members of the Coast Guard otherwise entitled to receive flight pay during the current fiscal year (1)

76 Stat. 461.

who have held aeronautical ratings or designations for not less than fifteen years, or (2) whose particular assignment outside the United States or in Alaska, makes it impractical to participate in regular aerial flights: *Provided further*, That amounts equal to the obligated balances against the appropriations for "Operating expenses" for the two preceding years, shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for the payment of obligations properly incurred against such prior year appropriations and against this appropriation: *Provided further*, That, except as otherwise authorized by the Act of September 30, 1950 (20 U.S.C. 236-244), this appropriation shall be available for expenses of primary and secondary schooling for dependents of Coast Guard personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents and the Coast Guard may provide for the transportation of said dependents between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation.

School expenses
for dependents.
64 Stat. 1100;
79 Stat. 27.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and services as authorized by 5 U.S.C. 3109; \$66,500,000, to remain available until expended.

80 Stat. 416.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection Plan, \$57,750,000.

70A Stat. 108.
10 USC 1431-
1446.

RESERVE TRAINING

For all necessary expenses for the Coast Guard Reserve, as authorized by law, including repayment to other Coast Guard appropriations for indirect expenses, for regular personnel, or reserve personnel while on active duty, engaged primarily in administration and operation of the reserve program; maintenance and operation of facilities; supplies, equipment, and services; and the maintenance, operation, and repair of aircraft; \$25,900,000: *Provided*, That amounts equal to the obligated balances against the appropriations for "Reserve training" for the two preceding years shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for the payment of obligations properly incurred against such prior year appropriations and against this appropriation: *Provided further*, That none of the funds appropriated herein shall be available for a Selected Reserve programed to be in excess of 15,000 personnel on June 30, 1970.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

80 Stat. 416.

For necessary expenses, not otherwise provided for, for basic and applied scientific research, development, test and evaluation; services as authorized by 5 U.S.C. 3109; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$14,500,000, to remain available until expended.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

60 Stat. 170;
78 Stat. 158.
49 USC 1101
note.

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including administrative expenses for research and development and for establishment of air navigation facilities, and carrying out the provisions of the Federal Airport Act; purchase of five passenger motor vehicles for replacement only; and purchase and repair of skis and snowshoes; \$767,000,000: *Provided*, That there may be credited to this appropriation, funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the maintenance and operation of air navigation facilities.

FACILITIES AND EQUIPMENT

For an additional amount for the acquisition, establishment, and improvement by contract or purchase and hire of air navigation and experimental facilities, including the initial acquisition of necessary sites by lease or grant; the construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available, but at a total cost of construction of not to exceed \$50,000 per housing unit in Alaska; \$224,000,000, to remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment of air navigation facilities: *Provided further*, That no part of the foregoing appropriation shall be available for the construction of a new wind tunnel, or to purchase any land for or in connection with the National Aviation Facilities Experimental Center.

RESEARCH AND DEVELOPMENT

72 Stat. 731.

For expenses, not otherwise provided for, necessary for research, development, and service testing in accordance with the provisions of the Federal Aviation Act (49 U.S.C. 1301-1542), including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$41,000,000, to remain available until expended.

OPERATION AND MAINTENANCE, NATIONAL CAPITAL AIRPORTS

For expenses incident to the care, operation, maintenance, improvement and protection of the federally owned civil airports in the vicinity of the District of Columbia, including purchase of eight passenger motor vehicles for police use, for replacement only, which may exceed by \$450 the general purchase price limitation for the current fiscal year; purchase, cleaning and repair of uniforms; and arms and ammunition; \$9,650,000.

CONSTRUCTION, NATIONAL CAPITAL AIRPORTS

For necessary expenses for construction at the federally owned civil airports in the vicinity of the District of Columbia, \$1,900,000, to remain available until expended.

GRANTS-IN-AID FOR AIRPORTS

For grants-in-aid for airports pursuant to the provisions of the Federal Airport Act, as amended, for the fiscal year 1970, \$50,000,000, to remain available until expended.

60 Stat. 170;
78 Stat. 158.
49 USC 1101
note.

CIVIL SUPERSONIC AIRCRAFT DEVELOPMENT

For an additional amount for expenses, not otherwise provided for, necessary for the development of a civil supersonic aircraft, including the construction of two prototype aircraft of the same design, and advances of funds without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), \$85,000,000, to remain available until expended.

AVIATION WAR RISK INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures, within the limits of funds available pursuant to section 1306 of the Act of August 23, 1958 (49 U.S.C. 1536), and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 849), as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for aviation war risk insurance activities under said Act.

72 Stat. 803.

61 Stat. 584.

FEDERAL HIGHWAY ADMINISTRATION

OFFICE OF THE ADMINISTRATOR, SALARIES AND EXPENSES

For necessary expenses, not otherwise provided, as authorized by law, of the Office of the Administrator and staff offices of the Federal Highway Administration, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); services as authorized by 5 U.S.C. 3109, and for hire of passenger motor vehicles, \$1,650,000, together with not to exceed \$12,627,000, to be transferred from the appropriation for "Federal-Aid Highways (trust fund)."

80 Stat. 508;
81 Stat. 206.
80 Stat. 416.

BUREAU OF PUBLIC ROADS, LIMITATION ON GENERAL EXPENSES

For necessary expenses, not otherwise provided, for administration, operation, and research of the Bureau of Public Roads, as authorized by law, not to exceed \$59,121,000 shall be paid, in accordance with law, from the appropriation "Federal-Aid Highways (trust fund)" (including advances and reimbursements): *Provided*, That appropriations available to the Bureau of Public Roads shall be available for hire of passenger motor vehicles; uniforms or allowances therefor authorized by law (5 U.S.C. 5901-5902); and services as authorized by 5 U.S.C. 3109.

FEDERAL-AID HIGHWAYS (TRUST FUND)

72 Stat. 885.
23 USC 101
et seq.

For carrying out the provisions of title 23, United States Code, which are attributable to Federal-aid highways, to remain available until expended, \$4,419,279,000, or so much thereof as may be available in and derived from the "Highway trust fund"; which sum is composed of \$847,481,534, the balance of the amount authorized for the fiscal year 1968, and \$3,533,765,964 (or so much thereof as may be available in and derived from the "Highway trust fund"), a part of the amount authorized to be appropriated for the fiscal year 1969, \$11,549,761 for reimbursement of the sum expended for the repair or reconstruction of highways and bridges which have been damaged or destroyed by floods, hurricanes, or landslides, as provided by title 23, United States Code, section 125, \$133,443 for reimbursement of the sums expended for the design and construction of bridges upon and across dams, as provided by title 23, United States Code, section 320, \$24,949,709 for reimbursement of sums expended pursuant to the provisions of section 2 of the Pacific Northwest Disaster Relief Act of 1965 (79 Stat. 131), and \$1,398,589 for reimbursement of the sums expended pursuant to the provisions of section 21 of the Alaska Omnibus Act, as amended (78 Stat. 505).

73 Stat. 612;
82 Stat. 829.

72 Stat. 917.

48 USC prec.
21 note.

RIGHT-OF-WAY REVOLVING FUND (LIQUIDATION OF CONTRACT AUTHORIZATION) (TRUST FUND)

82 Stat. 818.

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 108(c), as authorized by section 7(c) of the Federal-Aid Highway Act of 1968, to remain available until expended, \$40,000,000, to be derived from the "Highway trust fund" at such times and in such amounts as may be necessary to meet current withdrawals.

HIGHWAY BEAUTIFICATION (LIQUIDATION OF CONTRACT AUTHORIZATION)

79 Stat. 1028,
1030, 1032.

82 Stat. 817.

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, sections 131, 136, and 319(b), to remain available until expended, \$5,000,000, together with \$1,100,000 for necessary administrative expenses for carrying out such provisions of title 23, United States Code, as authorized by section 6(g) of the Federal-Aid Highway Act of 1968.

TRAFFIC AND HIGHWAY SAFETY

80 Stat. 416.

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety, including services authorized by 5 U.S.C. 3109; \$29,550,000, together with \$2,050,000 to be transferred from the appropriation for "State and community highway safety (Liquidation of contract authorization)."

STATE AND COMMUNITY HIGHWAY SAFETY (LIQUIDATION OF CONTRACT AUTHORIZATION)

80 Stat. 731;
82 Stat. 822.

For the payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402, to remain available until expended, \$30,000,000, of which not to exceed \$2,050,000 may be advanced to the appropriation "Traffic and highway safety" for administration of this program.

MOTOR CARRIER SAFETY

For necessary expenses to carry out motor carrier safety functions of the Secretary, as authorized by the Department of Transportation Act (80 Stat. 939-40): \$2,300,000.

49 USC 1655.

FOREST HIGHWAYS (LIQUIDATION OF CONTRACT AUTHORIZATION)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 204, pursuant to contract authorization granted by title 23, United States Code, section 203, to remain available until expended, \$25,000,000, which sum is composed of \$11,950,000, the balance of the amount authorized to be appropriated for the fiscal year 1968, and \$13,050,000, a part of the amount authorized to be appropriated for the fiscal year 1969: *Provided*, That this appropriation shall be available for the rental, purchase, construction, or alteration of buildings and sites necessary for the storage and repair of equipment and supplies used for road construction and maintenance but the total cost of any such item under this authorization shall not exceed \$15,000.

72 Stat. 906.

PUBLIC LANDS HIGHWAYS (LIQUIDATION OF CONTRACT AUTHORIZATION)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 209, pursuant to the contract authorization granted by title 23, United States Code, section 203, to remain available until expended, \$7,000,000, which sum is composed of \$5,300,000, the balance of the amount authorized to be appropriated for the fiscal year 1968, and \$1,700,000, a part of the amount authorized to be appropriated for the fiscal year 1969.

72 Stat. 908;
78 Stat. 397.

CHAMIZAL MEMORIAL HIGHWAY

For necessary expenses to carry out the provisions of the Act of November 8, 1966 (Public Law 89-795), \$4,000,000, to remain available until expended.

80 Stat. 1477.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

SALARIES AND EXPENSES

For necessary expenses of the Federal Railroad Administration, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109; \$1,050,000.

80 Stat. 508;
81 Stat. 206.
80 Stat. 416.

BUREAU OF RAILROAD SAFETY

For necessary expenses of the Bureau of Railroad Safety, not otherwise provided for, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109; \$4,050,000.

HIGH-SPEED GROUND TRANSPORTATION RESEARCH AND DEVELOPMENT

For necessary expenses for research, development, and demonstrations in high-speed ground transportation, \$11,000,000, of which \$150,000 shall be available only for a feasibility study of extending a transit line to Dulles International Airport, to remain available until expended.

RAILROAD RESEARCH

For necessary expenses for conducting railroad research activities, \$300,000, to remain available until expended.

ALASKA RAILROAD

ALASKA RAILROAD REVOLVING FUND

The Alaska Railroad Revolving Fund shall continue available until expended for the work authorized by law, including operation and maintenance of oceangoing or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for transportation of freight, passengers, or mail, when deemed necessary for the benefit and development of industries or travel in the area served; and payment of compensation and expenses as authorized by 5 U.S.C. 8146, to be reimbursed as therein provided: *Provided*, That no employee shall be paid an annual salary out of said fund in excess of the salaries prescribed by the Classification Act of 1949, as amended, for grade GS-15, except the general manager of said railroad, one assistant general manager at not to exceed the salaries prescribed by said Act for GS-17, and five officers at not to exceed the salaries prescribed by said Act for grade GS-16.

80 Stat. 553.

80 Stat. 457.
5 USC 5332
note.

URBAN MASS TRANSPORTATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Urban Mass Transportation Administration, including uniforms and allowances therefor, as authorized by law (5 U.S.C. 5901-5902); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109; \$1,500,000.

80 Stat. 508;
81 Stat. 206.
80 Stat. 416.

URBAN MASS TRANSPORTATION FUND

For an additional amount for grants and loans as authorized by the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), to remain available until expended, \$214,000,000, for the fiscal year 1971, of which not to exceed \$20,000,000 shall be available for research, development, and demonstration grants.

78 Stat. 302;
82 Stat. 534.SAINT LAWRENCE SEAWAY DEVELOPMENT
CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such Corporation, except as hereinafter provided.

61 Stat. 584.
31 USC 849.

LIMITATION ON ADMINISTRATIVE EXPENSES, SAINT LAWRENCE
SEAWAY DEVELOPMENT CORPORATION

Not to exceed \$600,000 shall be available for administrative expenses which shall be computed on an accrual basis, including not to exceed \$3,000 for official entertainment expenses to be expended upon the approval or authority of the Secretary of Transportation, hire of passenger motor vehicles, uniforms or allowances therefor for operation and maintenance personnel, as authorized by law (5 U.S.C. 5901-5902) and \$5,000 for services as authorized by 5 U.S.C. 3109.

80 Stat. 508;
81 Stat. 206.
80 Stat. 416.

TITLE II—RELATED AGENCIES

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including employment of temporary guards on a contract or fee basis; hire, operation, maintenance, and repair of aircraft; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); \$5,050,000.

CIVIL AERONAUTICS BOARD

SALARIES AND EXPENSES

For necessary expenses of the Civil Aeronautics Board, including hire of aircraft; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); and not to exceed \$1,000 for official reception and representation expenses, \$10,200,000.

PAYMENTS TO AIR CARRIERS

For payments to air carriers of so much of the compensation fixed and determined by the Civil Aeronautics Board under section 406 of the Federal Aviation Act of 1958 (49 U.S.C. 1376), as is payable by the Board, \$33,500,000, to remain available until expended.

72 Stat. 763.

INTERSTATE COMMERCE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Interstate Commerce Commission, including services as authorized by 5 U.S.C. 3109, \$25,127,000, of which \$150,000 shall be available for valuation of pipelines: *Provided*, That Joint Board members and cooperating State commissioners may use Government transportation requests when traveling in connection with their duties as such.

WASHINGTON METROPOLITAN AREA TRANSIT
AUTHORITY

FEDERAL CONTRIBUTION

To enable the Department of Transportation to pay the Washington Metropolitan Area Transit Authority, as part of the Federal contribution toward expenses necessary to design, engineer, construct,

and equip a rail rapid transit system, as authorized by the National Capital Transportation Act of 1965, as amended (79 Stat. 663; 80 Stat. 1352; 81 Stat. 670), including acquisition of rights-of-way, land and interests therein, \$43,173,000 to remain available until expended.

Ante, p. 320.
40 USC 681
note.

TITLE III—GENERAL PROVISIONS

SEC. 301. During the current fiscal year applicable appropriations to the Federal Aviation Administration shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

80 Stat. 508;
81 Stat. 206.
Sonic boom
damages; pay-
ment of claims.

SEC. 302. Funds appropriated under this Act for expenditure by the Federal Aviation Administration may be expended for reimbursement of other Federal agencies for expenses incurred, on behalf of the Federal Aviation Administration, in the settlement of claims for damages resulting from sonic boom in connection with research conducted as part of the civil supersonic aircraft development.

SEC. 303. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of \$16,100,000 for "Highway Beautification" in fiscal year 1970.

SEC. 304. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of \$70,000,000 in fiscal year 1970 for "State and Community Highway Safety".

SEC. 305. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of \$18,000,000, exclusive of the reimbursable program, in fiscal year 1970 for "Forest Highways".

SEC. 306. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of \$8,000,000 in fiscal year 1970 for "Public Lands Highways".

SEC. 307. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Jet airplanes.
Lease purchase
contract pay-
ments.

SEC. 308. None of the money appropriated hereby shall be used to make any payment on any lease purchase contract for jet airplanes to be used by the Federal Aviation Administration wherein the total cost of the lease payments plus the amount needed to exercise the purchase option exceeds the purchase price of the aircraft (which would have been charged were the aircraft to be purchased by normal appropriations) by more than 20 per centum.

Everglades Na-
tional Park,
Fla.
Ecology study.

SEC. 309. None of the funds provided under this Act shall be available for the planning or execution of programs for any further construction of the Miami jetport or of any other air facility in the State of Florida lying south of the Okeechobee Waterway and in the drainage basins contributing water to the Everglades National Park until it has been shown by an appropriate study made jointly by the Department of the Interior and the Department of Transportation that such an airport will not have an adverse environmental effect on the ecology of the Everglades.

Short title.

This Act may be cited as the "Department of Transportation and Related Agencies Appropriation Act, 1970".

Approved December 26, 1969.